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Esquiannus iam est (vir ornatissime) ex
quo primum hoc opus Symbolographi-
cum opera curag, mea sub faustissimis
nominis tui auspicijs in lucem feliciter
prodijt. Cogitari certè quidem vix po-
test quanto hominum studio atque ap-
plausu (te patrono) fuerit acceptum, a-
deo vt nihil vnquam eiusdem generis
ipsis gratum magis aut probatum haberetur. Veruntamen quæ-
admodum alijs etiam in rebus vsu venire assolet, nihil primo vt
nascatur perfectum : Itidem et in hoc negotio non potuit non con-
tingere, quin nonnulla nec plene, nec accurate satis polita atque
descripta essent : Quinimo plurima, partim quidem desiderata,
partim vero redundantia, partim etiam indigesta essent. Qui-
bus quidem incommodis ipse aliquando mederi constitueram,
quod ne integere præstare potuerim, multa me etiam hætenus
impediunt. Nam (si quod verum est liberè fateri liceat) quam
primum Typographus exempla omnia priora (spe citius) distrax-
isset, ne speratum inde lucrum diutius expectaret, me tandem ex
improviso nil tale adhuc (sonniantem, immo alio destinatum, de
noua etiam editione statim ineunda summonuit, vehcmentè ro-

Epistola Dedicatoria.

gitans, ut teneram atq; informem istam prolem, leto vultu agnoscere, fauore, ac ad vitæ instar relambere non dedignarer. Illius autem petitioni honestæ certè, (mibi tamen tunc temporis plurimis magni momenti negotijs implicato non satis æquæ) non potui assentire. Ex quo enim hanc commentandi prouinciam semel suscepissem, nihil prorsus mihi potius tentandum videbatur, quàm ut in quo congerendo aliquantulum à me iam elaboratum est, in eodem etiam digerendo atque honestando diutius adhuc immorarer, ipsumque denuo typis excusum auctiorem, adeoque emendatiorem exhibere curarem. Quæ igitur tantillo tempore ad hanc rem conferre potuit mea tenuitas, ea omnia libentissimè contuli. Cumque in illa priore editione Hebræa aliquot, Græca autem non pauca interseruissem, illa nunc omnia ne imperitorum studia ac progressus, obscuritatis specie, linguarum ignorantia remoretur, penitus sustuli: ipsorum potius utilitati, quàm meæ æstimationi inseruiens. Nam utq; se res habet, ex usu mihi omnia æstimanda atque approbanda videntur. Quod vero iam postremum atque omnium adeo maximum est (vir illustrissime) ut hos meos labores qualescunque, non minores, quam illos in genus priores, benignitate excipere, & patrocinio iam secundo tutari velis, te etiam atque etiam rogo. Te denique (Jurisconsultissime) æternus Index non Anglicano tantum Regno, regiæque Maiestati serenissimæ, sed vniuersis quoque veræ Iurisprudentiæ verè studiosis quam diutissimè seruet incolumem. Vale, Rotheramiæ, Maij octauo,

Tui honoris studiosissimus

W. West.

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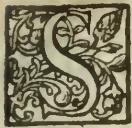




THE FIRST BOOKE OF SYMBOLEOGRAPHY, DESCRIBING THE

Method and forme requisite to be obserued in making of Instruments extraiudiciall.

What-Symbolaographie is.



Symbolaographie is an Art or cunning, rightly to forme Sect. 1.
and make written Instruments.

Symbolaographie is either iudiciall or extraiudiciall. Symbolaographie extraiudiciall, is the first part thereof, which is altogether occupied in the description of such Instruments, as concerne matter not yet iudicially in controuersie.

Which be of two sorts, namely, Instruments of agréments, or Contracts, and of Testaments or last Wills.

For the easier vnderstanding whereof, befoze we take in hand to describe them, it seemeth conuenient in some sort briefly to peruse and set downe the generall natures of Contracts and last Wills, and of such Obligations in law, as they breed the stufte or matter (whereof such Instruments are to be made :) beginning with Obligations.

Obligations.

The definition or description of Obligations, and the causes thereof.

A Obligation therfore is the second head, in which the right of Sect. 2.
persons is scene: all whose substance consisteth not in this, that: it should make any body or seruice ours, but to binde another to vs, to giue, doe, or perfozme some thing.

Hereupon an Obligation is defined, the right of a person by which he hath another person bound vnto him, to pay that he oweth.

And it standeth in this point, that som thing be done or perfozmed: And the same either a thing or a person, and either the thing it selfe, or the interest or damage, or both together.

And all the doctrine of Obligations consisteth either in making of an Obligation, or in the dissoluing of the same when it is made.

The constitution or making of an Obligation resteth in the causes and maner of making thereof.

The supream cause (which is also common to all other effects of law) is right, the inferiour cause thereof is the act of man, which rather giueth occasion of the Obligation, then induceth the same.

For although to the making of Obligations, the mind and will of man be verie necessarie, yet thereof ariseth the Obligation, not for that a man willet, but for y^e right & fact granteth such Obligatiō to arise: and on the other side it happeneth often, that a man wil not be bound, and yet neuerthelesse is bound if hee commit any such thing by which right will haue him to be bound, as in Obligations with offences.

Right therefore is the chiefest cause of Obligations, the fact of man the remote cause, sine qua non: that the principal cause, this the secundarie.

And therefore it is termed the bond of right, or law.

Of Obligations, some be simple, and some mixt.

A simple or single Obligation is that which leaneth vpon right onely, that is naturall right, or ciuill right onely.

Which so is either naturall or ciuill.

The naturall Obligation is that whereby a man is bound to yeeld that onely which he oweth naturally: and that is also called the right of the law of nations.

A ciuill Obligation is whereby a man is bound by ciuill Law, to render that which he ought ciuilly.

A mixt Obligation consisteth of both lawes, naturall and ciuill.

In euery Obligation the one is called the creditoz, or obligæ, the other the debtoz or obligoz: and by diuers other moze speciall names, according to the sundry formes of Obligations and Contracts: as feoffoz and feoffæ, lessoz and lessee, grauntoz and grauntee, donoz and donæ, bendoz and vendee, &c.

The creditoz is he to whom any thing is due by Obligation.

The debtoz he that is bound.

Such is the distinction of obligations by the efficient and originall cause thereof.

Of the Fact of Man.

Sect. 3.

Now the fact of that person, and the person himselfe, are to be considered. The fact is the couenant or agreement, or the offence, which two are the onely way making Obligations.

The person is he which either agreeth or offendeth, and beside him none other.

And both may be bonnd either mediately or immediately.

Immediately if he which is bound doe agree.

Mediate,

Mediately, when it he which by nature differeth from him, but not by law, whereby as by some bond hee is sained to be all one person, doth contract or offend, of which sort in some cases be those which be in our power, as a wife, a bondman, servant, a factor, an Attorney, or Procurator, exceeding their authoritie.

Of Covenants and agreements, and who may make them.

A Covenant is the consent of two or moze, in one selfe thing, to Sect. 4.
Agree, or to doe somewhat.

This consent is here of them, which both by nature may consent, and to whom it is by law permitted to consent.

For all which by nature can consent, cannot also consent by law.

But all may consent of what Sex soeuer they be, male or female.

But age hindzeth some, and some the defect of the body, as dumbnesse, deafenesse, blindnesse, and some the defect of mind, so that they cannot consent.

Age hindzeth those which be within the age of xij. yeares: Defect of the mind those which be of full age. And nature both, with the consent of law, but not all after one sort.

Infants which vnderstand not what is done, can therefore neither Minor.
make Obligation, nor Covenant, either ciuil or naturall, which may take beginning at their persons, Except such as be of the age of discretion, that is, males of the age of xiiij. yeares, and females of xj. yeares, which may covenant and be bound in some cases, as for necessary food, rayment, schooling, instruction, & marriage, &c. or as executor to another, Doct. Stud. li. 2. cap. 27.

The vice or defect of the mind, as Madnesse, Lunacy, Ideocie, hindzeth the making of Agreements and Contracts.

Furiosus.
Lunaticus.
Ideota.

Of Consent true or feigned, or in deed and in Law.

Furthermoze, the consent in Covenants, is two wayes considred: Sect. 5.
Fred: the one as it is true or feined, the other as it is pure or conditionall. Consensus verus.

I vnderstand that to be a true consent, which commeth vnto the fact of man, appointed vnto that end, that by the same he may be said to consent: of which sort it is, almost in all Covenants. And this true consent is sometimes expessed, and sometimes concealed, or implied.

A true consent expressed is that which is declared by word or deed: by word, either uttered by mouth, or shewed by writing or messenger.

The consent secret, or concealed, is, when one doth consent by not dissenting: Whereas in the meane time he might haue hindred that done, if he had disagreed.

So that an expresse consent is alwaies in deed, and a secret consent in Law.

For they, betweene whom there is nothing expresse agreed, concerning the nature and essence, which a couenant hath by Law, are vnderstood secretly to consent to the nature of the Couenant which is appointed by Law.

Fictus consensus.

The feined consent is by Law for some fact, when the consent of both parties appeareth not, and yet in as much as the fact is done, they are by Law both feined, and deemed to consent, for the nature and reason of the businesse, which is betweene them both.

In a true consent we make choise with whom we will couenant: In a feined consent we happen vpon him casuall: In the true consents our wills conioyne vs: In the feined, fortune, or rather Gods prouidence. In true consents we begin at the fact of man: In the feined, at the law.

Of pure Obligations and Couenants.

Sect. 6.

As farre forth as the consent is either pure or conditionall, so farre forth by that qualitie some Couenants and Obligations be pure, and some other conditionall.

Obligatio pura, pure Obligation is that, which is, and hath being forthwith, not being suspended or stayed with any Condition.

Which sometime is pure simply, when the agreement is such, that by force of the Obligation it may by and by be performed with effect: Sometimes pure after a certaine manner, and that by the adding to of time certaine, vnto which not the Obligation (which alreadie is made) but the performance thereof is deferred.

Of conditionall Obligations or Couenants.

Sect. 7.

A Conditionall Obligation is that which is deferred to some chance, whose whole effect resteth in this, that if the Condition happen, it may be vnto backe to the very time of the agreement, and be holden, euen as the agreement had bene originally pure.

But it behooueth the Condition to be possible in deed and in Law, otherwise the agreement is void.

of

Liber Promises. Agreements. Contracts. primus

Of bare promises.

A Consent in covenant is sometime alone, & sometime with cause. A sole consent consisteth in promise and agreement.

Sect. 8.
Consensus solus.
Policitatio.

A promise is a covenant offered by one freely, which is of none effect in the law to produce an Obligation, if there be no cause why it should be done.

Of bare agreements.

A Agreement by sole consent, is a covenant consisting within the bounds and limits of his pleasure that maketh it: And therefore it is called with vs Nudum pactum, which of his own nature breedeth no Obligation. As if J. S. promise to pay R. L. to P. A. not having quid pro quo, H. 5. fol. 14. For if a man promise to doe or make any thing, and no agreement being made what he shall have for his labour, it is Nudum pactum, 13. H. 6. 36. Of which sort bin all naturall Obligations: as recompensing, requiting, and other bare promises without lawfull consideration.

Sect. 9.
Pactum & placitum, vel pactum nudum.

Of Contracts.

A Covenant or agreement which hath a cause, is termed a Contract, which is nothing else but an agreement with a lawfull cause or consideration. Doct. and Stud. lib. 2. cap. 24.

Sect. 10.
Consensus cum causa.

A cause is a business which being approved by law, maketh the Obligation rise by the contract, and the action upon the obligation.

There are two principall heads to be observed in the learning of contracts: the one pertaineth to their substance or nature, the other to their adiuncts or accidents.

Contractum distributio.

The substance of Contracts.

The substance of all Contracts consisteth in consent, as their matter, and in the cause or business, as their forme.

Sect. 11.
Materia & forma contractuum

Yet that consent which is common to all contracts, also distinguisheth them, and that by the diuersitie of the maner of consent which is used in Contracts.

For consent is sometime used indeed, and sometimes feined, as in law: so of contracts, some be true, and some be feined.

True Contracts, be Contracts having a true consent ordained to that end that the Contract may be made, and therof an Obligation or Bond.

Contractus verus.

Which true consent is alwaies interposed of both sides, whether it be briefly or secretly: insomuch, that if there be any error or deceit in the consent or thing, for which the contract is entred into, that contract is either made altogether none, or of none effect.

Therefore the true contracts be those, which are by mutual consent of both parties: which consent is therefore interposed that the contracts may be, and that either both or the one may be bound thereby, and both of these things even from the beginning.

Contractuum
electus.

But if you marke the end and effect of contracts, there is no difference amongst them at all, but all equally, as well seined as true contracts byed obligations, which obligations so byed bying forth actions.

Contractuum
causa commu-
nis.

Againe, true contracts be distinguished by their cause, which is common to them all in generall, namely, that in all contracts, some thing be given or done: but in some, law hath set & distinguished the business or cause in certain limits, in which it hath forsaken the common nature.

And an act, so long as it appeareth not whether it may be referred to any certain business defined within certain limits, or no, is left in his generall kind, & that common nature: as for example, when I give I. S. money that he may give me some thing of his, In generall certes this contract is, I give that he may give. But when law hath severed & defined by certain notes this business, wherein a certain price is given for a certain thing, and hath given therunto a peculiar name, it may be called buying & selling. We are not now to looke backe to the generall name, I give that I. S. may give, but to the lowest species or kind that is buying, selling, & the nature therof. But if I give thee a thing, that thou maiest give me a thing of thine, that act or business abideth in the generall name, I give, that thou maiest give, because the law hath set down no certain contract wherby one thing (other then money) may be given for another, neither truly by nature could certaine names be given to all and singular businesses, for that they be infinite: but words or names be infinite, and circumstances divers.

Yet profit and the frequent use of certaine businesses, hath brought to passe that a certaine forme and name might be, and also is, given unto them.

Hence of true contracts, some be named, and some unnamed.

Of named Contracts.

Sec. 12.

Named contracts be those which have a cause by law defined, and they are called by certaine names.

Contractus,
nominati.

The same also be termed certaine, because they are certaine in their forme, certaine in their number, and chiefly certaine in their name.

Besides these, all the rest are uncertaine, as staying in that their generall appellation or name.

And it is to be understood of named Contracts, which is said in the rule of contracts, that in a perfect contract there is no place for repentance,

fance, that is, that a man cannot swarue from a Contract named perfect, either party being unwilling, noz except al things be wholly re-
 flozed, but that the same must altogether bee consummate, and either
 the thing contracted be perfozmed, o2 if that cannot, in freed thereof,
 the interest o2 damages thereof.

And though those contracts onely be named, which haue receiued
 both name and foyme of our Ciuill Law, and thereby it is to be esta-
 med, whether they may be said to be contracts named o2 vnnamed:
 yet haue they not al one selfe beginning. For some be said to be of the
 Law of Nations, and some of the Ciuill Law.

Of Contracts of the Law of Nations.

Those Contracts be of the Law of nations, which haue their cause
 by the Law of Nations, receiued with al men, but haue receiued
 their certaine foyme and certaine name from our Ciuill law.

Sect. 132.
 Contractus.
 Iuris gentium.

Which be twofold, for certaine are made by the thing, and certaine
 by consent.

Verily there be diuers such contracts that may be made vpon some
 thing, neither is there any wherein it is not needfull that consent be:
 but the same in some moze, and in some lesse.

As touching those that are preferred by the thing, the matter standeth
 thus, that their cause (that is to say) giuing, consisteth in this
 point, that it behoneth the thing alwaies to be present, and necessari-
 ly deliuered to perfect y contract. But in other Contracts, albeit they
 be made concerning some thing, yet it is not needful that the thing be
 present, but it may be in one place, and the contract celebrated and
 perfected in an other. Whereby it happeneth that the Contracts per-
 fected with the thing, and the thing it selfe whereof the Contract is,
 and the very contract it selfe, are oftentimes called by one selfe name,
 which is otherwise in the Contracts.

Contractus
 rei.

Wherehence we may define real contracts to be contracts whereby
 the thing being deliuered & accepted, we are bound to the restitution
 of the same thing, but if that cannot be, the value o2 interest thereof.

Contractus
 reales.

Whereof there be two kinds, the one consisteth in loane and lend-
 ing, the other in disposition and gaging.

Lending is respected in the thing, and without the thing.

In the thing is considered, either y property thereof, o2 the vse thereof.

The property of the thing is transferred in loane by deliuey vnto
 him which bozrowed it.

The vse of the thing in commodation, is applied vnto him vnto
 whom the thing is lent.

Without the thing, is the keeping and the securitie thereof, called Deposicum, which is a thing left in another mans keeping, and this is termed a pledge, gage, or pawne.

To all which iiii. kinds this one thing ought to be common, that they be free without blury and pvice: for if any pvice or thing be giuen theretofore for them, they degenerate into the nature of other cōtracts.

Of Mutuation or Lending of things which cannot be restored.

Sect. 14.
Mutuatio.

Loane or lending, Mutatio, is a real contract, whereby we so giue a thing consistiing in quantitie, that he which receiueth it, may render the same againe to the lender, in kind & nature, but not the self same thing in deed: the thing that is lent, is properly called Mutuatiū, he which giueth, the lender, and he which receiueth, the bozrower.

Mutuatum,

Mutuum.

In loane termed Mutuum, the lender must be owner of the thing lent, and also in deliuering of the thing, he must conuey the proprietie thereof vnto the bozrower: because things so lent are so giuen to be vsed, that they cānot be vsed, except they be consumed. And it is theretofore called Mutuum, quasi ex meo tuum fiat, Doct. & St. li. 2. ca. 28.

But no other things may be giuen in loane, but those onely which consist in quantitie, that is, those which are wont & may be numbred, weyed, or measured: as money, cozne, wine, cheese, lead, &c.

And those may receiue function in genere, that is, one may be, and also truely is vsed for another, that although that the thing restored is other than that which was received in specie infima, seu indiuiduo, yet in that, that a thing of the same kind, godnes, and qualitie is restored, it seemeth to be altogether the same.

In loane theretofore the same quantitie and qualitie doe cause that thing being diuers in indiuiduo, to be all one in genere. Hence it is that the same things are restored that we lent, not in indiuiduo, (because that single thing that was lent cannot be restored, for so much as it is consumed by vs: or if it be not consumed, yet the proprietie thereof is conueyed vnto the receiuer) but in kind and godnesse.

Number is attributed to money &c. Measure, to cozne, wine, oyle, &c. Weight, to cheese, lead, and such like of the same sort.

Of Commodation or lending of things which may be restored.

Sect. 15.
Commodatio.

Commodation is a contract reall, whereby any thing is graunted freely to be vsed of any one, that euen the very self same thing in deed may be restored, & not in lieu thereof another of the same kind, as a horse, a booke, &c. Doct. & Stud. lib. 2. cap. 28.

Liber Deposition. Sequestration. primus.

The thing lent is called *Commodatum*, the lender *Commodans*, the borrower *Commodatorius*.

But *Commodatum*, is properly, when a thing is deliuered to an use and purpose certaine, which at the last being ended, it ought to be restozed, and not before.

For if the thing be so deliuered to be used, that it must be restozed to the lender whensoever it shall please him, then it is termed *Præcarium*, or a loane at will.

Of Deposition or leasing with another.

Deposition is a contract reall, in which a thing moueable is freely given to be kept, that the selfe same thing be restozed whensoever it shall please him that so leaueth it, Doct. & Sc. lib. 2. ca. 28. Sect. 16.
Deposition.

The thing left is called *Receptum*, *Commendatum*, or *Depositum*, the leauer, *Deponens*, the receiuer, *Depositarius*, the keeper thereof. The nature of this Contract is in the free keeping of the thing left, and neither in the use, nor abuse thereof.

This keeping is either of a thing *Litigious*, or *not Litigious*, the thing *not Litigious* is properly that which we call *Depositum*, which is sometimes left of set purpose, and sometime through urgent necessity, as in these three cases, of ruine, shipwacke, and burning.

Of Sequestration.

The keeping of a thing *Litigious* is called *Sequestration*, which is therefore defined the deposition of a thing in controuersie. Sect. 17.
Sequestration.

Which is conuentionall or iudiciall. A deposition conuentionall is made with the wils of the parties between whom the controuersie is.

This doth take the possession from the parties in controuersie, and giueth the same to the *Sequester*, or indifferent man, so thend he may deliuer the same to him that recouereth it, except perchance it be expressly so agreed, that the *Sequester* shall only deteine & not possesse it.

A iudiciall *Sequestration* is made by the authoritie of a competent *Magistrat*, euen against the will of both, or of the one of the parties.

This taketh not away the possession, but because it is doubtfull, it leaueth it in suspence, untill the parties be either friendly agreed concerning the suit, or it be declared by iudgement, who is and ought to be possessed thereof.

Sequestration iudiciall ought not to be made, but upon urgent causes, as to auoid fighting and breach of peace, &c. or if the destruction of the thing *Litigious* be feared, or the partie suspected to become fugitiue

fugitive or insufficient, or if there be any other danger in delay: But deposition of things moueable onely, and sequestration may be of things immoueable.

Of Pledging and Gaging.

Se^{ct.} 18.
Pignus.

A Pledge is taken sometimes generally, and sometime specially, and both of them are sometime of the couenant, and sometimes of the thing which commeth into the couenant, Do^{ct.} & St. li. 2. ca. 28.

Pignus generally taken, is a couenant by which right is appointed to the creditoz in the things of another man, that his debt in him may be so much the surer: which very right is not seldome called a Pledge, so that a pledge may be of the couenant, or of the right of a thing, and briefly of the thing in which that right is appointed.

Hypotheca.

And a pledge is either proper or improper: An improper pledge is called Hypotheca, which is of a thing not deliuered, which is made and perfected by couenant onely, As in clauses of distresse, clauses of nominæ pena, & other penalties for not performing of couenants &c.

It is either expresse or implied.

Expresse is that, whē it is expresse agreed, of what thing it should be, as a clause of distresse for rent charge.

And this is alwayes by expresse consent of the parties onely.

An improper pledge implied, is that which is induced by the Law alone, yet by some occasion thereunto giuen by some act of mā, which is not principally, and by the will of man appointed to make a pledge: although that by that thing which is done, the man doing it is presumed to agree to the pledge: as when goods be brought into an other mans land, liable to the distresse of a stranger, for rent or other moueable things bound by the operation of Law.

A pledge so termed specially, is a pledge deliuered to the creditoz, sometimes by the debitoz, and sometimes by a Magistrate.

Of Pledges necessary, or voluntarie.

Se^{ct.} 19:

And therefore a Pledge is either necessary, or voluntarie or conuentionall.

A necessary pledge is that which is received by compulsive authoritie of a Magistrate.

A pledge voluntarie or conuentionall, is a pledge deliuered by the couenant of both parties.

A pledge is euer of the debitozs own things, namely of such as may be bought and sold.

Liber Contracts. Buying and Selling. primus

For the gaging of the goods of another man is void, if it be not with the will and consent of the owner thereof.

And a pledge may be pawned to another, yet subject to the first condition, for prior tempore est potior iure.

Fruits and things growing may be pledged.

Of pledges generall and speciall.

And a pledge may either be general, which is of all a mans goods, Sect. 20.
Or speciall, which is of some part of them onely.

And all the right of pledges or gages, consisteth in the security and assurance of the thing due to the creditoꝝ. Doct. & Stud. lib. 2. cap. 28.

Of Contracts by consent.

Such be the Contracts by the Law of nations which are perfected Sect. 21.
With the thing. Those which are perfected by consent do follow.

And Obligations accruing of these are said to be contracted by consent, not because these alone haue consent in them, but for that to their protection, the presence of the thing whereof the contract is made is not desired, nor words nor letters, but sole consent sufficeth, which yet many times is interposed with the thing, and by the accesse thereof perfected.

Hereupon contracts by consent are defined, Contracts having cause placed in sole consent, to this end and intent, that a businesse certaine may be done.

And these contracts by consent are partly in the thing, and partly about the thing.

In the thing, namely either of the proprietie, or of the vse thereof.

About the thing, as of communication or fact.

Of buying and selling.

Contracts of proprietie, are buying or selling: Of vse, are letting, Sect. 22.
Taking, or hiring: Of communion, societie: Of fact, is comman-
dement.

And buying and selling, Emptio, venditio, is a contract by consent
of the hauing of a thing, by or for a certaine price. Emptio,
Venditio.

In which he that must deliuer the thing is named the seller, and hee that ought to pay the price thereof, the buyer.

The substance of this contract consisteth in the thing sold, and in the price thereof.

What

Symb. Things sold. Letting or hiring. part. prima

What things may be sold.

Sect. 23.

All things may be bought and sold whereof a man may haue proprietie or ownership, as horse, kine, &c. cozne growing upon the ground, tithes not seuered, 21. Ed. 3. 11. 21. H. 6. 43. hay growing, 27. H. 8. 25. 11. H. 4. 32.

All goods, chattels immouable, bondmen, and other things not being by law prohibited (as stolne goods, horses, in Scotland freemen) may be sold.

Also a man cannot buy his owne goods.

Pretium.

The price in buying and selling is money.

Premutatio.

For one thing giuen for another, is not price, neither if it so happen, is it buying and selling, but exchanging, Permutatio.

The price is certaine when it is either expressed in the bargaine, how much it is, or ought to be: or if not certainly expressed, yet some relation is made to some thing, whereby it may be made certaine. As if the venditor saith, he selleth it for so much as hee bought it, or for so much as J. S. shall arbitrate: It is certaine enough till J. S. haue denied to declare the certaine price thereof, 14. H. 8. 19.

Sect. 24.

Of payment and deliuerie of things sold.

The payment of the money & deliuerie of the thing sold are effects of buying & selling, but not the verie substance thereof, 14. H. 8. 19 for buying and selling is perfected, by the certaine appointing of the thing to be sold, and the taxation of the price thereof, with the mutual consent of the buyer and seller, which consent in and about one selfe same thing worketh all.

Of letting or hiring.

Sect. 25.

Letting and hiring, Locatio, conductio, is a contract by consent of the making or vsing of some thing for a certaine rent, hire, or wage.

He which letteth, leaseth, or letteth any thing to be made or used, is called properly Locator, the lessee, or lettor: He which taketh or hireth it, Conductor, the lessee or hirer.

Letting and taking is either of a thing, or of the diligence of man.

And all things which may be bought and sold, may also be letten except such onely as consume by use, as cozne, wine, oyle, money, and such like, which may not be letten: but houses, and land, and quicke beasts, as sheepe & oxen which by nature yeeld increase, may be letten.

The letting or hiring of a mans labour, is as it were the use of a man in the making or doing of some thing, As in the making of an house

house, a clocke, a garment, in doing of a dayes worke by a laborer &c. Or the vse of an house, of lands &c. for life, yeeres, or at will for certaine rent.

Of Societie, Communion, or Fellowship.

Society is a contract by consent about a thing to be had and used in common on both sides. Sec. 26.
Societas.

And the societie or communion of things may happen betweene many of diuers causes, of which, two be most principall: One by hereditary discentes or executo^rship: As when lands discent to heires or copartners, or when a man maketh diuers executo^rs, or administration is committed to diuers. The other, when a thing is purchased, or gotten by diuers, by gift or legacie, or some other such single title.

But that onely is properly called Societie, which by mutuall consent is applied to that end, that there may be partnership or fellowship among^t the persons contracting: wherein so soone as they are fully agreed, the one is properly called the others fellow.

And the same societie is in the goods and things of al the companions, or of one, or some of them onely, and in the labour to be done by them all, one, or some of them, about such goods or things. And againe, in communicating of gaine and losse after the putting of such things in fellowship, or barter, and performing of the labour thereabout.

So in Societie are regarded the goods or things of which the communion is made. And the diligence and labour to be imployed in and about them. And the damage or profit which of them both, or by the occasion of them, or the same societie contracted, may grow or arise.

And the whole doth consist in negotiation: as in buying, selling, traffique, or merchandize.

Of a Societie generall or speciall.

Societie in respect of goods, is either generall or speciall.

A generall Societie of goods, is of all goods: which contract hath this one thing peculiar vnto it selfe, that so soone as the partners are agreed thereupon, all their goods are by law common, in propriety and vse to each and euery of them, without deliery of any part thereof to cause a proprietic. Sec. 27.

A speciall societie of goods, is of certaine goods only, and the same either

either one thing onely, as of an horse, ore, &c. to be bought: Or of some certaine kind of merchandizes, or wares, or other things, as cozne, oile, spices, beafts, &c.

Againe, the generall Societie of goods is so of all, that it extendeth to all things of the partners or fellows. But in the speciall Societie of goods, it may be that thone only conferreth the goods, and the other no goods, but bestoweth onely his labour and diligence, which then is in stead of goods.

For labour is oftentimes of as good regard as money, yea and sometimes much better, which causeth, that euen the poore being industrious, may have fellowship with the rich.

Therefore in general Societie of goods, the one of y partners sometimes yeildeth moze goods, & the other lesse, the want wherof is intended to be supplied by the other parties labour and diligence, al which dependeth vpon the agreement and will of the parties thereunto.

Of Gaines and Damages.

Sect. 28.
Lucrum,
Damnum.

GAine is that which remaineth when all damages and expences which the p̄ncipall or goods put in barter, are deducted.

Damage is that which wanteth when the expences are drawne from the p̄ncipall, or things put in barter or fellowship.

Of Commandement or Commission.

Sect. 29.

A Commandement or Commission, Mandatum, is a contract, by consent to doe something gratis or freely.

He which commaundeth is called Mandans, or Mandator, he which is commaunded may be called Mandatarius.

Commandements or Commissions doe properly rest in the deed, and not in the thing, albeit the thing doe sometimes come vnto the fact.

And that fact commaunded is either in iudgement, or out of iudgement.

A Mandate or commaundement therefore is either touching some controuersie, or the doing of some other businesse.

And euery commaundement is generall or speciall. And the generall either with free administration, or without it.

And the other person so commaunded may be termed an Attorney, Proctor, Procurator, Steward, Bailife, Factor, Ouerseer, or Couerno,

uernour of other mens businesles.

For an Attourney is he which administreth, or doth another mans businesse by the commandement of the owner thereof.

If the partie commaunded haue any thing for his paine, it is not then properly commandement, but Location and conduction.

These mandatozie contracts are determined by death or will, of either of the contractors, if the deed be yet vndone.

By death naturall.

By the will of the parties, as if either the Commaundoer reuoke his mandate: or the partie commaunded renounce and refuse to execute the same.

*Of Contracts named of the Ciuill Law
of Stipulation.*

Such are Contracts named of the Law of nations, Those follow which are of the ciuill Law, which contracts are either made by word or writing. Sect. 30.

Stipulation is a contract made by wordes onely, by an Interrogation or question proceeding, and a fit answer to the same following, for the giuing or doing of some thing or businesse: as, giuest thou? I giue: wilt thou doe this? I will: which is no binding contract in our Law, if no lawfull consideration proceede, but Nudum pactum, of which befoze.

Of Contracts by writing.

The other contract of Ciuill Law is made by writing, as the former is made by wordes. And that rather for the declaration and prooue of the contract befoze made, than for the essentiall making of the same. Sect. 31.

For a written Bond, is a contract whereby any man confesseth himselfe by his writing orderly made, sealed, and deliuered, to owe any thing vnto him with whom he so contracteth.

And if the thing were due befoze the making of such writing, then such duetie, when such writing is so made, is due both by the cause for which it became so first due, and by such writing, wherein it is so described: by the first naturall, by this ciuilly. And if it were not due befoze, then it was not done ciuilly, by vertue of the writing onely.

¶ Next

Peruerthelesse it is to be noted, that by accepting of writing of a precedent Contract, or of any part thereof of the partie, the Contract precedent is altogether determined thereby, 3. B. 4. 17. 29. B. 8. but not if a stranger be bound, 29. B. 8. for no contract can bee appoynted or diuided, 9. C. 1. 1.

Obligations and Contracts doe not forthwith spring of all kind of writings mutually given by the parties, for some are made onely for the testimonie or memozy of things done, to the end to preserve them, and win credit vnto them, but not to the end to procure or breed any bond or contract, as histories, private inuentories, private notes of remembrance, certificates &c.

But if J. S. by his writing duely sealed and deliuered confesse himselfe to owe to T. P. x. l. the promise that he made the same bond, maketh him debtoz of so much, albeit there was neuer any other contract thereof betweene them, but such writing onely: neither is it necessarie that the creditoz proue any more, but onely the deliuerie of such bonds or writings thereof.

Of namelesse Contracts.

Sect. 32.

And true Contracts named, be of such sort: besides which, all the rest be vnnamed, which be true Contracts, hauing no certaine name by the Ciuill Law, and yet containing in them a ciuill businessse, whose forme is generall, not defined within any certaine limits.

Of which sort be all those contract, of which it is either doubtfull, or else certaine that they can bee referred to no Ciuill Contract named.

A Ciuill businessse is, if any thing be to bee giuen or done for some cause.

Of these vnnamed Contracts there be two kinds, the one may be termed a Contract vpon the cause or permutation.

A Contract vpon the cause, is a contract vnnamed, made by consent wholly for some lawfull consideration, when some thing ought to bee giuen or done, or not to be giuen or done, as assumption and oathes. Assumption is made for the most part with such wordes as I giue thee that, that thou giue or do that: or I do this that thou shalt giue or do that, As if J. S. receiue of D. D. an horse or any other thing, and promise in consideration thereof, either to deliuer the horse sound againe, or fortye shillings: or if J. S. giue D. D. ten shillings, in

consideration that he shall giue him some other thing, or do som act for him.

These contracts in respect of the summe certain expressed, resemble the contract of buying and selling: And in respect of laboꝝ to be taken about the doing of the fact, they counterfeit Location, and conduction by reason of the wages: which if it were not set down, they would represent commaundements, which neuertheless fully iumpe not with any of those thzee contracts named, neither may they rightly challenge any of their names.

Of Permutation or Exchange.

Permutatio, Permutation is a namelesse contract, consisting in the thing and consent, by which one certaine thing is giuen and exchanged for another, as an Oxe for an Horse, or bread for flesh &c. which name of Permutation, although it seeme fit for this businesse, yet it is rightly termed a namelesse contract in Law: For albeit it counterfeit buying and selling very neere, for that either thing giuen in exchange resemble both the wares and the price, yet because it cannot bee discerned thereby whether is the buyer, and whether the seller, it cannot vsurpe that title. Sect. 33.

And so those contracts of the Case, Assumption, and Permutation, be therefore said to bee nameles, because their appellations or names bee so generall, that no one named contract is able to comprehend them, yet is the knowledge thereof wonderfull necessarie for the apt framing of Instruments.

Of improper Contracts.

Those or proper contracts are so described: contracts improper or feined succeed.

A contract vnproper, is a contract made by a consent feined by the law, for some deed happening in the same, that is to say, in the which there is no manifest certaintie of both parties consent: but yet according to the reason and nature of the busines, a consent is by law feined to come on both sides, as the administration of anothers busines without request, & gardenship, the communion of things, as amongst Jointenants, Coparceners, tenants in common, ioint executoꝝ, and ioint administrators, ioint legataries or donees, by payment of that which is not due, the receiuer is bound to make restitution, and detaining of goods in which another hath property. Sect. 34.

Of Contracts mediate and immediate.

Sect. 35.

There be also Contracts of the fact: and a fact cleaveth to the person, and is in it, from which it is never separated: but the right which resemblesh and ariseth of the fact of the contract, namely the obligation, may be gotten to another than him that made the contract.

And sometime it cometh to passe, that one man bargaineth, and another man obtaineth the Obligation, whether that other be bound, or another by the same contract be bound to him.

An Obligation by contract is gotten either mediately or immediately.

Immediately, by a mans owne proper contract.

Mediately, where the contract is made by another, As a Contract made by the wife with her husbands commandement, consent, or assent, 20 H. 6. 22. 27. H. 8. fol. 25. 21. H. 7. fol. 40. 14. H. 7. 2. R. 2. or by a Bailly knowne, 27. Ass. pl. 5. or by his servant, Faar, or Attourney, 8. E. 7. fol. 11. 22. Ed. 4. fol. 6.

Of the adiuncts of Contracts.

Sect. 36.

We have hitherto spoken of those things which pertaine to the constitution of the verie substance of Contracts: their adiuncts follow.

Of which adiuncts some be interne, and some externe.

Of which some bee Contracts bonæ fidei, others be stricti iuris: Those be contracts bonæ fidei, by which that is perfozmed which seemeth equall and good, although it was not once thought of by any of the parties at the making of the contract.

Of which sort bee accommodation, disposition, pledges, buying, selling, letting, hiring, societie, commaundement, permutation, assumption, and other contracts vpon the case, gardenships, doing of other busineses, communion of things hereditarie, and all other communions.

Contracts of the strict law, are those by which that onely is perfozmed, which is expressly couenanted.

Of which kind be lending, and all other besides those aboue mentioned, In these the rigor of the Law, in those equitie ruleth. Sundrie other Contracts there bee of this kind, which to auoid tediousnesse I pretermitt.

Externe adiuncts be those, which are so in the contract, y they may also be absent from it: but in it only then, when it is so couenanted.

For but that it is so couenanted, they would either altogether not be

be therein, or if they were therein, it should be by the onely authoritie and disposition of the law.

Of these externe adiuncts, some may be adioyned to euery contract which are called common, & some proper to certaine contracts only.

Common externe adiuncts, be covenants, accessions, and delaies annexed to Contracts.

Of Adiuncts, some adde some things vnto the contracts, some take some thing from them.

Adiuncts which adde some thing to contracts, are penalties, warranties, or other securities.

Adiuncts taking from contracts, be such as diminish the price agreed vpon in the beginning.

Of Accessions to Contracts.

Accessions, *Accessiones contractuum*, to contracts be those things which be required beside the principal things themselves, whereof the contract is made: As all costs and damages, fruits growing by occasion thereof, or limitation of circumstances of time, place, person, &c. to perfoyme contracts. Sect. 37.

Of delayes.

Delay (*Mora*) is that lingring or prolonging of the performance of Contracts, which happeneth by the slacknesse either of the creditor, or debtoz. Sect. 38.

Such more might haue bene said of those contracts and offences, of which Obligations spring and arise, all which we willingly haue omitted, as not much necessarie for our present purpose. In this discourse of contracts necessarily (as we thinke) we are in like maner to intreat briefly of estates, possessions, and properties, by which, things are conioyned vnto persons.

Of Estates and properties vniuersall, and see simple.

An estate, *Status, dominium, proprietas*, is that right and power whereby we haue the proprietie or possession of things: that is, whereby we be owners or possessors thereof. Sect. 39.

All Estates be either vniuersall or particular: An vniuersall estate is an estate in fee simple, which is, when a man hath lands or other things inheritable, to him and his heirs for euer, so that thereby it is perfectly his owne: and therefore we call it vniuersall, because it comprehendeth in it selfe all other estates.

Of particular Estates, and of Fee taile.

A Particular Estate is euery estate which is not so vniuersal, and may also be said to be of two sorts, that is a particular estate of Sect. 40.

inheritance, and of a terme.

A particuler estate of inheritance, is an estate taile, or limited, that is an estate expressing in certaine, whose issue, and of what sex shall inherite, and it is generall or speciall.

A generall estate taile or limited, is when the estate limited expresseth not betwæen whom the issue inheritable must be ingendered: As if the gift or conueiance be to a man, & the heire or heires males, or heirs females of his bodie lawfully begotten, not naming vpon what woman: Or to a woman and to the heire or heires males, or heires females of her bodie lawfully begottē, not naming the man, by whom it should be begotten, in which case, every heire of their bodies lawfully begotten may inherite, by what wife or husband so euer. Or shortly thus: An estate in generall taile is, by which any issue of the donæ's bodie lawfully begotten may inherite.

An estate taile speciall is, when it is certainly set downe between whom the issue inheritable shall be ingendered. And this speciall estate taile is either expressed or implied. An estate in speciall taile expressed is, where it is specially limited what issue of the donæ shall inherite. An estate in speciall taile implied is, where it is not expressed specially what issues of the donæes shall inherite: as by gift in frankmarriage, which is, where a man giueth lands with his Daughter, or other kinswoman, to an other in frankmarriage, which word frankmarriage amounteth to as much, as if he had said to the donæes and the heires of their two bodies lawfully begotten, Licē Sect. 17. As if the conueiance were made to a man and a woman, and the heires of their two bodies lawfully begotten: or to a man and the issue which he shall beget vpon the bodie of A. D. Now may no issue take any benefit by that conueyance, but such onely as are betweene them two lawfully begotten. And this maner of estate is properly called a speciall estate taile: But if either of them die befoze they haue such issue betweene them, then the partie suruiuing is vnproperly called a tenant in taile, and therefore for distinction sake, wee terme such suruiuoꝝ tenant in taile after possibilitie of issue extinct.

Of Estates of freehold.

Sect. 41.

A Particular estate which is but onely a terme, is an estate determinable by limitation of time, and it is of two sorts: namely an estate of franktenement, or a chattell.

An

An estate of franktenement, is where a man hath the freehold of land, and it is either an estate of franktenement, created by the operation of the law, or by the act of the parties.

An estate of franktenement created by the operation of the law, is either by the common law, or by statute. An estate of franktenement by the common law, is either dower, or by the curtesie of England. An estate in dower, is where the wife is endowed of the third part of such lands as her husband had any such state of inheritance in, as the issue which by possibilitie she might have had by him, might by possibilitie have inherited the same land of the same estate: for dower ex assensu parisi, ad ostium Ecclesie, & de la plus belle, as seldome used at this day, I omit.

An estate of franktenement by the Curtesie, is an estate for the terme of life of the husband in all his wifes land whom he suruieth, having had issue by her bozne issue, which might by possibilitie if it had liued, have had, and inherited the same lands of such estate as the mother therein had, during the couerture.

An estate of franktenement by statute, is either by vertue of a bond knowledged, according to a statute, or by reason of some execution.

A franktenement by statute, is epyther by vertue of a Statute Staple, or of a Statute Merchant.

A franktenement by vertue of an execution, is either by reason of some Judgement in some of his Maiesties Courts of Record, or else by reason of some recognisance: it is when the moitie of the Recognisors lands be deliuered to the Recognisee, to hold to him as his freehold till his debt be paid. But these estates of freehold growing thus by statute, are not properly but vnproperly termed freehold.

An estate of franktenement growing by the act of the parties is an estate for the terme of a mans owne life, or for terme of another mans life: for the terme of a mans owne life, as if land bee leased to any man to haue and to hold to him during his life.

An estate of franktenement for anothers life, is when lands be assured to him for the life of A. B. or any other than the lessee himselfe.

Of Estates of Chattels.

A Particular estate which is onely a Chattell, is either certaine or Sect. 42.
incertaine, and it groweth either by the act of the parties, or by the law.

By the act of the parties is a lease for the terme of certaine yeares,

having a certaine limitation when it shall begin, and when it shall end or determine: As if lands be leased to J. C. to have and to hold to him and his assignes, from such a day, naming some day certaine, past, present, or to come, for xxi. yeares; or any other certaine number of yeares agreed upon betwene the Lessor and Lessee.

A particular estate certaine growing by Law, is that estate which the Guardian hath in his wards lands, during his nonage.

A particular estate incertaine, is an estate at will, or at sufferance.

Of possession in law, and in deed.

Sect. 43.

An estate at will, is where the lessor granteth his lands or other things to the lessee, to have and to hold to him, at the will of the lessor.

And it is to be remembred, that estates may be in possession, and out of possession. Possession is in law or in deed.

And a possession in law is when the law onely is the efficient cause thereof, and it is either by common law, or by statute. By common law, as if the father or other ancestor die seised of lands, the law casteth the possession in law upon the heire before his entre, by force whereof he is tenant to everie mans Præcipe: by statute, is that possession which Cestuy que use, hath in lands limited to him in use, 27. H. 8. cap. 10. before his actual entree into the same. An actual possession or a possession in deed, is when the owner entreteth into the same in deed. An estate out of possession is of two sorts, to wit, in remainder and in reversion.

Of Remainders and Reversions.

Sect. 44.

An estate out of possession in remainder, is where a particular estate is granted to one man, the remainder to another at the same time by one deed, as if a grant be made of lands for yeares, life, or in taile, to J. S. the remainder thereof to T. P. for life, yeares, fee, or in taile.

A reversion is such an estate depending upon like particular estate, but not being created all at one time, by one deed: as if J. S. seised of lands in fee, graunt the same to T. P. for yeares, life, or in taile, that which after such particular estate remaineth in the graunto, is a reversion.

Also every estate is either executed maintenanant, or executory by limitation of use, which besteth in possession by vertue of the statute of 27. H. 8. And lastly, every estate is either absolute or conditionall.

Of

Of Instruments, their definition, and causes.

Having thus generally and briefly run over the doctrine of Contracts, Obligations, possessions, estates, and properties so farre forth as seemeth behouefull for the description of the severall Instruments of all manner of Contracts: It is now time to enter into the discourse of Instruments themselves, the very proper matters and object of Symboleography.

Sect 45

An Instrument therefore, is a formall writing made in paper or parchment, wherein are contained & described contracts, covenants last wills, or other facts and things of persons, for the testimonie or memorie thereof.

And first we say it is a formall writing, to distinguish Instruments from ordinarie letters, privat notes, reckonings, and remembrances made by any for a mans owne privat use and memorie, and from all booke of arts, histories, divinitie, philosophie, and such like.

Secondly, made upon paper or parchment, for that, that befoze the invention of paper or parchment, men used to write sometimes upon boords rubbed over with ware, sometimes upon stones, sometimes upon mettall, and sometimes upon the inner rinds of the barks of trees: And sometimes at this day upon tables, stones, or tallies: none of all which kinds of writings we here meane, but such only as are made upon paper or parchment.

Thirdly, in saying that an instrument comprehendeth things contracted: it setteth befoze our eyes, what the varie matters, business, & acts be, whereof such Instruments must be made: namely of agreements & contracts, grants, wills, pleadings, &c. which may breed Obligations, & not of bare speeches, communications, or privat notes.

Fourthly, the word (persons) pointeth to the efficient cause of these Covenants and Contracts.

Fifthly, that which ensueth teacheth vs the very finall cause, why such Instruments were first ordained, that is, to the end the acts and things therein comprised might both more certainly be kept in memorie, and more easily be proved: for the proove of the Instruments onely proueth the Contracts therein contained. And therefore Instruments are a kind of proove in all Lawes.

The forme of Instruments doth plainly appeare at ful, in the description of Instruments throughout the second booke, in which you may see the maner, forme, and fashion of every kind of Instrument extrajudiciall.

Sect. 46.

Instruments therefore of their effects be either constitutive and making, or remissorie and liberatorie.

An Instrument constitutive, is such an Instrument vnder the proper hand of the partie as testifieth and describeth some contract of some debt or dutie to be paid, or some fact to be done or perfozmed, as an obligation, bill of debt, &c.

And of Instruments constitutive, some are creating, and some conueying.

A constitutive Instrument creating, be those whereby any estate, propertie, power, or obligation, not hauing any essence or being before, is newly raised and created, as the first graunt of a rent, common, way, &c. estate taile, for life, yeares, and such like, Warrants of Attorney, Commissions, &c.

Instruments constitutive conueying, are those by which estates, properties, or powers, being already created, are transferred & conueyed to others, As Instruments of feoffements, bargaines & sales, assignements, and graunts ouer, or surrenders, confirmations, substitutiones and deputations &c. by which estates, properties, and authorities are conueyed ouer to others.

And an Instrument remissorie, is an Instrument vnder the parties hand, describing & testifying some precedent contract of a debt, dutie, or fact to be payd, perfozmed, done, released, or discharged: of which sort, be all acquitances, releases, & other matter of discharge.

Secondly, of the efficient cause, Instruments be either publike or priuat.

A publicke Instrument, is an Instrument made by publicke authoritie of a Magistrate or Judge, as all grants & charters of the King, Maiestie vnder his highnes great seale, or vnder the seale of the Duchie, or of any of his highnes Courts of Record, & all deeds and charters knowledged & inrolled in any of his Maiesties courts of record.

Such publicke Instruments of their owne natures proue the facts or contracts therein contained, and are of such and so great credit of their owne natures, that they themselues need no prooue at all.

Priuat Instruments, are Instruments made betweene priuat persons, by the priuat authoritie of the contractors theselues only, without publicke authoritie, wherefore although they being prooued by witnesses, or otherwise, do proue the contracts and facts of the parties therein mentioned: yet of themselues without such prooue, they proue nothing: as deeds of feoffement, obligations, acquitance, wils, &c.

Thirdly,

Thirdly, Instruments be either of such persons as haue naturall capacitie by birth, which euerie liege subiect being bozne within his Maiesties deminion, hath by his natiuitie.

Or by making, as euerie stranger bozne hath, being by act of Parliament naturalized, or made a Denizen.

Or else of such as haue only ciuill capacitie, as of all Corporations or ciuill bodies, & lawfull societies, colledges, guilds, fraternities, fellowships, & companies incorporate: as Maiors & Comunalities, Bailives & burgeses, Deans & chapters, Bishops, parsons, vicars, &c. & al such as haue succession perpetuall, & take to them & their successors.

Fourthly, Instruments be either sealed and deliuered, or not sealed and deliuered.

Fiftly, of their forme also, Instruments be either polled, and single, or indented.

A polled deed, is a deed testifying, that onely the one of the parties to the same hath put his seale thereunto, after the manner following:

Sciant presentes & futuri, quod ego W. W. de R. in com C. generosus, dedi, concessi, & hac presenti charta mea confirm T. D. de S. in eodem com armig, vnum mesuag, xx. acras terri cum perti in R. predict in predict com C. Habend & tenend tenent predict cum perti pref. T. D. haered & assignat suis imppet, ad solum proprium opus & vsum eiusdem T. D. haered & assignat suorum imperpet, Tenend de capital dnis feodi illius, p seruitia inde prius debita, & de iure consuet. Et ego vero pfa W. W. & haeredes mei tenent praed cum perti pfa T. D. haered & assignat suis cont omnes homines warrantizabimus, & imperpetuum defendemus per presentes. In cuius rei testimonium huic presenti chartae meae sigillum meum apposui. Datum 30. die Martij, Anno regni dne nostrae Eliz. Dei gratia Angliae, Francie, & Hibernae Reginae fidei defensoris, &c. 36. Anno Dom. 1594.

These deeds polled, are also termed Chartae priuatae & simplices, because there is only one part thereof which ought to remaine with the grantee, donce, feoffee, leasee, &c.

And poll deeds may begin thus, Omnibus Christi fidelibus ad quos presentes literae peruenerint. W. W. &c. salutem in domino sempiternam. Sciatis me pfa W. W. &c. Or thus, Pateat vniuersis per presentes me W. W. dedisse, &c. Or thus, Omnibus Christi fidelibus presentes literas inspecturis.

Or thus by a noble man, placing his name with all his titles of honoz at the beginning thereof, Praenobilis Gilbertus Com Salop, dnus Furniual, Verdon, & Strange de Blackmere, dnus Luttoft, nobilis

lis equestris ordinis Graterij sodalis, Regiæ quæ Maiestati à sacris consilijs &c. Salutem &c. Sciatis me p̄fat̄ Comitem &c. and the like of others, &c. *Or thus,* Christianis vniuers. p̄fens scriptū inspecturis huc auditur &c. *Or thus,* Hæc billa testat̄, quod &c.

Or thus by a Corporation, Nou. r̄nt vniuersi p̄e presentes nos R. L. Maiorem burgi de Doncast & Communitatē eiusdem burgi, ex vniuersi nostri contentu & assensu, dedisse, &c.

Or by the Queene, or by any other king or Prince thus, Elizabeth dei gratia Anglicæ, Franciæ, & Heberū Reg. fidei defensor &c. Omnibus ad quos p̄sent̄ licet̄ nostri peruener̄, salutem. Sciatis nos, *Or Sciatis* quod nos &c. *Or thus,* Elizabeth &c. Archiepiscop̄, Episcop̄, Ducibus, Comitibus, Baronibus, Militibus, &c. Sciatis qd̄ nos, &c. *Or thus,* Reg. vniuersi & singulis Iusticiarijs, & Custod. forestar̄, Maioribus, Coronatoribus, Eschaetor̄, Vicecom̄, Forestarijs, custodibus pacis, venditoribus victual' & cariar̄, ac omnium aliarum rerum quarum cunque pro expensis hospicij nostri, Constabular̄, Balliuus, Officiar̄, Ministris, & omnibus subditis nostris quibuscunque, tam intra libertatem quam extra, ad quos &c. Sciatis &c.

And in many other like formes according to the quality of the person, to whom her highnesse Patents are directed. In which who so desireth to be further instructed, may plentifully be satisfied by perusing of the Register, &c.

And the sealing of the Queenes letters P. are commonly concluded with these or the like words (*viz.*) In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste me ipsa apud W. 3. die Maij. Anno regni nostri 36.

And the en sealing of deed by a Corporation thus, In cuius rei testimonium, sigillum nostrum commune presentibus apposuimus. Datum in Guildhalda Burgi prædicti, &c.

Of Deeds indented.

Sect. 47.

A Deed indented is a deed consisting of two parts or more, in which it is expressed, that the parties to the same deed haue to euerie part thereof interchangeably, or severally set their severall Seales. And they are most commonly made in this forme, (*viz.*)

Hæc Indentura facta inter A. B. de C. in comitatu Ebor̄ H. ex vna parte, & E. F. de G. in comitatē H. ycomen ex altera parte, Testatur quod prædict' A. B. dedit, concessit, & hac presenti charta indenta confirmavit p̄fato E. F. & hæred' suis 20. ac' terr' &c. Habend' &c. In cuius rei testimonium partes præd' sigill' sua presentib' alternatim apposuerūt.

Datum

Datum &c. *¶* Thus: In cuius rei testimoniū vni parti huius presentis Indenturę penes præf. E. F. remanē præf. A. B. sigillurę appositę, alteri vero parti eiusdem Indenturę penes præf. A. B. remanē præf. E. F. sigillurę suam appositę; Dat. xx. die Ian. An. &c.

¶ The date thereof may be put in the beginning of the deed thus: Hęc Indentura facta xx. die Ian. Anno regni &c. Inter A. B. &c. & C. D. &c. Testat &c. These deedes indented, or Indentures, and deeds Poll, may be made in the first person also, but are most vsually made in the third person. And in the first person be of this fozme, Omnibus Christi fidelibus ad quos hoc præfens scriptum, *¶* præfens charta, *¶* præfentes literę indentatę peruenerint, A. de B. &c. salutem in Domiñ sempiternam &c. Sciatis me præf. A. B. dedisse, concessisse, & hac præfenti chartę mea indentę confirmasse C. D. &c. xx. acras terrę &c. Habendę & tenendę &c. *vel sic*, Sciant præfentes &c. futuri &c. *vel* Nouerint vniuersi per præfentes &c. *vel* Pateat vniuersis &c. quod ego A. B. de &c. dedi, concessi, & hoc præfenti scripto meo indentato confirmauit C. D. xx. acras terrę &c. Habendę &c. In cuius rei testimoniū tam ego præf. A. B. quam præf. C. D. his Indenturis sigilla nostra alternatim apposui, Datum &c. *vel sic*, In cuius rei testimonium vni parti huius presentis Indenturę sigillum meum apposui, alteri vero parti eiusdem Indenturę præfatus C. D. sigillum suum apposuit, Datum, &c.

And both parts of such deedes indented bee the deedes of both the parties to the same: And euery part of such Indentures is the deed of either of the said parties: and each part is of as much fozce and effect alone, and as beneficiall to either of the said parties, as both parts thereof together.

These deedes indented are not onely bypartite, as these aboue mentioned, bet also may be made tripartite, that is, of thzee parts, or quapartite, quinqpartite, or of as many parts as shall be needful, in fozme abouesaid, Mutatis mutandis &c. as by sund; y examples in this present discourse may appeare.

And these deedes indented, or Indentures, are most commonly indented or cut one of them into another. But the cutting of them in that manner onely doth not suffice to make them deedes indented, nor the calling of them so by the parties, if the putting to of the staves in fozme abouesaid be not therein expessed. Thus much generally for the severall fozmes of deedes.

Observations necessarie for the making of Instruments.

In the form of euery Instrument it seemeth needfull to consider the substance thereof, and of the adiuncts. Touching the substance, a deed both consist of two principall parts, namely the premisses and consequence thereof.

The premisses of an Instrument is the former part thereof, and is commonly said to be all that which preceedeth the Habendum or limitation of the estate.

In the premisses of Instruments are principally to be considered three things :

The first the person contracting, next the thing, matter, or fact whereof the contract is to be made, and then the wordes with which the said contract is to be described.

The persons are the verie efficient causes of the Instruments; by whose consent they are agreed vpon and made.

And the persons to Instruments be either active or passive.

The active person in instruments is he which maketh the instruments, or which giueth, feoffeth, releaseth, confirmeth, graunteth, leaseth, lendeth, deliuereth, letteth, departeth with, conenanteth, or promiseth any thing : or shortly hee which maketh any contract or bargain, to, or with any other, and is named according to the contract : As the donor, feoffor, lessor, obligor, releasor, grantor, confirmor, seller, lender, bargainer, &c.

The passive person in instruments, is he, vnto whom the Instruments be made, and which taketh thereby, who is likewise diuersly named, according to the severall natures of the contracts, to, or with them made.

In the persons, two things are to be heeded: the capacities and names,

Touching capacity, consideration is to be had, that the active persons which should make any deeds, be persons able to doe it, namely, that they be void of all impediments, either naturall or ciuill: of which we haue intreated befoze amongst Contracts.

And the passive persons be such as be capable of things which should be giuen or transferred vnto them, and void of the like impediments, and not dead persons in law, as Monks, Friars, Puns, and such superstitious botaries.

Of the names and Additions of persons.

Sect. 49.

And touching the names or Additions of the parties to instruments, it is requisit that they be certainly named by their names
of

of baptisme & surnames, with a lawfull & sufficient additions of place, estate, degree, misterie, or occupation, to distinguish them from all other persons of like name, whether such person be King, Prince, Duke, Marquesse, Earle, Viscount, Baron, or Lord, which be names of great Nobilitie and honour: Or he be a Knight, Esquire, or Gentleman, which for difference are termed names of lesse nobilitie or honor: Or he be a yeoman, husbandman, artificer, or laborer: Or else if it be any Ecclesiasticall person, as Archbishop, Bishop, Archdeacon, Deane, Parson, Vicar, Clerke, &c. Or if it be any Corporation, or bodie ciuill or politique, hauing Couent & common seale, as Bailiffe, and Burgesse, Mayor & Communalty, or other brotherhood, &c. And for the auoyding of confusion and erroꝝ, thus: Sciant &c. quod ego W. W. de R. in Coñ E geñ, Dedi &c. T. N. de R. in eodem comiratu Tailor &c. and such like.

Of the matters and things or facts whereof Instruments be made.

Sect. 50.

And as concerning the matters, things, & facts whereof Instruments are to be described, are also to be considered 2. things: First the things or facts themselves, & then their necessarie circumstances.

And as for the things themselves, it is to be weighed, whether the very bodies of the things themselves be to be contracted for, as lands, or goods &c. or the rights pertaining to the persons in the vse of þe bodies of things: as wares, vse, fruits, & profits, which we take thereby.

And in things is to be noted whether they be coꝝpozal or incoꝝpozal. Coꝝpozall things, are such as of their owne nature may be felt or seene, and they be either moueable or immoueable.

Things moueable, are those which may be remooued out of one place into another: as garments, fruits of the earth, beasts, rents, &c.

Things immoueable, be such things as cannot be remooued from place to place, which be therefore called things of the soile or ground, as the very ground it selfe, and things fixed to the same, which can not be remooued without the destruction thereof: as trees planted therein, houses thereupon builded, &c.

Things incoꝝpozal be such, as by their owne nature can neither be seen nor felt, & are comprehended only by vnderstanding, & therefore can neither be deliuered nor deuided: as property, possession, inheritance, seruice, aduowsons of Churches, wardships, the vse & fruition of things ciuill, obligations, contracts, alienations, and at a word all rights, as well to haue the very things themselves, or the vse thereof: as libertie to go through another mans soile, common of pasture, way, libertie to hawke, hunt, or fish, &c. notwithstanding that the

subiects

subiects whereunto they be annexed are cozpozall: as the soile oz cozpozall, yet the right to inioy, oz inherite the same incozpoll.

Which things being thzoughly surveyed, the wziter must haue speciall regard, what maner of thing is to be contracted for: whether it be honoz, cattle, manoz, house, land, meddow, pasture, farme, parsonage, aduozion, office, park, pond, warré, seruices, courts, liberties, wardships, marriages, wayes, common, oz other things whatsoeuer, setting them downe by their apt & vsuall names, if they haue any, oz by such other accidents and circumstances, as may certainly describe, and distinguish them from all other, as the Towne, Hamlet, and Countie where the thing lieth, butting it at the ends, and binding it at the sides (if need be,) and expzessing in whose occupation it is oz hath bin, who was thancient owner thereof &c. As vnum meluagium cum pertinẽ in S. in coñ C. vocat Cowhall, iaceñ inter tenẽ I.S. ex parte Boreali, & tenẽ T.S. ex parte Australi, & abutãt ad orientẽ caput (sup tenẽ D.D. & ad occidentẽ caput sup tenẽ L.T. quæ nupquisiui mihi, & hered' meis de N.N. & nunc sunt, vel nup fuer in occupatione S.T. vel assignat suor &c. expzessing all things certainly with apt significant words, and therein eschewing all Metaphozical, figuratine, and bozrowed spæches, and all words of diuers oz doubtfull significations.

What words are to be used in the making of Instruments.

Seçt. 51.

Such words must be vsed in euery Instrument, as the nature of the Contract doth require: As in Feoffements, Feoffaui, Dedi, oz Concessi, &c. In a Release, Remisi, oz Relaxaui, &c. In a Confirmation, Confirmaui, Ratificaui, &c. In bargaine and sale, Barganizaui & Vēdidi, &c. So of other in the pzmisses, and like, with such words as be requisite, and are expzessed in the other parts of deeds.

Of the consequence of Deeds.

Seçt. 52.

Thus much touching the pzmisses, oz first part of Instruments. Now let vs enter into consideration of the subsequence oz sequele thereof. The later part of Instruments, and consequence thereof is all that necessarily followeth the pzmisses, and that is the Habendum, in which is limited and expzessed what estate oz proprietie the partie passive shall haue: as see, taile, &c.

And that is twofold, namely the limitation of the state, & of thuse.

The limitation of the estate is to limit and expzesse in certaine, what estate the partie shall haue in the thing contracted.

The limitation of Thuse is to expzesse in the said Habend', to oz for whose vse & benefit he shall haue the same estate, reciting withall the thing

thing granted by some sufficient general name: as Habēd' & tenēd' præd' manet imperpet' (if a mannoꝝ be granted in the premisses) p'd' mesuag' cum' p'ciū, oꝝ tenra præd' cum' p'ciū, as the case requireth, p't. I. S. & hæred' & assign' suis imperpet', ad opus & vsum p'd' I. S. hæred' & assignator' suor' imperpet'.

Of the adiuncts or accidents of Instruments.

THus are the essentiall parts of Instruments discussed. The ad. Sect. 53. Iuncts now come in place.

Wherein are all those things which come to the instruments, besides the essentiall parts thereof, which likewise be of two sorts: for either they be adiuncts, common to either of the said parties, oꝝ proper to the one part onely.

Adiuncts common are two, the date of deedes, and the consideration of the contract.

Of the date of Deedes.

The date is the description of the time in which y^e dēd was made, Sect. 54. which is done either by y^e yere of y^e Loꝝd, oꝝ y^e yere of the Princes raig'n, & it ought either to be placed in the beginning of the premisses, oꝝ in the end of the cōsequence, of which see examples therof ensuing.

Of the cause of considerations of Deedes.

The considerations of instruments is the motiue cause, for which the Instruments are made, as money oꝝ other goods, affection naturall oꝝ such like, which is most commonly, and in my conceit most aptly exprest in the premisses, and which neverthelesse may be put in the consequence, and in many cases be omitted. Of both examples hereof are many in the second Booke.

Of Adiuncts proper to the consequence of Instruments.

ADiuncts of the consequence of Instruments are such as are most commonly set downe after y^e Habēd'. And they be of diuers sorts. Sect. 55.

As the reseruation, redd', if any rent, suit, oꝝ seruice be reserued.

The reentrie.

The nomine perç.

The clause of distresse.

The tenēd', shewing the land is holdē touching things inheritable. Sect. 56.

The clause of warrantie generall, oꝝ speciall, oꝝ particular.

The exceptions out of whole things.

The conditions and pꝛouisoēs.

All Couenants are to be made of either side according to euery seuerall Contract.

As, to be saued harmelesse oꝝ discharged, to be seised in fee &c.

To haue power to sell.

To

To be owner of the tenements or chattels sold.

To make further assurance.

To be seised to the aliences use.

For quiet enjoying &c.

And everie other necessarie covenant according to the nature and qualitie of the thing or fact, whereof the contract is made, & the maner of the contracts made: Regarding heedfully all circumstances of the place, person, occasion, thing, maner of doing, cause, exception, condition, according to the true meaning and agreement of the parties curiously without prejudice, partialitie or favour to either of them.

Then followeth the drawing of such Instruments in forme after some precedent ensuing, as the qualitie of the fact or contract exacteth: whether it be a feoffement, grant, release &c. or any other instrument.

Then must such first draught be circumspectly examined, perused, concluded, and agreed vpon by the parties or their counsell.

When such draught is so agreed vpon, then it is to be faire written & ingrossed in paper or parchment, without blotting, rasing, enterlining, writing euerie word plainly at length, without any abbreviations, ciphers, signes, or notes, which may breed any scruple or doubt.

Then they must bee warily and precisely read ouer, and examined twice or thise at the least, lest any thing be inserted, detracted, omitted, altered or mistaken, differing from the parties good meaning.

For Instruments once sealed and deliuered, may bee altered or amended in nothing.

All things being thus dispatched, the Instruments are to be subscribed by the parties.

And by them sealed with hard wax like to continue long.

And when Instruments are sealed and subscribed, they must be openly read and published in the hearing of diuers substantial credible witnesses, and afterward deliuered in their presence, as the acts and deeds of the parties.

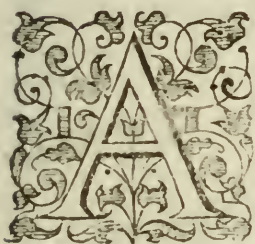
These things so finished, the sealing and deliuerie of such deeds must be certified vpon the back side thereof, or in some other convenient place thereof, thus: Sealed and deliuered in the presence of A. B. C. D. E. F. &c. and chuse alwaies such yong witnesses which can subscribe their owne names if you can get them.

Deeds in old time were wont to bee deliuered in the presence of men of greatest credit and worship that could be gotten: and many times in open Courts, or great assemblies of people, for credite and prouise.

The end of the first Booke.



The first part of Symbolæographie, containing Instruments Extraiudiciall, Agreements, Couenants, Contracts, Grants, &c.



Although by order vve learne how to do things, and then put the same in practise, yet the verie actions themselves are vworthily deemed farre more excellent and honourable than the bare knowvledge thereof: by so much as the end is more precious than all the meanes by vvhich the same is attained.

For as in Schooles, in vaine should children spend their time in learning the rules of Grammar, touching either the Etymologie or Syntaxis thereof, if they did not after apply their knowvledge to the vse of speaking and vvriting.

And as Physitians should vnprofitably store themselves vvith the vnderstanding of the severall natures and properties of hearbes and roots, and other simples, or of the Art of Physicke, if they did not shevv vs the vse and fruit thereof in curing diseases, and restoring health: so doubtlesse the doctrine of all other Arts and Sciences, is idle and barren if vse and practise be not therevvith conioyned. And therefore vve alvvaies account those things vvhich are vvrought by Art, of farre more passing excellencie than vve doe the Art it selfe.

Neither doth any doubt, that it is harder to practise an Art, than onely to learne the Theoricke part thereof: For neither they vvhich know the severall kinds and measures of Verses, with the lawes of versifying, are thereby straightwaies Poets: nor they vvhich have learned by heart all the tropes, figures, and precepts of Rethorike, are by and by Orators: for to their knowledge they must needs couple long vse and exercise, before they vvinne the names of perfect Poets, or eloquent Orators.

Euen so, it sufficeth not for a Notarie to know onely vvhat Instruments and Contracts be, vvhat things and Acts they may bee made of,
C and

Symbolæographiæ pars prima.

and by what persons, with such other generall notions. For ere hee be worthie that name, hee must throughly know the severall tenors and formes of euerie speciall Instrument, in each kinde of Contract and businesse.

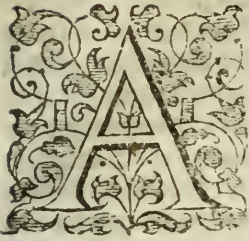
Wherefore as heretofore I haue generally in some measure laide downe the doctrine of Instruments: so in these which follow, I intend to shew certain formes of euerie kind of Instruments, as they haue heretofore long time bene vsed and approued by learned men of great experience; from vvhose sound examples therein, I thinke it not good rashly to swerue, because it is a farre surer course, to retaine those certaine formes vvhich continually haue bene many years put in vre, then to deuise new: for that, time, vvhich is the touchstone of all Arts, hath confirmed these.

SYMB.



SYMBOLEOGRAPHY.

Of Couents, Articles, Promises, Contracts, and Agreements &c.



As for so much as Couenants are inserted in to all maner of Instruments, I thinke it good first to shew examples thereof, hauing defined what manner of Instruments they be. An Instrument of Couenants therofore, is a formal deed containyng an agreement of diuers persons, whereby the one doth promise or couenant with the other to doe or omit some act or acts, thing or things, in such sort as they haue concluded thereof amongst themselues: and they are most commonly made with these woꝝds following, or the like in effect.

Sect. 57.

The words wherewith Couenants be made or written.

THis Indenture made &c. Betweene A. B. of C. &c. on the one party, and C. D. of &c. on the other partie, Witnesseth, that the said A. B. for himselfe, his heires, executoꝝ, and administꝛatoꝝ, and euery of them, doth by these presents couenant, grant, promise, and agree, to and with the said C. D. his heires, executoꝝ, and administꝛatoꝝ, &c. and euery of them, that the said A. B. (expressing the thing agreed vpon by apt woꝝds.)

Sect. 58.

Or thus betweene two and two.

Witnesseth, that the said A. B. and C. D. doe by these presents, for themselues, and either of them, and the heires, executoꝝ, and administꝛatoꝝ of them and either of them, and euery of them couenant, grant, promise, and agree, to and with the said E. F. and G. H. and either of them, and the heires, executoꝝ, and administꝛatoꝝ of them, and of either of them, and euery of them, that they the said A. B. and C. D. &c.

Or thus betweene three and three.

Witnesseth, that the said A. B. C. D. and E. F. for themselues, and euery of them, and the heires, executoꝝ, and administꝛatoꝝ, of them and euery of them, do by these presents couenant, grant, promise, and agree, to, and with the said G. H. I. K. and L. M. and euery of them, and the heires, executoꝝ, and administꝛatoꝝ of them, and euery of them, That if it happen &c.

Covenants betweene Executors, where the one granteth the goods to the other, being bound to performe the Will.

Sec. 59.

THis Indenture made &c. Betweene **R. S.** & **H. D.** &c. Witnesseth, that whereas **T. S.** now deceased, late brother of the said **R.** in his life time did make his last wil and testamēt in wꝛiting, and therin made & ordained the said **R.** & **J.** then wife of the said **T.** and now wife, of the said **H.** executoꝝ thereof, as by the said testament and last will appeareth. And where also the said **H.** & **J.** haue & enioy not only all such goods & chattels which the said **T.** did giue and bequeath vnto the said **J.** but also all plate, money, & al other goods & chattels which were of the said **T. S.** at the time of his decease: the said parties to these present Indentures bin condiscended and agreed in manner and foꝛme following: that is to say, The said **H. D.** foꝛ him his executoꝝ and administrators, and enery of them doth covenant &c. to and with the said **R. S.** his executoꝝ and administrators and enery of them by these presents, that he the said **H.** and **J.** his wife, oꝛ one of them, oꝛ the executoꝝ, administrators oꝛ assignes of them, oꝛ of one of them, shall and will content and pay oꝛ cause to be paid vnto the said **R. S.** his executoꝝ, oꝛ administrators, oꝛ to the executoꝝ of the suruiuoꝛ of the said executoꝝ foꝛtie pounds of &c. within 6. months next after the full age of **G.** and **H. S.** sons of the said **T. S.** oꝛ of either of them, if they oꝛ either of them shall so long liue, oꝛ els within one yeare next after the decease of the suruiuoꝛ of them the said **G.** and **H.** if both the said **G.** and **H. S.** shall die befoze either of them shall come to, and bee of his said full age. Provided alwaies, and the said **H. D.** foꝛ him &c. doth covenant &c. that if the same **J.** now wife of the said **H. D.** shall depart this present life befoze the said **G.** and **H. S.** oꝛ either of them shall come and be oꝛ his said full age, and the said **G.** & **H. S.** oꝛ either of them suruiuing the said **J.** That then the said **H. D.** his heires &c. shall content and pay, oꝛ cause to be contented & paid vnto the said **R. S.** his executoꝝ oꝛ administrators, oꝛ to the executoꝝ of the suruiuoꝛ of the executoꝝ of the same **R. S.** the summe of xx. l. &c. within one yeare next after such decease of the same **J.** And ouer this, the said **H. D.** foꝛ him &c. doth covenant &c. that he the said **H. D.** and **J.** his wife and their executoꝝ, administrators, and assignes, & euery of them, of his, her, and their proper costs & charges, during the marriage betwixt him the said **H.** and the said **J.** shall wel and sufficiently sustaine, and maintaine the houses and buildings, which be set & builded vpon such customary lands and tenements in **W.** in the said county of **P.** which the said **H. D.** & **J.** in the right of the said **J.** now haue and do hold foꝛ terme

terme of life of the said J. And that he the said H. P. and J. noz either of them shall do no maner of wast in o2 vpon the said custumary lands and tenements, o2 any parcell thereof. And also where the said H. P. together with J. B. of S. and J. D. of M. by their wryting Obligatozie do stand iointly and seuerally bound vnto the said R. S. in 100. pounds of good ꝛc. with and vpon condition thereupon indozsed for the true perfozrnance of the covenants, grants, painments, & agreements, contained in these pze sent Indentures on the part of the said H. P. his heires, executozs, administratozs & assignes, o2 any of them to bee perfozmed, paid o2 kept, as by the said wryting Obligatozie, and condition afozesaid, moze plainly it doth and may appeare: The said H. P. for him ꝛc. doth covenant ꝛc. to and with the said R. S. ꝛc. that if any two of the persons bound in o2 by the said wryting Obligatozie, o2 any two of any other persons hereafter to be bound, in, o2 by any other wryting Obligatozie to be made for the same purpose, shall die, & depart this pze sent life befoze all the covenants, graunts, articles, payments and agreements, in these pze sent Indentures contained, shall be well and truely perfozmed and kept, that then the suruiuo2 of the persons bound by any such wryting Obligatozie, shall with two other sufficient sureties, within two yeares next after such departure o2 death as is last afozesaid, by their sufficient and lawfull wryting Obligatozie become iointly & seuerally bound to the said R. S. his executozs o2 adimistrat. o2 to the executozs of the suruiour of the executozs of the said R. S. in the summe of ꝛc. with and vpon condition in effect as is afozesaid, and so often to find and lay in such bonds with such sureties as is afozesaid, as any such death o2 deaths, as is afozesaid, shall happen as is befoze declared, during the said time. And o2uer this the said R. S. for him ꝛc. doth covenant to and with the said H. P. ꝛc. that he the same R. S. his ꝛc. shall acquite, discharge, & from time to time for euer saue harmeles the said H. P. & J. his wife, and either of them, & all the executozs, administratozs, & assignes of them, & either of them, against the said G. C. & H. S. & either of them, of all and singular legacies, gifts, & bequeests which the said T. their father did by his last wil and testament giue and bequeath to the same G. C. and H. S. and either of them. In vvicnesse wherof ꝛc.

Of Covenants to sue Statutes.

THis Indenture made &c. betweene R. D. and M. P. on the one Sect. 60. party, and R. B. on the other party, Wicnesseck, that whereas the said R. is lawfully intituled to a certain deed obligatozy, made by the said

said W. P. according to the statute of Aton Burnel, & acknowledged,
 &c. before H. A. then Mayor of the Citie of C. unto P. D. in the sum of
 &c. commonly called a statute merchant: by meane whereof, the said
 W. P. at this day, is, & for a long time hath bin grieued. For y^e better
 help & ease whereof, & for diuers other considerations, the said parties
 & euery of them mouing, they are condiscended & agreed, in manner &
 for m following, that is to wit: The said W. & R. and either of them,
 are well pleased, contented, & agreed, & further covenant & grant, to,
 with the said R. that what time it shall please the said R. & as oft, and
 at all and euery time and times, as he shall so please, and when he shall
 thinke it most to him conuenient to sue forth execution, vpon the said
 statute merchant, & to do his best, & vttermost endenour for the obey-
 ning of the same, & also to extend all & singular the lands & tenements
 which were the said W. P. at the time of the making of the said sta-
 tute merchant, or at any time sithence, as far forth, & in as ample ma-
 ner & wise, as the lawes, vsages, & customes of this realme will beare
 & permit, that the said W. & R. nor any of them, shall not in any wise
 hinder, let, or gainsay y^e same. And the said R. covenanteth &c. y^e he the
 said R. shall, vpon the same execution sued, further vse, do, extēd & shew
 all such fauor vnto y^e said W. in respect of y^e imprisonment of his person,
 as he lawfully may, & as by the same R. & W. or their learned counsell,
 or the learned counsell of either of them shall be deuised or advised, so
 y^e the same be not hurtfull nor prejudicial to the said executiō, nor may
 be deemed or construed a good & sufficient matter, to auoid & frustrate
 the same. And further, the said R. doth &c. y^e he shall & will from time to
 time, & at all & euery time & times, as he shall be reasonably required,
 by the said R. his &c. and after that he the said R. hath extended or cau-
 sed to be extēded, such lands &c. or any part or parcell thereof, as at the
 time of the knowledging of the said stat. or at any time sithence, were
 the inheritance of the said W. & now be the lands & tenements of the
 said R. & in his seisin & possession, give, grant, &c. all and euery the said
 lands &c. vnto the said R. & his &c. to haue & to hold thē during all such
 terme, & time as the said R. should haue by the lawes, statutes, vsages,
 & customes of this realme in the premisses, by the force of the said stat.
 & extēd, & to do, suffer, & make, seal and deliuer all such assurances in
 the law, for that purpose, as shall be deuised or advised by the said R.
 or his assignes, or his or their learned counsell, at his or their proper
 costs &c. in the law. And also y^e said R. doth covenant &c. y^e after wards
 he the said R. by vertue of the statute aforesaid, shall haue such lads &c.
 in executiō, which at the foresaid time of the knowledging of the said
 statute

statute merchant were the inheritance of the said *W. D.* set, lying, or being in *W.* in *£c.* To haue and to hold to the said *R.* and his assignes during all such terme & time, as the said *R.* shal be lawfully intituled by the said execution, to haue the same. And also the said *R.* doth covenant *£c.* that he, nor they, shal do no act nor acts, thing or things, to auoid or frustrate the foresaid grants, & assignments, or any of them to be made vnto the said *R.* and his assignes, of the premises, in maner & forme aforesaid, after that the same be had & made, to the said *R.* & to his assignes, as is aforesaid. And the said *W.* & *R.* in consideration of the fauor which the said *R.* hath in these Indentures covenanted to shew, do, vse, & extēd vnto the said *W.* as afoze appeareth. And also in consideration of the said grant to be made vnto the said *R.* as likewise is afoze expressed, wherby the said *W.* shall be defended frō sundry damages, the said *W.* & *R.* and euery of them, covenant *£c.* to pay to the said *R.* his executozs or assignes, the summe *£c.* in maner & forme following, viz. *xx.* Markes by yere, yerely, by the space of five yeres next insuing, at ij. termes in the yere, to be nominated & appointed by the said *R.* & *R. P.* the next yere, immediatly following the said v. yeres, at ij. termes as aforesaid. And the said *W.* & *R.* do covenant, that he the said *R.* for the true and good payment of the said summe of *£c.* to be contented & paid, as aforesaid, shal & wil charge al & singular his lands & tenemēt, which he hath in the said County of *C.* & to doe all and euery act and acts, thing and things, for, and to that purpose, conuenient and appertaining, from time to time, as shall be deuised, or aduised, by the said *R.* or his learned counsell, at the proper costs and charges in the law, of the said *R.* And also the said *W.* and *R.* doe covenant and grant, for them, and euery of them, to and with the said *R.* from time to time, to beare and pay the moitie and one halfe of the charges in the law, which the said *R.* shall be put to in the suing forth of the said execution, and extēnt. And also the said *W.* & *R.* do covenant *£c.* that the said *R.* at the request of the said *W.* shall be of counsell with him, in the suing forth of the said execution and extēnt, and labour and trauell with him in the same, as appertaineth to a Counsellor. And the said *R.* doth covenant *£c.* to inlarge, and discharge the said *W.* out of prison, where he now remaineth, at the request of the said *W.* and *R.* or either of them. And for the full and true accomplishment of all and singular covenants, graunts, agreemēt, & articles mentioned in these Indentures, euery party covenanteth to othor to stand bound in their seuerall deeds Obligatozy, in the summe of *£c.* bearing date with these presents. In witnesse whercof *£c.*

Covenants to discharge Executors, and procure release.

Sect. 61.

THis Indenture made &c. Betweene J. S. on the one partie, and C. B. late wife of R. B. deceased, and executrix of the last will & testament of the same R. B. of the other partie, Witneseth, That where the said R. B. was in his life time put in trust, as one of the feoffees of J. S. esquire deceased, to leuie & receiue the profits of certaine lands and tenements to the same feoffees assured, for certaine sums of money, to the vse, and for the preferment of the mariage of C. D. J. C. & A. S. five of the daughters of J. S. & by vertue thereof hath receiued and leuied, the summe of &c. and hath in, and out of the same disbursed &c. to the vse of the said seuerall daughters, as in a scedule annexed to these presents appeareth, and so had remaining in his hands, at the time of his death, and wherewith the said C. as executoz, to the said R. B. resteth chargeable and answerable to the said seuerall daughters in the summe of &c. And whereas the said J. S. bzother to the said M. C. A. & J. as hee affirmeth, hath disbursed and paid for the preferment of the mariage of the said J. lately married to E. H. the summe of &c. & is to receiue the same againe of her portion, & thereby claimeth and demandeth of the said C. B. the said summe of &c. and which the said C. B. vpon reasonable discharge, is agreed to pay, the said J. S. doth first by these presents, not only confessing and acknowledging, that the day of thinsealing of the same, he hath receiued and had of the C. B. the summe of &c. to the vse of the said J. his sister, or such other his sisters, as the same of right is due vnto, and thereof, and of euery part thereof, doth acquite and discharge the said C. B. her executozs and administratozs, but also doth confesse and acknowledge, that he hath taken and receiued of the said C. B. a full & perfect accompt of all the receipts of the said R. B. and all that they disbursed, & vpon the same iustly & truely made, as in the said scedule annexed appeareth, acknowledgeth the said summe of &c. and no more remaining in the hands of the said C. B. as executrix of the last will and testament of the said R. B. And the said J. S. doth further covenant and grant for him, his executozs, & administratozs by these presents, that the said J. S. his executozs, administratozs, or assignes, shall not onely discharge, defend, and saue harmely the said C. B. her &c. aswell against the said M. J. C. & A. and euery such person and persons, as now hath, or hereafter shall marry any of them, their, and euery of their executozs & administratozs, as also against Sir W. B. knight, and the executozs of H. L. Alderman deceased, and others the feoffees of the same J. S. deceased, of, and from all suits, & demands,

and

and al charges therby to be incurred, which shalbe prosecuted against her, as executrix of the said R. B. decreaid, for & concerning the having & receiuing of the said summe of £c. or any part or parcell thereof, but also shall procure to be sealed & deliuered to the said C. B. within one yeare next ensuing the date thereof, a lawfull & sufficient general acquittance from al & euery such person & persons, as lawfully can, could, or might claime, aske, or demane, any part or parcell of the said sum of £c. by the said R. B. as is aforesaid receiued, and by her to the said J. S. paid. In vvitnesse whereof, &c.

Covenants to prosecute suite.

THis Indenture &c. Betweene J. B. and J. P. of £c. and C. K. on the other partie. Witnesseih, that whereas about the 30. yeare of the Queenes Maiesties raigne that now is, a certaine offence, pyracie or robberie was committed vpon the Seas vpon the goods and merchandize of one P. P. and W. D. in the good ship called the Magdalen by diuers persons, whereof certaine for the same offence were executed, & certaine yet remaine & stand indicted, as by the Record of the Court of £c. moze at large doth appeare. Now therefore it is covenanted and agreed between the said parties to these presents, in maner & soyme following: that is to say, The said J. B. for him &c. covenanteih, that he the said J. B. from time to time vpon the request of the said J. P. shall not only by the authoritie & power to him made by the said J. P. & W. D. or otherwise, attach, imprison, & prosecute in due order of law, as the said J. P. shall direct him, all & euery the person and persons, or any of them which stand indicted for the said offence, & all & euery offender & offenders touching the pyracie, & their accessories, and euery of them: but also shalbe aiding, assisting, counselling, & helping the said J. P. in all and euery act, thing, and deuise that the said J. P. shall lawfully goe about to doe, perpetrate, or execute, about, touching or concerning the said premises, or any of them. And that the said J. B. his executozs or assignes shall not at any time hereafter release, or otherwise discharge any of the persons standing indicted for the same offence, or any accessory to the said offenders, nor any offender or offenders which was at the said robberie, nor do perpetrate or commit, or willingly suffer any thing or things to be done touching the premises, or any of them, or any matter, action, agreement, or other thing touching the premises, or the persons indicted for the premises, or others, concerning the said offence, without the consent, wil, and agreement of the said J. P. & C. K. their
 execu

Sect. 62.

executors, administrators or assignes, first had and obtained in writing, under their hands & seals for the same. And moreover, if it so be, that any agreement shal be had for the premises or any of them, or otherwise howsoever by meanes or colour of thoffence aforesaid: that the recompence, summe or sums of money, or other thing upon such agreement paid and received, shall be divided into thzee equal parts, whereof one part thereof the said J. B. shall keepe & detaine in his own hands for his owne part thereof. The second part thereof be the said J. B. his executors, or administrators, shall pay to the said J. P. his executors &c. within 4. daies after the receipt thereof in the Church of W. &c. And the 3. part thereof the said J. B. shall pay to the said C. K. &c. In consideration of all which premises, the said J. P. for him &c. covenanteth &c. to and with the said J. B. his executors & assignes by these presents that he the said J. P. his &c. shall beare & discharge all costes, charges, & expences, that shal hereafter be disbursed, payed, or expended, in or about the prosecuting of the premises, or any of them at all, and everie such time and times, as the same shall be disbursed and payd from time to time. In witness &c.

Covenants to surrender Copyhold lands.

Sec. 63.

THis Indenture made Betweene T. P. R. S. &c. Witnesseth, That the said T. P. in consideration of 120. pounds &c. doth for himself &c. covenant &c. that he the said T. or his heires, befoze the feast of E. next ensuing the date hereof, shall & will according to the custome of the manor of S. in the said countie of P. surrender into the hands of the Lord of the said manor, at those Copyhold lands, tenements, meadows, pastures, & hereditaments, within the Soke of C. aforesaid, now or lately in the severall tenures or occupations of R. L. V. P. K. B. & D. C. or of any of them, or of the assignes of them, or of any of them, which now be, or heretofore have bin the lands &c. of the said T. P. or of J. P. his late father deceased, to the use & behoefe of the said R. S. his heires & assignes for ever, according to the custome of the said manor of S. And that he the said T. P. & his heires, shall and will at all and every time & times hereafter, well and sufficiently do, make, knowledge, finish, & execute, & cause, & suffer to be done, made, knowledged, finished, and executed, all and every such further reasonable act and acts, thing and things, devise and devises, conveyance and conveyances, surrender & surrenders, assurance and assurances in the law, of the said tenements and premises, with the appurtenances, for the absolute, good, and perfect assurance and conveyance of al the

the said tenements & premises, with the appurtenances to the said R. his heires and assigns for ever, according to the said custom of the said mannoꝝ of S. without any maner of condition thereunto annexed, as shall bee devised, advised oꝝ required by the said R. S. his heires oꝝ assigns, oꝝ by his oꝝ their oꝝ any of their Councell learned in the lawes of the Realme &c.

Hereunto may be added such other covenants for the deliivering of copies, and being seised in fee, according to the custome, and for quiet enjoyng, and saving harmeless of incumbrances &c. as beene vsed in the sale of charter lands Mutatis mutandis: or in the Conditions or Obligations for such purpose &c.

Covenants touching the assignments of Executorship.

THis Indenture &c. Betweene W. C. &c. executor of the last will & Testament of S. J. G. deceased, of the one partie, and T. C. of the other partie, Witnesseth, that where the said S. J. G. did by his last will and testament, bearing date &c. make, constitute, ordeine, and appoint the said W. C. his sole executor of his last will and testament: Now the said W. C. for diuers good causes and considerations him specially mouing, hath giuen &c. vnto the said T. C. his executor and assigns, all and singular the goods, chattels, leases, implements, and vtensils of household, debts, duties, and credits, which were to the said J. G. at the time of his death, other then such goods, chattels, and implements of household stuffe, onely to the value of &c. as bin assigned, and appointed to dame A. G. late wife of the said J. G. in satisfaction of &c. to her couenanted to be paid. And also other then all such goods, chattels, and debts, and other things of the said Testator, as the said W. C. hath heretofore administered, extinguished, and released, being contained in the sccule Indented, hereunto annexed. To haue and to hold &c. (except befoze excepted) to the said T. C. his executor and assigns, in as large and ample maner and soyme, as he the said W. C. the day of the date of these presents, hath oꝝ by any lawfull wayes oꝝ meanes might oꝝ ought to haue the same. And the said W. C. doth also by these presents graunt and authorize, as much as in him lieth, and doth constitute, make, ordaine, & appoint the said T. C. to be his true & lawfull Attorney, to arrest, sue, & implede vpon iust cause, and to defend & answer in lawfull wise, in the name of the said W. C. oꝝ any his executors oꝝ administrators, all and all maner of iust & lawfull actions, suits, prosecutions, and demands; that at any time hereafter shalbe brought & commenced in the name of the said W. C. oꝝ any his executors.

Sec. 64.

executozs, eyther by the meanes of the said T. C. his executozs oꝛ as-
 signes, oꝛ against the said W. C. as executoz of the said S. J. oꝛ any
 his executozs oꝛ administatozs foꝛ any matter oꝛ cause, in any wise
 touching oꝛ concerning the said W. C. by reason of the executozship
 of the said S. J. oꝛ by reason of the said last will oꝛ testament, oꝛ any
 thing therein contained, without the voluntarie reuocation, nonsuit,
 oꝛ deniall of the said W. C. oꝛ any his executozs oꝛ administatozs, &
 without any account yeelding vnto the said W. C. his executozs oꝛ
 administatozs, oꝛ any of them, foꝛ the same, at any time. And fur-
 ther, the said W. C. doth couenant &c. that the said W. C. his execu-
 tozs, &c. oꝛ any of them, shal not at any time hereafter releas, acquite
 and discharge any person, foꝛ any debt, oꝛ duetie, due to the said S. J.
 except he oꝛ they bee enforced, ordered, oꝛ adiudged by any sentence,
 iudgement, oꝛder, oꝛ decree to bee had oꝛ made, by any Court in this
 Realme, Ecclesiasticall oꝛ Tempozall, noꝛ wittingly oꝛ willingly
 shall doe any other oꝛ further act, oꝛ thing, in any wise touching oꝛ
 concerning the execution of the said last will & testament, oꝛ any part
 thereof, oꝛ the reuocation of these presents, without the assent, aduice,
 oꝛ consent of the said T. C. his executozs oꝛ administatozs. And the
 said T. C. foꝛ the considerations afoze in these pꝛesent Indentures
 specified, couenanteth foꝛ &c. that the said T. C. his executozs &c. shal &
 will, at all time and times hereafter, sufficiently acquite, discharge, oꝛ
 vpon knowledge giuen, saue harmelesse the said W. C. his heirs, and
 executozs, of, and from all maner of actions, suits & demaunds, what-
 soeuer it be, by reason of the said last will and testament, oꝛ by colour
 oꝛ cause of any administration, meddling, oꝛ dealing, of, with the said
 goods, chattels, oꝛ other things of the said Testatoz, oꝛ by reason of
 any action oꝛ suit, to be had & prosecuted in the name of the said W. C.
 oꝛ his executozs, by the meanes oꝛ procurement of the said T. C. his
 &c. oꝛ by reason of any other action oꝛ suit to be had and stirred against
 the said W. C. oꝛ his executozs, as executozs of the said S. J. shall at
 any time hereafter, by any waies oꝛ meanes, happen to come, arise, oꝛ
 to bee commenced oꝛ prosecuted against the said W. C. oꝛ his executozs
 touching oꝛ concerning the same, oꝛ else at the least within one mo-
 neth next after knowledge had by the said T. C. his executozs oꝛ admi-
 nistatozs, of any trouble oꝛ suit hereafter happening to the said W.
 C. his executozs oꝛ assigns, by reason oꝛ occasion of any the said exe-
 cutoꝛship, administration oꝛ causes abouesaid, shall recompence and
 allow him such charges as he shall fortune oꝛ necessarily be occasio-
 ned to sustaine and be at, by reason of the said suite oꝛ suites, oꝛ causes
 aboue

abovesaid, Any article or thing in these presents mentioned to the contrary notwithstanding. And the said T. C. for him &c. doth covenant &c. That he the said T. C. his executors or assignes, shall and will, at all times hereafter, pay or discharge all legacies, and all other things specified and contained in the last wil and testament, according to the true intent & meaning thereof, other then the legacie of the said M. C. and the legacie of J. G. second son of the said sir J. G. In witnesse &c.

*Covenants for speedie triall, and quiet and indifferent occupation
in the meane time.*

THis Indenture made &c. Witnessech, that whereas heretofore divers controuersies, suites, & troubles haue risen, & yet be betwixt the said parties, of, about & concerning one farme, lying & being in H. within the towship of A. in the Countie of D. in the tenure & occupation of the said T. K. To which farme the said F. K. maketh claim & pretendeth title & right: To the intent y^e the foresaid pretended title & right, in & to the foresaid farm, may quietly be tried betwixt the said parties in some of the Quens Courts, according to the laws of this Realme, with as much speed as the law will the same permit & suffer, without any delay to bee sought or had by either of the said parties, & to the end that fauor, friendship, and neighborly loue might be in the meane time continued betwene the said parties, their seruants & families, and that all unlawfull & forcible attempts, entries, & breaches of the P. peace may be eschewed, & all other enuimities and harmes, that thereupon might grow & come, escaped, It is covenanted &c. and either of them for himselfe &c. doth covenant &c. that all the Hay that is or shall be gotten, in, & vpon the said farme in this next hay harvest, shall be mowed, made, and lused at the indifferent costs & charges of both the said parties, & by their mutuall consents, agreements, & commandements, laid in some one conuenient place for the preservation of the same within the said farme, without all couin and deceit. And that all the said Hay so lused & placed (as is aforesaid) shall there remaine indifferently & safely kept vnoccupied by either of the said parties, their &c. untill such time as the said pretended title and right be thoroughly & lawfully tried and known betwixt the said parties, their &c. and then the said Hay to be deliuered to him or them, their &c. according to their severall rights therein, without all couin. And also that they the said parties shall and may occupie and eat all the grasse growing, in, & vpon the said farme, with their beafts and cattell together in comon and vndeuided, without any disturbance or let, had or made by thone of them to the other of the, & without any disturbance

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oꝛ let to be made by theirs &c. of thone of them to theirs &c. of thother of them, vntil the said pretended right & title vnto the said farme, shal be fully & lawfully discuffed, tried, & knowē betwixt the said parties, their &c. according to the lawes of this realme. And then & after the said title & right fully & lawfully tried and ended by the lawes of this realme, that it shall & may be lawful to & foꝛ the said parties, oꝛ either of them, their heires oꝛ assignes, To have &c. the said farme, with the appurtenances to them, their heires oꝛ assignes, oꝛ theirs oꝛ assignes of them, oꝛ either of them foꝛ euer, according to his oꝛ their right and title so to be tried and found, without any further suit oꝛ trouble. And also that this agrēment, noꝛ the indifferent possession of the said farm to be occupied as is befoze expessed, shal not at any time hereafter be pꝛeudiciall oꝛ hurtfull to either of the said parties their heirs oꝛ assigns, touching oꝛ concerning the trials of their titles & rights, oꝛ the title, right, & possessiō of either of thē, noꝛ ȳ the one shall take oꝛ seeke any advantage in the law thereby against the other, But ȳ either of thē shall & may haue & take like advantage in the law of this lād, thone against the other, in as ample & large maner, & in none other wise oꝛ maner, than as though there had neuer bin any such order oꝛ agreement oꝛ occupation of the said farmes made oꝛ taken betweene the said parties, their heires oꝛ assigns: any thing in this present Indenture to the contrarie notwithstanding. And also that the said T. R. & F. R. & either of them, their heires & assignes shall further & haſt with as much speed as in them, oꝛ either of them is & may be done, had, and suffered by the law of this realme, al & euery such action, suit, oꝛ complaint, as is oꝛ shal be commenced & begun between them, their heires oꝛ assigns, foꝛ the speedier & better trial of ȳ said pretended right, title, oꝛ possession of the said farm, al delays in the said suit, action, oꝛ complaint set apart. And also ȳ some one action shall be agreed vpon between the said T. R. & F. R. wherein the said F. shall be plaintiff oꝛ demandant, by thadvice of both their learned counsel in the law, whereby the said pretended right & title to the said farm may be best & most speedily tried & found out, according to the laws of this realm, without all couin. And ȳ the said T. R. & F. R. shall behaue thēselues friendly & louingly thone toward the other, by & during all the time of the said trial, according to the laws of God & this realm. And ȳ foꝛ the better performance & fulfilling of all & singular covenants, grants, & agreements contained and specified within these present Indentures, according to the true meaning therof, either party shall be bound to other in the sum of 400. li. of lawfull English money. In witness &c.

Covenants to make assurance.

THis Indenture made &c. Witnessech, that the said **C.** for & in confid^{er} Sect. 66.
 deration of &c. doth for him selfe &c. covenant &c. that the said **C.**
 and his heires, & **D.** now his wife, & euerie of them, at all & every time
 and times hereafter &c. shall & will do, make, knowledge, finish & exe-
 cute all and euerie reasonable act and aas, thing & things, cōuetance &
 cōueiances, assurāce & assurāces in y^e law, for y^e good & perfect assurāce,
 surety, fore making & conueiance of all & singular those messuages &c.
 whereof or wherein the said **J.** was euer in his life time seised of any
 estate of inheritance, to the said **B. G.** his heires or assignes, & to such
 other person & persons, & his & their heires &c. to his & their only vles,
 vnto whō the said **G. & A.** his late wife deceased, or either of thē haue
 heretofore aliened, or by any other wayes & meanes whatsoever con-
 ueyed or assured the said tenements or any part thereof, as by the said
G. B. his heires or assignes, or by the said such other person & persons,
 their heirs & assigns, vnto whom the said **G. B. & A.** or either of them,
 haue so (as is aforesaid) aliened or conueyed the said tenements or a-
 ny part thereof, or as by **R. W.** and **T. D.** or the suruiuo^r of them shall
 be reasonably deuised or aduised. So that the said generall assuran-
 ces or conueyances, nor any of them, extend not to binde him the said
C. or his heires or any of them, to any further or other warranty, than
 onely against them, their heires and assignes. And so, that the said **C.**
 nor his heires be not enforced to trauell for the making or knowledg-
 ing of any such assurance or assurances aboue xx. miles from **B.** afores-
 said, And the said **C.** for him selfe &c. doth covenant &c. that it shall and
 may be lawfull to and for the said **G.** his heirs &c. & every of them, and
 every such other person and persons vnto whom the said **G. & A.** or ei-
 ther of them haue heretofore aliened, conueyed, or by any other waies
 or meanes assured the said tenements & premisses, or any part therof,
 at all & every time & times hereafter peaceably & quietly to haue, hold,
 occupy, & enjoy the said tenements & premisses, and every part therof,
 with the appurtenances. And that all the said tenements &c. now are
 and be, and shall, and may for euer hereafter stand, remaine, continue,
 & be vnto the said **G. B.** &c. cleerely acquitted, discharged, or otherwise
 well & sufficiently saued, & kept harmelesse of & from all & all manner of
 former bargaines, sales, gifts, grants, leases, seoffements, iointures,
 dower, statutes, recognisāces, bonds, réts, seruices, arrearages of réts
 & seruices, intrusions, fines, forfeitures, issues, amerciaments, iudge-
 ments, condemnations, executions, rights, wills, estates, vles, in-
 tailles, titles, entries, & conditions, & of & from all other titles, charges
 and

and incumbances whatsoever had or made by the said C. his ex. or by any other person or persons whatsoever, lawfully having or claiming the said tenements or any part thereof, with the appurtenances by, from, or under them or any of them, or by the means, assent, or procurement of them or any of them. In witness whereof, &c.

Covenants to assure lands to saue harmelesse of recognisances.

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THis Indenture tripartite &c. betwixen **J. T.** of &c. and **T. S. G. F. W. P. F. W.** and **J. W.** of &c. Witnesseth, that where the said **T. P. W. P. & F. W.** by one obligation or recognisance lately made and provided by Statute for recoverie of debts, bearing date &c. stand jointly and severally bound to one **H. L.** of &c. in the summe of &c. And where also the said **T. P. T. S.** and **G. F.** by like bond or recognisance lately made and provided by Statute for recoverie of debts, bearing date &c. stand jointly and severally bound to the said **H. L.** in the sum &c. Neuertheles it is now covenanted &c. betwixt the said parties and everie of them, for them &c. in manner &c. that is to say, the said **T. P.** for himselfe &c. to and with the said **T. S. G. F. W. P. F. W.** and **C. W.** their &c. that hee the said **T. P.** befoze the feast of &c. next ensuing after the date hereof, at the costs and charges in the law of the said **T. P.** his heires and assignes, shall make or cause to be made to the said **T. S. G. F. W. P. F. W.** and to **R. S.** and to their heires, a good, sure, sufficient, and lawful estate in the law, in fee simple, of, and in all that his mannoz of &c. to the uses and intents hereafter following, that is to say, to the use of the said **T. P.** and his heirs, so long as the said **T. P.** his executors, administrators, or assignes, do well and truly acquite, discharge, or saue harmelesse the said **T. S. G. F. W. P. F. W.** **J. W.** and **C. W.** their heires, executors, and administrators, and the executors and administrators of every of them, against the said **H. L.** his executors and administrators, of the said severall recognisances, and either of them, and of, and from all manner of summes, debts, penalties, and all other duties contained in the same. And if the said **T. P.** his heirs, executors, or administrators, do faile or make default, and doe not well and truly acquite, discharge, or saue harmelesse the said **T. S. G. F. W. P. F. W.** and **C. W.** and everie of them, their heires, executors, and administrators, and the heires, executors, and administrators of every of them, against the said **H. L.** his heirs, executors, administrators, and assignes of, and from the said severall Recognisances, and everie of them, and of and from all and all manner of debts, summes of money, and other duties and penalties

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contained in the said severall Recognisances, and every of them, that the said T. S. G. F. W. P. F. W. C. F. and R. R. and their heires shal stand and be seised, of, and in the same mannoꝝ &c. to the vse of them the said T. S. &c. and of their heires, and of the heirs of every of them, vntill such time as the said T. S. &c. his heires, executoꝝ oꝝ administrators, haue fully and cleerly perceiued, receiued, leuiued and taken; all and every such summes of money, debts, forfeitures, and penalties thereof, as the said T. S. &c. oꝝ any of them, their heires, executoꝝ, oꝝ administrators, oꝝ the heires, executoꝝ, oꝝ administrators of everie of them, shall be at everie time compelled by any maner of meanes, to pay, sustaine, oꝝ beare by foꝛce of the said severall Recognisances, oꝝ by foꝛce of either of them. And furthermore, the said T. P. foꝛ him, his heires and executoꝝ, covenanteth and granteth, to & with the said T. S. &c. their heires, executoꝝ, and administrators of everie of them, by these pꝛesents, that the said mannoꝝ &c. the day of the making thereof, are fully and cleerly discharged of all foꝛmer bargaines &c. had, made, done, oꝝ suffered to be done by the said T. P. oꝝ any his auncestozs, the chiefe rents and seruices from thencefoꝛth to be due to the chiefe Lord oꝝ Lords of the see foꝛ the pꝛemisses, and all leases foꝛ terme of years, life oꝝ liues, wherupon the old accustomed yearly rent oꝝ moꝛe been reserved, and the said severall recognisances only excepted. And also the said T. P. foꝛ him, his heires, and executoꝝ, covenanteth &c. to and with the said T. S. &c. their heires &c. that all such persons as now stand and be seised of, and in the said mannoꝝ &c. shall stand and be seised of, & in the said mannoꝝ &c. to the vse of these Indentures, and of the articles and covenants comprized in the same, And that all estates hereafter to be made, of, & in the said mannoꝝ &c. during the life of the said W. L. shal be to the vse and intent mētioned in these pꝛesents, and to none other vse noꝝ intents. In witness whereof &c.

Covenants to make assurance in taile, after a fine knowledged.

THis Indenture made &c. betweene &c. Witnesseth &c. that they Sect. 68.
the said W. H. before the feast of &c. by fine to be leuiued before the Justices of our Soueraigne Lady the Queene, of her common place at Westminster, shall acknowledge the capitall mesuage &c. by the name of &c. to be the right of the said C. P. &c. As in other covenants to leuie fines sur cognisance de droit come ceo &c. with release and warrantie. And that the said fine so knowledged and ingrossed of the pꝛemisses, shall be to the vse of the said C. P. and R. T. and of
D their

their heires onely, and to none other vse. And the said C. and T. for them &c. to and with the said &c. that the said C. and T. and their heires, and the heires of the suruiuoꝝ of them, within one moneth next after the said fine so knowledged and ingrossed, as is aforesaid, by their deed indented, sufficient in the law, in due forme to be made, shall and will giue and graunt the said capitall mesuage, and all and singular the said tenements and pꝛemisses to them to bee assured, as is aforesaid, to the said W. D. and to the heirs males of his body lawfully begotten. To haue and to hold the said capitall mesuage, and all other the pꝛemisses with their appurtenances, to the said W. D. and to the heires males of his body lawfully begotten, to hold of the said C. and T. by fealtie onely for all services. Yeelding and paying theresoꝛe yearely to the said C. and T. oꝛ to the suruiuoꝝ of them, their heires oꝛ assignes xx. s. of &c. that is to say, at the feast of &c. by euen portions to be payed (with a sufficient clause of distresse to be contained in the said deed, for the payment thereof at the dayes and times aforesaid, with a pꝛouiso also to be contained in the same deed.) That if it shall happen the said W. D. oꝛ the heires males of his body lawfully begotten, to suffer any recouerie agauit him oꝛ them of the said capitall mesuage, oꝛ other the pꝛemisses, oꝛ any part oꝛ parcell thereof, oꝛ by any other waies oꝛ meanes make any alienation oꝛ discontinuance of the same pꝛemisses, oꝛ of any part oꝛ parcell thereof, and afterward shall happen to die without issue male of his body lawfully begotten, that then (that is to say) immediately after the decease of the said W. D. and the heires males of his body lawfully begotten, and after the said state taile made, as is aforesaid, the said deed indented spent, executed and determined, and not befoze, it shall be lawfull for the said C. D. and T. R. to enter oꝛ reenter into the said tenements and pꝛemisses, and them to haue againe and repossed to them and to their heires: the said deed indented, oꝛ any thing therein to the contrarie thereof notwithstanding. And also the said C. D. and T. R. for them &c. that they the said C. and T. their heires and assignes, within foure dayes next after the making of the same deed indented, and of the execution of the said estate of the said capitall mesuage, and all other the pꝛemisses to the said W. D. and to the heirs males of his body, as is aforesaid, by one other deed sufficient in the law, reciting the graunt by them made to the said W. D. and of the heires males of his bodie lawfully begotten, as is aforesaid, shall giue and graunt the reuersion of the said capitall mesuage, and all other the pꝛemisses, together with the yearely rent aforesaid to the said W. D. To haue and

to hold the said reuerſion of the ſame capitall meſuage, and all other the premiſſes to the ſaid H. D. his heires and aſſignes for euer. And the ſaid W. D. for him &c. couenanteth &c. that hee the ſaid W. in due forme and order of Law, ſhall vpon reaſonable requeſt to him to bee made by the ſaid H. D. attorne tenant vnto the ſaid H. D. of the premiſſes, and ſhall pay to him, his heires & aſſignes the ſaid yerely rent to be reſerued by the ſaid Dad indented, and to be granted to the ſaid H. D. his heires and aſſignes, as is afozeſaid. And alſo ſhall permit and ſuffer the ſaid H. D. his heirs and aſſignes, lords of the reſidue of the manoz of B. afozeſaid, yerely at two ſeueral times in the yeare, that is to ſay, in one day between the feaſt of &c. and in one other day betwixt the feaſt of &c. vpon reaſonable warning giuen to them of the ſaid day, to keepe his Court for his tenants of the ſaid manoz of B. in the Hall of the ſaid manoz, without let or diſturbance of the ſaid W. D. and of his heires males lawfully begotten, or of any other perſon or perſons by his conſent, procurement, or commandement. Furthermore, the ſaid C. D. and T. B. for them &c. that the ſaid capitall meſuage &c. at the time of the making of the ſaid eſtate, to &c.

A Couenant to ſell but to the vndee.

Aſo the ſaid J. B. doth couenant &c. that hee the ſaid J. or his heires, if within one whole yeare next after the death of the ſaid B. his mother, the ſaid J. his heires &c. ſhall not well and truly haue paid vnto the ſaid J. his heires, adminiſtratozs &c. the ſaid ſumme of &c. & ſhall make or cauſe to be made one good, ſure, ſuffecient, abſolute, & inſeizable eſtate or aſſurance in the law in fee ſimple, of, & in all the aboue bargained tenements and premiſſes, & euery part thereof with thappurtenances vnto the ſaid J. D. his heires or aſſignes, or to ſuch other perſon or perſons, as the ſaid J. his heirs or aſſignes ſhall name or appoint, to his and their owne only proper uſe and behoefe for euer &c. And alſo that neither the ſaid J. B. nor his heires, at any time or times hereafter, ſhall, or wil giue, grant, bargaine, mortgage, ſel, alie, ſet ouer, alter, diſcontinue, or depart with any part of any the meſuages, lands, tenements, and hereditaments aboue herein mentioned to be bargained and ſold, or wherefoze hee the ſaid J. now ſtandeth and is ſeiled to any perſon or perſons, other then only to the ſaid J. D. or his heires, if the ſaid J. or his heires will giue ſuch price and prices for the ſame, as ſhall be ſet downe, made, & appointed by T. W. A. C. B. B. and J. S. or ſo many of them as ſhall happen to bee liuing, at the time of ſuch ſale and alienation to be made, without the eſpecial

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licence of the said R. S. or his heires first had & obtained in writing.

A Covenant not to take advantage of former covenants, if lands descended not, and to assure more lands to supplie the value.

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PRouided neuerthelesse, and it is couenañted &c. That if the said lands, tenements, & hereditaments, befoze in these presents limited to be to the vse of the said C. as is afozelsaid, shal not be, continue, remaine, & come to the said C. from & after the death of the said R. S. of the clere yerely value of one C. markes, ouer and aboue al charges and reppises (as is afozelsaid) That then the said J. and V. noz either of them, noz the executozs noz administrators of either of them, shall take any benefit or advantage of that part of the couenañt befoze mentioned in these presents, whereby the said R. S. did couenañt and agree, that the said lands, tenements, and hereditaments, befoze assured to the said C. & the said heires males of her body (as is afozelsaid) should be or continue, of the clere yerely value of one C. marks aboue all charges and reppises; if the said R. S. his heires, executozs, or assignes, or any of them, so often as the said lands, tenements, & hereditaments, with thappurtenances, shal become of a lesser yerely value, ouer and aboue all charges and reppises, than of the yerely value of a hundredth markes, shall and will at the costs and charges in the Law of the said R. his heires, executozs, or assignes, assure to the said J. S. and V. P. and to their heirs, to the vles befoze expessed, other lands, tenements, and hereditaments with thappurtenances: which said other lands, tenements, and hereditaments, together with the lands and tenements befoze in these presents assured, to the vse afozelsaid, shall and may be of the yerely value of one hundredth marks, ouer and aboue all charges and reppises, within two moneths, next after request to be made to the said R. his heires or executozs, by the said J. S. and V. P. or either of them, their heires, executozs, or assignes.

A Covenant for the shewing of Euidences, for the maintenance of anothers interest.

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Furthermore, the said R. D. couenañteth and graunteth &c. to and with &c. by these presents, that the said R. D. and his heires, shall at all time and times hereafter, when, where, and as often as need shal require, soz and during the space of x. yeres, next ensuing the date here of, vpon reasonable request to him or them hereafter to be made by the said R. D. or his heires, or at the costs and charges of the said R. D. his heires or assignes, or some of them, shew al such euidences, charters,

charters, wrytings, escripts, escrowles, deedes, court rolls, customa-
ries, transcripts of fines, exemptions of record, and muniments,
as do in any wise touch or concerne the premises, or any part thereof:
Or as many of the same as shall be necessarie or needfull for the main-
tenance of the State, interest, right, title, or possession of the said R. D.
and of the heires and assignes of any of them, in, or to the premises
with the appurtenances, and euery or any part or parcell thereof.

A Covenant to deliuer Wrytings vpon notice or suit.

ANd the said P. L. &c. doth covenant &c. that if it shal fortune here Sect. 72.
after the said J. B. and J. L. or any of them, to be sued or implea-
ded by any maner of suit or action, without the consent of them the
said J. B. and J. L. for the lands & tenements, in these presents com-
piled, or any part or parcell thereof, or for, or touching any the issues
and profits of the same: then the said P. L. his heires or assignes,
vpon reasonable warning and motion to him or them giuen thereof
by the said J. S. his heires, executors, or administrators, shall deliuer
or cause to be deliuered to the said J. B. and J. L. or to the suruiour
of them, or their heires, all such deeds, evidences, wrytings, charters,
terrars, and muniments, touching or concerning the foresaid landes,
tenements, and hereditaments, for the onely purpose and intent, that
they therewith shall and may the better defend, maintaine, and pre-
serue their titles, interests, bles, possessions, and occupations toge-
ther, and taking the profits thereof against all persons: So that the
same deedes and other wrytings be safely deliuered againe vno-
faced and vncancelled vnto the said P. L. his heires and assignes in conueni-
ent time, &c.

*A Covenant to leane yron Mills furnished, in
default of payment.*

ANd further, if the said S. R. his heires, executors, or administra- Sect. 73.
tors faile, or make default, of, or in payment of the said sums of
&c. in part or in all, contrarie to the form aforesaid, That then the said
S. R. his heires, executors, and administrators, & euerie of them, shall
not only leane vnto the said R. B. his heires, executors, and assignes,
to his and their owne vse, all such forges, mills, waters, and all other
ingins and necessaries as be now bled and had, by the said S. R. his
executors or assignes vpon the premises, or any part thereof, about the
getting or making of yron there, without hurting, spoiling, or impai-
ring, or defacing the same, or any part thereof, & without any reclaime,
suit, challenge, or demand therfore to be made by the saide S. R. his
heires,

heires, executors, farmers, tenants, or assignes, or any of them, or any other to his or their use.

A Covenant to be seised to the use of lessees performing Covenants.

Secl. 74.

ANd it is granted &c. by all the said parties, that the said conveyances and assurances by these presents covenanted and agreed, to be made of the premises before mentioned, unto the said J. C. and R. H. shall as concerning the lands and tenements, and other the premises in forme aforesaid, be demised and granted. And that J. C. and R. H. and the survivors of them, and their heires, and the heires of the survivors of them, shall stand and be seised thereof, to the use of such person and persons, to whom any such demise or lease shall be made, during the continuance of any such demise or lease, according to the true meaning and effect of these presents, and everie such Indenture. So that such lessees and grantees during his or their severall lease or leases, grant or grants, the rents reserved and expressed, in, and by the Indenture of his or their said lease or grant, do pay or cause to be paid to such person or persons, to whom the immediate reversion or remainder of the said premises so demised or leased, shall by the purport and true meaning of these presents belong or appertaine. And doe also performe the conditions, covenants, and grants, according to the purport and true meaning of this or their Indentures of lease, and that as well concerning the reversion or reversions, remainder or remainders of the same premises so to be leased & granted, and of the rents, duties, and services thereupon to be reserved, or to the same reversion or reversions, remainder or remainders incident, due or payable by reason of everie such lease or grant, during the continuance of the same interest, as also after the expiration and determination of everie such leases or grants, the said assurance thereof shall be, and the said J. C. and R. H. and the survivors of them and their heires, and the heires of the survivors of them, shall be seised thereof, to the onely use and behoofe of such person and persons, to whom the same premises in forme aforesaid to be leased and granted, should by the purport and true meaning of these presents have descended, remained, reverted, or come, if no such lease or grant had thereof beene made or granted, and that of like estate and course of inheritance with such remainders, in like and in the same order and degree, and in such maner and forme to all intents and purposes, as if no such lease or grant had been thereof had or made: any thing in these present Indentures to the contrary notwithstanding.

*Covenants of an Underherife to execute his office, and to saue
the high Sherife harmelesse.*

THis Indenture made &c. betweene **F. S. &c.** Sherife of the counties **W. and L.** of thone party, and **A. G. of A. &c.** on thother partie, Witnesseth, that it is couenanted &c. that is to say, the said **F.** doth by these presents ordaine, constitute, depute, and make the said **A. G.** to be his Underherife in the said counties of **W. and L.** and to haue, occupy, and enioy the said office of Underherife there, to the said **A.** during all such time as the said **F.** shall continue and be in authoritie of the office of the said Sherife of the said counties of **L. and W.** by vertue and authoritie of our said soueraigne Lady the **Q.** letters patētts, of the Sherifs office there to him directed, bearing date &c. And also by the said **F.** doth by these presents graunt &c. to the said **A.** that he shall and may take and haue during the said terme, all maner of farmes, rents, fees, rewards, and profits, lawfully to the said office of Sherife, or office of Underherif, or for seruing, executing, or returne of any maner of writts, warrātts, precepts, or proces in the said Counties of **L. and W.** belonging or appertaining. And also al felons goods & cheats that shall happen to be lawfully, due to the said Sherife during the said time, within the said counties of **W. and L.** And the said **F.** doth by these presents grant, assigne, and depute to the said **A.** the lawfull order, custody, and government of al and singlar maner of gaoles, prisons, and of the prisoners now or hereafter to be therein, to be lawfully & duly ordered, kept, and demeaned by the said **A.** or his deputie or deputies, seruant or seruants, during the terme that the said **F.** shall haue the said office or the custody, order, and government of the said gaoles, prisons, and prisoners, by vertue and authoritie of the said office of Sherife, and letters patētts aforesaid. In consideration whereof the said **A.** doth by these presents graunt, to and with the said **F.** that he the said **A.** and his assignes, shall at all & singlar time and times, from time to time, after the date of these presentts, conserue, discharge, exonerate, saue harmeles, and acquite the said **F.** his heirs, executors, administrators, & assigns, and euery of them, and the sureties of them and euery of them, of, for, and from all, and all maner of forfeitures, payments, & fines, paines, penalties, amerciaments, charges, leases, issues, damages, incumbrances, & demands whatsoeuer, in any wise, in any court, or elsewhere, to be set, paid, and sustained, suffered, or had to our said soueraigne Lord and Lady the **R. and Q.** Heiresses, & the heirs and successors of them, or to any other person or persons in any
wise,

wife, for and byon any escapes, executions, or returnes of writs, commissions, priuie Seales, proclamations, procelle, precepts, seales, and warrants, by any waies, maner, or means, to, or byon the said J. for, byon, or vnder the said office of Sherife in any wise directed, named, or had, for any act, matter, default, office, or thing, to be committed, done, neglected, or suffered, perpetrated, or had by the said A. or any of his said seruants, ministers, deputies, or assignes, during the time y the said A. shall continue in their said authoritie or office, or any of them. And also the said A. in consideration aforesaid, doth by these presents grant, that the said A. shall duly pay, enter into, or make perfect, finish, acquite, and discharge, for and in the behalfe of the said J. in the Court, now commonly called the Eschequer, and elsewhere, all and singular, and all maner of profits, rents, debts, duties, and demands, accompts, costs, charges, fees, recognisances, and bonds, for or byon the said Sherife, or any his sureties, or by reason or meanes of the said office of Sherife, of, and in the said Counties of M. and L. or either of them, or of any officer or minister of the said Sherifs office in any wise due or demandable, during the time that J. shall haue the said office of the said Sherife, of the said counties of M. & L. or to be accomptable thereof. And that the said A. shall daily, lawfully, and in conuenient time by himselfe, or his assignes, bring vnto the said J. his heires, executors, or administrators, his & their lawful acquittance and discharge for the accompts and duties of the said Sherifes office of both the said Shires of M. and L. for the time that the said J. shall haue bene Sherife there by the said Letters patents. And the said A. doth by these presents grant, to, & with the said J. that the said A. shall well and worshipfully make, prouid, sustaine, and maintaine at all and singular times, during the time that the said J. shall haue the said office of Sherife of the said countie of M. by the said letters patents, conuenient and competent meat, drinke, lodging, food, sustenance, and intertainment of the Iustices of Assises, Iustices of gaole deliuerie, and the Clerke of Assises, and for al and euery their clerks, ministers, and seruants of any the Iustices and Clarkes, and for the horses and moiles of them, and euery of them, and for al other attendants, at and about the said Iustices of Assise, or gaole deliuary, at, or within the said counties of M. and L. during the said time & times, at and by the ouersight and appointment of the said J. or such other person or persons, as the said J. shall thereunto nominate & assigne. Provided alwayes, and it is graunted and agreed by these presents, betweene the said J. and A. that the said A. or any other person in his behalfe,

behalfe, shall not make or returne any other panell, iurie, or inquest, for, in, or vpon any writ of Venire facias, or of any other processe pursued, directed, or had, during the time of the said Sherife of the Countie of M. out of any the Q. Maiesties Courts, commonly called the Chancery, Kings Bench, Common Place, or Exchequer, vntlesse the same panel, iury, or inquest shall be assigned with the hand of the said J. or of some other partie that he shall nominate or appoint. Nor the said A. nor any person in his behalfe, shall in any wise do or cause to be done, without the speciall licence of the said J. S. first obtained and plainly had, done, or appointed, any act, matter, or any thing vpon any writ, commission, action, presentment, iudgement, indictment, proces, or suit, that in any wise, maner, or means shall be, for, or against any of the Carles of S. H. &c. or any of them, or for, or against any other person or persons, that is, or hereafter shall be knowne or declared to the said A. by the said J. to be his friend. And it is also provided and agreed by these presents, betweene the said J. S. & A. G. that the said J. shall and may make, ordaine, constitute, and appoint from time to time during the time of his office by the said letters patents, such persons, which during that time, haue, occupy, & inioy the ij. bailiwikes, and offices of Bailies, of, and in the Hundreds of R. and H. & either of the with thappurtenances in the county of M. aforesaid, and that the same persons shall haue, take, occupy, and inioy the said Bailiwiks, and either of them, together with al and singular maner of profits, commodities, & aduantages with thappurtenance appendant to the same Bailiwiks, or either of them, in any wise concerning, growing, belonging, or during the time, ouer and besides that shall be to the Q. maiestie: any thing in these presents contained to the contrary in any wise notwithstanding. And the said J. doth mozeouer graunt by these presents to the said A. that he the said J. and his assigns, shall in due and conuenient time, as shortly and conueniently as may be after the time of the said office ended, accompt and declare to the said A. G. or his assigns, at the said maner of S. H. the true value and rent of all and singular rents, reuenues, duties, & forsaitures, due to be paid, and then leised or leivable to the Queenes Maiesties vse or behalfe, within the county of N. for, vpon, in, or by the office of Sherife there, during the time that the said J. was, as is aforesaid, Sherife there, and so much of the rents, reuenues, duties, and forsaitures that the said J. or his assigns shall pay, or cause to be paid then to the said A. as the same J. or any other person to his vse then hath received, and all the residue of the said rents, reuenues, duties, and forsaitures there,

there, which conveniently shall be leuied, the same shall cause to be paid to the said A. or his assignes, so shortly and speedily as may be, after that time they shall conveniently be leuied and gathered there. And the said A. doth by these presents covenant and graunt, that the said F. his executozs and assignes, shall within fortie daies next after the said accompts for the said office of the Sherife of the said Counties of W. and L. finished or determined, paie, or cause to be paid well and truly to the said F. S. his executozs or assignes, all manner of allowance, profits, commodities, and aduantages, that in any wise shall be admitted, deducted, or allowed in the said account or accompts, or by any part thereof in the said Eschequer for the diet of any the Justices of Assise, or gaole, or any of their clerkes, sernants, or attendants, in either of the said Counties, or for any Tyle of reward, or for any sommons of Præcipe, or of any greene ware, or of any such like matter or thing, in either of the said Shires of W. or L. And also the said A. doth by these presents graunt to the said F. that hee the said A. at least in one day in euerie one and twentic daies, during the time that he shall bee vnder Sherife, as is aforesaid, and personally bee in, or neare vnto the said County of W. shall come thence vnto the said F. and on that one day, vtter and declare the state of the said Countie of W. and the affaires concerning the said office with the appurtenances thereof. And that also the said A. with all his Officers and Ministers, and power of the said Countie, shall duely and diligently attend to the said office, if any warre, rebellion, or other notable matter or occasion during the time of the said office shall arise or be in either of the said Counties of W. nor L. or thereabouts. And also that the said A. shall well and diligently, honestly and iustly, occupie, serue, and execute the said Office of Undersherife of the said Countie of W. and honestly behaue himselfe in all points, during all the said time that the said F. shall continue and be High Sherife of the said Counties of W. and L. by vertue of the said letters patents, and nothing done by himselfe, or any other person or persons, in any wise concerning the said office of Sherife, or Undersherife of the said Countie of W. which shall be to the dishonour of the said F. And also that these alterations of matters, articles, and things, in these presents in any wise mentioned or contained, may & shall be reformed & had at any time from time, to time, by the learned counsell of the said F. for the better and more perfect discharge and sauing harmlesse of the said F. his heires and executozs vpon the premises, or any of them, which the said A. granteth
by

by these presents, by, and in all things to obey, perfozme, and fulfill.
Inwitnesse whereof &c.

A Covenant to make a Lease by fine of Copihold lands for years.

THis Indenture made &c. Between **E. C.** and **E.** his wife, of the one Sect. 76.
partie, and **H. W.** on the other party. Witnesseth, that whereas the
said **H. W.** as Copiholder, and tenant by copie of Court roll vnto the
said **E. C.** and **E.** his wife, as of their manoz of **C.** afozefaid, hath and
holdeth to him & to his heires, after the custome of the said manoz, one
mesuage with certaine houses &c. set, lying, and being &c. The said **E.**
C. and the said **E.** his wife, for, and in consideration aswell of the per-
fozformance of certaine covenants, grants, articles, & agreements, men-
tioned and contained in a paire of Indentures, had & made betweene
the said **E. C.** and the said **E.** his wife on the one partie, and **H. W.** on
the other party, as for the sum of an **C. l.** of lawfull mony of England,
to the said **E. C.** befoze hand paid: hath demised, granted, & to farme
letten vnto the said **H. W.** all and singular the said mesuages &c. and
all & singular the premisses befoze recited with their appurtenances.
To haue and to hold the said mesuages &c. and all and singular other
the premisses with their appurtenances, vnto the said **H. W.** his exe-
cutoz, and assignes, without any impeachment of any waite, from the
feast of &c. vnto the end and terme of viij. years then next ensuing, ful-
ly to be compleate and ended. Yeelding and paying yearely vnto the
said **E. C.** and **E.** his wife, and to the heirs of the said **E. C.** the summe
of &c. of lawfull money of England: (that is to say) for the said me-
suages, lands, and tenements with their appurtenances, in the tenure
of the said **H. W.** twentie shillings &c. And for the lands and tene-
ments in the tenure of &c. vij. shillings, &c. all which makeith by the
said summe of &c. The said yearely rent to bee yearely paied at the
feasts of Saint Martin in Winter, and Pentecost, by euen portions.
And if it shall fortune the same yearely rent of &c. As in clauses of
distresse. And the said **E. C.** and **E.** his wife, for themselves &c. doe
covenant &c. to and with the said **H. W.** his executoz, and assignes,
that the said **E. C.** and the said **E.** his wife, by fine in due fozme of
Law to be leuied, shall at the costs and charges of the said **H. W.** as-
sure and conuey, or cause to be assured and conueyed the said mesua-
ges, lands and tenements, and other the premisses, by these presents
demised and letten to the said **H. W.** his executoz, and assignes, for
and during the said terme of eight yeares, in manner and fozme,
as

as shall be devised and advised by the counsell learned of the said H. C. upon which grant and render the said severall rents before mentioned, shall be severally reserved, in maner and forme as is before in these presents mentioned.

Covenant that the feoffor hath done none acts, but that he is seised, and so will continue.

Sect. 77.

AND the said R. F. doth further covenant &c. that he the said R. F. hath not done, nor suffered to be done, any act or acts, thing or things, but that the said F. is now lawfully seised to his owne onely use, of, and in the said tenements & premises, and every part thereof, with the appurtenances, of so good, sure, absolute, & indefeasible estate in the law in fee simple, as he the said F. hath by the gift and graunt of the said R. C. & so will stand, remaine, continue, & be thereof so seised, vntill the same be sufficiently conveyed & assured vnto the said R. K. his heires and assignes, according to the true meaning hereof &c.

A Covenant for quiet enjoying in a speciall maner.

Sect. 78.

THAT the said R. W. and G. and every of them, and every other person and persons, vnto whom any use, interest, estate, or title, in or to the said manors, messuages, lands, tenements, hereditaments, and premises with the appurtenances, or of, in, or to any part thereof, as is above in these present Indentures limited, appointed, intended, or meant, shall and may peaceably and quietly have, occupie, and enjoy such, so many, and so much of the said manors, messuages, &c. as is by these presents to him, her, or them limited, appointed, intended, or meant, during and according to his, her, or their severall uses, interests, estates, and titles therein, and according to the true meaning of these presents, without any lawfull let, suit &c. of &c.

A Covenant not to sell lands but to T. R. without his licence.

Sect. 79.

AND the said R. and L. covenant &c. That neither they the saide R. & L. nor the one of them, at any time hereafter during the life naturall of the said T. K. shall ne will give, graunt, sell, discontinue, convey or assure, in fee simple, or fee taile, any messuages, cottages, lands, tenements, medowes, pastures, rents, reuerfions, remainders, seruices, or hereditaments, scituate, lying or being &c. (other then the above sold premises) wherin they, or either of them, the day of the date of these presents, have any estate of inheritance, in possession, reuerfion, remainder, or in use, nor the reuerfion or remainder thereof, or of any part thereof, nor charge nor incumber the same, nor anie part thereof, to any person or persons, other then to the said T. K. or his

his heires, or to such other person and persons, and their heires, as he the said T. R. or his heires, shall for that purpose name & appoint, &c.

An Indenture betweene the Master of the Court of Wardes, and Liveries, and the Heire, upon Liverie to be sued.

THis Indenture made &c. Betweene the right honozable Sir W. C. Sect. 80.
knight, L. B. Lord Treasurer of England, and Master of the D. Maistries Court of Wardes and Liveries, and T. S. Esq. Sur-
ueyoz of the same Liveries, for, and in the name & behalfe of our said Soueraigne Lady the Queene on the one partie. And M. C. sonne & next heire of J. C. late of W. in the Countie of P. yeoman deceased, on the other partie, Witnessech, that whereas our said Soueraigne Ladie is agræd to graunt vnto the said M. a generall Liverie to be had, of, and in all such Lordships, manozs, lands, tenements, rents, reuerfions, seruices, and other hereditaments, with the appurtenances, which to the said M. descended and came, in vse, possession, or reuerfion, from the said J. as sonne & heire of the said J. as in the said generall Liverie moze plainly it is contained. Neuerthelesse, for that our said Soueraigne Ladie should not be deceiued, but that her grace should haue perfect knowledge and vnderstanding of all those lordships, mannozs, lands, tenements, rents, reuerfions, seruices, and other hereditaments, and the yearely value of the same, whereof the said M. willeth and intendeth to take any aduantage, benefit, profit, or commoditie, by reason or colour of the said generall Liverie: And also to the intent our said Soueraigne Ladie should not be deceiued of any other lordships, mannozs, lands, tenements, and other hereditaments, which beene descended and come to the said M. by and after the death of the said J. in possession or reuerfion, or in vse of possession, or in vse of reuerfion: Or of any lordships, mannozs, &c. which haue bin put in any scoffement, fine, or recouerie, to any person or persons, to the vse of any of the auncestozs of the said M. whose heire he is, for the perfozmance of any will, or other wise, in vse, possession, or other wise, which shall, may, or ought to descend remaine, reuert, or come vnto the said M. or his heires, after any such will perfozmed, or vse thereof determined, or of any Lordships, &c. whereof the reuerfions descended and came vnto the said M. by and after the death of the said J. The said M. C. hath deliuered the day of the date hereof vnto the said W. L. B. Lord Treasurer of England, and T. S. a writing in parchment indented, hereunto annexed, in which the said M. conenanteth and promisseth, that therein be contained

tained and specified, all those Lordships, &c. with the yearely value of the same, which the said **M.** willetteth or intendeth to haue, or shal haue out of the Queenes Maiesties hands or possession by the said generall Liuerie. And also of all those Lordships, manors, &c. and other hereditaments, and the yearely value of the same, which haue been put in any seoffment, fine, or recouerie, and other conueiance, whereof the immediate vse of the possession, or whereof the vse of the reuerſion of the possession is descended and come vnto the said **M.** by and after the death of the said **J.** or whereof thule by & after the death of any tenant or tenants for terme of life, or after any other estate, will, intent, or vse thereof determined, shal, may, or ought to descend, reuert, or come vnto the said **M.** and his heires, or to the heires of his body lawfully begotten, or any other of his heires. And that the said lordships &c. in the same wryting indented, mentioned and comprised beene there valued to the vttermoſt and best value. And ouer that, the said **M. C.** covenanteth and graunteth for them, their heires, executours, and assignes, to and with the said **W. Lord B. Lord Treasurer of England,** and **T. S.** that one Auditor or Auditors by our said Soueraigne Ladie to bee assigned, or Auditor of the Queenes Maiesties Court of Wardes and Liueries for the time being, shall at the cost and charges of the said **M.** and at such time as it shall please our said Soueraigne Lady, her heires and successors Kings of this Realme, or the said Maister of the Queenes Court of Wardes and Liueries, and Surneyor of the same Liueries for the time being, to appoint, or otherwise to search, view, and value the true value of the same. And that if vpon any search, view, and value thereof to bee appointed by our said Soueraigne Ladie, or by the Maister of the Queenes Court of Wardes and Liueries, and Surueior of the same Liueries, it can be proued, that any lordships, manors, &c. and other hereditaments, and the yearely value of the same, whereof the said Maister, or any other to his vse taketh, or hereafter shall or may lawfully take any aduantage, benefite, profit, or commoditie, by reason or colour of the said generall Liuerie, be omitted and not contained and specified in the same wryting indented hereunto annexed: Or else if that any Lordships, &c. in the same wryting specified, bee of moze better and larger yearely value, then in the same wryting is limited: Or else, if that any lordships, &c. which were of the inheritance of the said **J.** and which by and after his death descended and came vnto the same **M.** in vse, possession, or otherwise, bee omitted or vndervalued in the same wryting: Then our said Soueraigne Lady shall be by the said **M.** his

¶ his executoꝝ oꝝ assignes, truly answered and satisfied of the yearly value of all those lordships, manors, lands &c. so omitted oꝝ undervalued. And also of all and every of the said lordships &c. to the said writing, that he oꝝ shall happen to be undervalued, and that from the death of the said J. unto the triall and knowledge of the same. And over that, the said M. C. covenanteth and granteth, foꝝ him, his heires, and executoꝝ, to and with the said W. Lord B. Lord Treasurer of England, and T. S. that foꝝ the concealment and offence in that behalf, if any such shall appeare oꝝ be pꝛoued, the said M. C. shall content and pay unto our said soueraigne Lady, the double of one yeares value of all those lordships &c. so omitted oꝝ undervalued, untill such time as the said M. shall haue agreed, to and with the said W. Lord B. Lord Treasurer of England, and T. S. oꝝ other Officers of the Queenes Chauncery Court of Wardes and Liueries, and Surueyꝛ of the same Liueries foꝝ the time being, foꝝ the said value and overplus of the lands, tenements, and hereditaments so omitted oꝝ undervalued. And shall find sufficient sureties foꝝ the payment of all such summes of money as shall be agreed by the said Master of the Queenes Court of Wardes and Liueries, and Surueyꝛ of the same Liueries. And furthermore, the said M. C. covenanteth &c. to and with the said W. Lord B. Lord Treasurer of England, and T. S. that neither he the said M. oꝝ any other person oꝝ persons foꝝ him, oꝝ in his name, oꝝ by his consent, shall inquiet, molest, oꝝ disturbe, any tenant oꝝ tenants in dower, oꝝ foꝝ terme of life, in the name of Jointures, of their lawfull possession oꝝ interest, that they oꝝ any of them haue, of, in, oꝝ to any lands oꝝ tenements comprised in this Schedule indented hereunto annexed, oꝝ any part oꝝ parcell thereof. In witness whereof to the one part of these Indentures, remaining to and with the said M. C. the said W. Lord B. Lord Treasurer of England, and T. S. haue set their hands and seales: and to the other part of these Indentures, remaining to the Queenes vse in the said Court of Wardes and Liueries, The said M. hath set to his hand and seales the day and yere first above written.

And the like of a speciall Liuerie, *Mutatis mutandis.*

Covenants of Marriage, and Ioynture to be made.

THIS Indenture made &c. between W. P. and T. S. &c. Witnesseth, Sect. 81.
that it is covenanted, concluded, and agreed, by and between the said parties, in manner and foꝝme following, that is to say: the said
W. P.

W. P. covenanteth &c. that R. P. &c. by the sufferance of Almighty God, shall espouse, marrie, and take to wife G. S. &c. and her espouse and wed after the Lawes of the Church of England, befoze the feaft &c. if they so long shall liue, and the said G. S. will thereunto consent and agree, and the Lawes of God and holy Church will that permit. And the said T. S. doth likewise covenant &c. that G. S. &c. shall marrie and take to her husband the same R. P. &c. if &c. And the said W. P. for the considerations abovesaid, and for a Joynture vnto the said G. S. to bee had and made, for himselfe &c. doth covenant, graunt, &c. that the said W. P. or his heires, within one yeare next ensuing the date hereof, at the reasonable requests, costs, and charges in the Law of the said T. S. his executozs or administratozs, shall and will suffer T. W. and J. A. R. P. and G. P. well and sufficiently to recouer to them and their heires for ener, all the mannozs, mesuages, &c. by writ of Entre sur disseinen le Poit, to bee had and pzosecuted by them against the said W. P. befoze the Iustices of the Queenes Maiestie that now is, her heires and successozs, of the common Place for the time being, by the name or names of &c. or by the like name or names in effect, or by some other sufficient name or names, vnto which the said W. P. shall appeare in pzofer person, or by his Atturney or Atturnies, and vouch the common vouchee to warrantie, according to the vsuall forme and order of common recoueries in such cases heretofore vsed, and that the same recouerie shall be executed accordingly by Habere facias seisinam, and that he will doe and suffer all and euery other thing, which in that behalfe shall be requisite or necessarie. And the said W. P. &c. doth covenant &c. and it is the true intent and meaning of the said parties, and of these pzeents, that the same recouerie, so to be suffered, had and executed, as is aforesaid, and the estate of the said T. W. J. A. R. P. and G. P. and euerie of them, and of the heires of them, and euery of them, of, and in the said mannozs &c. by force of the said recouerie and execution thereupon to be had, shall be and inure. And the said T. W. J. A. R. P. and G. P. the recouerers in the said recouerie to be named, and the seruizo of them, and his heires shall stand and be thereof seised, to the onely vble, intents and purposes, hereafter in these pzeents mentioned, limited, and expzeessed, and to, or for none other intent or purpose: that is to say, of, and in all the said mannozs of &c. except one mesuage and all landes thereunto belonging in D. in the said Countie &c. to the only proper vble and behoufe of the said W. P. and his assignes, during and vntill the feaft of &c. to the onely proper vble and behoufe of the said T. P. his executozs,

administratozs, and assignes, during and untill the full end and terme of foure yeares, then next and immediately ensuing, and fully to bee complete and ended. And immediatly from and after the end and expiration of the said terme of foure yeares, to the onely proper vse and behoufe of the said R. P. and G. S. and of the heires of the body of the said R. lawfully begotten, and to be begotten on the body of the said G. S. And fo2 lacke of such issue of the body of the said R. P. on the body of the said G. S. lawfully begotten, to the vse of the said W. P. and of the heirs males of his body lawfully begotten & to be begotten on the body of B. now his wife. And fo2 default of such issue male, then to the onely proper vse and behoufe of the said W. P. and of the heirs males of his body lawfully begotten and to be begotten. And fo2 default of such issue male, then to the onely proper vse and behoufe of the said W. P. and of the heires of his body lawfully begotten, & to be begotten. And fo2 default of such issue, then to the onely proper vse and behoufe of the right heires of the said W. P. fo2 ever. And of and in the said &c. befoze in these presents excepted &c. to the onely proper vse and behoufe of the said W. P. fo2 and during the terme of his naturall life, and immediately after the death of the said W. P. to the onely vse and behoufe of the said R. P. and of the heirs of his body lawfully begotten, and to be begotten on the body of the said G. S. and fo2 default of &c. (to such other vse as it shall be agreed) and to, o2 fo2 none other vse, intent, o2 purpose. And the said W. P. fo2 himselfe &c. doth covenant &c. that he the said T. S. his executozs &c. shall and may have &c. to his o2 their owne proper vse, behoufe, and commoditie, from, and after the said feast of &c. fo2 and during the space of foure yeares thence next ensuing, all the said manno2 &c. which the said R. P. and G. S. o2 either of them now hath, o2 hereafter shall have during the terme of foure yeares, next ensuing the said feast of &c. without paying any rent, money, o2 other thing therefoze, and without rending of any account thereof o2 therefoze, to any person o2 persons. And in consideration of the pzemisses, the said T. S. fo2 him &c. doth covenant &c. that hee the said T. S. his executozs o2 administrators, shall and will during the said terme of foure yeares, next ensuing the said feast of &c. at his and their owne proper colles and charges, find and giue, o2 cause to bee found and giuen vnto the said R. P. and G. S. sufficient meate, o2inke, lodging, and all other things necessarie fo2 either of them, at such place and places, as vnto the said T. S. o2 his executozs shall seeme most ma2te and conuenient, if the said R. P. and G. S. will thereunto consent and agree. And like-

wife during the said time and space last befoze mentioned, at his and their like proper costs and charges, shall conveniently place and provide for the said R. P. at some good Schoole, or other convenient place, where the said R. P. may bee taught, educated, and brought by in vertue and learning, if the said R. P. will thereunto sufficiently endeavour himselfe, consent and agree. And over this the said W. P. covenanteth and graunterth, that if the said Man or other the premises (except befoze excepted) be not of the cleere yearely value of one hundred pounds, over all charges and expences, that the same W. P. then at the reasonable request of the same T. S. &c. or any of them, shall make, or cause to bee made like sure estate or estates, of, and in other lands and tenements within the said Countie, of as much cleere yearely value, as the said man or other the premises (except befoze excepted) is vnder and lacking of the said yearely value of one hundred pounds, to the said T. S. &c. and their heires, to the vse befoze declared. And also shall suffer the said G. S. at her libertie and pleasure to marrie one C. her daughter, to any person that it shall please her. And dispose such money and profits, as shall fortune to be graunted and promised for the marriage of the said C. the daughter, at the libertie and pleasure of the foresaid G. S. the mother, without contradiction or disturbance of the said R. P. or any person by his commaundement, procurement, or assent. And that he the said R. P. shall not receiue nor haue any money or reward for the said marriage. Moreover, the said W. P. covenanteth &c. that if it fortune the said G. S. the mother, after the said marriage solemnized betweene her and the said R. P. to decease out of this world in the life of the same R. P. her husband, that then the said R. P. shall giue licence, power, and authoritie to the said G. S. befoze her death, to make a Testament, containing her last will, and by the same Testament to giue, and dispose at her pleasure, of the goods & chattels of the said R. P. amounting to the value of a hundred pounds sterling. And that the said R. P. shall suffer such persons as the said G. S. shall name, to haue and to doe the execution and distribution of the same, according to her minde and pleasure. And that after her decease the said R. P. shall giue, deliuer, pay and execute to such persons as the same G. S. shall bequeath and appoint, to haue any of the said goods, extending to the said summe of an hundred pounds. Provided also, and neuertheless it is covenanted and agreed, by and betwixt the parties to these Indentures, that if it should happen the said G. S. to die without issue of her bodis by the said R. P. lawfully be-

gotten,

gotten, befoze she shal accomplish her age of foztie yeares, that then from the death of the said G. S. so dying, befoze the said age of foztie yeares, without issue of her body lawfully begotten, the said T. W. his coseoffers shal stand and be seised to the vse of the said W. P. his executozs, administrators, and assignes, of the said manoz &c. during the life of the longer liuer of the said W. P. and B. frō thencefozth, that is to wit, from the day of the death of the longer liuer of them the said W. and B. the said T. W. and his said coseoffers to stand and be seised to the onely vse of the said T. S. his executozs and assignes, of the said &c. during and untill such time as he shall haue re- ceined the summe of CC. pounds of his rents and profits of the same rents, to bee accounted according to the yearely rent of the premises. And that the said fine, recoverie, seoffement, and all and singular other assurances whatsoeuer to be had, made, knowledged, executed, suffered, and permitted, of the said lands, tenements &c. shall be to the said seuerall vses aboue recited: any thing therein contained, o2 any other assurance to bee had o2 made concerning the premises to the contrarie notwithstanding. Provided furthermore, and likewise excepted, and if it shal happen, by reason of dissenting of either of the said parties, o2 both of them, at such time as they shall accomplish the age and yeares of consent, that the said marriage shal not, o2 doe not take effect, o2 if by reason of consent and agreement of both of the said R. P. and G. S. that the said marriage doe, o2 shall take effect, and then afterwards if it shal happen possibility of issue to be extinct, by death of the one, o2 both of them, o2 by any other waies o2 means, that then immediately byon such possibility of issue extinct, o2 that the said marriage shal not take effect in fozme afozesaid, T. W. & other his said coseoffers & their heires, & the heires of the survivoz of them, shall stand & be seised of all the said lands & tenements, & other the premises as they then should happen to fall & come in course, in maner & fozme aboue mentioned fo2 yeares & terme of life only, whereby the said T. S. his executozs o2 assignes, shall & may be fully satisfied & paid of the said summe of money to him befoze limited by these present Indentures, according to the true meaning of the same, as is afoze expessed, onely excepted to the vse and beholfe of the said W. P. his heires fo2 ever: any thing herein contained to the contrarie thereof in any wise notwithstanding. And also the said W. P. fo2 him &c. that if it shall happen the said B. daughter of the said T. S. to decease o2 die befoze she hath, o2 shall fully accomplish the age of riii. yeares, o2 befoze the said marriage had and solemnized betwecn her and the said G. P.

that then the said T. S. his executoꝛs oꝛ assignes, during the space of five yeares, from thencefoꝛth next and immediatly following oꝛ ensuing the death of the said T. S. shall and may quietly perceiue, leuie, and take the rents, issues, reuenues, and profits of the said mannoꝛs, lands, tenements, and other the pꝛemises with their appurtenances, And ouer this the said W. P. foꝛ him ꝛc. covenanteth ꝛc. that such mannoꝛs, lands, and tenements, whereof the said W. P. now is seised in possession oꝛ reuerſion of any estate of inheritance, and not befoꝛe in these pꝛesent Indentures otherwise expꝛessed, limited, oꝛ declared, which to the said W. P. descended oꝛ came, in possession, reuerſion, oꝛ vse, from any of the ancestoꝛs of the said W. P. immediatly from & after the death of the same W. P. shall descend, reuert, oꝛ come vnto the said W. P. in possession oꝛ reuerſion of such estate of inheritance, as the said W. P. hath therein, if the said marriage take effect, the same mannoꝛs, lands, tenements, & hereditaments at the time of the death of the said W. P. being clꝛely discharged and exonerated of all and euery foꝛmer bargaines ꝛc. Except ꝛc. In witnesse &c.

Hereunto may be added such Covenants of being seised, and owner, of quiet inioying, and sauing harmeless, or to be seised to the vses aforesaid after the said Mariage, and such like, as are needfull, according to the agreement of the parties, with all necessarie exceptions and conditions.

Covenants of Mariage.

Sect. 82.

THis Indenture ꝛc. Witnesseth, that in consideration of a Marriage ꝛc. The said T. T. covenanteth ꝛc. that he the said T. T. at any time during the Marriage between the said T. and the said C. will not alien, sell, giue, grant, oꝛ otherwise dispose, esloigne, marry, oꝛ defeat the wardship of C. R. some and heire of P. R. deceased, to any person oꝛ persons, from the said C. except it be by the assent and agreement of the said C. And the said T. T. further covenanteth ꝛc. that neither he the said T. T. noꝛ any other person oꝛ persons, by his procurement, at any time during the said Marriage, shall doe oꝛ make any voluntary waik, oꝛ sale, of, oꝛ in any of the words oꝛ houses, whereof the said C. is now seised oꝛ possessed, except it be by the assent oꝛ agreement of the said C. And also the said T. T. covenanteth ꝛc. that hee the said T. T. at any time during the said Marriage, shall not bargain, sell, giue, grant, oꝛ otherwise alien any lease, leases, oꝛ farmes, which the said Cliz. hath oꝛ possesseth, the day of the date of these pꝛesents, except it be by the assent and agreement of
the

the said C. And the said T. T. further covenanteth &c. that hee the said T. T. at such time and times as the said C. shall appoint, shall pay, or cause to be payed, of the legacies bequeathed by D. S. sometime husband to the said C. such, and so much, and in such manner, as the said C. shall assigne and appoint, in writing subscribed with her hand, at any time during the said marriage. And also, if the said C. shall in writing subscribed with her hand, assigne or appoint that the said T. T. to pay to the said C. R. the summe of CC. pounds of lawfull money of England, or any lesse summe of money, that then the said T. T. his heires, executozs, administrators, or assignes shall satisfie and pay, or cause to be payed, to the said C. R. towards his advancement, the said summe of CC. pounds, or such other lesse summe of money, as she the said C. in writing, subscribed with her hand at any time during the said marriage, shall assigne and appoint the said T. T. to pay, and at such time and times, and in manner and forme as the said C. R. by the same writing subscribed with her hand, shall assigne and appoint. And the said T. T. also covenanteth and granteth, for him &c. That he the said T. T. or his heires, within two years next ensuing the date hereof, shall assure and convey, or cause to be assured & conveyed by good and sufficient assurance and conveyance in the law to the said C. for terme of her life, or to other persons, & their heires, to the vse of the said C. for terme of her life for her Jointure, such manors, lands & tenements, with the appurtenances, & other the premises in the said Countie of P. which shall amount to, and be of the full and cleere yearely value of one hundred pounds, of lawfull money of England, ouer and aboue all charges and reyses. And also if it shal fortune the said C. to suruive and ouerline the said T. T. that then the said T. T. shall as well leaue the said C. worth as much debts, goods, and chattels, and other substances, as the said C. shal at the time of the marriage be cleerey worth: As also giue, graunt, bequeath, or other wise assure, to leaue to the said C. ouer and aboue the said debts, goods, chattels, & other substance, as much goods, chattels, & other substance, as shall amount to the value of 2. thousand markes of lawfull money of England. Provided alwaies, that if the said T. T. at any time during the said marriage, shall by the assent in writing of the said C. subscribed with her hand, purchase any lands, tenements, or hereditaments, that then so much of the debts, goods, chattels & substance, which the said T. T. by these presents hath covenanted to leaue, assigne, or assure vnto the said C. as the summe or summes of money so to be payed, for, or by reason of the said purchase

or purchases, shall amount unto, shall be defalked, deducted & expressed out of the said debts, goods, chattels, and substance so covenanted to be left, granted, or assured unto the said C. and out of the value of the same, And the said D. T. his heirs and assignes, to be of so much thereof discharged, any thing in these presents to the contrary notwithstanding. And the said D. T. also covenanteth, that he the said D. T. shall suffer as well all the manors, lands, and tenements, whereof the said D. T. now at this present is seised of any estate of inheritance, as also all other manors, lands, tenements & hereditaments, that at any time hereafter the said D. T. shall fortune to have by descent from any of his ancestors, in possession, reversion, remainder, or otherwise to descend, remaine, or come in possession, reversion, or remainder, to the heirs males of the said D. T. which shall be begotten of the bodie of the said D. C. cleerely exonerated and saved harmlesse &c. of &c. And it is further provided & covenanted &c. that it shall be lawfull for the said D. T. during his life, or by his last will and testament, to demise, grant, devise, or dispose by the assent and agreement of the said C. to their children, which the said D. T. shall beget of the body of the said C. or to any of them for terme of their lives, or for terme of life of any of them, any part or parcels of the said manors, lands, &c. (except before excepted) any covenant, graunt, &c. before mentioned, to the contrary in any wise notwithstanding. And it is also further covenanted &c. that where the said D. T. by his writing obligatorie, bearing date of these presents, standeth holden & bound unto the said &c. in the sum of a P . marks of lawfull money of England, with condition thereupon endozed, for the performing and fulfilling of all & singular the articles, covenants &c. herein contained, on his part to be obserued and kept, as by the said writing obligatorie it doth more plainly appeare, if in writing subscribed with the hands of the said C. at any time during her life, it shall be declared and expressed, that the said writing obligatorie from thenceforth shall be void, or that she the said C. would have the said writing obligatorie to be void, that then, & from thenceforth the said writing obligatorie shall be utterly void & of none effect. Provided alwaies, that if at any time hereafter it shall be declared in writing, subscribed with the hand of the said C. that her meaning or intent is, that any covenants, grants, articles, or agreements in these presents mentioned, shall be void and of none effect; that then & from thenceforth, such and so many of the said covenants, articles, & agreements, as shall be expressed, mentioned or contained in any such declaration, shall be from thenceforth utterly void & of none effect: any thing in

in these presents contained to the contrarie in any wise notwithstanding. Provided alwaies, and it is fully agreed, by and betwixt the said parties to these presents, that it shall be lawfull, to and for the said T. T. by the assent, consent, and agreement of the said C. to alien, sell, or exchange, any part or parcell of the said manors, lands, tenements, or hereditaments, except the mansion house, or capitall messuage of H. in the Countie of ec. and the demeane lands of H. aforesaid, & all lands, tenements, and hereditaments, accompted, reputed, or occupied as demeane lands of H. aforesaid, at any time within 60. yeares last past befoze the date hereof: And also except the said Messuage &c. So alwaies, that the said T. T. and his heirs, by reason of the said alienation, sale, or exchange, do & shall receive, take, & have in lieu & recompence thereof, other lands, tenements, &c. so much in quantitie, & of so much yearely value, or better, & like estate or better, as the said lands so aliened, sold, or exchanged were of, to all respects and purposes. Provided alwaies, that it shall be lawfull, to & for the said T. T. by his sufficient writing indented, sealed with his seale, & lawfully executed, to demise, graunt, & let to ferme, all & singular the premises with thappurtenances, or any part or parcell thereof, except such as be, or shall be assured to the said C. for her Jointure, and except the said messuage, lands, &c. to any person or persons, for terme of three liues, or vnder, or for xxi. yerres or vnder, in possession only and not in reuerſion, so that the auncient yearely rents, customes, and seruices, or moze be reserved or payable vpon euery such demise, or lease, to haue continuance during the terme thereof, & so that any such demise & lease be not made without impeachment of wast, & also to assure and conuey a parcel of lād called K. lying & being in C. to the vse of the said C. for, terme of her naturall life, so that the same bee not made without impeachment of wast. Provided also, and it is agreed, by & betweene the parties to these presents, ȳ it shall be lawfull for the said T. T. by his writing, or writings, sealed with his seale, or by his last wil & Testament in writing, to giue, graunt, &c. to euery and either of his yonger sons of the body of the said C. lawfully begotten, not being the heire apparant of the said T. T. one annuity or rent charge of x. li. by the yere, for the terme of the naturall life of euery such son, to whom such gift, grant devise, or bequest shall be made, issuing & going out of any ȳ manors, messuages, lands, tenements, & hereditaments of the said T. T. except befoze excepted. And also if it happē B. C. daughter of the said T. T. not to be married in the life time of the said T. T. ȳ then it shall likewise be lawfull, to and for the said T. T. by his writing indented,

sealed with his seale, or by his last will and Testament in writing, to giue, graunt, devise, and bequeath to the said B. one annuities or rent charge of fortie Markes by yeare, vntill the summe of CC. Markes be leuied and paid, that is to say, for the terme of five yeares: Provided, that if the said B. happen to die before she shall be married, that then the said Annuities or rent charge to cease and be void, and the said summe of CC. Markes, to be graunted and assured vnto her; for, and towards her preferment in marriage, or otherwise. And further, the said T. T. doth covenant and graunt, for &c. to and with &c. by these presents, that if the said marriage take effect, one third part of all and singular the goods, chattels reals and personals, moueable and im-mouable, iewels, plate, & implements of household, in three parts to be deuided, whereof the said T. T. shall be possessed at the time of his death, or his executors, within one yeare next after his decease, with- out fraud or couin, shall remaine & be by force of the gift, or of the last will and Testament of the said T. T. vnto R. sonne and heire appar- rant of T. T. for, and in the name of such heire loines, as should and ought to be left by the said T. T. vnto him the said R. And lastly, the said T. T. for his part, doth covenant &c. by these presents, that if it fortune the said R. T. to decease in the life of the said T. T. his fa- ther, hauing any issue in life at the time of the decease of the said T. T. then the said T. T. at the reasonable request of the said Sir J. W. his heires, or executors, shall & will lawfully & sufficiently giue, graunt, assure, and conuey vnto any one of the sonnes of the said T. T. except the eldest sonne & heire apparant of the said R. T. one yearely rent charge of &c. issuing & going out of the said manors, mesuages, lands, and tenements, except before excepted. To haue and to hold the said rent charge, immediately from and after the decease of the said R. T. for and during the naturall life of euery the sonnes of the said R. T. to whom the same shall be graunted, conueyed, or assured. And also that if it fortune the said R. T. to decease in the life of the said T. T. his father, then likewise he the said T. T. vpon the like request of him the said Sir J. W. his heires or executors, shall and will law- fully, and sufficiently giue, graunt, assure, & conuey lands and tene- ments of the cleere yearely value of &c. not before excepted, vnto such persons and their heires, as the said Sir J. W. shall nominate & ap- point, to the vse of the said persons, for and vntill such time as the said persons, their heires or assignes, shall or may haue receiued, leuied, & had of the issues and profits thereof, such & so great sums of money, as shall and will amount & extend, to content and pay to euery one of the

the daughters of the said K. T. that shall happen to be unmarried, to the marriage money vnpaid at the time of the decease of the said K. T. the full summe of CC. li. a peece to euery one of the said daughters, the said summe to be paid at such time, as they shall generally accomplish and come to the age of xviij. yeares, to and for their preferment in marriage, or otherwise. In consideration of which Marriage, to be had and solemnized, and of the conueyances, graunts, articles, and agreements aforesaid, the said Sir J. W. doth covenant &c. to content, satisfie, and pay, or cause to bee contented, satisfied, and paid vnto the said T. T. his executors, administrators, or assignes, being sufficiently authorized vnder his hand & seale, the full summe of 600. li. in manner and forme following, that is to say, &c. And moreover it is couenanted &c. that if it shall happen the said T. T. to decease in the life time of the said C. hauing a daughter or daughters, of the body of the said C. that he the said T. T. by his last will and Testament, or otherwise by some act to bee executed, or caused to be executed in his life time, shall make such conueyance, assurance, or prouisoos, that euery such daughter or daughters, at her or their several ages of xvij. yeares, may be truly satisfied, contented, & paid, of the summe of a C. li. &c. to and for their preferment of marriage. And it is further concluded betwixt the said parties, that it shall and may be lawfull to the said T. T. by the consent of the said K. T. his sonne, to exchange any part of the premises for other lands (except befoze excepted) so as the said T. T. take & haue to him and his heires males, assured lands and tenements, of as much value or more, as the lands or tenements which he the said T. T. shall giue away in exchange, shall amount vnto: Any thing &c. notwithstanding. And the said T. T. also couenanteth and graunteth, to and with the said &c. that within one Moneth next after the solemnization of the Marriage, he the said T. T. shall grant vnto the said A. B. by his sufficient deed in writing, and with a sufficient clause of distresse, one Annuitic or rent charge of one C. li. to be going out, and to be perceiued out of all the said manors, lands, tenement, (the Jointure of the said C. and all lands wherewith she hath, or shall haue any estate for terme of her life, as is aforesaid, onely excepted) during the life of the said A. B. to take effect, presently after the solemnization of the said Marriage, and to be payable at the feasts of &c. by even portions: The first payment thereof to bee at such of the said feasts, as first shall happen after the said Marriage. In witness whereof &c.

Couenants of Marriage of a King.

Sect. 83.

HEc Indentura facta inter præclariss. & sereniss. Dei gratia I. S. Regem ex vna pte, & dominam M. eadem gratia excellent, potent, ac metuēdiss. Principis H. dei gratia Regis Angliæ, Franciæ, & Hibernæ &c. & Præcharissimę illustrissimæ dñæ E. nup. Regiñ Angl', confortis suæ filiam primogenitam, & p̄fat. Regi S. per verba de p̄senti Matrimoniū contract' disponat ex alia pte, Testatur quod cum p̄fat. serenissim S. Rex per l̄as suas patentes, magno Sigillo suo sigillat, ac signo suo manuali subscrip̄t, Dat' apud E. die mensis I. ultimo, Dederit & concesserit p̄fat. M. principi Castrum & villam de D. & maneria de N. & F. in Regno S. cum suis membris, iuribus, proficiuis, commoditat, & pertinent' quibuscunque annui valoris sex millium librarum, legalis & vsualis monetæ S. iam currentis & habentis cursum in regno Scotiæ, Et quę constituunt duo millia lib̄ sterling', & iam currentis & habentis cursum in regno Angliæ: Habendū & tenendū p̄fat. Sereniss. Principi M. ad terminum vitæ suæ naturalis, prout in eisdem literis Patentibus inter alia plenius apparere poterit: Præfat. M. Princeps bono, læto, & pergrato animo tradidit & dimisit, & p̄ p̄sentes concedit p̄fat. illustriss. principi S. Regi, omnes & singulos fructus, redditus, & prouentus ex p̄dictis castris, villis, dominijs, manerijs, terris, & p̄dictis redditibus prouenientes & crescentes, Saluis & exceptis, & p̄fat. M. durante vitâ sua naturali reseruât ad vsum suum propriū de eisdem fructibus, redditibus, & prouenientibus summa mille librarū, legalis & vsualis Monetę S. iam currentis & habentis cursum in regno S. q̄ faciunt & constituunt quingentas Marcas sterlingorū monetę iam currentis & habentis cursum in regno Angliæ: Recipend' annuatim p̄ dict' Regem S. vel p̄r eius deputatos seu seruientes, & p̄fat. M. principi, ad vsum suū propriū, ad festa Paschæ, & S. Michaelis Archangeli equis porcionibus delibrand' & soluend'. Et preter & ultra dictas mille libras monetæ S. supportand', exhibend', præstand', & ministrand', supportari, exhiberi, præstari, & ministrari faciendo, durante vita ipsius illustriss. Principis sumptibus & expensis eiusdem Regis p̄fat. M. principi, omnia & singula quæ ad apparatus corporis sui, ornatum domorum suarum, vesturas, equitatus, suppellectilem, vensilia, victum, ac vestitum, ac rem familiarem & domesticam, & alias res quascunque, secundum honorem, statum, gradum, & dignitatem ipsius M. Principis necessaria fuerint, seu quomodolibet condecencia: Necnon familiaribus domesticis & seruicibus suis, tam viris quam foeminis, quorum quidem seruient

viginti

viginti & quatuor erunt Anglici, partim viri, partim feminæ, ad optionem & electionem ipsius M. principis, esculenta, poculenta, stipendia, vestitus, vesturas, equitatus, ac omnia & singula aliâ quæ eisdem familiaribus, domesticis, & seruiantibus secundum honorem & condecenciam status & dignitatis ipsius M. similiâ necessaria fuerint seu conuenientia supportando, exhibendo, præstando, & ministrando, supportariue & exhiberi præstari & ministrari faciendo. Et quoties & quando contigerit aliquem vel aliquam dict' seruiant' suorum Angl' obire, toties & tunc licebit eidem M. durante vita sua in loco demortuor' vel demortuarum vsque ad numerum duodecem personarum alios vel alias Anglicos vel Anglicas ad sumptus & expensas prædict' substituire, & subrogare: licebitque præfat' M. prædict' summam mille librarum & quamlibet inde parcellam de tempore in tempus durante vita præfat' illustri. principis S. Regis, in vsus ipsius M. proprios & alienos vsus sine impedimento ipsius I. S. Regis vel cuiuscunque alterius libere ad votum suum committere & disponere. Et si contingat præfatam M. principem prædict' sereniss. regem S. superuiuere & post mortem eius superstitem fore, licebit præf. M. principi post mortem eiusdem I. Regis S. pfect' a realem & corporalem possessionem statum & titulum suos in præd' dominijs, villis, manerijs, terris prædictis & reddibus durante vita ipsius M. principis continuare & retinere, fructusq; exitus, proficua, & redditus ex eisdem proueniens vbicunque præfat' M. post mortem ipsius S. Regis habitare vel morari, vel ad quæcunque Regna vel partes extra idem Regn' S. se transferre vel migrare placuerit, vel contigerit, pacifice integre & plene sine aliquali diminutione, impedimento, expulsionem, interruptionem vel contradictionem heredum vel successorum præfat' serenissimi domini regis S. vel alicuius aut aliquorum aliorum quorumcunque durante vita ipsius M. principis ad vsuum suum proprium percipere & habere, ista præfati concessione seu dimissione in aliquo non obstante, &c.

A conueyance in ioynture to sundrie vses restraining alienation, and reseruing power to make ioyntures and leases.

THis Indenture &c. Betweene *F. M.* and *A.* his wife, and *C. M.* sonne and heire apparant of the said *F. M.* and *B.* now wife of the said *C. M.* and daughter of *R. S.* on the one partie, and the said *R. S.* on the other partie, Witnesseth, that in consideration of a marriage already had and solemnized betwæen the said *C. M.* and the said *R. S.* and so; a competent and sufficient ioynture to be had and made
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to and for the said W. in case she shall happen to suruiue or ouerline the said C. her husband: And for a iointure also to be had and made to and for the said A. if she the said A. shall fortune to suruiue and ouerline the same F. And in consideration also that the manors, &c. hereafter mentioned shall and may for so long time as it shall please Almighty God, be, remaine and continue in the name, blood, and kindred of the said parties, & euery of them, as hereafter in these presents is expressed and declared. It is now therfore couenanted, graunted, concluded, and fully agreed by and betweene the said parties, to these present Indentures, And euerie of the said parties, for himselfe, his heires, executozs, administrators, and assignes, and euerie of them by these presents, doth couenant, grant, conclude, and agree to and with the other of them, his heires &c. and euerie of them by these presents in maner and forme following, (that is to say) First, the said F. D. for the causes and considerations herein befoze specified, and to the intent his last will may bee perfozmed, for himselfe, his heires &c. and euerie of them, doth couenant, grant, conclude, and agree, to and with the said R. D. his heires, executozs, & administrators, & euery of them by these presents, that the said F. D. or his heires, at their or some of their owne proper costes and charges in the law on this side, or befoze the feast of &c. next coming after the date hereof, by his or their deed or other conueyance or assurance sufficient in the law, shall and will well and sufficiently conuey and assure, or cause to be conueyed and assured vnto C. T. and A. C. and their heires for ever, all those the manors & lordships of, &c. And also the several moities of all those the manors & lordships of &c. And that the said deed & other conueyance and assurance befoze mentioned to be made, and euery of them, shall be & inure, and shall be adiudged, esteemed, and taken to be & inure. And also that the said C. T. and A. C. and either of them, and the suruiuor of them, and his heires, and all & euery other person & persons now standing or being seised of, or in the said manors &c. and other the premises or any parcell thereof, for the said considerations herein befoze expressed, at all times from and after the said feasts of &c. next comming, of, from & after the said conueyance and assurance had or made, as is afozesaid, which soeuer of them shall first happen, shall stand and be seised of, and in the same, and euerie part thereof, to the vse & intents hereafter in these presents expressed, That is to say, to the vse and behoufe of the said F. D. and of his assignes, for and during the ioint liues of him the said F. D. and the said C. D. his sonne, without impeachment of any maner of wast. And from and after the decease of the said F. in
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case the said F. shall fortune to depart this present life, during the life of the said C. D. his sonne, Then, as for and concerning the said manor and Lordship of T. with all his rights, members, and appurtenances, to the vse & behoofe of the said A. now wife of the said F. D. and of her assignes, for and during of the terme of her naturall life, (if the said C. D. the sonne shall happen so long to liue.) And from and after the decease of the said C. D. then, as for and concerning the Scite or chiefe mansion house &c. to the onely vse and behoofe of the said B. for terme of her natural life, for, and in full satisfaction and recompence of all such Jointure and Dower, as to the same B. shall, or of right ought to belong or appertaine, by, from or after the decease of the said C. D. her husband. And as for and concerning the residue of the said manor of &c. to the only vse and behoofe of the said A. and of her assigns, absolutely for terme of her life in full satisfaction of the Jointure of the said A. And as for and concerning the reuerſion and reuerſions, remainder or remainders of the said manor &c. as the said vſes, estates, and interestts thereof herein befoze limited or expreſſed, shall be fully ended & determined. And for and concerning the said manor of &c. as the estates & interestts thereof befoze limited or expreſſed in these present Indentures shall fully end and determine: Then to the vse and behoofe of the said F. D. for terme of his naturall life, without impeachment of any manner of waſt. And from and after his decease, then to the vse and behoofe of C. D. for terme of his life, without impeachment of any manner of waſt. And from and after his decease, to the vse and behoofe of the first sonne to be begotten by the body of the said C. D. and of the heires males of the same first sonne lawfully begotten. And for default of such issue, then to the vse and behoofe of the second sonne to be begotten by the body of the said C. D. and of the heires males of the same second sonne lawfully begotten. And for default of such issue &c. (to the vse of so many other sonnes as shall be thought meete, informe aforeſaid, &c.) And for default of such issue, then to the vse and behoofe of euery other the ſons to be begotten by the body of the said C. D. ſucceſſiuelly as they shall be in ſeniority or age, and of the heires males of their ſeueral bodies, lawfully begotten. And for default of such issue, then to the vse and behoofe of all and euery the daughters which the said C. D. shall haue begotten on the body of the said B. at the time of his decease being then unmarried, and of their assignes, from and after such time as each of them shall haue accomplished their ſeueral ages of xiiij. yeares, or be married, to, & vntil such time as euery of the same daughters

ters successiue one after an other, as they shall be in seniozitie or in age, shall or may leuie, receiue, and take to euery of their owne proper vies and behoofes, of the rents, profits, and issues of the premises, the seuerall summes of thzee hundzeth pounds a peece of currant money of England, or otherwise shall bee fully satisfied, contented, or paid of the same seuerall sums, by such person or persons to whom the next and immediate reuerston or remainder of the premises shall then by the intent and true meaning of these presents of right belong & appertaine. And from and after such time as the said seuerall sums of thzee hundzeth pounds shall be fully leuied, receiued, or paid, as is afozesaid &c. And for default of such daughters which soeuer of them shall first happen, Then to the vse and behoofe of T. B. second sonne of the said F. B. for terme of his naturall life, without impeachment of any maner of wast. And from & after his deceale, then to the vse and behoofe of the first sonne to be begotten by the body of the said T. B. and of the heires male of the bodie of the same first sonne lawfully begotten. And for default of such issue &c. (to other sonnes and daughters, as here before, And so to as many sonnes of the donour by name, as shall seeme good, in manner abouesaid.) And for default of such issue, then to the vse and behoofe of the said C. B. and of his heires for euer. And as for and concerning the said moities of the said &c. to the onely vse and behoofe of the said F. B. and of his assignes, for, and during the terme of his naturall life, without impeachment of any maner of wast. And from and after his deceale, then to the vse and behoofe of the daughters of the said F. B. that is to say, D. C. F. and C. and of L. B. daughter of the said C. B. as shall be vnmarrid at the deceale of the said F. B. and of their assignes, for, and vntill such time as euery of the said daughters so vnmarrid at the time of the deceale of the said F. B. one after an other, as they shall bee in seniozitie, or in age, shall or may fully haue, leuie, receiue, and take of the rents, issues, and profits thereof, for, and towards their seuerall preferments and maintenance, the summe of thzee hundzeth pounds a peece, of good &c. And from and after such time as the said seuerall summes of thzee hundzeth pounds a peece, shall, or may bee had, leuied, or taken, as is afozesaid: Then to the vse and behoofe of the executozs and administrators of the said F. B. for, and during the terme of tenne yeares, then next following, for, and towards the payment of the debts of the said F. B. the Father, and for and towards the perfozrance of his last Will and Testament. And from and after the end and expiration of the said

said terme of ten yeares, Then to the ble and behoufe of the said C. D. for terme of his naturall life, without impeachment of any manner of Wast. And from and after his decease, then to the ble and behoufe of the first sonne, to be begotten by the bodie of the said C. D. and of the heires males of the bodie of the same first sonne lawfully begotten. And for default of &c. *vt supra*. And the said F. D. the father for himselfe, his heires, executors, and administrators, covenanteth and graunteth, to and with the said R. S. his heires and assignes, and euerie of them by these presents, That hee the said F. D. the father, his heires, executors, administrators, or assignes, or some of them, shall and will at all times, from, and after the decease of the said C. D. well and sufficiently acquite and discharge, or saue harmelesse the said mansion house, landes, &c. and all other the premises herein befoze limited or appointed, to, and for the ioynture of the said B. and euerie part or parcell thereof, of, and from all and all maner of former bargaines, &c. whatsoener, had, made, done, caused, or knowledged by the said F. D. or any other person or persons, by his title, assent, meanes, or procurement. The rents and seruices from thenceforth to bee due to the chiefe Lord or Lords of the fee or fees of the premises, And &c. onely forzeppised and excepted. And further, that hee the said F. D. and his heires and assignes, and euerie of &c. for further assurance in the law, suretie, sure making and conueying of all the said manyors, lands, tenements, and other the premises, and euerie part thereof, to bee conueyed and assured to the seuerall bles, purposes, and intents herein befoze expressed, and according to the intent and true meaning of these presents, Bee it by fine &c. Neuerthelesse, it is alwayes provided, that it shall and may be lawfull to and for the said C. D. T. D. U. D. O. D. and F. D. the sonnes, and to and for euerie of them, and to and for all and euerie of the issues males, to whom any interest or estate is herein befoze limited in the premises, or any part thereof, and being seised in demesne of any estate of freehold, or inheritance, of, or in the premises, or any parcell thereof, not being expectant vpon any other estate or estates, at his and their, & euerie of their free wils, liberties, and pleasures, to make any lease or leases for terme of thre lues, or xx. yeares, or vnder, and not dispunishable, neither without impeachment of wast, to any person or persons, of all and singular the said manyors, lands, tenements, and other the premises in T. D. &c. (*vt supra*) befoze mentioned, & euerie or any of them, or any part or parcell thereof, other then of the scite or demesne landes, &c. whercupon the said and

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accustomed yearly rents or moze shall be reserved to continue during the same lease or leases to be had or made. And that all such leases so to be made, shall be good and available in law, to all intents and purposes. And that at all times from and after the making of all and everie such lease or leases, the said conveyance and assurance shall be, And the said T. C. and A. C. and their heires and assignes, and everie of them, and all and every other person and persons then standing or being seised of, or in the premises so to be demised or letten, or any part or parcell thereof, shall stand and be seised thereof, & of every part and parcell thereof, as for & concerning only all & everie of the same lands, tenements, and hereditaments, so to be demised or leased, as is aforesaid, to the use of all and everie such person or persons, their executors, administrators, or assignes, to whom any such lease or leases shall be so thereof made, and according to the true intent and meaning of all and everie the same lease or leases, and of these presents: So alwaies as the same lessees, their executors, administrators and assignes, & everie of them, do wel and truly yeeld or pay, or cause to be yeilded & paid the severall rent and services in the same lease & leases, and everie of them to be reserved to such person and persons for the time being, as by the intent and true meaning of these presents shall have the next and immediate reversion or remainder of the same premises so to be leased, at the dayes and feasts to be comprised in all & every the same leases, or within xl. dayes next ensuing everie of the said dayes and feasts. And after the expiration of the same lease or leases, and everie of them, as they shall severally end and determine, then the said conveyance and assurance shall be and inure, And the said T. C. and A. C. and all and every other person and persons, then standing or being seised of, or in the premises so to be demised or letten, or any parcell thereof, shall at all times from thenceforth stand and be seised of, and in the same and every part or parcel thereof, to such uses, purposes, and intents, as bin before in these presents expressed and declared, and as by the true intent and meaning of these presents they should or ought to have done, if no such lease or leases made thereof at any time had bin made, any matter or thing to the contrarie thereof in any wise notwithstanding. Neuertheless, it is alwaies provided and fully covenanted &c. by and betweene the said parties to these present Indentures and everie of them, that if the said C. T. P. X. P. C. and J. P. or any of them, or any the heires of their severall bodies to whom any use or uses, estate or estates, of, or in the said manors, lands, &c. before mentioned, or any part or parcell thereof by these presents is limited

limited, declared, appointed, or agreed to be conveyed in manner and forme aforesaid, shall at any time after the said assurance had & made as is aforesaid, advisedly, wittingly, determinately, & effectually procure or assent, to, or for any act or acts, thing or things, for any bargain, sale, discontinuance, alienation, exchange or forfeiture to be had or made of the said manors, lands, tenements, hereditaments, & other the before named premises, or any part or parcell of them or any of them, to him, them, or any of them as is aforesaid, by these presents limited, declared or agreed to be conveyed in use or in possession, whereby any estate of the premises, or any part or parcell thereof, in use or possession, mentioned, limited, or declared by these presents, may, should, or might in any wise, or by any means be undone, discontinued, barred, determined, or forfeited: And the same bargain, sale, discontinuance, alienation, exchange or forfeiture, or any other effectual thing or act towards the same effect, shall attempt, cause, procure, command, or wittingly or willingly assent unto, or suffer to be attempted, gone about to be executed, performed, prosecuted, or put in use, by the knowledging of any note or notes, of, or for any fine or fines to be levied, or by knowledging of any warrant or warrants, of Attornie or Attornies, for any recoverie or recoveries to be pursued, or entrie into any warrantie by any means whatsoever, or by knowledging any warrant for the same, or by any purchase of any writ or writs, by them or any of them, or by any other by their or any of their assent or consent, by apparance or otherwise, to any writ or writs of the premises, or any part or parcell thereof, or to any thing in them or any of them, or by knowledge of any deed or deedes, writing or writings to be inrolled, or by any other effectual act, or acts, thing or things whatsoever, whereof or whereby any bargain, sale, discontinuance, alienation, exchange or forfeiture shall and may ensue: That then immediatly from and after the time of such procuring, attempting, causing, commanding, willingly assenting, suffering or going about, in maner and forme as is aforesaid, And before any such bargain, sale, discontinuance, alienation, exchange or forfeiture perfected, executed, committed, or done, the said use & uses, estate & estates, limited and declared in these presents unto him, or them, and to as many as so shall attempt, cause, procure, command, or willingly assent or suffer any such act or acts, thing or things to be prosecuted, executed, performed, done, or put in use, or gone about to be executed, done, performed, or put in use, in maner and forme before declared, whereupon any bargain, sale, discontinuance, alienation, exchange,

oꝛ foꝛ seizure shall, may oꝛ might ensue, contrarie to the true intent and meaning of these presents, of, and in such and so much of the said manors, lands, tenements, and hereditaments, with the appurtenances, foꝛ the which any the thing oꝛ things afoꝛesaid shall be so attempted, caused, pꝛocured, commaunded, assented oꝛ suffered, to be executed, performed, done, oꝛ put in vꝛe, oꝛ gone about to be executed, performed, done oꝛ put in vꝛe, contrarie to the true meaning of these presents, shall cease as in respect onely, and having regard to such person oꝛ persons, onely so attempting, pꝛocuring, causing, commanding, willingly assenting to, suffering oꝛ going about any such act oꝛ acts, thing oꝛ things afoꝛesaid, as if such person oꝛ persons so attempting, causing, commanding oꝛ pꝛocuring, were naturally dead, and not otherwise. And that then and in such case it shall be lawfull to and foꝛ every such person and persons to whom the vse and possession thereof should come, grow, oꝛ be by the true intent and meaning of these presents, to enter and to enjoy the same, as if such person oꝛ persons that so shall pꝛocure oꝛ assent to oꝛ foꝛ any such act oꝛ acts, thing oꝛ things to be done oꝛ attempted, were naturally dead, and in none otherwise, and of such and the like estate and estates, and in like maner and foꝛm to all intents and purposes, & with like remainders in vse ouer, and with like limitations and conditions, as the same should haue comen, growen oꝛ been, if the same person that so shall pꝛocure oꝛ assent to oꝛ foꝛ any such act oꝛ acts, thing oꝛ things to be done oꝛ attempted, at oꝛ immediatly befoꝛe the time of such pꝛocuring oꝛ assenting were naturally dead, and in none other manner.

And the said R. S. on his part, and in consideration of the said marriage, doth foꝛ himselfe, his heires & executoꝛs, covenant, pꝛomise, and grant to and with the said F. M. his heires and assignes, and every of them by these presents: That he the said R. S. oꝛ his heires, at his oꝛ their, oꝛ some of their owne pꝛoper costs and charges, shall and will befoꝛe the feast of ꝛc. next comming after the date hereof, well and sufficiently couey and assure, oꝛ cause ꝛc. (vt supra, like in all things to the making of the conueyance made by the said F. M.) Which conueyance and assurance so to be had and made of the said manor of C. ꝛc. and all other the pꝛemises last befoꝛe mentioned, oꝛ any part oꝛ parcell thereof, as is afoꝛesaid, And all other conueyance and assurance thereof, oꝛ of any part thereof to bee had oꝛ made, at any time oꝛ times on this side oꝛ befoꝛe the feast of ꝛc. shall be, and all persons standing oꝛ being seised of oꝛ in the said pꝛemises last mentioned, oꝛ of any part thereof, at all times from and after the said feast, oꝛ from oꝛ after the said

conveyance and assurance last mentioned, so had and made, as is aforesaid, which soever shall first happen, shall stand and be thereof and of euery part and parcell thereof, seised to the vse, intents, purposes, hereafter in these presents exprest & declared, and to or for none other vse, intent, or purpose: that is to say, To the vse and behoofe of the said R. S. and of his assignes, for and during the terme of his natural life, without impeachment of any maner of wast, And from and after the decease of the said R. S. to the vse and behoofe of the executors, administrators, & assignes of the said R. S. for and untill the full end and terme of foure yeares, next & immediatly insuing the decease of the said R. S. and from and after the said terme of foure yeares being fully ended & expired, Then to the vse & behoofe of the said C. P. and W. and of the heires males of the bodie of the said W. by the said C. P. lawfully begotten. And for default of such issue, then to the vse and behoofe of the heires females of the said W. by the said C. P. lawfully begotten. And for default of such issue, then to the vse & behoofe of the heires of the body of the said W. lawfully begotten. And for default of such issue, then to the vse and behoofe of C. S. wife of H. S. and F. H. now wife of J. H. other two of the daughters of the said R. S. and of the heires of their two bodies lawfully begotten. And for default of such issue, then to the vse of such person or persons, and their heires, as the said R. S. shall by his last wil and testament in writing, or by any other his deed indented, by him to be sealed and subscribed with his name and proper hand writing, shall bee to that end named and appointed, and that in such sort, with such limitations and conditions, as therein shall be named and appointed. And for want of writing, and such last will and testamēt, and after the vse & estates herein befoze in these presents limited or exprest being fully ended: Then to the only vse & behoofe of the said R. S. and of his heires and assigns for euer, and to none other vse, purpose, or intent. Prouided alwayes, that if &c. C. P. (vt supra ex parte F. M.) And moreover, it is covenanted, graunted, concluded, condiscended, and fully agreed, by and betwene the said parties to these present Indentures, & euery of the said parties, for himselfe, his heires & assignes, doth covenant, grant, conclude, and agree, to and with the other of them, their heires and assignes, and euery of their heires and assignes, and euery of them by these presents, that as well the said F. P. and R. S. and their heires, and the heires & assignes of either of them, as all and euery other person and persons, now standing or being seised, or which at any time or times, from and after the said feast of &c. next comung after the date

hereof shall stand or bee seized, of, or in the said manors, messuages, lands, tenements, & other the premises befoze in these presents mentioned or expzessed, or euery, or any part or parcell thereof, which befoze the said feast of ꝛc. next comming, shall not be sufficiently conveyed and assured vnto the said T. C. and A. C. & their heires, to the severall vses, purposes, & intents, herein befoze expzessed at all, and euery time or times, from and after the said feast of ꝛc. next comming, for the considerations afozesaid, shall stand and be seized, of, or in the same & enery part and parcell thereof, to the vses, purposes, and intents befoze here in these presents expzessed & declared, according to the intent & true meaning of these presents, & to none other vses, intents, & purposes: any matter or thing to the contrarie thereof in any wise notwithstanding. In witnesse whereof the parties afozesaid to these present Indentures interchangeably haue set their hands & seales. Dated the day and yeare first aboue wrytten.

Covenants for Mariage, and for a Jointure.

THis Indenture made ꝛc. Betweene R. C. of the one partie, and A. C. of the other partie, Witnessech, ꝛc. For and in consideration of which mariage so to be had and solemnised betweene the said parties in forme afozesaid, And for, and in consideration of the summe of fine hundred Markes of ꝛc. befoze hand paid, whereof the said ꝛc. And for the natural loue & affection which the said J. C. beareth vnto the said F. his brother & heire apparant, And for a Jointure to be made after mariage had to the said A. the intended wife of the said F. and for the extinguishment of one annual rent or annuities of x. l. or thereabouts, claimed by the said F. out of the lands, tenements, & hereditaments of the said J. C. by reason of the last will & testament of J. C. deceased his late father and other wise, and also for diuers other good considerations him mouing, hee the said J. C. for him his heires, executors, and administrators, and euery of them doth by these presents covenant, graunt, promise, and agree, to and with the said R. C. his heires, executors, and administrators, and euery of them, that he the said J. C. is lawfully seized of an estate of inheritance, of and in the manor of F. ꝛc. and of & in diuers ꝛc. of the cleere yearely value of an C. li. or more. And that he the said J. C. his heires or assignes, within forty daies next after the solemnization of the said mariage to be had betwene the said F. and A. in forme afozesaid, shall make and execute, or cause to be made & executed vnto the said F. C. and A. his intended wife, one good, sure, lawfull, & sufficient demise, or lease in
wrytting

writing for the lues of the said J. and A. and the longer liuer of them,
 And shal thereupon execute estate of the same by liucric of leisin, and
 by atturment of the tenants thereof, or otherwise in due forme of
 law make sufficient assurance & conueiance of all that the said ma-
 noz of ꝛc. and of ꝛc. Except ꝛc. To haue & to hold the said manoz of J.
 & all the lands, tenements, & other hereditaments, with the appurte-
 nances therunto belonging or appertaining, (except befoze excepted)
 to the said J. C. and A. his intended wife for term of their two lues,
 and the longer liuer of them, reseruing in the said lease of the said J.
 C. and his assigns during his life the yerely rent of xx. l. at two vsual
 feasts in the yeare to be paid: that is to say, at the feast of Saint Phi-
 lip and Jacob, and at the feast of Saint Michael the Archangell by
 even portions, vvith a clause of distresse and nomine poenæ to be con-
 tained in the said lease, that if the said rent or any part thereof bee be-
 hind at any of the said feasts, during the life of the said J. befoze li-
 mited, and by the space of forty daies after, it being lawfully deman-
 ded, that then the said J. C. and A. his wife, and the longer liuer of
 them, shall forfeit and pay to the said J. C. his helres and assigns,
 ouer and aboue the said rent so being behind and vnpaid v. l. of law-
 full English money nomine poenæ, and with a clause of distresse, aswell
 for the said summe of five pounds nomine poenæ, as for the said yeare-
 ly rent of twenty pounds so to bee reserued by the sayd lease. And also
 with a covenant to be contained within the said lease on the behalfe
 of the sayd J. and A. that the sayd J. and A. and the longer liuer of
 them shall from thenceforth sufficiently repaire, vphold, maintaine,
 and keepe the said manoz, and all other the pzemisses with their ap-
 purtenances, together with al the buildings, sea-dikes, wals, banks,
 and fences belonging to the same, in al maner of necessaric and need-
 full reparations, when and so often as need shall require, during the
 said estates for life of the sayd J. and A. and the longer liuer of them
 befoze limited, at the proper colts and charges of the said J. and
 A. and the longer liuer of them. And that the said J. and A. and the
 longer liuer of either of them, shall also during the estates of the lon-
 ger liuer of them pay all manner of outrents due to bee payd and go-
 ing out of the pzemisses befoze limited. For the better perfecting
 and assurance of which sayd lease, and for the assurance of a Joynt-
 ture to be made to A. now wife of the sayd J. C. and for the extinguis-
 hing of all titles of Dower of the sayd A. now wife of the sayd J. in
 all the hereditaments in J. and W. afozesaid, and in all other the ma-
 noz and hereditaments of the said J. C. And for the defeating and

making void of all former supposed auncient intailles whatsoeuer, of the said mannoz, landes, and hereditaments, befoze leased by these presents, in maner and forme afozesaid, whereby the said lease may the better be perfected and made sure, without any scruple oz doubt in law. And for the establisment of a great part of the inheritance of the said J. hereafter mentioned to the heires males of his house, And for diuers other good causes and considerations him mouing, hee the said J. C. doth further covenant &c. that he the said J. C. and the said A. his wife, at the only costs and charges in the law of the said Sir W. C. and his heires, shall within one halfe yeare next after the marriage afozesaid, acknowledge and leuie a fine with proclamations, according to the Statute in that case pzoouided, befoze the Iustices of the common pleas at Westminster in due forme of Law, according to the common course of fines in such cases vled, vnto J. T. R. S. H. A. and A. C. as well of and in the said mannoz, and all other the pzemisses with the appurtenances in F. and W. afozesaid, being now of the value of C. P. as also of the mannoz of T. with the appurtenances, ouer and aboue all yearely charges and reppises, by the names of the mannoz of F. and T. with the appurtenances, &c. oz by the like names in effect, by which fine with proclamations oz the like in effect, oz by any other name oz names whatsoeuer, so to be leuied and knowledged in forme abouesaid, hee the said J. C. shall knowlege the same mannoz and all other the pzemisses with the appurtenances by the names afozesaid, oz the like in effect to bee the right of the said Conusces, oz one of them, as that the said Conusces haue of his right. And by the same fine shall remise, release, and quite claime the said mannoz, lands, tenements, and hereditaments, and all other the pzemisses with their appurtenances, from him, and his heires, to the said Conusces and their heires, oz to the heires of one of them for euer. And further shall by the same fine so to be leuied and knowledged in forme afozesaid, warrant the said mannoz, landes, tenements, and hereditaments, and all other the pzemisses, with their appurtenances to the said Conusces and their heires for euer against all men: which said fine with Proclamation, oz the like in effect, so to be leuied and knowledged for the consideration abouesaid shall be, and the Conusces therein named, their heires and assignes, shall stand and be seised by vertue and force thereof, to the seuerall bles and intents, and vpon the considerations in these presents hereafter seuerally expressed and declared, and to none other ble, intent, oz purpose: That is to say, of and in the said Mannoz.

of F. &c. and of &c. to the vse and behoofe of the sayd J. C. and of the heires males of the bodie of the same J. lawfully begotten, And for default of such issue, to the vse and behoofe of the said F. C. and of the heires males of his bodie lawfully begotten, And for default of such issue, to the vse and behoofe of the said J. C. and of his heires for ever. And of and in the said manors of T. &c. and of all &c. to the onely vse and behoofe of the said J. C. and A. now his wife, and of the heires males of the bodie of the said J. C. begotten, for, and in full recompence and satisfaction of all titles of Dowry and Jointure of the said A. of, and in all tenements and hereditaments of the said J. And for default of such issue, then to the vse and behoofe of the said F. C. and of the heires males of his bodie lawfully begotten, And for default of such issue, then to the vse and behoofe of the said J. C. and of his right heires for ever. And the said J. C. &c. doth covenant &c. that the said manors of &c. now be, and at the time of the sayd lease and assurance to be made, shall be, and so shall and may continue and bee for ever hereafter cleerely acquitted, discharged &c. and incumbances whatsoeuer had, made, or done by the said J. C. or by any others for him, in his name, or by his meanes, assent, or procurement &c. And that the sayd F. and A. and their assignes, paying the aforesaid rent of twentie pounds, at the feasts aforesaid, shall, and may during their lines, and the longer liuer of them, at all times from and after the said marriage so had and solemnized, haue, hold, and inioy the said manors of F. &c. (except befoze excepted) according to the intention of the lease aforesaid, without any lawfull let or interruption of the said J. C. his heires or assignes. Prouided alwaies, and it is conenanted, graunted, condiscended, concluded, and fully agreed betwene the sayd parties to these presents, that if the sayd J. C. or any the heires males of the bodie of the sayd J. lawfully begotten at any time hereafter, shall earnestly and effectually by open deed or act, intend, goe about, or attempt any act or thing, deece, or deuise, to be done, or suffered, whereby the said manors of F. and &c. or whereby any vse or vles, estate or estates of the same manors, or any of them, or any part of any of them, or other the premises in the sayd Townes last recited, or any of them, should, might, or shall be discontinued, aliened, auoided, changed, or determined, Or otherwise shall charge or incumber the same manors, or any of them, or any part of any of them, or other the premises in the said Townes of F. B. T. F. W. B. A. and S. aforesaid, otherwise then with such charges and incumbances as shall only indure, during the life of the

said J. C. or during the onely life or liues of such heires as so shall charge or incumber, as is aforesaid, or otherwise then with such incumbrances by leases, as bee now left at the libertie of the same J. to doe by these presents, or with leases of the said mannoꝝ of T. or of any parcell of the premisses in T. F. A. III. B. and S. for twentie one yeares at the most, whereupon the accustomed rent or moze shall be reserved and payable during the terme thereof: That then and from thenceforth the vse of the same J. C. and A. his wife, and of the heires males of the bodie of the said J. in such of the premisses as shall be interpreted and vsed contrary to the true meaning aforesaid, shall from thenceforth cease, And then and from thenceforth the said J. T. R. B. H. A. and A. C. and their heires, shall stand and be seised of the same mannoꝝ, and other the premisses, and euery part of euery of them so interpreted, or vsed, contrary to the meaning aforesaid, to the onely vse of the same J. and the heires males of the bodie of the same J. lawfully begotten. And for default of such issue, to the vse of the right heires of the said J. C. for ever. Provided also, and it is couenanted, graunted, condiscended, concluded, and fully agreed betwene the said parties to these presents &c. (vt supra for the other lands.) And for the preferment of the heires males of the bodie of the said J. C. in remainder after the death of the said J. C. hauing issue male of his bodie, he the said J. C. doth further couenant, graunt, condiscend, and conclude, for him, his heires, executoꝝ, administrators, and assignes, to and with the said R. C. his heires, executoꝝ, administrators, and assignes by these presents, That if it fortune, that the said J. C. at any time hereafter during his life to haue any issue male of his bodie lawfully begotten, that then bee the said J. C. his heires, executoꝝ, or administrators, within one yeare next after such issue male of his bodie so had, and it being then in life, shall vpon the reasonable request of the said R. and of his heires, as well by fine as other good, lawfull, and sufficient assurance and conueiance in the Law, at the onely costs and charges in the law of the said J. C. sufficiently assure, and conuey, or cause to bee assured or conueyed to certaine feoffees by the same R. his heires or assignes to be nominated and appointed, certaine other lands, tenements, and hereditaments to the full and clere yearely value of xx. li. ouer and aboue all charges and reppyses, to the onely vse of the said J. C. for terme of his life, without impeachment of wast. And after his death, then to the vse and behoefe of the same J. and of the heires males of his bodie lawfully begotten, for, and untill such time as the same J. shall

shall haue issue of the bodie of him the said *F.* and the said *A.* lawfully begotten. And after to the vse of the same *F.* for terme of his life, without impeachment of wast, And after his death to the vse of the heires males of the body of the said *F.* lawfully begotten of the said *A.* And for default of such issue, to the vse of the right heires of the same *F.* for ener discharged, or otherwise from time to time thence, forch to be saved harmelesse of al incumbzances, had, made, suffered, procured, or done by the same *F.* his heires &c. In witnesse wherof &c.

Covenants of Mariage.

THis Indenture made &c. Betweene *P. S. P. W.* and *L. S.* on Sect. 86. the one partie, And *T. P.* the elder, and *R. T.* on the other party, Witnesseth, that where the said *P.* by Gods grace shall shortly marry and take to his wife *A. B.* widow, And likewise the said *A.* &c. In consideration of which mariage to be had and solemnized, it is covenanted &c. (that is to say) the said *P. S. P. W.* and *L. S.* & every of them for &c. that the said *P.* at, and immediatly after his decease shall leane vnto the said *A.* to her owne proper vse, if she be then liuing, all and singular such lease and leases, goods, chattels, plate, iewels, and mony, as she shal bring with her to the vse or possession of the said *P.* the true values wherof are expessed, and doe appeare in an Inuentorie indented to these presents annexed, or the true value of the same, according as the same are valued in the said Inuentorie, without any wilfull wast, spoile, destruction, or diminution thereof, or of any part thereof to bee had, made, or done, of, in, or vpon the same, or any part thereof by the said *P.* or any other by his procurement or means, to thintent to defraud the same *A.* or her assignes of the same. And also that he the said *P.* shal then at the time of his decease leaue, giue, or lawfully conuey and assure vnto the said *A.* to her proper vse, goods, chattels, plate, iewels, & ready mony of the proper goods of the same *P.* to the value of 200. l. &c. ouer & aboute the said leases, goods, chattels, plate, iewels, and money specified in the same Inuentorie, without any fraud or guile by him &c. done or wrought therein to defraud her of the same. And also shall immediatly after his decease leaue, giue, bequeath, or by other lawfull meanes in the law, assure & conuey to the said *A.* to her proper vse, all the Farme or manor of &c. & all his lease, or terme of yeares that he hath, or then shall haue in &c. & that the executors or administrators of the said *P.* shall within one halfe yere next insuing after his decease, wel & truly deliuer, or cause
to

to be deliuered to the hands, vse, and possession of the said A. the said goods &c. to the said value of CC. li. and euery part thereof. And the Indenture of the said lease of the said mannoꝝ of &c. whole, safe, and vncancelled and in full soꝛce & strength, foꝛ as many yeres as shal be at his decease to come of the afozelsaid terme, without any act, thing, oꝛ things, fraud oꝛ couin, by him oꝛ them, oꝛ any of them to be done, oꝛ willingly suffered to the contrarie. And furthermore the sayd P. S. P. III. and L. S. foꝛ them &c. covenant &c. That if it shall foꝛtune the said P. at any time after the said mariage had betweene him and the sayd A. during their two liues to purchase, obtaine, get, oꝛ haue any lands, tenements, possessions, oꝛ hereditaments, in fee simple, oꝛ any estate of inheritance, that then the said P. shal within reasonable time after the sayd purchase, obteneing, oꝛ getting of the said lands &c. from time to time cause the same lands, &c. to be assured and made sure to the said P. and A. and to the heires of their two bodies lawfully begbitten, And foꝛ default of such heires to the right heires of the sayd P. And furthermore the sayd P. S. P. III. and L. S. foꝛ them &c. covenant &c. that if the sayd P. at any time hereafter by the consent of the said A. shall purchase, oꝛ buy any mannoꝝs, lands, tenements, oꝛ hereditamētts, with the mony, goods, iewels, plate, oꝛ chattels, befoze by these presents couenanted & agreed to be left vnto the said A. being mentioned in the same Inuentoꝝy, that then the said P. shall assure, & conuey, oꝛ cause to be assured oꝛ conueyed all the said &c. with their appurtenances so to be purchased & bought at a reasonable time after oꝛ vpon the purchase therof so had & made, to the said P. & A. & to the heirs of their two bodies between the lawfully begotten, and foꝛ default &c. (v^t supra.) Prouided alwaies, and it is fully couenanted, concluded, and agreed between all the said parties by these presents, y^t if the said P. shall at any time hereafter by the consent of the said A. bestow and imploy all oꝛ any of her said goods, chattels, mony, plate, iewels, oꝛ leases, befoze by these presents couenated and agreed to be left to the same A. in, oꝛ vpon the purchase of the mannoꝝs &c. and vpon oꝛ after the said purchase do assure, & conuey the same mannoꝝs so purchased &c. to the said P. and A. and to the heires of their two bodies lawfully begotten, And foꝛ default &c. that then the said P. P. and L. their heires &c. and therecuttoꝝs &c. of euery of the, after the same purchase & assurance so had & made to the said P. & A. in maner and soꝛme afozelsaid, shall be discharged of the payment & deliuerie of so much of the same money &c. aboue limited to be left vnto her, as the same mannoꝝs, &c. so purchased and assured to the said P. and A. & to their heires

afozesaid, shall be duely pzoued to haue cost at the time of the buying and purchase of the same, without fraud, couin, or guile, any thing rehearsed to the contrarie &c. And furthermoze the said P. S. P. and L. &c. covenant &c. that hee the said P. noz his assignes, noz any other person or person by his or their meanes, consent or pzocurement shall doe or commit, or wilfully permit or suffer to be done any act or acts, thing or things, whereby such lease or terme of yeares as T. B. late husband of the said A. did giue vnto the said P. B. their daughter after the decease of the said A. by his last wil and testament might be determind, surrendered, exting, or impaired, but y the said mannoz, lease, & terms of yeares, immediatly after the decease of the said A. shall & may come to the said P. according to the wil & testament of the said T. B. And also shall deliuer vnto the said P. at the day of her marriage, or within one yeare after, the residue of all such goods, money, plate, or household stuffe, as the said T. B. her late father did bequeath to her by his last will and testament, being duely pzoued to haue comen, and remaine, and be in the hands and possessions of the said P. and A. And further the said P. S. P. and L. &c. covenant &c. that if it shall fortune the said A. to decease or depart this mortall world befoze the said P. without any issue of their two bodie betweene them lawfully begotten, that then the said P. within one moneth next ensuing after the decease of the said A. shall giue and pay, or cause to be paid to the said P. xl. l. &c. to buy a nest of goblets. And further if it shall fortune the said A. to decease befoze the said P. that then the said P. shall licence the said A. befoze her decease, to declare and make her last will and testament in wyting, and by the same to giue and bequeath to any person or persons, legacies to the value of &c. at her pleasure, & the same last will and testament so made and declared &c. the said P. that in all things perfozme and fulfill, according to the tenor and true meaning of the same. In witness whereof &c.

Covenants of marriage.

THis Indenture &c. Witnesseth, That it is covenanted and graunt Sec. 87
 ted, concluded and agreed, by and betweene the said parties to these presents, in maner and form following. And first the said B. T. for himselfe &c. doth couenant &c. that T. T. his sonne and heire apparent, at or befoze the first day of June next ensuing the date hereof shall (by the grace of God) marry and take to his wife A. K. daughter of the said T. K. if she will therunto assent, & the lawes of the Church will that permit. And that he the said B. T. his heltes or assignes, befoze

before the first day of *J.* at the reasonable costs and charges in the law of the said *M. R.* his executors or administrators, shall and will make or cause to be made, such a good, sure, sufficient, & lawfull estate of all his manors and Lordships of *B. &c.* unto *R. S. J. L. R. R. & T. R.* and their heires for ever, as shall be reasonably devised, advised, or required by the said *M. R.* or his heires, or by his or their counsell learned in the lawes of this realme, to the only vles and behoves hereafter in these presents declared, that is to wit, that *h* said feoffees, their heirs, & assignes shall stand & be seised of all the said manors, tenements, hereditaments & premises, with the appurtenances in *ec.* to the vls and behove of the said *B. T.* and his heirs, for, and untill the day of the solemnization of the said marriage, and from and after the solemnization of the said marriage, to the only vls and behove of the said *M. T.* & *A.* for, and during their two lives, & during *h* life of the longer liver of them, and from and after their deaths, to the onely vls & behove of the said *M. T.* and to the helres males of the body of the said *M. T.* of the body of the said *A.* lawfully begotten, & for default of such issue male, then to the vls & behove of the said *B. T.* and the heires males of his body lawfully begotten, And for default of such issue male, then to the vls of the right heires of the said *B. T.* and his heires for ever, With a covenant to save harmelesse, Except the ioynture or dower, or title of ioynture or dower of *L.* now wife of the said *B.* and except all leases for yeares or lives *ec.* And except all such auncient estates taile as haue been heretofore made of the said tenements and premises, or of any part thereof by any auncello, or auncelloz of the said *B.* And except all such auncient waies and commons of pasture, estovers, quarry, and turbarry, as haue time out of mind bene rightly had and vled, in or throught the same or any part thereof, if any such be. And except the chiefe rents and seruices, and other rents of ancient time, due and accustomed to be paid, hereafter to become due or payable out of, or for the premises or any part thereof. Here may bee added Covenants of being seised &c. and of further assurance to the vles abouesaid &c. and for quiet enjoying &c. And of, and in one other tenement in *ec.* to the vls of the said *B.* during his life, and after the decease of the said *B.* then to the vls and behoves of the said *M. T.* & of the heirs males of his bodie, on the body of the said *A.* lawfully begotten, and for default of such issue, to the vls of the issues females of *h* said *M. T.* of the body of the said *A.* lawfully begotten, for, and during the space of so many yeares after the death of the said *M. T.* and *B.* as there shall bee severall issues females of the bodis of the said *M. T.* and *A.* lawfully begotten,

begotten living after the deathes of the said **T. T.** and **B.** if there shall be then living moze then one, and vnder five such issues females, And if there shall be living after the death of the said **B.** and **T. T.** without issue male of the bodies of him, & the said **A.** lawfully begotten, five, or moze, such issues females of their bodies lawfully begotten, then to the vse of the said five or moze such issues females of their bodies lawfully begotten, for, and during foure yeares, next after the deathes of the said **T. T.** and **B.** And if after the deathes of the said **B.** and **T. T.** without issue male of the bodies of the said **T. T.** & **A.** lawfully begotten, there shall be living one only such issue female of their bodies lawfully begotten: Then to the onely vse and behoofe of the same one such issue female, during the space of two whole yeares next after the deathes of the said **B.** & **T. T.** And if after the death of the said **T. T.** the said **B.** being then dead, there shall be no issue male or female of the bodies of the said **T. T.** & **A.** living: Then to the only vse of such his daughter or daughters being bozne alivie, as the said **A.** shall be with child with by the said **T. T.** at the time of his death, during the space of two yeares next after the deathes of the said **T. T.** and **B.** if the said daughter or daughters, or any of them so long do liue. And from & after the end of such yeares, as be so hereby befoze limited to the vles of the said issue or issues female of the bodies of the said **T. T.** and **A.** lawfully begotten after the death of the said **B.** to the vse of the said **T. T.** and of the heires males of his bodie lawfully begotten. And for default of such issue male, then to the vse of the next issue male of the bodie of the said **B.** lawfully begotten, & to the heires males of his bodie lawfully begotten. And for default of such issue male, then to the vse of the next heire male of the said **B.** and the issue male of the bodie of that heire male lawfully begotten. And for default of such issue male, then to the vse of the said **B.** & his right heires for ever, and to, or for none other vse, intent, and purpose. Provided alwaies, and vpon condition following, and neuertheless it is the true intent and meaning of these present Indentures, and of all the parties to the same, and of all the assurances hereafter to be made by the said **B.** of the said manors, lands, tenements, and hereditaments, with the appurtenances in **S. B. S. C. P. R. S. T. V. P.** aforesaid, and of eueric or any part thereof, that it shall and may be lawfull vnto the said **B.** at all times hereafter during the life of the said **B.** to graunt and assure vnto **L. T.** the younger sonne of the said **B.** one yearely rent, or rent charge of twentic Parkes of lawfull English money, with a clause of distresse for the same, to be issuing,

issuing, perceiued, had, and taken by the said L. or his assignes, from such time as it shall please the said W. by his said grant to limit & same yerely to begin; during the life of the said L. or during any number of yeres, that the said W. shall therfoze set down, name, or appoint, if the said L. shall so long liue, out of all, or any of the said manors, lands, tenements or hereditaments in S. B. S. C. P. B. S. T. H. and D. or any of them, or out of any part of them, or of any of them. And that it shall and may be lawfull, to and for the said L. T. and his assignes, according to the purpoze & meaning of such graunt of the said rent so to him to be made, as is aforesaid, to distraine for the said rent & arrearages thereof which shall happen to be behinde vnpaid in any part of the said last recited premises: any thing in these presents contained, or any conuicance or assurance hereafter to be had or made of the premises, or any part thereof, to the contrarie in any wise notwithstanding. And the said W. T. for himselfe &c. doth covenant &c. that he the said W. his executors or assignes, shall and will either by his last will and testament, or otherwise, as shall be reasonably deuised by the said T. R. the elder, his heires &c. or by his or their counsell learned in the lawes &c. giue, conuey, and assure, all or so much of those messuages, houles, lands, &c. which the said W. and his assignes now haue, hold, and occupie, within the towne, fields, parish, & territories of S. B. aforesaid, by demise, grant, or lease fro the Queenes Maestie that now is, for the term of any yeres, to the said T. T. & his heirs males, immediately from & after the death of the said W. And that he the said T. T. shall and may from & after the death of the said W. haue, hold, possesse, and inioy the same lease, lands, tenements &c. from and after the death of the said W. And y the said T. T. shall then be (if he the said T. T. so long doe liue) discharged or saued harmeles, of, & from al former bargaines, grants, leases, charges, & incumbrances whatsoeuer heretofore sithence the 6. day of Feb. last past befoze the date hereof, and hereafter to be had, made, done, knowledged, or willingly suffred of the same premises, or any part thereof by the said W. or his assigns, with a prouiso or condition in such conuicance or assurance thereof to be contained, that the said T. T. shall assigne so much of the said term as shall be to expend at the time of his death to the heirs males of his bodie lawfully begotten. And that he the said W. or his assignes, shall and will at his and their owne proper costs and charges, giue, find, and allow to the said T. T. and A. and to one man seruant, one woman seruant, and all such childezen as shall be had and begotten betweene the said T. T. and A. during twelue yeares next ensuing

the

the day of the solemnization of the said marriage, if the said B. so long doe liue, such sufficient, necessarie, and conuenient houserome, meate, drinke & lodging, at or in the now dwelling house of him the said B. T. of S. K. aforesaid, or else where the said B. shall remain and dwell, as he the said B. T. shall provide for himselfe & his family, And that he the said B. shall likewise during the said xij. yeares, if either the coverture between the said T. T. and A. so long do continue, or the said A. suruiuing the said T. T. do keepe her selfe so long a widow, giue, finde, and allow to them the said T. T. & to the said A. suruiuing the said T. T. such conuenient stable-rome, hay, pꝛouender, straw, and grasse for two geldings, hoxses, or mares of the said T. T. or A. him suruiuing during the said space of twelue yeares next ensuing the day of the solemnization of the said marriage, if the said B. so long doth liue, and in such place and maner, as the riding hoxses, geldings, and mares of the said B. T. shall haue stable-rome, pꝛouender, hay, straw and grasse during the said time, or if either the said B. shall dislike or refuse to yeeld to & for y^e said T. T. & A. their said children, seruants, & hoxses, such allowance as is aforesaid, or to the said T. T. & A. or the said A. suruiuing the said T. T. shall dislike or refuse to accept or take such allowance as is aforesaid, y^e then the said B. euerie yeare of the said xij. yeares, in which he shall not yeeld to them such allowance as is aforesaid, if the said B. so long doe liue, shall for the same pay or cause to be paid to the said T. T. and A. during the coverture, & to the said A. suruiuing & keeping her selfe so long a widdow xl. l. of lawfull English money, in y^e now dwelling house of the said B. in S. K. aforesaid, at the feast of P. and M. by euen portions. And the said T. K. the elder, for himself, his executoꝛs and administrators doth covenant, promise & agrée, to & with the said B. T. his executoꝛs and administrators, that the said A. K. shall & will by the grace of God, at, or befoze y^e said first day of July new next comming, marrie & take to her husband the aforesaid T. T. if the said T. T. will thereunto assent & agree, and the lawes of the Church will that permit and suffer, &c.

Here may be further expressed such further considerations as be yeelded on the daughters behalfe, and such other covenants and conditions as shall be requisite on that part.

Covenants to make Ioynture.

THis Indenture made &c. betweene W. H. &c. of the one party, and Sect. 88.
T. S. and A. A. of the other partie, Witnesseth, that the said W.

H.

H. for and in consideration of ioynture to bee made to J. his wife, for himselfe &c. covenanteth &c. that he the said W. H. his heires and assignes, befoze the feast day of &c. shall make or cause to be made to the said T. S. and J. L. a good, perfect, sure, & sufficient estate in the law in fee simple, of, and in all his manors of &c. To haue and to hold the said manors, lands, tenements, and all and singular the premises with the appurtenances to the said T. S. & J. L. to the onely vse of the said W. H. and J. his wife, during the life of the said J. and to the heires of the said W. H. for euer. And for further assurance, security, and sure making of the said manors, lands, tenements, and all other the premises, to bee had and made to the said T. and J. and to their heires, to the vse and intent aforesaid, The said W. H. for him &c. covenanteth &c. that he the said W. H. his heires and assignes from time to time, and at all times during the space of &c. vpon reasonable request &c. as in covenants of further assurance, and sauing harmelesse.

Except the yearely rents, customes, and seruices which hereafter shall be due, or going out of the premises, or of any part or parcell thereof, to the Queene our soueraigne Ladie, or to the Lord or Lords of the fee or fees. And except all leases and grants by copy of a Court roll of the same manors made, or to be made, whereupon the accustomed rents be or shall be reserued &c. And that the said manors &c. now at the making of the said assurance, shall be of the cleere yearly value of &c. ouer and aboue all charges and reppises, and so shall and may continue and be, during the life naturall of the said J. without fraude or couin. And the said W. H. for himselfe &c. covenanteth &c. As in Covenants, that all other conueyances shall bee to the vses abovesaid Provided alwayes, and vpon Condition following, it is fully concluded and agreed, by and betweene all the said parties to these presents, That if the said J. suruiuing the said W. H. her husband, within two moneths after the decease of the said W. H. doe not by her sufficient deed or deedes, release and surrender to his heires or assignes, and their heires for euer, all her estate, right, title, interest, and demaund, of, in, and to all landes, tenements, and hereditaments, with the appurtenances, which he the said W. H. during the couerture betweene him and the said J. was seised of such estate, as the the said J. might thereof lawfully bee endowed, other than the said manors, landes, tenements, and hereditaments aboue in these presents mentioned, to bee assured vnto her for her said ioynture: That then immediately from and after the end and expiration of the said two moneths, next after the death of the said W. H. no such
release

release, as is aforesaid, being so made, the said feoffees and the survivor of them and his heires, shall be seised to the onely use of the right heires of the said W. B. and of their heires for ever: any thing in these presents contained to the contrary thereof in any wise notwithstanding. In witness &c.

Covenants of marriage, and to levie a fine, and suffer a recoverie.

THis Indenture tripartite &c. Betweene G. S. and C. T. on the first partie, and C. D. and J. D. on the second partie, And F. W. and F. R. T. B. and J. R. on the third partie, Witnesseth, that it is covenanted, concluded, and agreed, by and betweene the said G. S. and the said C. D. in maner and forme following: that is to say, the said G. S. on his partie doth covenant &c. that the said C. T. shall marrie &c. And in like maner the said C. D. &c. that the said J. D. shall marrie &c. In consideration of which said marriage, the said G. S. doth covenant &c. that he the said G. S. and the said C. T. vpon reasonable request to them to be made by the said C. D. and at the costes and charges in the law of the said C. D. shall and will before the feast of &c. levie one fine, or severall fines &c. And it is fully concluded, covenanted &c. that the said T. B. and J. R. shall from and immediatly after the leuying and ingrossing of the said fine or severall fines, or either of them, stand and be seised of the said manors and premises, and of everie part and parcell thereof: and that the same fine or severall fines shall be to the use of the said T. B. and J. R. and the heires of the said T. B. to the only intent and purpose that the said T. B. and J. R. shall stand and be adjudged perfect tenants of the freehold of the said manors and premises, and of everie part thereof, until a perfect recoverie may be lawfully had and executed of the manors and premises against the said T. B. and J. R. And the said G. S. doth covenant &c. that the said F. W. & the said F. R. or any other person or persons, which the said C. D. shall nominate and appoint, shall and may at the costs & charges in the Law of the said C. D. his executors or assigns, commence and prosecute one writ or severall writs of Entree sur disseisin in le post, after the maner and course of common recoveries against the said T. B. and J. R. whereby they should demand against the said T. B. and J. R. the said manors, lands, and premises, and everie part and parcell thereof, by any name or names whatsoever, unto which said writ or severall writs, the said T. B. & J. R. shall appeare in proper person, or by their Attorney or Attornies, lawfully and sufficiently authorized. And shall vouch to warrantie the said G. S. and C. T.

and that the said G. S. and C. shall appeare vpon the same voucher in proper person, or by their attorney or attornies lawfully authorisid, & shall vouch to warrantie the common vouchèr. And that the common vouchèr shall appeare & imparle, and after wards make default, whereby a perfect iudgement may be had and giuen for the demandants in the same writ or writs against the said T. B. and P. R. for the recouerie of the said manors & pzemisses. And likewise for the said T. B. and P. R. to recouer in value against the said G. S. & C. T. after the manner and course of common recoveries in such case vsed, & it is fully concluded &c. to these Indentures, for them and their seuerall heires, and euery of the said parties doth seuerally covenant & conclude, to & with the others, and their seuerall heirs, That the said recouerers and their heires, shall from and immediatly after the knowledging & perfecting of the said recouerie or recoveries, stand and be seised of the said manors, rectories, & pzemisses, and of euery part & parcell thereof, & that the same recouerie or recoveries, iudgement or iudgements, recouerie or recoveries in value, and euery thing and matter thereupon proceeding, shall then and from thenceforth be deemed, had, and taken, and inure to the vse & behoefe of the said G. S. and his assignes, for, & during all the terme and space of 80. years, if the said G. S. shall so long liue. And after the death of the said G. S. to the vse of C. T. & of the heires which he shall beget of the body of the said J. D. And for default of such issue, to the vse of the right heirs of the said C. T. for ever. Provided alwayes, that the said G. S. and C. T. or either of them, shall not be compelled to trauell from the place where they or either of them shall remain or dwel at the time of such request or requests to be made for the leuying, knowledging, or executing of the said fine or fines, warrant or warranties of attorney, recouerie or recoveries, or any of them, or for doing and performing of any act or thing thereupon depending. And the said G. S. doth also covenant &c. that whereas the said G. S. hath heretofore by his great and generall conueyance being made for the staying and intailing of the most part of his inheritance, assured vnto the said C. T. and to the heires males of his body issuing, all those &c. that the said lands &c. heretofore assured vnto the said C. T. and to the heires males of his body issuing, and the said lands &c. covenanted by these presents to be conueied, as is aforesaid, together with all such other manors, lands &c. as the said G. S. shall and will in his life time assure & conuey vnto the said C. T. of an estate of inheritance, are now, or at the time of the said fine or fines, and assurance or assurances to be knowledged and made, shall be tyen of the clere pearchy value of j. D. pounds,

pounds, over and above all charges and reppyses. And that he the said G. S. hath not heretofore done, nor hereafter shal do any act or thing, whereby the said manors, lands, tenements, and premises, shal not, nor may not after the death of the said G. S. and solemnization of the said mariage, remain and continue, to such uses, intents, and purposes, as in this Indenture are mentioned and expressed, according to the true meaning hereof. And the said G. S. for the consideration aforesaid, doth further covenant &c. that if a good and perfect assurance and coueiance of the said manors &c. and premises befoze mentioned to be assured by the said G. S. and C. T. be not made, and sufficiently perfected befoze the feast of &c. to bee assured by this Indenture, shall not be conueied and made sure, to such uses, intents, and purposes, as in this Indenture are mentioned and expressed, according to the true meaning hereof, that then and from thencefozth the said G. S. and C. T. and their seuerall heires, and all and every other person & persons, and his and their heirs that now be, and befoze the said feast of &c. shal stand or be seised of the said &c. or of any part thereof, by, from, or vnder the said G. S. shal from & immediatly after the said feast of &c. stand & be seised of the said &c. premises befoze mentiond, to be assured by the said G. S. and C. T. and of every part and parcell thereof, to thuses, intents, and purposes, & vpon condition and conditions in this indenture mentioned and expressed, & to none other vse, intent, or purpose. And furthermore, the said G. S. doth covenant &c. that he the said G. S. and C. T. and the heires of the said G. S. shal and wil &c. (as in covenants of further assurance) vnto the said F. W. and F. R. and T. W. & P. R. & to any of them, or their heirs, or to the survivours or survivours of them, or their heirs, or any other person or persons that the said C. D. shall thereunto nominate or appoint, & his & their heirs, to thuses, intents, and purposes in this Indenture mentioned and expressed, and according to the true effect and meaning of these presents: so that &c. And it is further agreed, by, and betweene the said parties to this Indenture, for them and their heirs, & every of the said parties doth seuerally covenant and conclude, to, and with the other, & their seuerall heirs, y all and every fine and fines, recoverie & recoveries, coueiance and assurace, hereafter to be made & executed of the said &c. befoze mentioned to be assured by the said G. S. & C. T. or of any part or parcell thereof by the said G. S. & C. T. or by the said T. W. & P. R. or by any of the, or by any other person or persons, by the appointmēt & nomination of the said C. D. his heirs &c. after the solemnization of the said mariage shalbe, And the said recoverers, & their heirs, shal stō

and immediately after the execution & perfecting of the said recovery or recoveries of any other estate or estates, or conueiances thereof, from and after the solemnization of the said marriage, shal, & be seised of the said manors and premises, and of every part and parcell thereof, to the onely uses, intents, & purposes, in this Indenture mentioned and expressed, and to, and for none other use, intent, or purpose. And the said C. D. in consideration of the said marriage, doth on his part covenant &c. that the said C. D. vpon reasonable request to him to be made by the said W. B. and C. T. or either of them, at the costes and charges in the law of the said W. B. and C. T. or of the one of them, shall and will before the feast of &c. leuie a fine in due forme of law to the said W. B. and J. K. of all those &c. As in covenants to leuie fines, And it is fully covenanted &c. as in covenants limiting the uses of fines. And that the last recited fine shall be and inure to the use of the said W. B. and J. K. and of the heires of the said W. B. and J. K. to the onely intent and purpose, y^e the said W. B. and J. K. shall stand and be adiudged perfect tenants of the freehold of the said &c. and premises before mentioned, to be assured, or conueyed by the said C. D. and every part and parcell thereof, vntill a perfect recovery be lawfully had and prosecuted of the said last recited manors and premises, against the said W. B. and J. K. according to course of the Common Law. And the said C. D. doth further covenant &c. as in covenants for the knowledging of a Recovery, *vt supra*. And it is fully concluded and agreed, by, and betwene &c. as before in the Covenant limiting the uses vpon the Recovery &c. shall then and from thenceforth be deemed, had, and taken, and inure, to the use and behoofe of the said C. D. and his assignes, for, and during the terme and space of fourescore yeares then next ensuing, if he the said C. D. shall so long liue, And after the death of the said C. D. and after the solemnization of the said marriage, to thuse of the said C. T. and of the said J. D. and of the heires of their two bodies lawfully begotten. And for default of such issue, to the use of the said J. and of her heires forever. Provided alwaies and vpon condition following, that the said C. D. shall not be compelled to trauaile from the place &c. And the said C. D. doth further covenant &c. as in covenants for being seised, and quiet inioying, discharged &c. Provided alwayes, and it is so concluded and agreed, by and betwene the said parties to this Indenture, for them and their heires, that it shall and may be lawfull, to and for J. D. for the terme of her life, in consideration of her dower, and in the name of her iointure, to haue and inioy all those lands, and

tene,

tenements, in P. &c. And that also it may be lawfull for him the said C. D. to convey and assure to the vse of the said B. competent & sufficient lodgings within the &c. for her selfe and her family, for terme of the life of the said B. any thing in this Indenture to the contrarie notwithstanding. Provided also, and it is &c. that it shall and may be lawfull to the said C. D. to convey and assure all his said lands and hereditaments in P. P. & L. to B. D. the yonger daughter of the said C. D. for, and during the life of the said B. or otherwise to graunt any rent or annuall payment, with clause of distresse in the said lands &c. in P. P. and L. to the said B. his daughter, for, and during her life: any thing befoze to the contrarie notwithstanding. And the said C. D. doth further covenant &c. that if a good and perfect assurance and conueiance of the said &c. manors, lordships, lands, tenements, & premises befoze mentioned, to be assured by the said C. D. be not made & sufficiently perfected befoze the feast of &c. whereby the said &c. last mentioned shall not be conveyed and made sure to such vses, intents, and purposes, as in this Indenture are mentioned & expessed, according to the true meaning hereof: that then, and from thencefozth the said C. D. his heires, & all & every person & persons, and his and their heires which now be, or befoze the said feast of &c. shall stand or be seised of the said manors &c. or in any part thereof, by, from, or vnder the said C. D. shall from and immediatly after the said feast of &c. stand and be seised of the said manors &c. befoze mentioned to be assured by the said C. D. and of every part thereof, to the vses, intents, & purposes, & vpon condition & conditions in this Indenture mentioned & expessed, and to none other vse, intent, & purpose. And furthermore the said C. D. covenanteth &c. As in covenants for further assurance &c. that he the said C. D. and his heires &c. And it is fully agreed, by, and betweene the said parties to this &c. limiting the said fine and recouerie to the vses of this Indenture &c. And the said G. S. in consideration of the said marriage doth covenant &c. that the said G. S. or his assignes shall wel and truly content and pay, or cause to be contented and paid vnto the said C. T. or his assignes, the annual and yearly summe of 400. P. of lawfull English money, at the feast of &c. by even portions yearly, for, and during the lives of the said G. S. and C. T. together for the yearly maintenance of the said C. and J. from the day of their marriage, vntill the death of the said G. S. And the said G. S. doth covenant &c. that if the said annuall or yearly summe of 400. P. be not well and truly paid and answered vnto the said C. T. his heires and assignes at the said feasts &c. or within tenne daies next after any of the

the said feasts at any time during the lives of the said G. S. and C. T. and during the said marriage: That then, and from thencefoorth, the said recoverés and their heirs shall stand and be seised of the said manoz of S. and of all other the pzemisses befoze mētioned, to be assured by the said G. S. and C. T. and of every part oz parcell thereof. And the said recovery and recoveries shall be also deemed and taken to this intent and purpose: that is to say, that it shall and may be lawfull, for, and to the said C. T. and his assignes, into the said manoz of S. and all other the pzemisses befoze mentioned, to be assured by the said G. S. & C. T. and every part thereof, to enter and distraine &c. As in clauses of distress &c. from time to time during the life of the said G. S. and C. T. And the said G. S. doth further covenant &c. that if it shall fortune the said C. T. to die befoze the said J. D. and after the said solemnization of the said marriage, that then and from thencefoorth the said J. shall have yearly payed unto her oz her assignes at the church of S. the annuall rent of CC. l. of lawfull English money, for, and during the life of the said J. D. at the feasts of &c. by euen portions: the first payment thereof to begin at either of the said feasts, which shall next ensue the day of the date of the said C. T. Provided alwayes, and vpon condition, and it is concluded and agreed, by, and betweene everie of the said parties to this Indenture by these presents, for them and their heires, that if the said annuall oz yearly rent of CC. pounds &c. limiting a distresse, and the vlc of the pzemisses, *vt supra*. And for want of sufficient distresse, then to take and receive the rents and profitcs of the said late manoz &c. of S. afozesaid, as shall suffice and answer to paie the said yearly rent of two hundred pounds, and the arerages thereof to the said J. yearly, during her naturall life. And the said C. D. on his part further covenanteth &c. that the said C. D. his exors oz administrators, shall finde oz provide at his oz their proper costs and charges in the house of the said C. D. for the said C. T. and J. D. and for eight servants to attend vpon them, sufficient meate, drinke, and lodging, during the space of thzee yeares next ensuing the said marriage, with sufficient horse meate during the said terme. And where the said G. S. in further consideration of y^e said marriage, hath well and truly contented and paid unto the said C. D. the summe of &c. Now the said C. D. doth covenant &c. that if it fortune the said J. to die without issue of her bodie lawfully begotten by the said C. T. that then he the said C. D. his &c. shall within thzee yeares next after the death of the said J. so dying without issue of her body, well and truly repay unto the said G. S. his &c. the summe of &c. at, oz in the &c.

And

And the said C. D. doth covenant &c. that if the said C. D. his &c. or some of them, doe not repay the said summe of &c. at the place afoze, said, unto the said G. S. his executozs or assignes, within the said terme of thze yeres, next after the death of the said J. dying without issue of her bodie lawfully begotten by the said C. D. according to the true meaning of this Indenture: that then and from thencefoozth the said recoverers and their heires, shall stand and be seised of the said manozs, and other the pzemisses befoze mentioned, to bee assured by the said C. D. and of euery part and parcell thereof, to this intent and purpose following: that is to say, that it shal and may be lawfull, for, and to the said G. S. his &c. to enter into the said mannozs &c. befoze mentioned, to be assured by the said C. D. and into anie or euery part thereof, and to take and receiue the rents, issues, reuenues, and profits thereof, comming and arising to the proper vse of the said G. S. his executozs, administratozs, or assignes, vntill hee or they be fully satisfied and payed, the summe of &c. of the same rents and profits of the same lands & pzemisses last mentioned. And lastly the said G. S. on his part doth covenant &c. that he the said G. S. or his assignes, shall within one yeare next after the solemnization of the said marriage, pzouide and let foozth such a conuenient house at L. &c. for the said C. D. and J. D. with their childzen and familie to dwell in, during the life of the said G. S. as he the said G. S. shall thinke to bee meete and conuenient for their estate and degree. In wicnesse wherof to the first part of this Indenture tripartite, remaining with the said G. S. and C. T. the said C. D. and J. D. F. W. R. F. T. B. and P. K. haue put their hands and seales, And to the second part thereof remaining with the said C. D. and J. D. the said G. S. and C. T. haue put to their hands and seales, And to the third part of the same Indenture remaining with the said F. W. F. R. T. B. and P. K. the said G. S. and C. T. C. D. and J. D. haue put to their hands & seales the day and yeare first aboue wzytten. In wicnesse whereof &c.

Covenants to pay conditionally.

PRouided alwaies, and it is fully concluded, condiscended, & agreed, Sect. 89.
by, & between the said parties to this Indenture, for them & their heires, That if it shall fortune R. D. the yonger to die without issue male of his bodie lawfully begotten, & to haue issue but one daughter lining at the time of his death, that the next issue male in remainder, & that or ought to inherit the said manozs, lands & pzemisses, shall well

well and truly pay, or cause to be paid to that one daughter the summe of $\text{£}c.$ such time as the said daughter shall accomplish the age of 7c. or be married. And if it shall happen the said R. D. to die without issue male of his body lawfully begotten, or to have issue no daughter but one living at the time of his death, That then such next issue male in remainder, that shall or ought to inherit the said manors, lands, and premises, shall well and truly pay, or cause to be paid, to be equally divided amongst such daughters, the summe of $\text{£}c.$ of $\text{£}c.$ at such time or times as the same daughters of the said R. D. shall accomplish the severall ages of 7c. to be married. And it is further agreed $\text{£}c.$ and the said H. D. doth covenant $\text{£}c.$ that the said T. S. and his coheires and their heires, from and after the death of the said H. D. and after the death of the said R. D. the younger, dying without issue males of his body lawfully begotten, shall stand and be seised of al and singular the said manors and premises, (the said lands and groves appointed for the Jointure of the said F. D. excepted.) And after the death of the said F. and her jointure lands excepted, to the intent that if a daughter of the said R. D. the younger, be not well and truly satisfied and paid the summe of $\text{£}c.$ And if there be no more daughters but one, then the said summe of $\text{£}c.$ at such time and times, as such daughter or daughters shall accomplish the severall ages of 7c. to be married, that then and from thenceforth it shall be lawfull for such daughter or daughters to enter into all the lands and premises, other then the said lands $\text{£}c.$ appointed for the jointure of the said F. D. and to receive and take the rents, issues, and profits thereof, to her or their owne use, untill such time as such daughter of the said R. D. be fully satisfied and paid the said summe of $\text{£}c.$ And if there be more daughters then one, then until the said daughters have so had and received the said summe of $\text{£}c.$ of the rents, issues, and profits of the said manors, lands, and premises.

Covenants to lead the use of a Fine, and to lewie the same.

Sect. 90.

THis Indenture separtite made $\text{£}c.$ Betweene A. B. $\text{£}c.$ on the first party, And J. W. and T. W. his son and heire apparant on the second party, And T. L. of $\text{£}c.$ on the third party, And W. F. on the fourth party, And T. S. of $\text{£}c.$ on the fifth partie, And T. W. of $\text{£}c.$ on the sixth partie, Witnesseth, that for divers sufficient considerations it is mutually covenanted, concluded, and agreed, by and betweene all the said parties, that the said $\text{A. B. J. W. T. W. T. L. W. F.}$ and T. S. at their indifferent costs and charges, before the 22. day of November next insuing the date hereof, shall knowledge, and lewie a fine with

with Proclamations according of the Statute in that behalfe provided after the commō course of Fines in such cases vsed, vnto the said T. W. of all such coales and coale-mines in the common townefield of G. aforesaid, as sometimes were one J. C. of S. in the said countie Esq. deceased, Of all mesuages, lands, tenements, medows, pastures, woods, vnderwoods, commons, rents, reuerfions, & hereditaments, with the appurtenances of the said T. L. situate, lying, & being in G. and now in the tenure or occupation of R. A. or of his assignes, And of all mesuages, cottages, lands, tenements, medows, pastures, woods, vnderwoods, commons, rents, reuerfions, & hereditaments with the appurtenances, scituate, lying, and being in G. aforesaid, in the tenure or occupation of P. C. or of his assignes, which the said T. S. lately purchased of the said R. B. And of all those closes, lands, tenements, medows, pastures, & hereditaments with the appurtenances called Copleys, containing by estimation 30. acres of ground, scituate, lying, & being in R. in the said county of P. now in the tenure & occupation of the said W. F. or his assignes, & which the said W. F. lately purchased of the said R. B. And of all those closes, lands, tenements, medows, pastures, and hereditaments with the appurtenances of the said T. L. called &c. containing &c. scituate &c. which the said T. J. and the said W. F. now haue of the graunt and demise of the said T. L. And also it is fully couenanted, concluded, and agreed, by and between all the said parties to these presents, that the said fine is to be leuied, shalbe and inure, And the said T. W. the conusee in the said fine to be named, & his heirs, at the very time of leuying & knowledging of the same fine, and euer after wards shall stand & be seised by vertue & force of the said fine, of, and in all the said mesuages &c. with the appurtenances, to the severall vses, purposes, & intents, hereafter in these presents contained, expressed, limited, appointed, & declared, and to, or for none other vse, intent, or purpose: that is to say, of, and in all, & all manner of coales & coal-mines to be found, in, or vpon the arrable lād, parcel of the premises lying in the comō townfields of G. aforesaid, with free & absolute power, interest, & liberty, to search, dig, load, and carry away the said coales, at al & euer y reasonable time & times hereafter, not spoiling or destroying any corn which hereafter shal happē to be or grow, in, or vpon the said arrable land, or in, or vpon any part therof, to the only proper vse & behoofe of the said R. B. his heirs & assignes for euer. And of, and in al the said mesuages &c. of the said T. L. scituate, lying, & being in G. aforesaid, in the tenure or occupation as is aforesaid, of the said R. A. or of his assignes. And of & in all the said closes,

closes, lands, tenements, meadows, pastures, & hereditaments of the said T. L. called &c. containing &c. situate &c. which the said W. F. and T. J. now have, as is aforesaid, of the demise of the said T. L. (such libertie, title, and interest in the premises in G. aforesaid, as befoze in these presents is limited, to the vse of the said R. B. his heirs and assigns only excepted) to thonly proper vse and behoof of the said T. L. & of the heirs & of his body lawfully begotten, and to be begottē, And for default of such issue, to the onely proper vse and behoofe of the right heirs of the said T. L. for ever. And of, and in al the said mesuages &c. with the appurtenances, situate &c. in the tenure or occupation of P. C. or of his assignes, which the said T. S. (as abovesaid) purchased of the said R. B. such libertie, title, and interest therein, as befoze in these presents is limited to the vse of the said R. B. his heires and assigns only excepted, to the only proper vse & behoofe of the said T. S. his heirs & assigns for ever. And of & in all the said closes, lands, &c. with the appurtenances, called &c. containing &c. situate &c. now in the tenure & occupation of the said W. F. or of his assignes, & which the said W. F. (as abovesaid) purchased of the said R. B. to the onely proper vse and behoofe of the said W. F. his heirs &c. for ever, and to, or for none other vse, intent, &c. And that the said fine and fines, & all other conueiances and assurances befoze remēbzed, shall only extend to the premises befoze expressed and remēbzed in these present Indentures, & to none other lands, tenements, or hereditaments, of the said G. H. in the towncs aforesaid. In witness wherof to the first part &c.

Covenants to leuie a Fine, and make other conueiances to the intent to continue the lands in his Surname.

Sect. 91.

THis Indenture made &c. Betweene D. J. of W. of the one partie, and R. W. R. J. and H. J. on the other partie. Witnesseth that as well for the reuiuing and continuance of an ancient intaile to the heires males of the said D. and his ancestozs, of, and in all those manors, &c. whereof the said W. J. father of the said D. died seised, lying and being in the Countie of D. as also for, & in consideration of the continuance of the same premises in the surname of the said J. and for the better continuance of the same house of J. in his name and blood, and for diuers other good causes & considerations him the said D. specially mouing, he the said D. J. doth by these presents couenāt with the said R. R. and H. and euery of them, in this present Terme of Saint Michaell, and in the sixt yeare of the Raigne &c. y he the said D. shall acknowledge by fine, in due forme of Law to be leuied befoze

foze the Queene: Maiesties Iustices of the common Place at West-
minster, of all & euerie the manors &c. of the same D. in the said countie
of D. by the name of the manors of &c. with the appurtenances, in, and
whereby &c. And also that he the said D. shall and will on this side the
feast of &c. next comming after the date hercof, by his sufficient deede
in law, infeoffe the said R. R. and H. of and in all those his manors &c.
lying & being &c. To haue and to hold all the same lands, tenements,
and hereditaments comprized in the said deed of feoffement, to the said
R. R. and H. and to their heires, to the onely vse & behoofe of such per-
sons and their heires, and in such manner and forme, as in these pre-
sents shal be hereafter recited and exprested, which said assurance and
conueyances of the premises so had & made, and in one forme of law
executed, shall be to the severall vses hereafter in these presents men-
tioned. And also it is couenanted, concluded, and agreed, by and be-
tweene the said parties to these presents for themselves, And the said
R. R. and H. doe couenant &c. That the said assurance & conueyances
of the said premises shall be &c. And also that the said R. R. and H.
and their heires, from and after the same fine knowledged, and after
the same feoffement executed, shall stand & be seised, of, and in all those
said manors &c. severally contained, specified, and mentioned in the
fine and feoffement, to the vses, intents, effect, and meaning hereafter
in and by these presents mentioned and exprested, and to none other
vse, effect, meaning or purpose: that is to say, To the vse of the said
D. P. one of the parties to this Indenture for terme of foztie yeares
if he so long doe liue, without impeachment of waile. And after his
death, to the vse of the heires males of his body lawfully begotten.
And for default of such issue, to the vse of G. P. brother of the said D.
for the terme of &c. (if hee so long doe liue.) And after his death, to
the vse of his heires males of his bodie lawfully begotten. And for de-
fault of such issue male of the bodie of the said G. P. lawfully begot-
ten, then that hee the said R. R. and H. and their heires, shall stand
and be seised of, and in all the premises, mentioned and contained in
the said fine and deed of feoffement, to the vse of H. P. and of the heires
males of his bodie lawfully begotten. And for default &c. except &c.
Provided alwayes, and it is neuerthelesse condiscended and fully a-
greed &c. for them and their heires, and the heires of euery of them, that
if the said G. P. after the death of the said D. without heir male of his
bodie &c. make or cause to be made to any the wife of the said G. one
estate for terme of life of such wife for her iointure, of, or in any part
or partell of the premises, amounting to the yearely value of 20. P.
and

and not aboute, and not being the manors & demesnes of &c. noz parcell thereof. D. of the said C. after the death of the said D. without issue male of his bodie, doe make or declare a Will or Testament in writing, of lands & tenements parcell of the premises, or of a yearly profit to be receiued or taken out of the same, to the yearely value of xx. l. and not aboute, ouer and aboute all charges & reprises, vntill such time as each & every of the said Daughters of the said C. ouerliuing the said D. the same D. dying without issue male, as is aforesaid, shall be satisfied of one hundred marks, for and towards their mariages, as by the same Testament shall be limited & appointed: that then as now, and now as then, the said R. R. and H. and their heirs, and the heirs of the survivors of them shall stand and be seised of such the premises to the said severall uses, & so shall be meant, limited, assigned, or appointed, & to none other use, intent, or purpose, for what time or times so limited, assigned, meant, or appointed. Provided furthermore, and it is further agreed betweene the said parties, that if any of the said persons, other then the said D. to whom this reversion before mentioned shall chance to come to remaine, do refuse to be bound to J. T. & J. D. or to either of them, or their heirs, in the summe of CC. l. of lawfull &c. by recognisance or by statute, with condition thereunto endorsed. That if he or any of them or their heirs doe not alien in any wise the premises, or any part or parcell thereof, contrarie to the true intent & meaning of this present Indenture, but suffer the same, & every part and parcel thereof, to descend, come and remaine, according to the purpose, effect, and true meaning of this Indenture, That then the same Recognisance & Statute to be void and of none effect, that then as now, & now as then, upon such refusall, the said R. R. & H. & their heirs, and his heirs & every of them, shall alwaies from thenceforth stand & be seised, of all & singular the premises, after the death of such as before is spoken of without issue male, to the only use of him who is next in the next remainder vnto him that shall or doth make such refusall, & of the said heirs of his bodie lawfully begotten, with like remainders ouer, and with like conditions & provisions to him & everie of them, other then the partie so refusing, according as is before expressed: any thing in this present Indenture to the contrary in any wise notwithstanding. Provided furthermore, and it is so agreed &c. that if the said D. party to these presents, C. party or any other the persons before rehearsed, to whom the remainder or remainders of the premises before in these presents limited in use, or any of the heirs males, or heirs of the bodie or bodies of any of the persons before limited & lawfully begotten, being

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inheritable to any estate in possession or reversion in the premises, by force of these presents, shall do, at any time or times hereafter practise, purpose, or goe about by fine or fines, feoffment with warranty, or any other act in deed, or in Law, to lose, alter, change, discontinue, or barre any of the said estates in the premises, or in any part or parcell thereof, to permit or suffer any recovery to be had against them, or any of them as tenants in deed or in law of the premises, or of any part or parcell thereof, Or by voucher in any action or suit, whereby any of the estates before limited, shall or may be in any wise lost, recked, altered, changed, or barred, and not have their full continuance, according to the limitation, intent, and true meaning before expressed, as well to them, and every of them, and to the heires males, or heires of their bodies, as to all other before expressed in remainder, & to their heires males, or the heires of their bodies lawfully begotten, according as is before expressed, otherwise or in any other form then is before in these presents expressed and provided: That then as well the person or persons, his & their heirs so purposing, practising, or going about any of the said devises, or procuring, or suffering the same, or consenting thereunto, as also all other persons and their heires then seised, of, & in the premises, & every parcel thereof, shall thereupon stand, remain, & be seised, of, and in al and singular the same manors, lands, tenements, & hereditaments, to be lost, recovered, knowledged, altered, discontinued, charged, or barred, to the onely use & behoofe of the next person, being by these presents & meaning hereof inheritable to the same premises, by force of this present gift, by descent or reversion after the decease of the same person or persons, which so shall purpose, practise, or go about, as before mentioned, and of the heires males of the same next person lawfully begotten, in such sort and form as is before expressed. And that this present condition, as touching alienation, or other the practises or devises aforesaid, shall stand, remain, and be in like force also against the same person or persons, which so shall have or take the benefit of the same condition, & against the heires males, and heires of his bodie lawfully begotten, And so from heire to heire, and from reversion to reversion, and their heirs, so long as the present gifts shall or may have any continuance. And the said D. P. for him, his heires, and administrators, and the said R. R. and H. and their heirs, do covenant and grant, to and with either & every of them, their heirs, and assignes, that all and singular acts and things, assurances and conueyances hereof to be done or suffered whatsoever of the premises, or any part or parcell thereof. And all & euerie other person

person or persons now seised, or hereafter to be seised of any estate or estates of inheritance whatsoever, shall stand & be adjudged to be seised to the onely use, intent, and true meaning of this present Indenture, and to none other use, intent, and purpose. In witness &c.

Covenants limiting the use of a single fine, lenied by the husband and wife.

Sect. 92.

THis Indenture &c. Witnesseth &c. Whereas the said T. H. and W. stand seised in their demesne as of fee, in the right of the said W. in all that the manors of L. &c. and in thre meluages &c. in the countie of S. and the said W. T. and W. so being therof seised, the said W. for god causes minding to aduance with her said lands, her husband, and the issue of his bodie, for want of issue of her own bodie lawfully issuing: Now it is therefore couenanted &c. betweene the said parties to this Indenture, and euery of them. And first the said W. T. and W. for themselves, and euery of them, and for the executozs and administrators of them, and either of them, doe couenant, promise, and grant, to, and with the said T. R. and J. F. and either of them, and to, and with their heires, executozs, and administrators of them, and either of them by these presents, that the said W. T. and W. his wife, on this side and befoze the feast of &c. at his or their owne proper costes and charges in the law, shall permit and suffer the said T. R. and J. F. in their owne names, to pursue two seuerall original writs of Couenant against the said W. T. and W. his wife, seuerally to be directed to the Sherifes of P. and L. and by the same seuerall writs it shall be demanded, that the said W. T. and W. shall hold couenant with the said T. R. and J. F. betweene them made, of all and singular the manors &c. by the name of &c. or by any other name or names whatsoever. And of all & singular the lands &c. of the said W. T. & W. or of either of them in the said Countie of L. by the name of &c. or by any other name or names whatsoever, the same writs to be returnable, or returned befoze the Queenes Maiesties Justices of her Common Plees at Westminister, according to the course of the common law, in such cases used, & therupon the said W. T. and W. shall knowledge by ij. seuerall recozds and fines, the said manors &c. to be the right of the said T. &c. And further it is couenanted &c. that the same two seuerall fines so to be lenied, ingrossed, and executed in due form of law shall be and inure &c. And that the same T. R. and J. F. and their heirs, from & after the leuying of the same fines, shall be seised of al the said manors &c. in the said two seuerall fines so to be mentioned, and of, and in

in euerie parcell therof to such vses and intents, as hereafter in these presents are specified and declared, and to none other vse, intent, or purpose: that is to say, to the vse of the said *W. T. and B.* &c.

A Covenant that vpon agreements to sell an estate, shall cease.

PRouided also, that if after such repayment of the said summe of *Se. 93.* &c. to be made to the said *F. R.* or vnto his executozs or assigns, at the time and place befoze expressed, it shal fortune the said *D.* his executozs or assigns, to make any voluntarie promise, conclusion, or agreement, soz, or concerning the selling, granting, or alienating of the said moitie of the said Rectorie and pzemisses, or of any part or parcell thereof, or of any pzoites or commodities belonging to the said parsonage, either touching the whole estate therein, or touching any part thereof, that then pzesently vpon such promise, conclusion, or agreement, the state and interest of the said *D.* his executozs and assigns, in, and to all the whole moity of the said Rectorie shal haue no further being, but shal be deemed, esteemed, and adiudged in the said *F.* his executozs and administrators, as though no such repayment of the said money had beene made, and pzesently vpon such promise, conclusion or agreement, it shal and may be lawfull to the said *F. R.* his executozs, administrators & assigns, to enter into the said moitie of the said Rectorie and pzemisses, and the same to haue and enioy to his owne vse, without any let or interruption of the said *D.* or of any other claiming any thing therein, by, from, or vnder him.

Covenants to leuie a fine vpon graunt and render.

THis Indenture made &c. Betweene *G. T. & A.* his wife, and *D. B.* *Se. 94:* & *J.* his wife of the one party, and *G. C.* of the other party, Witnesseth, that it is condiscended & agræd betwixt the said parties, that the said *G. T. & A.* his wife, *D. B. & J.* his wife, befoze the end of Trinitie terme next ensuing the date hereof, shall leuie a fine &c. And soz y knowledge, release, quit-claim, fine, warrant & concozd, the said *G. C.* shal by the said fine grant to y said *T. & A.* his wife, the said tenemets with the appurtenances, & the same by the said fine shal also render in the same Court to the said *G. T.* and *A.* his wife. To haue and to hold to the same *G. T.* soz terme of &c. And after the same terme ended, the said tenements shal remaine to the said *D. B.* and *J.* his wife, and to the heires of the same *D.* soz euer: Which fine so to be leuied, as is afozesaid, and all and euerie other Fine so to be leuied by the said *G. T.*

G. T. &c. to the said G. C. and his heires of the same lands in F. by the name or names aforesaid, or by any other name or names, with reder or without render, or otherwise, befoze the end of the said next terme, &c. next ensuing the date hereof, shall bee to the onely vse and behoufe hereafter expessed, and to none other vse and behoufe: that is to say, to the vse of the said G. T. and A. his wife, soz and during the said terme of one moneth next ensuing the leuping & ingrossing of the said fine. And after the end and terme of the said moneth, then to the vse of the said D. B. and J. his wife, and the heires of the said D. B. soz ever. In witness whereof &c.

Covenants to leuie a fine.

Sec. 95.

THis Indenture tripartite made &c. betweene G. S. & C. his wife on the first partie, and A. F. on the second party, and J. P. and T. H. on the third party, Witnesseth, that the said parties are condiscended, concluded, and agreed in maner and forme following. And the said G. S. and C. soz them and their heires doe covenant &c. that the said G. S. and C. his wife, shall befoze the feast of &c. at the equall costs and charges in the law of the said G. S. and C. F. their heirs and assigns, leuie a fine befoze the Queenes Maiesties Justices of her common place at Westminster, of the mannoz of C. and of &c. And that the fine so to be leuied, shall be to the only vse and behoufe of the said J. and T. their heires and assignes soz ever. And the said J. and T. and euey of them, soz them, their heires, and executozs, do covenant & grant, to and with the said A. his heires, executozs, and assignes, and to and with the said G. his heires, executozs, and assignes, that they the said J. and T. shall befoze the first day of Februarie next ensuing the date of these presents, demise, graunt, and to ferme let by their sufficient deed indented, in due forme of Law to be made to the said A. the said mannoz with the appurtenances, except certaine parcels of the same, and certaine profits & other things therunto belonging, in such maner and forme, as is after in these present Indentures expessed and contained in these woords following: that is to say. This Indenture made the tenth day of &c. betweene J. and T. of the one party, and A. F. on the other partie, Witnesseth, that the said J. and T. as well in perfoz- mance of the faithfull and speciall trust in them in that behalfe put by the said G. S. and C. his wife, as in fulfilling part of the couenats and grants and agreements, and of the intent in certaine Indentures tri- partite, specified, had & made betweene the said G. S. & C. his wife on the first partie, And the said A. F. of the second partie, And the said

J. P.

J. D. & T. H. on the third partie, whose dates are the first day of December, in the first yeare of the raigne &c. Have demised, granted, and to farme letten, and by these presents do demise, grant, and to farm let vnto the said A. his executozs and assignes, the mannoz of C. with the appurtenances in the countie of B. with all those our lands, &c. Except, sozepised, and reserued vnto the said J. T. and the heires and assignes of the said J. all those the Mills &c. To haue and to hold the said mannoz and other the pzemisses (except befoze exceptad) vnto the said A. his executozs and assignes, from the feast, &c. yeelding and paying &c. And if it shall happen &c. And the said J. and T. soz them &c. covenant &c. That the said J. and T. o2 the suruiuo2 of them, shall befoze the tenth day of the said moneth of December &c. by their deád sufficient in the law o2 other wise, as well in seoffe & assure the rest, of the said manoz & other the pzemisses, as also shall grant o2 other wise assure all such o2 so much of the pzemisses, as also shall be so demised o2 letten vnto the said A. F. as is afozesaid, with the rent reserued vpon the said lease to the said C. and C. to haue and to hold the said reuer- sion, commodities, and rents, and all the rest of the pzemisses with the appurtenances vnto the said C. and C. and to the heires of their two bodies lawfully begotten. And soz default of such issue to the right heires of the said C. soz ever. In wicnesse whereof &c.

Covenants to leuie a fine to vses.

THis Indenture made &c. betweene P. F. of the one partie, and H. Sect. 96. W. W. G. and R. F. of the other partie, Wicnesseth, that where the said P. as well soz the aduancement of J. now his wife, as of diuers of the yonger sonnes and daughters by him begotten of the body of the said J. hath already assigned, and appointed to his said wife and childzen, certain portions of his mesuage, lands and tenements, parcell of his inheritance soz such estate and interest, and in like manner and sozme, as hereafter in these pzemises shall be particularly mentioned and expressed, the same to be assured and conueyed to every of them, after due order and sozme of Law, so that they may haue and enioy the same quietly, according to his minde and pleasure, without let o2 disturbance of him, o2 of his heires o2 assignes in time to come, which said assurance is thought by counsell learned expedient to be made by fine to be of the said lands leuied: Wherefoze the said P. F. soz the sure making of the conueyance afozesaid, covenanteth and granteth, soz him, his heires and executozs,

to and with the said H. W. W. G. and R. F. their executoꝛs and assignes by these presents, that he the said P. oꝛ his heires, on this side, and before the feast of Pentecost next ensuing after the date hereof, shall knowledge and leuie to the said H. W. W. G. and R. F. and to the heires of the said H. one fine &c. And the said H. W. W. G. and R. F. foꝛ them, their heires and executoꝛs, covenant &c. that they the said H. W. W. G. and R. F. and their heires immediatly from, and after the leuying and ingrossing of the said fine, to be leuied of the premises in foꝛme afoꝛesaid, shall stand and be seised of, and in the said messuages in B. &c. except one close in A. called &c. to the vse of the said P. and J. now his wife, foꝛ the terme of their liues, and of the longer liueꝛ of them, and after their decease to the vse of J. F. sonne of the said P. and of the heires males of his bodie lawfully begotten. And foꝛ default of such issue, to the vse of R. F. one other of the sonnes of the said P. and of the heires males of his bodie lawfully begotten. And foꝛ default of such issue, to the vse of W. F. one other of the sonnes of the said P. and of the &c. And foꝛ default of such issue, to the right heires of the said P. foꝛ euer. And also that the said H. W. W. G. and R. F. and their heires, shall in like maner stand and be seised of all those messuages, lands, tenements, &c. in A. afoꝛesaid &c. to the vse of the said J. F. one of the sonnes of the said P. and of the heires males of the bodie of the said J. F. lawfully begotten, and foꝛ default of such &c. And that the said H. W. W. G. and R. F. and their heires, shall in like maner immediatly after the leuying and ingrossing of the same fine, stand and be seised of, and in all the residue of the said messuage, &c. to the vse of the said P. foꝛ tearme of his life, and after his decease to the vse of the said R. F. &c. and foꝛ default &c. And it is fully condiscended and agreed betwecne the said parties, that after the ingrossing of the same fine, the said P. F. and the said J. his wife, J. R. and W. sonnes of the said P. and C. and B. his daughters, and euerie of them, shall from and after the ingrossing of the said fine, peaceably haue, hold, occupie, and enioy the said messuages, lands, and tenements, to them and euery of them severally assigned, without any let, interruption, oꝛ impediment of the said H. W. G. & R. F. oꝛ any of them, oꝛ of any person oꝛ persons claiming by them, in their right, oꝛ by their procurement, accordyng to the true intent, purpose, and declaration of the severall vses afoꝛe mentioned. In witness &c.

*Covenants to lenie a Fine to uses, and that the Cognisee
shall grant the lands in Taile &c.*

THis Indenture made &c. Betweene **W. P.** of the first party, and **H. P.** of the second party, and **C. P. & T. B.** of the third party, Witnesses, that it is condiscended, concluded, and agreed betweene the parties aforesaid, in maner and forme following, that is to say: First the said **W. P.** and **H. P.** for themselves &c. do covenant &c. that they the said **W.** and **H.** before the feast of &c. by fine to be leited before our Soueraigne Ladie the Queenes Maiesties Justices of the Common pleas at Westminster, shall knowledge the capitall or mansion house &c. by the name of &c. in **B.** and **C.** to be the right of the said **C. P.** &c. (expressing the Concord.) Which fine to knowledged and ingrossed of the premises, shall be to the vse of the said **C. P.** and **T. B.** and of their heires onely, and to, or for none other vse, intent, or purpose. And the said **C.** and **T.** for them &c. that they the said **C.** and **T.** and their heires, and the heires of the surviuor of them, within one Moneth following, after the knowledging and ingrossing of the said fine, as is aforesaid, by their deed indented, sufficient in the Law, in due forme to be made, shall and will give and graunt the said mesuage, and all and singular the premises by the said fine to them to bee assigned, as is aforesaid, to the said **C. P.** and to the heires males of his bodie lawfully begotten. To have and to hold the said capitall mesuage, and all other the premises with their appurtenances to the said **W. P.** and to the heires males of his body lawfully begotten. Yeelding and paying therefore yerely to the said **C.** and **T.** or to the surviuor of them, their heires or assignes, twentie shillings of &c. at the feasts of &c. by even portions to be payed: (with a sufficient clause of distresse to bee contained within the said deed for the payment thereof, at the daies and times aforesaid, with a provision therein to be contained,) That if it shall happen the said **W. P.** or the heires males of his bodie lawfully begotten, to suffer any Recouerie against him or them of the said capitall mesuage, or other the premises, or any part or parcell thereof, or by any other wayes or meanes, shall make any alienation or discontinuance of the same premises, or of any parcell thereof, and after ward shall happen to die without issue male of his bodie lawfully begotten: That then, that is to say, immediatly after the decease of the said **W. P.** and of the heires males of his bodie lawfully begotten, and after the said estate tale made, as is aforesaid by the said deed indented, spent, executed, and determined,

and not befoze, that it shall be lawfull, fo, and fo; the said C. P. and T. R. to reenter into the said capitall &c. And also the said C. P. and T. R. fo; them &c. that then the said C. and T. their heires and assignes, within foure dayes next after the making of the said deed indented, and of the execution of the said estate of the sayd capitall mesuages, and all other the pzemisses, to the said W. and to the heires males, as is afozesaid: And by one other doed sufficient in the Law, reciting the graunt by them made to the sayd W. P. and the heires males of his body lawfully begotten, as is afozesaid, shall giue and graunt the reuerfion of the same capitall mesuage, and all other the pzemisses with the yerely rent afozesaid, to the said H. P. To haue and to hold the said reuerfion of the said capitall mesuages, and all other the pzemisses, to the said H. P. his heires and assignes fo; euer. And the said W. P. covenanteth &c. that he the said W. in good order of Law, shall attourne tenant vnto the said H. P. of the pzemisses, and shall pay vnto him, his heires and assignes, the said yearely rent to be obserued by the said deed intended, and to be granted vnto the said H. P. his heires and assignes, as is afozesaid. And also shall permit and suffer the said H. P. his heires and assignes, Lords of the residue of P. and B. afozesaid, yearely at two seuerall times in the yeare: that is to say, &c. vpon reasonable warning to them giuen fo; the said day to keepe his Court of the said Panno; vpon any part of the pzemisses, without let or &c. of the said W. P. &c. or of the heires males of his bodie lawfully begotten, or of any other person or persons by his assent &c. And further the said C. P. and T. B. fo; them &c. that the said capitall mesuages, and other the pzemisses; at the time of the making of the said estate thereof to the said W. P. and to the heires males of his bodie lawfully begotten afozesaid, shall be cleerely exonerated &c. Fo; which gift and graunt of the capitall mesuages, and other the pzemisses, to bee made and conueyed to the said W. P. and the heires males of his bodie lawfully begotten, in sozme afozesaid, the said W. hath truely contented and paid to him the said H. at the insealing hereof twentie pounds of good &c. of which twentie pounds the said H. P. knowledgeth himselfe &c. In witness wherof &c.

A Comensance to uses of an estate Taile not to be discontinued

Sect. 98.

THis Indenture made &c. Betvvene J. D. of the one party, & W. T. W. W. F. & T. R. of the other party, Witnesseth, that it is covenanted

nanted, condescended and agreed by and betweene the said parties in maner & fozme following, that is to say, whereas the said J. D. the day of the date hereof hath but one only child M. D. his sonne and heir apparent, and is fully resolved and determined how and in what maner his lordships, mannozs, lands, tenements and hereditaments, shall by the grace of God, continue, remaine and be as well in the life time of the said J. and the said M. his sonne, as after their deaths, and being withall greatly desirous to continue and stay all and singular his said lordships, mannozs, lands, and hereditaments in his surname, and to restraine as farre sozth as he lawfully may, the graunting, selling, or giuing away of the said lands and inheritance, doth as well soz the considerations afozesaid, as also soz the naturall and brotherly loue which the said J. beareth to G. D. his brother, and soz the hartie affection that hee hath toward H. D. his kinsman, and other hereafter named in this Indenture, doth covenant and grant soz him and his heires, to and with the said S. W. T. W. W. J. and T. R. their heires and assignes, that he the said J. D. and his heires, and all and euery other person and persons, and their heires that now stand or be seised of, or in all and singular those his lordships and mannozs, of &c. M; that hereafter shall be seised of the said lordships, mannozs, and pzemisses, or of any part thereof, shall stand and be seised thereof, and of euerie part thereof, to such vles, intents and purposes, and vpon such conditions & limitations of vles, as in these pzesents shall be expressed and declared, and to none other vse, intent and purpose, And that all estates hereafter to be made or suffered of the said lordships, mannozs, and pzemisses, or any part thereof betweene the said parties, or to other persons, at the nomination or by the consent of anie of the said parties, shall be deemed, adiudged, and taken to be and inure, to the vles, intents, & vpon such conditions as hereafter in these pzesents are expressed. That is to say, to the only vse of the said J. D. soz and during the terme of his naturall life, without impeachment of waik, and after his death, then to the vse of the said M. D. soz and during the terme of his naturall life, And after his death, then to the vse of the first begotten sonne of the body of the said M. D. lawfully to be begotten, and of the heires males of the bodie of the said first begotten sonne lawfully issuing. And soz default of such issue male, then to the vse of the second sonne &c. & to the vse of other sonnes &c. And soz default of such issue male, then to the vse of the next heires males of the bodie of the said J. D. hereafter lawfully to be begotten. And soz default of such issue male, then to the vse of the said G. D. & of the heires

males of his body lawfully begotten. And for default of such issue males, then to the use of the said H. D. and of the heirs males of his body lawfully begotten. And for default of such issue male, then to the use of &c. naming as many in like manner as shall be agreed. Provided alwayes, and neuerthelesse it is covenanted, condiscended and agreed, by and betweene the said parties to these present Indentures, that if the said H. D. or any issue male of the said H. D. or the issues males of any of their bodies lawfully begotten, or any other person or persons which hereafter shall have any estate, interest, or title, in or to the said premises, or in, or to any part thereof, by reason or vertue of these present Indentures, or of any thing therein contained, other then the said D. doe hereafter alien, bargaine, or sell the premises, or any part thereof, or doe make or procure to be made any feoffment, leuie any fine, suffer any recovery, or put in vze, or goe about by any ouert wayes or meanes to put in vze or practise any other Act or Acts, assurance or assurances, for the destruction, determination, discontinuance, or alteration of the said estates, or intails, use or uses aforesaid, or to barre the said intails or any of them, or to alter or change any of the said estates, or any use or uses aforesaid, whereby the said premises or any part thereof, or the use, uses, or estates, made or to be made of the same as is aforesaid, shall be aliened, discontinued, altered, changed or transferred from the said persons before named, to whom the premises are limited to be assured by these presents, in any other manner or sort, then they are limited and appointed by these presents, contrarie to the true intent and meaning of the same, vnlesse it be for leases for one & twentie yeares, reseruing the accustomed rents, or moze for the same, or for the iolnture of any of their wife or wiues, for terme of life onely of such wife or wiues, not amounting aboue the yearely value of one hundred Markes, with like remainder and limitation of uses after the death of such wife or wiues, as is aforesaid: That then and from thenceforth the use, interest, estate, and taile limited in these presents to him or them, that so shall die without issue, or shall make any alienation, discontinuance, bargaine, or sale, or doe or put in vze any Act or Acts, devise or devises, or practise any matter or matters, for the destruction or alteration of the uses or estates limited, intended or implied, as is aforesaid, or doe any act or acts, thing or things, as is aforesaid, contrarie to the true meaning of these presents, shall cease and be determined. And that then the use, interest, and possession of all and singular the premises with the appurtenances so aliened,

aliened, altered, changed, or attempted to be aliened, altered, or changed, as is also said, shall immediatly descend, remaine, reuert, and come to such persons to whom the same should then next descend or remaine, according to the vse of the remainder and estate limited, intended, or implied by these presents with remainders ouer, as is also said. Provided alwaies, and neuerthelesse it is concluded and agreed, by and betweene the said parties to these Indentures, that it shall and may bee lawfull, for, and to the said J.D. at any time during his life, by his writing or writings vnder his hand and seale, to demise and graunt the said Lordships, manours, and premisses, or any part or parcell thereof, for terme of one and twentie yeares, to bee accounted from the making thereof at the most, whereupon the old, auncient, and accustomed yearely rent or moze shall be reserved, or by his last Will and Testament in writing, to giue and bequeath Annuities to his seruants for terme of life or liues of any such servant, or seruants, issuing and going out of the said premisses, or any part thereof. And also that it shall and may be lawfull, for and to the said J.D. to graunt and assure the said Lordships and premisses, or any part thereof, not amounting aboue halfe of the said Lordships and premisses, to any such woman, or women, wife or wiues, as the said J.D. shall hereafter fortune to marrie, for terme of life, or liues, onely of such wife, or wiues, for, and in consideration of her Dowry and Jointure. Provided alwaies, and it is fully concluded, meant, and agreed, by and betweene the said parties to these Indentures, and their heires, that if the said J.D. at any time hereafter during his life, shall be minded vpon whatsoever cause or occasion seeming meeke or conuenient to him, to aduall, make void, alter, or change the vse, estate, vses or estates, or any of them, limited, raised, intended, implied, or made by these presents, touching the whole Lordships, manours, lands, tenements, and hereditaments, and other the premisses contained in these presents, or else touching some part, or any part thereof onely, and thereupon by his writing vnder his seale, and in any of the Courts of Record of our Soueraigne Lady the Queenes Maiestie, her heires or successors to be inrolled, doe signifie or declare, that his will and pleasure is, that the vses, intents, and estates, or any of them limited in these presents, shall be voide, and of none effect touching the said whole premisses, or touching some, or any part thereof: That then and from thenceforth all the vses, behoofes, intents, and estates, made, limited, and appointed, in, or by these presents, shall be

utterly void and of none effect touching the said whole premises, or such part thereof, in which the said J. D. shall so signifie and declare that his will and pleasure is, that the bles, behoofes, or estates aforesaid, or any of them, shall be void and of none effect, and that then all and euerie other person or persons, that now stand or be seised, or that hereafter shall stand or be seised, of, and in the said Lordships, manors, & premises, or in any part, or parcell thereof, shall from thenceforth stand and be seised of all and singular the said Lordships, manors, lands, tenements, and hereditaments, and of all other the premises, in which the said D. shall so signifie and declare, that his will and pleasure is, that the bles, behoofes, or estates aforesaid, or any of them, shall be void and of none effect, or of such part thereof in which the said J. D. shall so signifie and declare, that the bles, behoofes, or estates aforesaid, or of any of them, shall be void and of none effect, to the vse of the said J. D. and of his heires and assignes for ever: any thing herein aforesaid to the contrarie hereof in any wise notwithstanding. In vvittesse whereof &c.

Covenants limiting the uses of Fines and Recoveries leuied, with a Covenant to restraine the libertie thereof.

Sec. 98.

THIS Indenture made &c. Betweene J. J. &c. and S. G. and C. D. &c. Wittnessech, that where the sayd J. J. is seised, &c. And where also the sayd S. G. and C. D. haue pursued out of the Queenes Maiesties court of Chauncerie, against the sayd J. J. one writte of Entree sur disseisin en le post, bearing date or teste the x. day of &c. directed to the Sherife of the Countie of S. demanding thereby the said manors, lands, tenements, &c. by the name of the manor of G. &c. the same writte being retournable befoze the Queenes Maiesties Iustices of the Common Bench at Westminister in the vtas of Saint Michaell the Archangell next comming, to the intent that the sayd S. G. and C. D. shall recouer the said lands, and the premises with the appurtenances, against the sayd J. J. after the course of the common recoveries, vled in such cases, with vouchet ouer to warrantie of one H. S. the common vouchet. And where also the sayd S. G. and C. D. haue pursued out of the said court of Chauncerie, one writte of Covenant against the sayd J. J. bearing date or teste the &c. directed &c. demanding thereby that he the sayd J. J. should hold covenant with the sayd J. S. & C. of the said two chambers &c. which the sayd J. mother of the sayd J. J. now holdeth in dower for terme of her life by the name of one mesuage &c. (naming the land certainly) with
the

the appurtenances &c. the same w^{it} being likewise returnable befoze the said Queenes &c. in the vtas of S. Michaell next comming after the &c. to the intent that he the said J. J. shall leuie one fine with proclamation accoꝝding to the common course of fines vsed in such cases of the said mesuage and pꝛemisses with the appurtenances, vnto the said S. G. and C. D. and to the heires of the said S. with warrantie of the said J. J. and his heires against all men: It is now couenanted, graunted, condiscended, & agreed by these pꝛesents betweene the said parties to these Indentures, that the said recouerie so to be had, recouered, and executed by the said S. G. and J. D. against the said J. J. of the said manors, messuages, lands & tenements, and the pꝛemisses mentioned in the said w^{it} of Entre of disseisin en le Post, and the execution of the same, shall be to the proper vse and behoofe of the said J. J. his heires and assignes foꝝ euer, and that the same fine so to be leuied by the said J. J. of the said lands, tenements, and pꝛemisses contained in the said w^{it} of Couenant vnto the said S. G. and C. D. and to the heires of the said S. shall be leuied, knowledged, recoꝝded, had, and executed, to the proper and onely vse and behoofe of the said J. J. and his heires foꝝ euer. And also, it is fully agreed by all the said parties to these pꝛesent Indentures, that the said S. G. and C. D. and their heires, after the execution of the said recouerie, and the leping of the said fine, shall stand and be seised of the sayd manors, messuages, and of all other the pꝛemisses, to the onely vse and behoofe of the said J. J. his heires and assignes foꝝ euer, and to none other vse oꝝ intents. Provided alwaies, and it is further conenanted, graunted, & agreed, by and betwixt the said parties to these pꝛesents, that neither the said fine so to be leuied, noꝝ the sayd recouerie to be suffered, in maner and foꝝme afoꝝesaid, shall not in any wise be adiudged, construed oꝝ taken, to deuell, transferre, giue, oꝝ assure from the said J. J. oꝝ his heires, any other lands, tenements, oꝝ hereditaments, then in the said recited deed indented of bargaine and saile be contained, bargained, and sold, and expressed, and that the residue and ouerplus of the said lands and tenements, contained oꝝ specified in the said fine and recouerie so to be leuied, and not in this deed indented mentioned, meant to be conueyed to the said J. J. and to the heires of the said J. shall be to the onely and proper vse oꝝ vses of the said J. J. and of his heires foꝝ euer, and not to any other vse, oꝝ vses, intent, oꝝ purpose. In witness whereof &c.

Covenants limitting Uses in Taile, not to be discontinued.

sect. 99.

THis Indenture tripartie made &c. Betweene **H. H.** on the first partie, And **Sir J. S.** on the second partie, And **J. C.** on the third partie, Witnesseth, that where the said **H. H.** is lawfully seised of an estate of inheritance, of, and in diuers lands, tenements, & hereditaments with their appurtenances in **H. H.** and **F.** in the said Countie of **L.** and he so being thereof seised, & having no issue presently of his bodie lawfully begotten, calling to remembrance the vncerteintie of this present life, hath thought it expedient by the aduice of his dære friends, to set the same in such good order & way, that after his death there shall arise no controuersie or sute for the premises amongst his kinsfolkes or friends. It is therefore betwæne him the same **H. H.** and the other parties aboue remembred, by these presents fully couenanted &c. that is to say, The said **H. H.** couenanteth &c. that hee the said **H. H.** befoze the feast of &c. shall permit & suffer the said **J. S.** to purchase out of the **M. Maistries Chancery**, within her highnesse Countie Palatine of **L.** one writ of Entree sur disseisin en le Poss, returnable at a certaine day befoze the **M. Maistries Iudices** there. And by the same writ shall demandaunt against the said **H. H.** foure messuages &c. with the appurtenances in **H. H.** & **F.** in the County of **L.** To which writ the said **H. H.** shall appeare in proper person, or by his Attorney sufficiently authorized for the same, and shall vouch to warrantie immediately vpon his appearance the common vouchæ, as in such cases is vsed by the common voucher. And that the same vouchæ shall appeare in proper person vpon the same voucher, and shall thereupon imparle, & after make default, to the intent a perfect Iudgement may be had for the demandants in the same, & so ouer against the said common vouchæ, according to the course of common recoveries in such cases prouided. Vpon which said recoverie so to be had & suffered, as is aforesaid, It is severally couenanted &c. that the said **J. C.** and his heires, by force of the said recoverie, & of the said iudgement & execution of the same, shall immediately stand & be seised, of, and in the said messuage &c. to the vses and intents hereafter expessed & declared in these presents, & to none other vse, intent, or purpose: that is to say, to the vse of the said **H. H.** &c. Prouided alwaies, &c. that if the said **C.** or any of the sonnes or daughters, to whom the said messuage &c. be by these presents limited & intailed, in maner and forme aforesaid, do at any time hereafter die without issue of their bodie lawfully begotten, or they, or any the issue of any of their bodie lawfully begotten, inhe-
ritable

ritable by force of the alienation aforesaid, and of these presents effectually attempt, practise, purpose and go about to alien, bargain or sell the premises, or any part or parcell thereof, or doe or make any deed, writing, or leuie any fine, or suffer any recoverie against them of the said lands, tenements, and hereditaments, or of any parcell thereof, or by any fraud or couin, act or acts, thing or things whatsoever, for the destruction, barre or determination of any of the intailles of the premises aboue mentioned, or any other to whom any remainder or vse is limited or appointed by these presents: that then and from thenceforth the vse, interest, & title limited by these presents to him or them that shall so die without issue, or shall bargain, alien, or sell, or otherwise incumber the premises, or any part thereof, as is aforesaid, contrarie to the true meaning of these presents, shall determine, cease, and be clearly frustrated, in like maner and forme, as if he or she had died without issue of his or their bodies. And that then the vse, interest, and possession, of and in the premises, with the appurtenances, shall be immediately from thenceforth in him next in remainder, according to the same vse, remainder, interest, and estate, to him or her limited by these presents: any thing herein contained to the contrarie hercof in any wise notwithstanding &c.

Bills obligatorie, and Obligations.

What Bills and Obligations be, and what is specially to be considered therein.

A Bill or Obligation (which be all one, sauing that vwhen it is in English, it is commonly called a Bill, and vwhen it is in Latin, an Obligation) is a deed, vwhereby the Obligor doth knowledge himselfe to owe vnto the Obligee a certaine summe of money, or other thing. In vvhich, besides the parties names are to be considered, the summe or thing due, and the time, place, and maner of payment or deliuerie thereof. Obligations be either by matter in deed or of Record. An Obligation by matter in deed is euerie Obligation vvhich is not knowledged and made in som court of Record, as in the examples next hereafter ensuing. Sec. 100.

A Bill Obligatorie by one to one.

THis Bill witnesseth, That **J. T. of D.** in the county of **D.** Cf. do owe vnto **W. W. of B.** in the said countie **Cent. x. P.** of lawfull English money: for the payment wherof, I bind me and mine heirs. Sec. 101.
In.

In witnesse whereof, I haue hereunto put my hand and seale the first day of Januarie, in the xxxij. yeare of the raigne of our soueraign Ladie Eliz. by the grace of God of England, Fraunce and Ireland Qu. defendoz of the faith &c.

Or shortly thus.

IA. B. owe unto D. W. r. l. of lawfull English money, for the payment wherof, I binde me and my heirs. In witnesse &c. I haue hereunto put my hand and seale the rr. day of &c.

Or thus indented, contayning dayes and places of payment, with a penaltie.

This Bill indented made the xvij. day of Fe. in the xxxij. yeare of the raigne of our soueraigne Lady Eliz. by the grace of God of England, France, and Ireland Queene, defendoz of the faith &c. Betwene W. W. of K. in the Countie of Pozke Gent. on the one party, & T. T. of K. aforesaid Peoman on the other partie, Witnesseth, that the said W. W. doth owe unto the said T. T. r. l. of lawfull English money, to be paid to the said T. T. his executozs or administrators, in the South porch of the parish Church of K. aforesaid, in maner and forme following: That is to say, vpon the first day of March next ensuing the day of the date hereof v. l. thereof, and vpon the second day of Aug. then next following other v. l. thereof residue: For the which payments well and truly to be made, in maner and forme aforesaid, he the said W. W. doth by these presents bind himselfe, his heirs, executozs and administrators, and euerie of them firmly by these presents, in rr. l. of like lawfull English money, to be forfeited and paid to the said T. T. his executozs or administrators. In wienes wherof the said parties haue hereunto interchangeably put their hand and seales the day and yeare first aboue witten.

Or thus, without a penaltie.

Be it knowne unto all men by these presents that J. T. K. of D. in the countie of S. Peoman, doe owe unto J. S. of the said towne and county gentleman, one hundred pounds of good and lawfull &c. to be paid to the said J. S. his heires, executozs, or administrators, vpon the seall of Easter day next comming after the date hereof: for which payment well and truly to bee made, I binde me and mine heires firmly by these presents. In witnesse whereof I haue hereunto put my hand and seale: Dated the first day of Januarie, in the two and thirtieth yeare of &c.

Or thus by two to two.

BE it knowen &c. That we **A.** and **B.** &c. owe, or are indebted to **S. J.** and **C. K.** gentlemen, in x. li. of lawfull English money, to be payed to them, or either of them, or to their Attozney, executozs, or administratozs, the 6. day of May next insuing after the date hereof, in the South porch of the parish Church of K. in the County of Pozk: For the which payment well and truely to be made, we bind vs, and either of vs, our heires, executozs, and administratozs, and every of vs iointly and severally for the whole, and in the whole, by these presents. In vvitnesse whereof &c.

Or thus by three to three.

BE it knowen &c. That wee **A. B. C. D.** and **E. F.** &c. doe owe and are indebted vnto **T. S. J. K.** and **L. M.** in x. l. of lawfull &c. to be payed to the said **T. S. J. K.** and **L. M.** or any of them, or to their Atturneyes, executozs, or &c. or any of them, vpon the &c. For the true payment whereof, wee bind vs, and every of vs iointly and severally by these presents. In vvitnesse whereof &c.

A Bill for Money lent.

BE it knowen vnto all men by these presents, that **A. B.** &c. at and before the making hereof hath receiued and had by way of free loane of **C. D.** &c. one hundred pounds of lawfull English money, which hundred pounds the said **A. B.** by these presents know!dogeth himselve to owe vnto the said **C. D.** to be paid to him, or his certaine Atturney, his executozs, or administratozs, vpon the x. day of May next insuing the date of these presents. And for the true payment thereof doth by these presents, firmly bind him, his heirs, executozs, and administratozs, and every of them. In vvitnesse whereof &c.

A Bill for things lent.

BE it knowen &c. That **A. B.** &c. the day of the making hereof hath receiued and had by way of frank and friendly loane of **C. D.** one Bible, containing the old and new Testament in the Græke tongue, bound in past and in blacke leather, to be vsed by him till &c. during which time the said **A. B.** doth by these presents for him, his executozs, and administratozs, and every of them couenant, promise, and agree, to and with the said **C. D.** his &c. well and safely to keepe the said Booke, and it to restoze and redeliuer to the said **C. D.** or his certaine Atturney, his executozs, or administratozs, in so good plight as the same now is, or then to pay to the said **C. D.** for the same booke xl. s. of &c. For the perfozmannce of which couenant and agrément, the said **A. B.** doth by these presents bind himselve, his executozs, & administratozs,

ministratoꝝ, and euery of them in xl. s. of lawfull English money, to be paid to the said C. D. his executoꝝ or administratoꝝ. In witness whereof &c.

An Obligation by one to one.

Secl. 102.

NOuerint vniuersi per præsentem me W. G. de R. in Comitatu S. generi, teneri & firmiter obligari W. B. in decem libꝛ bonæ & legalis monetæ Angliæ: Soluend' eidem W. B. aut suo certo Attornat', vel executori suis in festo S. Mich. Archang' proxim' futuro post datū p'sentiū. Ad quam quidem solutionem bene & fideliter faciend', obligo me, hæred', executor', & administrator' meos firmiter per præsentem. Sigillo meo sigillat', Dat' tertio die Ia. anno regni dñæ nostræ Elizab. Dei gratia Angliæ, Franciæ, & Hiberniæ Reg. fidei defensoris &c. xxxvj.

Or thus to a Shirife.

NOuerint vniuersi per p'sentes me I. L. de C. in Com' E. husbandman, teneri & firmiter oblig' T. C. Milici, Vicecom' Com' E. in xx. libꝛ, bonæ &c. Soluend' eidem Vicecom', aut suo certo Attornat', vel executoribus suis. Ad quam quidem solutionem bene & fideliter faciend', obligo me, hæredes, executores, & administratores meos firmiter per præsentem. Sigillo meo sigillat', Dat' &c.

Or thus: Of person and goods renouncing sanctuarie and protection.

NOuerint vniuersi per præsentem, quod ego A. B. non coactus, nec compulsus, nec aliqua alia mala imaginatione ad hoc inductus, sed mera, propria, & spontanea voluntate, & certa scientia cognosco, ac palam & publicè confiteor me teneri, & per p'sentes firmiter obligari D. E. in quingint' libꝛ legalis monetæ Angliæ: Soluend' & restituend' eidem D. E. aut suo certo Attornat', procurat', nuncio, hæred', vel executori suis, aut latori p'æsentium in festo P. proxim' futur', sine dilatione vltiori. Ad quam quidem solutionem bene & fideliter faciend' & perimplend' in forma prædicta, obligo me, hæred', & executores meos, ac omnia bona mobilia mea p'æsentia & futur', tam vltra Mare, quam citra, in quocunque loco vel iurisdictione inuenta fuerint capienda & distringenda. Et si (quod absit) defectus fiat in solutione p'dicta vltra festum siue terminū sup'ius limitatū, tunc quæcūque damnum, sumptus, & interesse dictus D. E. patietur, aut pati poterit vel debet, pro tenore defectus, illa omnia & singula ego dictus A. B. teneor & firmiter obligor per p'sentes soluere & fidelit' satisfac', sicut de debito
princi-

But to bind the goods, it seemeth better to make conditionall sale therof.

principali: Statut, priuilegijs, ac consuetud' quibuscunq; Ciuitatis London, seu cuiuscunq; altere Ciuitatis, ville, patriæ, vel loci ad hoc contrarijs non obstantib'. Reuoco etiam & renuncio omnes ptectiones, defensiones, sanctuaria, franchises, libertates, subuentiones, & priuilegia quecuq;, p quæ ego possim in hac parte tueri, aut cautelas seu dolum malum facere in damnũ & p̄iudic' p̄d' E. credit' mei de p̄missis. In cuius rei testimũ &c.

Or thus, by two to two.

NOuerint vniuersi per p̄sentes nos W.M. de C. in comitatu L. Yeoman, & T.R. de R. in comitatu p̄di & Taylor, teneri & firmiter obligari S.I. & C.R. generos. in xl. li. bonæ & legalis monetæ Angliæ. Soluend' eisd' S.I. & C.R. seu eorum alteri, vel eorum certis Attornat, executor, vel administrat' suis. Ad quam quidem solutionẽ bene & fidelit' faciend', obligam' nos, & vtrumque n̄m p se, p toto & in solido, heredes, execut, & administrat' n̄os p p̄sentes, sigill' n̄ris sigillatas &c. Dat' &c.

An Obligation, where two owners of a ship are bound to two Merchants.

NOuerint vniuersi per p̄sentes nos I.B. & R. T. de villa Hull' marinarios ac possessores siue proprietar' cuiusd' nauis vocat' *Primrose of Hull* &c. teneri & firmit' obligari W.C. & I. C. Mercatoribus villæ C. in xl. li. legalis monetæ Angliæ, Soluend' eisd' W. C. & I. C. seu eorum alteri, vel eorum cert' Attorn, hæred' seu executor' suis in festo Paschæ proxim' futur' post datum presentium. Ad quam quidem solutionẽ bene & fidelit' faciend', obligamus nos, & vtrumque nostrum p se, p toto & in solido, ac nauem p̄d' cum toto apparatu eiudem, hæred', executor, & administrator' nostros, ac omnia bona nostra, tam vltra mare quam citra, vbicunq; fuerint inuenta p p̄sentes. In cuius rei &c.

But a conditional sale seemeth more sure than this.

Or thus, where three are bound to the Queene, and others.

NOuerint vniuersi &c. nos A. B. C. Mercator' de Venet, tenet' & firmiter obligari excellentissimæ Principi Elizab. dei gratia Angliæ, Franciæ, & Hiberniæ Regnæ fidei defensori &c. ac T. B. & H. C. collectoribus & customarijs Subsid' eiisd' Dominæ Reginæ in portu Colcestriæ in viginti lib' sterlingorum: Soluend' eisdem Dominæ Reginæ & customarijs, aut eorum vni, vel eorum certis attornatis. Ad quam quidem solutionem bene & fideliter faciendum, obligamus nos & quemlibet nostrum per se, pro toto & in solido, hæredes, executores, &

Symb. Obligatioꝝ part. primæ
& administratores nostros p presentes. In cuius rei testimonium &c.

Or thus, by three to three.

NOuerint &c. nos &c. A. B. C. D. & E. F. Milites, teneri &c. G. H. I. K. & L. M. generosis in xl. li. sterling. Soluend' eisdem G. I. & L. seu alicui eorum, aut suo certo Atturū, vel executor' suis, in festo omnium sanctor', proximo futuro post dat' præsentium. Ad quam quidem solutionem bene & fidelit' faciend', obligamus nos, & quemlibet nostrum per se, pro toto & in solido, hæred', executor', & administra' nros p p'sentes. In cui' rei testim' huic p'senti script' nro sigilla nra apposuim'. Dat' &c

Or thus, with dayes of payment and a penalitie.

NOuerint vniuersi per præsentis nos A. B. C. D. & E. F. &c. teneri & firmit' &c. G. H. I. K. & L. M. in C. li. legalis monetæ Angliæ. Soluend' eisdem G. I. & L. in forma subscripta, viz. in festo annunc' beatæ Mariæ Virginis nunc proximū sequen', quinq' libras: In festo Paschæ tunc proximū sequen', quinq' libras, in festo Natiuitatis S. I. Baptist' tunc proximū futur' quinq' libras, & sic de festo in festum, viz. in quolibet festo festo' illo' quinq' libras, quousq' di' C. li. plenarie sic persoluantur: Ad quas quidem solutiones, & quamlibet earum (vt præmittitur) bene & fideliter faciend', obligamus nos & quemlibet nostrum &c. Et si contingat nos præfat' A. B. C. D. & E. F. deficere in aliqua solutione solutio' prædict' in parte vel in toto, contr' formam præd', tunc volumus & concedimus, nos teneri & quemlibet nostrum per se, pro toto & in solido per præsentis firmiter obligari præfatis G. I. & L. in prædict' C. li. Soluend' eidem G. aut suo cert' Atturnato, executor' aut assignat' suis. In cuius rei testimonium &c.

Or thus, to a Bishop, or others.

NOuerint vniuersi p p'sentes nos Ric' I. de I. de S. in comitatu Ebo' Taylor, R. I. de R. in eodem comitatu Taylor, R. S. de S. prædict' husbandman, & R. H. de S. in comitatu prædicto, teneri &c. reuerendissimo in Christo patri & domino, do'm T. permissione diuina Eborum Archiepo Angl' primati & Metropolitano, & Magistr' W. I. in legibus Baccalaureo Scaccar' dicti Reuered' patris apud Ebo' cōmissario & recept' gener', & W. & I. liberis N. I. de R. in 300. li. bonæ & legalis monetæ Angl', Soluend' eis d' Reuered' patri, & Magistr' W. I. cōmiss. ac liberis p'd',
aut

aut eorum cert̄ attornat̄, executor̄ & administrat̄ suis, in festo Sancti Mic-
Archangeli proxim̄ futuro post datum presentium. Ad quam quidem
solucionē bene & fideliter faciend', obligamus nos, & quemlibet nr̄ū p se
pro toto & insolido, hered', executor̄, & administratōr nros firmit̄ per p-
sentes, sigill' nostris sigillat̄. Dat̄ & c.

Thus much of Obligations not being of Record, wherunto succeed
those that be of Record.

Recognisances.



A Obligation by matter of Record, is a writ-
ting obligatoꝝ, knowledged & inrolled in som
of his Maiest. courts of Record befoꝝe a Judge
oꝝ other officer, hauing authoritie to take the
acknowledgement therof. And is either a Re-
cognisance, oꝝ a Statute. In a Recognisance,
he is the Recognisoz which knowledgeth it,
and hee the Recognisee to whom it is know-
ledged. And a Recognisance is a bond of Record testifying the Recogni-
sizoꝝ to owe vnto the Recognisee a certaine summe of money, and is
knowledged in some court of Record, oꝝ befoꝝe some Judge oꝝ other
officer of such court, hauing authoritie to take the same: as the Ma-
sters of the Chancerie, the Judges of either Bench, Barons of the
Exchequer, Iustices of Peace &c. And those that be mere Recogni-
sances are not sealed, but are inrolled. And execution by foꝝce there-
of, is of all the Recognisozs goods and chattels, except his draught
beasts, and implements of husbandrie, and the moitie of his lands:
and they bin made thus:

Sect. 103.

A Recognisance in the Chancerie.

Ioh. A. de A. in Comitatu Suffex Armiger, coram Domina Regina in
Cancellaria sua personaliter constiit, recognouit se debere I. B. Ciuī &
Grocer London, centum & nonaginta libras bone & legal' monete Ang-
liæ, Soluend' eid' I. B. aut suo cert̄ attornat̄, hæred', execut̄, vel assignat̄
suis, in festo Purificatiōn beate Marię virgin̄, proxim̄ futur̄ post dat̄ hui'
recognitiōn. Et nisi ita fecerint, vult & conced' p se, hæred', exc̄c', & ad-
ministrat̄ suis p p̄sent̄, qd' dict' sum̄ cent̄ & nonagint̄ libras, leuatur & re-
cuperetur de manerijs, messuagijs, terris, tenementis, bonis, catallis, & hære-
ditament

ditament' ipsius I. A. hæred', executor', & assignat' suor' ubicunque fuerint inuenit per presentes. Teste dicta Domina Regina apud West. vltimo die Decembris, Anno Regni eiusdem Domini nostr' Eliz. Regin' xxxvj.

A Recognisance in the Admiraltie.

Die Martis vij die mensis M. Anno Dñi 1580. Regniq̄ Serenissimæ dñæ nostr' Eliz. reg. & c. Ann. vicesimo tertio; coram D. L. Legum doctor' suprem' Cur' Admiral' Angl' Iudice, nec non vno è Commissarijs pro piratijs, de p̄dation' & c. in ædibus suis & c. in p̄sentia mei Willihelmi H. notarij publici dict' cur' Registoris, comparauerunt personalit' Willihelmus A. de C. in comitat' Suff. gener', T. S. de parochia Sanct' Mildredi in Pultria ciuit' London' Iremonger, Will' A. de T. in dict' comit' Suff. gener', & T. M. de A. in com' Glamorgan gener', ac recognouerunt se deber' dict' serenissim' dñæ nostr' Eliz. reg. & c. summam ducentar' librar' : Soluend' eidem dom' reg. aut suo certo attornat', hæred' vel successoribus suis prim' die proxim' futur' mensis April', Quam iur' quilibet eor' recognouit se debere. Et nisi hæc fecer' & c.

A single Recognisance before Iustices of the peace.

Memorandum qd' septimo die Ian' Anno regni domini nostr' Eli. dei gratia Angl', Franc', & Hibern' reg. fidei defensoris & c. xxxvj. venerunt coram nobis C. B. Milit', & W. M. armiger' Iusticiar' dict' dom' reg. ad pacem in com' E. conseruand' assignat' I. S. de B. in com' E. yeoman, & W. S. de eodem Weauer, ac R. D. de S. in com' p̄d' Taylor, Et recognouerunt se debere dict' dom' reg. (viz.) quilibet manucap' p̄dict' quinq̄ librar', & p̄dict' I. S. decem librar' bon' & legalis monet' Angl'. Soluend' eidem dom' regin' in festo Purificat' beat' Mariæ virginis proxim' futur' post dat' p̄sentium. Et nisi fecerint, concesserunt & c. *vi supra.*

A Recognisance for the peace, and to appear at the next Sessions.

Secl. 104.

Memorandum quod 4. die Iulij, Anno Regni domin' nostr' Elizabeth. dei gratia & c. xxxvj. R. P. de I. in com' E. yeoman in propr' persona sua, venit coram me G. M. vno Iusticiario dict' Domine Regine ad pacem in dicto comitat' conseruand' assignat', & assumpsit pro

pro seipso sub pœna xx.li. Et H.I.de L in com̄ prædict' yeoman. Et I. E. de M. in eodem comitatu husbandman, tunc & ibi in proprijs personis suis similiter venerunt, & manuceperūt pro p̄dict' R. P. (videlicet) quilibet eorum seperatim sub pœna centum solid, Quod idem R. P. p̄sonaliter comparebit coram Iusticiarijs dict' dom̄ reg. ac pacem, ad proximiū generalem Sessionem pacis in comitatu p̄dict' apud M. tenendam, ad faciendum & recipiendum quod ei per Curiam tunc ibidē iniungetur. Et quod ipse interim pacem dict' dñæ reg. custodiet erga ipsā dominam Reginam & cunctum populum suum & p̄cipue versus M. N. de I. p̄dicta yeoman, Et quod damnū, malū aliquod corporale, aut grauamen p̄f. M. N. aut alicui de populo dict' dom̄ reg. qd̄ in lesionem aut p̄turbat̄ pacis ipsius dñæ reg. cedere valeat quouismodo non faciet, nec fieri procurabit, Quam quidem summam viginti librar̄ p̄dict' R. P. & quilibet manucaptorū p̄dictorum p̄dictas sepeales summam centum solid̄ recognouerunt se debere dict' dñæ reg. deterris & tenemē, bonis & carallis suis, & quorumlibet & cuiuslibet eorum, ad opus dict' dñæ reg. hæred' & successorum suorum fieri & leuari, ad quorumcunque manus deuerint si cōtigerit ipsū R. P. p̄miss. vel eorū aliqd̄ in aliquo infringere, & inde legitimo modo conuinci. In cuius rei testimonium, ego p̄dict' G. M. præsent̄ sigillum meum apposui. Dat̄ apud I. prædict' die & Anno primo supradictis.

Or thus a little differing.

Memorandum quod quarto die & c. A. B. de I. & c. & C. D. de eadē yeoman, venerūt coram me G. M. & c. & manuceperunt pro I. S. nup̄ de L. & c. quod ipse personalit̄ comparebit corā me p̄f̄at̄ G. M. vel socijs meis Iusticiar̄ pacis dom̄ reg. ad proximam generalem Sessionem & c. Et quod ipse interim geret pacem erga cunctum populum dictæ dñæ Regine, & p̄cipue erga R. S. & c. viz. quilibet manucap̄ p̄d̄ sub pœna xx. lib̄, Et p̄dict' I. S. assumpsit pro seipso sub pœna xl. lib̄. Quam quidem summā xl. lib̄ p̄dict' I. S. & quilibet manucaptorum p̄dict' dictam summam xx. lib̄, recognouerunt & c. *ut supra.*

Recognisance for the good Abearing.

Memorandum quod 5. die mensis Iulij Anno regni Elizab. & c. xxxvj. vener̄ coram nobis E. N. & W. S. & c. quod idem R. G. personaliter comparebit coram Iusticiar̄ dictæ dominæ Regine ad pacem & c. ad proximam generalem Sessionem & c. Et qd̄ ipse interim

se bene gerat erga dictam dominam Reginam, & cunctum populum suum, & precipue erga I. B. de C. & c. Et quod ipse non inferet, nec inferri procurabit, per se, nec per alios, damnum aliquod seu grauamen præfat I. B. seu alicui de populo ipsius domin' Reginæ de corporibus suis per insidias, insultus, seu aliquo alio modo, quod in lesionem seu perturbationem pacis dict' dñæ Regiñ cedere valeat quouismodo: viz vterque p. dict' H. C. & I. S. sub pœna C. li. Et prædictus R. G. sub pœna C. C. lib'. Quas quidem sepeales summas centum librarum, vterque p. dicto- riu H. C. & I. S. (vt prædicitur) p se ac p. dict' R. G. dictas CC. li. recog- nouerunt se debere dictæ dñæ Regiñ, de terris & tenementis, bonis & catallis suis, & quorumlibet & cuiuslibet eorum, ad opus ipsius dictæ dñæ Regiñ, fieri & leuari, si contingat p. fat R. G. in aliquo præmissorū deficere, & in legitimo modo conuinci & c. In cuius rei & c.

*A Recognifance to gine in euidence against one that
is suspected of Felonic.*

Memorand' quod xx. die No. Anno regni dñæ nostre Elizabethæ Dei grat' Angl', Franciæ, & Hiber' Reg. fidei defensor & c. xxxvj. R. T. nuper de C. in com' p. dict' yeoman, venit coram me W. M. armig' vno Iustic' dict' domiñ reg. ad pacem in com' p. d. conseruand' assignat', Et recognouit se debere dict' domiñ reg. quinque lib', legalis moneñ Angl' Sub conditione, qd ipse psonaliter comparebit corā me & socijs meis Iustic' p. d., ac proximā generalem gaolem in comitatu p. d. tenend': Et ad tunc & ibidem ostend' in euident', secundū formam statuti, versus D. E. in com' p. d., qui modo attach. & suspect' felonix gaole dictæ dñæ Regiñ com' p. dict' commissus existit, quod tunc & c. alioquin & c.

A Recognifance for keeping of a Tauerne.

Memorandum quod 4. die Februarii Anno reg. domiñ nostri Eliza- bethæ Dei gratia Angliæ, Franciæ, & Hiberñ regine fidei defen- soris & c. xxxvj. venerunt coram nobis C. B. & H. W. Militi, Iusticiari dict' dominæ reginæ ad pacem dictæ domine regine in Comitatu Eboꝝ conseruand', Necnon alia malefacta ac diuersas transgres. perpetrat' au- diend' & terminand' assignatis, A. B. de T. in comitatu prædict' L. & R. A. in comitatu prædict' H. & W. T. de eadem in eodem comitatu Weauer. Et manuceper' (videlicet) quilibet manncap' prædict' sub pœ- na quinquagint' solid'. Et prædict' W. T. assumpsit pro se sub pœna quinquel' bf; quod ipse W. T. bene gerat Tabernam secundum for- mam statuti. Quas quidem sepeales summas quilibet coram cognouit se

se debere dict' dom' Regiñ, Atque volunt & concedunt de terris & tenementis, bonis & catallis suis & cuiuslibet eorum fieri & leuari, si præd' W. T. defecerit &c.

A Recognisance for Alehouses.

Memorandum quod 7. die Sep. &c. Anno Reg. &c. I. L. Baker, & I. G. Joiner de &c. in comitatu prædict', venerunt coram nobis W. K. & A. B. armig', duobus Iusticiar' dom' reg. & manuceperunt pro R. D. de &c. quilibet manucep't prædict' I. K. & I. S. sub pœna decem libr', & idē R. D. manucepit pro seipso sub pœna viginē libr', quod ubi prædict' R. D. per prædict' Iusticiar' nunc admittitur ad custodiend' communē domum Seruit' sue Tipland', secundum formam statuti in anno 5. & 6. domini regis Edwardi sexti edit', si prædict' R. D. deinceps non custodit nec frequentat aliquos ludos illicitos, siue prohibi't in domo sua, neque hospitet in domo sua aliquos vacabundos, siue otiosas aut suspectas personas, nec custodit aliquam malam requiem in domo sua, durante termino quo ipse occupauerit communem domum Seruic' sue Tipland': Et si defect' fiat in aliquo siue aliquibus p'miss. tam manucep't prædict', quam R. D. cognouere summas præd' leuand' de bonis & catallis, terris, & tenementis, ad opus & vsum dict' d'næ regiñ &c.

Aliomodo.

Memorandum quod x. die Ian. &c. A. &c. venerunt coram nobis W. K. & A. B. armig' duobus Iustic', & A. B. & E. F. &c. & manuc' pro I. H. viz. quilibet manucep't sub pœna vj. li. & præd' I. H. per seipsum assumpsit sub pœna x. li. quas &c. si &c.

A Recognisance before a Justice of the common Plees.

Memorandum quod viij. die Martij, Ann. regni Elizab. &c. xxxvj. A. B. de C. in comitatu D. Miles venit coram me R. H. vno Iusticiariorum dict' dom' reg. de banco in propria persona sua, Et recognouit se debere E. F. armig' sexcent' libras legalis monetæ Angl' Soluend' eidē E. executor' vel assignatis suis, in festo Natiuitatis sancti Ioh. Bap. proximi futur'. Et nisi fecerit, concedit, pro se & hæred' suis, quod p'd' sexcent' libr' d' terr' & catall' suis ad opus & vsum p'd' E. & executorum, tuorum leuentur, ad quorumcunque manus deuerint &c.

A Recognisance before the Barons of the Eschequer.

Memorandum quod I. M. gen, nominat^o Balliuis & collector reddit^u & reuenc^u manerij de B. in comitat^e E. nuper parcell^o possession^{em} nuper Monasterij de P. in Comitatu pra^e d^o C. I. de S. in comit^u pra^e d^o gen, & F. S. de C. in eodem comitat^e gen, venerunt coram Baroⁿ de Scacc^o domina^e regina^e nunc apud Westmonast. decimo nono die M. Ann. regni dictⁱ domiⁿ regina^e nunc vicesimo nono in proprijs personis suis. Et recognouerunt se coniunctim & diuisim debet^e eid^o dom^o reg. &c. Soluend^o eid^o dom^o reg. in festo &c. proximi^o futu^o. Et nisi fecerint, concedit^{ur} & quilibet eorum concedit^{ur} p^{ro} se haer^{ed} & execut^o suis, qd^o Barones huius Scacc^o de terris, & tenementis suis de quib^{us} ipsi aut eor^u aliquis, aut aliquis alius, siue aliqui alij ad eor^u siue eor^u alicuius vs^u ad pra^esens seisi^t existit^{ur} aut seisi^t existunt, ac de bonis & catallis suis ad quorumcunq^{ue} man^u deuenierint dictos denarios fieri faciant ad vs^u domina^e regina^e leuari.

Statutes, and Statutes Merchants.

Sect. 205.



Statute is a bond of Record sealed, testifying the Debtor to owe vnto the Creditor a certaine summe of money. And the same bond is knowledged befoze such persons, and in such manner as is appointed by Statutes in that behalfe made. And therefore beene such bonds termed Statutes: and they be of two sorts, that is to say, Statutes Merchant, and Statutes Staple. A Statute Merchant is a bond knowledged befoze one of the Clerks of the Statutes Merchant and Mayor, or chiefe Warden of the Citie of London, or two Merchants of the said Citie for that purpose assigned, or befoze the Mayor, chiefe Warden or Master of other Cities or good Townes, or other sufficient men for that purpose appointed. And sealed with the seale of the debtor, and of the King, which is of two pieces, the greater is kept by the said Mayor, chiefe Warden &c. and the lesser piece thereof by the said Clerkes. The fee for the said Seale is for Statutes knowledged in Faircs, of euery pound one halfe penie, and out of Fayres of euery pound one farthing. The execution vpon Statutes Merchant is first to take the bodie of the Debtor, if hee be lay, and can bee found,

if otherwise, then upon his lands & goods, 13. E. r. cap. And it is made in forme following.

A Statute Merchant.

NOuerint vniuersi &c. nos A. B & C. D. tener, & p̄ p̄sens scriptū de Sect. 106. Statutū Mercatorū firmiū oblig. W. P. in quinquagint lib̄ sterlingorū. Soluendū eid̄ W. P. aut suo certo Atturnat̄ hoc scriptū ostend̄, executor vel administrat̄ suis, in festo P. prox. futurū post datū p̄sentū. Et nisi fecer̄, volumus & p̄ p̄sent̄ concedim⁹, quod currat sup̄ nos & vtrumque nostrū, hæred̄, executor, & administrat̄ nostr̄, p̄cena et district' p̄ouis. in Statutū dom̄ Regis apud A. C. tō Burnel et West. pro Merchandis ædifico tempore domini Ed. quondam Regis Angliæ, progenitoris dominæ Reginæ nunc existeñ. In cuius rei testimoniu huius p̄sent̄ scriptū meo sigill' meū vñā cum sigill' dict' dom̄ nostr̄ reg. de Recogñ debiti villæ de K. sup̄ Hull' p̄d̄ p̄sent̄ appens. Dat̄ corā R. I. Maiore villæ de K. super Hull' p̄d̄ & I. L. cleric' ad h̄modi recogñ debiti pro Merchand' in eadē emp̄t̄ recuperandū ordinat̄ et p̄ouis. accipiendū deputat̄ 30. die Ian. An. reg. dict' domiñ Reginæ xxxvj.

Or thus.

Coram A. C. de K. vel coram Custod' sigill' dom̄ reg. nunc de Mercatorib' in Nundinis de K. & C. D. clerico eiusd̄ dom̄ reg. ad huiusmodi recogñ &c.

Another Statute Merchant.

NOuerint vniuersi p̄ p̄sent̄ me I. W. de &c. tener & p̄ p̄sens scriptum de Statutū Mercatorū firmiū obligat̄ W. C. in xl. lib̄ legalis monetæ Angl'. Soluendū eid̄ W. aut suo certo Atturnat̄, hæred̄ vel executor suis in festo P. prox. futurū post datū p̄sentū. Et nisi fecero, volo et p̄ p̄sentes concedo qđ currant sup̄ me, hæred̄ et executor meos, districtiōn̄ & p̄cena p̄ouis. in stat̄ dom̄ reg. apud A. C. tō Burnel et West. pro Mercat' edif. Et facta fuit hæc recognit' coram I. F. & W. C. tunc Ball' vill' G. p̄d̄, custod' maior' peciæ sigill' dict' Statutū, & T. R. clerico de m̄ reg. custod' minor' peciæ sigill' eiusd̄ statutū ad recogñ debitorū Mercatorū apud G. p̄dict' accipiendū deputat̄. In cui⁹ rei testimoniu huius p̄sent̄ sigill' meū & sigill' dict' Statutū apponi procuravi. Dat̄ G. die &c. anno &c.

A Statute knowledged before Baylifes.

NOuerint vniuersi p̄ presentes nos H.L. de B. in comitat S. gen̄, I. P. de M. in com̄ R. gen̄, I. P. de Noua vill' in com̄ &c. armig I. Ap. E. W. in com̄ S. p̄dict' gen̄, I. D. de I. p̄dict' in eodem com̄ S. gen̄, O. Ap. M. de W. p̄dict' in com̄ S. p̄dict' gen̄, M. Ap. I. de W. p̄dict' in com̄ S. p̄dict', yeoman, teneri & firmiter obligari H. T. & R. I. armig' in &c. Soluend' eidem H. & R. aut eorum vni, seu eorum certo Attornat', executor', seu assignat' suis, in festo P. proxim' futur' post datum p̄sentium. Et si defecer', tunc volumus & concedim' qđ currant sup nos, & quemlibet nostrum, & hæredes n̄ros, district' & poena prouid. in statut' pro Mercator' apud Aston Burnel, & W. tempore dñi Edw. quondam Reg. Angl' ædit' recuperand'. Et facta fuit hæc recognitio coram R. M. & I. H. balliuis dñæ reginæ villæ suæ de L. custod' maioris peciæ sigill' statuti Mercator' quod dom̄ debet Mercat' apud L. p̄dict' deputat', ac custod' minoris peciæ sigill' eiusd' statuti. In cuius rei testimonium huic p̄sent' script' n̄ro sigill' n̄ra apposuim', et pro maiore securitate sigillum Statuti Mercator' villæ quod his apponi procurauim'. Dat' xx. die &c. In An. regni dicit' domini reg &c. xxxvj.

A Statute Merchant knowledged before Baylifes.

NOuerint vniuersi per p̄sentes me W. C. de S. in com̄ S. yeoman, teneri & firmit' obligat' I. B. de S. p̄ Mercator' Stapul' Calic' in &c. Soluend' eid' I. aut suo certo attornat' hæred', vel executor' suis, in festo B. proxim' futuor' post datū p̄sent'. Et nisi fecero, volo qđ currant super me, hæred' & executor' meos, poena & districtiōn' prouid. in statut' dñi Reg. E. apud Aston Burnel pro Mercator' ædit', & postmod' apud West. recitat'. In cui' rei testimon' tam sigillum p̄d' dñi reg. pro h̄mōd' caus. ordinat' quā sigillum meum p̄sent' sunt appens. Dat' apud S. decimo die &c.

A Certificat of a Statute.

VEnerabili & honorabili viro N. B. Milit', domino custod' magni sigilli illustrissimæ dominæ nostræ reginæ Angliæ, Ad v̄ram denominatione' mandaf' paraf' O. H. & E. P. Balliui dicitæ domine nostræ reg. vill' suæ S. & A. M. clericus ad recogñ' debitor' in eadem accipiend' deputat', reuerentiam & honorem denominatione' vestræ : Significamus quod decimo die &c. An. regni Regis Hen. vij. post conquestum Angl' &c. W. C. de villa de S. in com. S. gen̄, venit corā N. W. & H. W. tunc Balliuis villæ S. & cognouit se debere I. B. de S. Mercat' stapulæ Calic' &c. quas idem W. C. soluere debuit in festo P. prox. futur', & eas qđ W. eidē Inondum soluit vt dicit', & quia p̄f. W. solutionē suæ termin' quod I. non obser-

obseruauit, denominac' vram honorabilem humiliter depræcamur quatenus præfat' W. ad dicti debiti sui soluc' præf. I faciendum, iuxta formã statuti p̄d' compellere, velleret dominac' vestra.

Statutes Staple.

A Statute Staple is either properly so called, or improperly: A Statute Staple properly so called, is a bond of Record knowledged before the Maior of the Staple, in the presence of one of the two Constables of the same Staple, for which seale the fee is of euery pound, if the summe exceed not 100. li one half penny. And if it exceed 100. li of euery pound one farthing: and by vertue of such a statut staple, the Creditor may forthwith after certificat thereof into the Chancerie, haue execution of the bodie, lands, and goods of the Debtor, 17. E. 3. ca. 9. And the Statute staple properly so called, is made as followeth.

Sect. 107.

A Statute Staple for Debt.

Nouerint vniuersi per presentes me I. H. de L. in Com' Suffex armig' teneri & firmiter obligari I. A. in &c. Soluend' eidem I. A. aut suo certo Accu. n̄ hoc scrip̄t ostend', hered' vel executor' suis in festo Purificac' beate Mar' virginis proximu' futuro post dat' presentium. Et si defecer' in solutione debiti p̄d', volo et concedo quod tunc currat sup' me hæred' et executor' meos poena in statuto stapul' de debitis pro merchandisis in ead' emptis recuperand', ordinat' et prouis'. Dat' xj. die Feb. an. reg. dñæ nre Eliz. dei gracia &c.

Sect. 108.

Note that if any Statute Merchant, or of the Staple, within 4. Moneths after the knowledging thereof, be not brought to the Clark of Recognisances, taken according to the Statute of 23. H. 8. cap. 6. or his Deputie, and the true copie thereof there entred in the booke of the said office, within vij. Moneths after the said knowledging thereof, then is the same thereby void against purchasers of lands which otherwise should be thereunto l'yable. 27. Eliz. cap. 4.

Of a bond, unproperly called a Statute Staple.

A Statute Staple improper, is a bond of Record founded vpon the Statute of 23. H. 8. cap. 6. of the nature of a proper Statute Staple, as touching the force and execution thereof, and knowledged before one of the chiefe Iustices, and in their absence before the Maior of the Staple, and the Recorder of London, in this maner.

Sect. 109.

Nouerint

Nouerint vniuersi p̄ p̄sent nos A. B. & C. D. arm̄ teneſ & firmiſ obli-
gari I. S. in C. li. ſterling. Soluend̄ eid̄ I. aut ſuo cert̄ attorn' hoc ſcript̄ o-
ſtend̄, h̄red̄ vel executor̄ ſuis in feſto Paſ. prox. futuſ poſt dat̄ p̄ſentiu,
Et ſi detecerim' (if two or more be bound) or ſi defecero (if one only) in
ſolutione debiti p̄d̄, volo & concedo, *vel* volumus et concedim' qd̄ cur-
rat ſuper me, h̄red̄ & executor̄ meos *vel* ſuper nos & vtrunq̄ue vel
quemlibet noſtrum h̄red̄ & executores noſtros poena in ſtatuſto ſtapul'
de debitis pro merchandis in eadem emptis recuperand̄ ordinat̄ &
prouiſ. Datum &c.

Conditions of Obligations and

Recognisances.

Sect. 110.

Hitherto haue we ſhewed the ſeueral formes of Obligations, Re-
cognisances, and Statutes: And now for ſo much as there be ſun-
drie Conditions & Deſeaſances made to defeat the ſame, It ſee-
meth meere in this place to ſhew the formes of ſo many of them
as ſeeme neceſſarie for our inſtruction in the making thereof, leauing the
reſt which be almoſt infinite, to be made as occaſion ſhal be offered.

A Condition, *Conditio*, is therfoze generally a rule, maner, or law,
annexed vnto mens acts, ſtaying and ſuſpending the ſame, & making
it vncertaine whether they ſhal be or no. For a Condition is properly
ſaid to be, when any thing is referred to any incertaine chance, which
may happen, or not happen. But we omitting curiouſly to ſearch out
the diuers ſignifications and manifold diuiſions thereof, will in this
place only touch ſome ſuch Conditions as may concerne Obligatōs
and Recognisances. A Condition of an Obligation or Recogniſance
is ſuch an agreement of both the parties to the ſame, as ſtayeth and
delayeth the effect thereof, vntill the condition happen to be fulfilled:
and is of ſundry formes. But firſt we will handle ſuch as concerne
paiment of Money, or deliuey of goods or other things.

*A Condition to pay a ſumme of Money at a
certaine day.*

Sect. 111.

The condition of this Obligation is ſuch that if the within bound
A. B. his heires, crecutors, or adminiſtratoys, or any of them doe
well and truely pay, or cauſe to be paid vnto the within named C. D.

oꝛ his certaine Attorney, executoꝛs oꝛ administratoꝛs, oꝛ some of them
 x. l. of lawfull English money vpon the first day of October next en-
 suing the date hereof, at, oꝛ in the South porch of the parish Church of
 K. in the said Countie of P. That then this present Obligation to be
 utterly void and of none effect, oꝛ else to stand, remaine, and be of full
 foꝛce, strength, power and vertue.

Note that such Conditions as be subscribed or written vnder the ob-
 ligations vpon the same side of the parchment or paper that the obliga-
 tion is written vpon, are commonly called conditions, but such as be in-
 dorfed, or written on the other side thereof, are called indorfements: and
 then is the same made in this sort.

The Condition of the within written obligation is such, that if the
 within bound A. B. &c. to þ within named C. D. &c. as next aboue.

*A Condition of a Recognisance for the payment of
 money at two dayes.*

The Condition of this Recognisance is such, That if the aboue Sect. 112.
 bound H. G. his heires, executoꝛs, administratoꝛs oꝛ assignes,
 oꝛ any of them, do well and truly pay oꝛ cause to be paid to the aboue
 named W. C. his executoꝛs oꝛ assignes, oꝛ any of them, at, oꝛ within
 the mesuage oꝛ mansion house, commonly called P. the place wherain
 P. A. widow now dwelleth, situate & being in S. Martins le grand
 within the City of London, the summe of x. l. of lawfull English mo-
 ney, in maner and foꝛme following: That is to say, on the x. day of P.
 next comming after the date aboue written, at the place afoꝛesaid,
 betwæne the houres of eight of the clocke in the foꝛe noone of the same
 day, and five of the clocke in the afternoone of the same day, v. li. of
 lawfull English money, and in the tenth day of Februarie then next
 following, at the place afoꝛesaid, and betweene the houres afoꝛesaid oꝛ
 ther v. l. That then this Recognisance to bee void and of none effect.
 And if default be made in paiement of the same x. l. oꝛ any part therof,
 contray to the order and foꝛme afoꝛesaid, Then this present Recogni-
 sance to stand, remain, continue and be in full foꝛce, strength & vertue.

A Condition to pay money and deliver wooll.

The Condition &c. That if the within bound K. S. his &c. doe well Sect. 113.
 and truly content & pay, oꝛ cause &c. vnto the within named K. G.
 at

at ꝛc. the summe of x. l. of good ꝛc. at the feast of ꝛc. And also doe well and truly deliuer oꝛ cause to bee deliuered vnto the said K. ꝛc. at the place afozesaid, on this side the said feast of ꝛc. oꝛ within soure daies next ensuing after the said feast xl. stone of good, merchātāble, and perfect fleece wooll, without tarre oꝛ locks, being well, cleane, and sufficiently washed and perfectly dried, That then ꝛc.

*A Condition for the farme of Kine, and deliuerie of
them or money.*

Sect. 114.

The Condition ꝛc. That where the within bound A. C. hath letten to farme to the within bound C. B. thzee milch Kine soꝛ terme of seven yeares next ensuing after the feast of ꝛc. if the said C. B. his heires, executoꝛs oꝛ administrators, do wel & truly content and pay, oꝛ cause to be contented & paid vnto the said A. C. his executoꝛs oꝛ assigns x. s. viij. d. of good English money yearly, and euerie yeare during the said terme, soꝛ the farme of the said ij. milch Kine. And also in the end of the said terme, do deliuer oꝛ pay, oꝛ cause to be deliuered oꝛ paid vnto the said A. C. his executoꝛs oꝛ assigns, thzee good & able milch Kine, oꝛ else the summe of ꝛc. soꝛ and in consideration of the said thzee milch Kine so demised, at the election of the said A. C. his executoꝛs oꝛ assigns, That then ꝛc.

A Condition to deliuer Sheepe or money, and the farme.

Sect. 115.

The Condition of this Obligation is such, that where the within named T. W. hath letten to farme, and deliuered into the hands and possession of the within bound C. D. xl. good and sound Cwes, to haue, hold, and to take the whole commodities and profits of the said xl. Cwes, from the feast of ꝛc. last past befoze the date hereof, soꝛ and during the whole time and terme of five yeares from thence then next following, and fully to bee ended, if the said C. his heires, executoꝛs, administrators, oꝛ assigns, do content & pay, oꝛ cause to be contented and paid vnto the said T. his executoꝛs oꝛ assigns, 30. s. of ꝛc. at the feast of ꝛc. next comming, and so foꝛth yearly, and euerie yeare, at the same feast ꝛc. 30. s. soꝛ the yearly farme of the said sheep during the whole terme of the said 5. yeares: And also at the same feast of ꝛc. at the end of the said 5. yeares, which shall bee in the yeare of our A. God 1594. do deliuer oꝛ cause to be deliuered vnto the same T. oꝛ to his certaine Attorney, executoꝛs, oꝛ assigns, xl. sufficient and good Cwes, whole and sound, oꝛ else in recompence of the afozesaide sheepe

Shæpe x. li. of lawfull &c. the sayd summe of money, or Sheepe, to be received and taken at the election and free choise of the sayd T. his executozs or assignes, That then &c.

A condition to pay Money, or knowledge a Statute Staple.

The condition &c. That if the within bounden W. A. his executozs or assignes on this side the feast of S. within witten, doe well and truely content and pay, or cause to be paid unto the within named R. S. his executozs or assignes C. li. of &c. at one whole and intire payment: Or els if the say W. A. on this side the sayd feast of S. shall by a certaine Obligation or Recognisance of the nature of a Statute of the Staple, ordained & provided for the recoverie of debts, sufficiently recognise and knowledge befoze the chiefe Justice of the Queenes Court of the pces of her Crowne to be holden, or befozs her highnesse chiefe Justice of her Court of Common ples at Westminister in the Countie of Midd. himselfe to owe unto the sayd R. his heires, executozs, or assignes, one hundredeth pounds of &c. to be paid unto the said R. or his certaine Attorney, his executozs, or assignes, at the feast of thannunciation of the blessed virgin Marie, which shall be in the yeare of our Lord God 1593. That then &c. Sect. 116.

A condition to pay Money by a day, or els to yeeld to an arrest.

The condition &c. That if one J. M. of K. shall on the feast day of &c. which shall be in the yeare of &c. well and truely content and pay, or cause to be contented and payed to the within named E. C. his executozs or assignes liij. li. of &c. according to the tenor of a certaine witing obligatorie, bearing date &c. wherein the same J. standeth bound to the said E. C. Or els if the said J. M. shall on the said feast day of &c. in proper person come & repaire unto the Guildhall of the Citie of P. and there shall remaine from x. of the clocke &c. untill xij. of the clocke at none of the aforesaid feast day, ready to yeeld himself to be arrested, to answer unto such action and actions as shall be commenced against him at the suit of the said E. upon the aforesaid witing obligatorie, That then &c. Sect. 117.

A condition to pay Money for a Chaîne of gold upon descent of lands to his wife.

The Condition &c. That where the within named J. C. hath given to the within bound T. D. one Chaîne of gold, if the said T. D. Sect. 118.

T. H. his executoꝝ oꝝ adminiſtratoꝝ, in conſideration & recompence of the ſaid Chaine, within one moneth next after any of the lands, tenements, oꝝ hereditaments, which late were the inheritance of one **W. C.** ſhal in þ life of the ſaid **T. H.** remaine, diſcend, reuert, oꝝ come to **A.** now wife of the ſaid **T. H.** by right of inheritance, oꝝ as heire to the ſaid **W. C.** doe pay, oꝝ cauſe to be paid to the ſaid **J. C.** the ſumme of xl. l. of good ꝛc. That then ꝛc.

A condition to pay after euiction.

Se&. 119.

The condition ꝛc. That where the aboue bound **J. R.** hath lately bargained, granted, and ſold vnto the aboue named **R. C.** and to his heires foꝝ ever, all that meſuage and a gardein thereunto adioyning, and another gardein late ꝛc. and a field called the Hall gardein, and a meddow, & a croſſ called **C. G.** and other hereditaments in **T.** aboue named, foꝝ the ſumme of ꝛc. of lawfull money ꝛc. as in a paire of Indentures thereof made betweene the ſaid parties, bearing the date hercof, plainly appeareth, If therefore the ſaid meſuage, lands, tenements, and other the premises, oꝝ any parcell thereof, be at any time oꝝ times hereafter, lawfully euicted, deuelted, oꝝ take away fro the poſſeſſion of the ſaid **R.** his heires, executoꝝ, oꝝ aſſignes, without any couin, deceit, oꝝ fraud, And after notice of ſuch ſaid euiction oꝝ taking away thereof made to the ſaid **J.** his heires, executoꝝ, oꝝ adminiſtratoꝝ, at the pariſh church of **B.** afozeſaid, by the ſaid **R.** his heires, executoꝝ, adminiſtratoꝝ, oꝝ aſſignes: Then if the ſaid **J.** his heires, executoꝝ, oꝝ adminiſtratoꝝ, within one quarter of a yere next after ſuch notice giuen, doe well and truely content & pay, oꝝ cauſe to be contented, and paid vnto the ſaid **R.** his heires, executoꝝ, oꝝ aſſignes, at the Fontſtone in the Cathedꝛall Church of Saint Paul in London, the ſumme of ꝛc. of lawfull money ꝛc. oꝝ as much of the ꝛc. as the part oꝝ parcell of the ſaid meſuage, lands, tenements, oꝝ hereditaments, as afozeſaid, ſo lawfully euicted oꝝ take away, is now woꝝth, after the rate of the ſozeſaid bargaine oꝝ purchase, That then ꝛc.

A Condition to pay money after returne from R. &c.

Se&. 120.

The condition ꝛc. That if the within bound **T. T.** his executoꝝ oꝝ aſſignes, oꝝ any of them, do pay, oꝝ cauſe to be paid to the within named **W. C.** his executoꝝ oꝝ aſſignes, oꝝ to any of them, the ſum of ꝛc. of lawfull ꝛc. at one entier payment, within one moneth next after

after the returne of the said *W.* from *R.* in the parts of Italy into England, and true notice thereof given by the said *W. C.* to the same *T. T.* That then &c.

A Condition to pay money at his returne from &c.

The Condition of this obligation is such, that whereas the within Sect. 121.
named *D. S.* is now minded to trauell personally to the Citie or
Towne of *I.* in the prouince or countrey sometime called *I.* or to the
place where the said Citie or Towne sometime was scituate and stood:
if theretofore the within bound *A. B.* his heires, executozs, admini-
stratozs, or assignes, or any of them, shall well and truly content, sa-
tisfie or pay, or cause to be contented, satisfied or paid, vnto the aboue-
said *D. S.* his executozs, administratozs or assignes, the summe &c.
of lawfull &c. within &c. next after and ensuing the day of the returne
of the said *D. S.* into the realme of England, from the said place, and
haue lawfully pzooued, shewed & declared or published vnto the said *A. B.*
his executozs &c. by certificate or testimoniall vnder the scale of
the said citie or towne of *I.* or of the next citie, towne, or place, hauing
a common scale, vnto the place where the said citie or towne of *I.* was
scituate and stood, or vnder the scale of the State of the citie of Venice
in Italie, or by other sufficient or true pzoofes, that the said *D. S.* hath
bin personally at the said citie or towne of *I.* or at the place where the
same towne or citie sometime was scituate and builded. That then &c.

A Condition to pay money at his returne, marriage, or death.

The Condition &c. that where the within named *P. S.* hath bar- Sect. 122.
gained and sold to the within bound *H. B.* on Gold ring for the
summe of *ix. l.* of good &c. if theretofore the said *H. B.* his heires &c. doe
well & truly pay or cause &c. vnto y^e said *P. S.* his executozs or assignes,
the said *ix. l.* in maner and forme following, viz. at and vpon the day
of the coming or arriuall of the said *P.* into *I.* from the citie of *R.* or
within *v.* daies next after the said arriuall, or at, & vpon the day of the
celebration of the marriage of the said *P. S.* or at, or vpon y^e day of the
decease of the said *P.* viz. at the first of the said daies or termes which
shal next happen to come to passe, That then &c.

A Condition to pay money vntill, and at marriage, or after death.

The condition of this Obligation is such, that if y^e within bounden Sect. 123.
C. P. &c. shall well and truly content and pay, or cause &c. to *C. S.*
daughter

daughter of the within named J. S. oꝛ her assigns xx. s. sterling, yearly and euerie yeare at the feast of ꝛc. vntill the day of the marriage of the said C. the first payment thereof to begin at the feast of C. within wꝛitten. And also shall truely content and pay, oꝛ cause to be contented and payed to the said C. oꝛ her assigns xl. l. of ꝛc. at ꝛc. vpon the day of the marriage of the said C. And if it shall fortune the said C. to depart this woꝛld befoze shee shall be married, then if the said C. P. his heires ꝛc. oꝛ one of them shall truely content & pay, oꝛ cause to be contented & paid to the said J. S. his executoꝛs oꝛ assigns, the said summe of xl. l. within one moneth next after the decease of the said C. That then ꝛc.

A Condition to pay childrens parts.

Sect. 124.

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The Condition of this obligation is such, that if the aboue bound R. P. his heires, executoꝛs, administratoꝛs, oꝛ anie of them, do pay and deliuer, oꝛ cause to be paid & deliuered vnto the aboue named W. C. M. and A. naturall children of the aboue named P. late of R. afozesaid, their late father deceased, their seuerall filiall poꝛtions oꝛ childes parts, of the goods and chattels of their said late father, according to the Inuentorie thereof. And also account & render vnto them of all other their rights due vnto them, oꝛ to any of them, by vertue of the last will & testament of their said father, when they come to lawfull age of xxj. yeares, oꝛ be married, oꝛ require the same. And also honestly, according to their degrees, educate & bring vp the said children during the time of their nonage, with meate, drinke, apparrell, and learning. And if it fortune any of the said children to die befoze they come to a lawfull age, oꝛ be married, as is afozesaid, Then if the said R. P. doe content and pay the poꝛtion, and other such rights of him, her, oꝛ them so dying, to whõ the law shall appoint the same to be paid, and which of right ought to haue the same. And also saue and keepe harmelesse the aboue named reuerend Father in God Master W. J. Commissarie abouesaid, & all other his officers and ministers against all men by reason of the pꝛemises, That then ꝛc.

Conditions to pay a rent.

Sect. 125.

The condition of ꝛc. that where þ within bounden A. B. hath lately taken in farmie foꝛ the terme of vij. yeares, of the within named C. D. one tenement, set and lying in the Towne of W. ꝛc. foꝛ the rent of xl. s. yearely to be paid, as in a paire of Indentures thereof made, whose date is ꝛc. plainly appeareth: That if the said A. B. oꝛ his executoꝛs, do well and truly pay oꝛ cause to be paid to the said C. D. his heires

heires and assignes, the aforesaid yearly rent of foztie Shillings, at the dayes and termes accustomed, according to the tenor and effect of the said Indenture &c. That then &c.

A Condition to pay an Annuitie, and not to sue a Replegiare &c.

The Condition of &c. that where the within bounden **J. P.** by his Sect. 126.
deed indented, bearing the date of this obligation, hath given and granted to the within named **B.** one annuitie or annuall rent of 10. **l.** of lawfull money of England, to be yearely paid, as in the said deede indented plainly appeareth. If therefore the said **J. P.** his heires, executors, or assignes, doe well and truely content and pay, or cause to be contented or paid, the said annuitie or annuall rent, without suing a nite Deliverrance or Replegiare, for any beasts, goods, or chattels at any time hereafter to be distrained for the same rent, or for any part thereof, and without making any rescous of any distress, or distresses, thereof to be taken, and without any maner of incloser, denier, fozeffalling, or other disturbance or interruption of the said **J. P.** his heires, executors, or assignes, or any other person or persons, by his or other their procurement, assent, or agreement. That then &c.

A Condition to repay money received with a Prentice.

The Condition &c. That where one **C. S.** sonne to the within named **T. S.** by his Indenture of apprenticehood, bearing the date hereof, hath put himselfe apprentice to the within named **S.** after the maner of his apprentice to dwell with, and serue him, from the feast of **S. Thomas** the Apostle last past befoze the date of these presents, vntill the end and terme of eight years thence next ensuing, and fully to be compleate & ended, as by the same Indenture moze plainly appeareth. And where also the said **T. S.** the day of the date hereof hath payed and deliverrd vnto **T. S.** the summe of 30. **l.** of &c. to occupie and employ the same to his owne vse, during the said terme of eight yeares, if the said **T.** and **C.** so long doe live, and the said **C.** do so long dwell with him the said **T. S.** And where also the said **T. S.** by Obligation bearing date &c. hereof standeth bound to the said **T. S.** for the payment of 20. **l.** of &c. to be payed to the said **T. S.** his heires, executors, or assignes, the tenth day of &c. next comming after the date hereof, as by the same Obligation moze plainly appeareth, to the intent that hee the same **T.** may employ the same to his owne vse during the said terme, if the said **C.** and **T.** doe both so long live, and the Sect. 127.

same C. so long abide with the said T. Therefore if it fortune the said T. S. or the said C. or either of them, to die or decease within the said terme of eight yeares, or if the said C. within the same terme of eight yeares, shall happen to be set ouer to any other person or persons to serue out their yeares, or such part of the said terme as he shall then haue to serue, or if the same C. do depart from the seruice of the said T. his said master, during the said terme, or if the said terme shall be expired: then if the said T. S. his executozs, administratozs or assignes, within thirtie daies next ensuing, after such decease of the said T. S. or C. or from the setting ouer of the same C. or the departure of the same C. out of the seruice of the said T. S. as is aforesaid, or the expiration of the said terme of eight yeares, which of them shall first chance to come or be after the date hereof, do well and truly pay, or cause to be paid to the said T. S. his executozs or assignes, as well the said summe of 30. pounds, as also the said summe of 20. pounds of ꝛc. without fraud, couin, or deceit, That then ꝛc.

A Condition to deliuer Fagots.

Sec̄t. 128.

The condition ꝛc. That if the within bound F. P. his ꝛc. doe well and truly deliuer, or cause to be ꝛc. one thousand Fagots of wood of oake, ash, or elme, of able good staffe, after the rate of ten hundred to the thousand, and six scoze foure fagots to euerie hundred, euerie sagot to containe in length iij. foot and a halfe at the least, and j. yard within the band, and to be well made, & full and sufficiently filled & bound, at, or on this side the feast of ꝛc. at the mansion house ꝛc. That then ꝛc.

A Condition to pill and fell wood, make and deliuer Fagots.

Sec̄t. 129.

The Condition ꝛc. That where the within bound J. C. the day of the date within witten, for a certaine summe of money to him by the within named C. P. at the in sealing of these presents, wel and truly paid, whereof the said J. C. knowledgeth himselfe to be satisfied and contented, hath bargained and solde to the said C. P. all those his tenne Dakes, now standing and growing in little P. in the countie of P. in a certaine wood, the parcell of a tenement there called C. as the said tenne Daks be already marked, out of the said C. to be felled by the ground in barking time, The barke to be pilld from them, and the toppes of the said tenne Daks to be made into Fagot wood, called halfe hundred wood, and other blockes meete for the fire, to be deliuered to the said C. P. his executozs or assignes, at the mans

mansion house of the said C. within the Citie of P. at the costes and charges of the said J. C. his executozs or assignes, befoze the feast of P. ꝛc. Therefore if the said J. C. his executozs or assignes, at his or their proper costs and charges, befoze the said feast of P. ꝛc. shall sell, or cause to be felled hard by the ground in barking time, the said ten Dkes, And shall pill the barke from them to the most aduantage of the said C. his executozs or assignes. And make, or cause to be made all and singular the toppes of the said ten Dkes, into good and sufficient sagot wood, called halfe hundzed wood, and other blockes meete for the fire. And ouer that, if the said J. C. his executozs or assignes, at his or their like proper costs and charges, befoze the said feast of P. shall deliuer, or cause to be deliuered to the said C. his executozs or assignes, at the mansion house of the said C. within the citie of P. as well all and singular the bodies of the said tenne Dkes, and euerie of them, with the barke from them to be pilled, as also all and singular the said sagot wood, called halfe hundzed wood, and other blocks, comming and arising of the toppes of the said ten Dkes, and euerie of them, That then ꝛc.

A Condition to deliuer Codde Fish.

The Condition ꝛc. That where the within bound T. B. hath bargained and sold vnto the within named W. K. one thousand Cod-fish, commonly called Island Cod-fish, good and merchantable, and well and sufficiently salted and dzied, to be elected & chosen out of the Fish that shall be bzought from Island, in anie of the thzee ships of the said T. B. which be called by any of these names, viz. ꝛc. to be cast out after the vse and order in that behalf vsed, that is to say, all skinnes ꝛc. And a hundzed of that worst Cod-fishes to be cast out of the thousand, ouer and beside the thousand remaining. If therefore the said T. B. his executozs, administrators, or assignes, at or on this side the feast of S. B. thapostle within wzitten, do well and truly deliuer, or cause to be deliuered vnto the said W. K. his executozs or assignes, at a certain place called ꝛc. one thousand Cod-fish, of good stufte, and merchantable, well and sufficiently salted and dzied, to be chosen out of any of the afozesaid Fish, or out of the said thzee shippes, by the said W. K. his executozs or assignes, and to be cast out after the order aboue prescribed, according to such manner and vse, as in that behalfe is vsed amongst Fishermen or Mariners, and according to the true meaning hereof, That then ꝛc.

Sect. 130.

A Condition to deliuer a last of Salmon.

Se&t. 131. **T**he Condition &c. That where the within bounden **W. W.** the day of the date within wrytten, hath bargained & sold to the within named **H. H.** one last of Salmon, accompting 12. barrells for a last, good, salt, sweet, and merchantable, to be truly packed in barrells of Assise of the great bound, for the which last of Salmon the said **H. H.** knowledgeth himself truly to be satisfied, contented, & paid, if the said **W. W.** his executors or assigns, doe wel & truly without any delay, deliuer, or cause to be deliuered to the said **H. H.** or to his assigns, by the feast of **S. Peter** within wrytten, the said last of Salmon, good, salt, red, sweet, and merchantable, frank & free at London, That then &c.

A Condition to deliuer Oyles.

Se&t. 132. **T**he condition of this Obligation is such, that if the within bounden **J.** at any time before the feast of **S. Michael** tharchangel next comming after the date &c. deliuer, or cause to be deliuered unto the within named **W. R.** his executors, administrators, or assigns, at, or in the now mansion house of the said **W. R.** situate in the said city of **L.** ten tunnes of Oyle, ciuill, good, sweet, merchantable, full, and well bound according, That then &c.

A Condition to deliuer Lead.

Se&t. 133. **T**he Condition &c. That if the aboue bounden **J. H.** his executors or assigns, do wel and truly deliuer, or cause to be deliuered to the aboue named **F. R.** his executors or assigns, upon the **9.** day of **May** next insuing the date hereof, ten fotheres of good, pure, and merchantizable boole lead, of the weight commonly called the boole weight, most commonly used within the Countie of **Derby**, that is, after the rate and weight of 30. foot to the fother, every foot to containe 6. Stone, and every Stone to containe 14. pounds, at his boole hil at **Hardwicke** in the said county of **D.** where commonly hee useth to burne his Lead, That then &c.

A Condition to deliuer Salt, or pay Money.

Se&t. 134. **T**he Condition &c. That if the within bounden **R.** and **J.** their &c. shall deliuer to the within named **A. R.** his &c. fifty. score weies of bay salt, good and merchantable, after the rate of **xxj.** for twentie, or if the said **R.** or **J.** their heires or executors, do not deliuer, or cause to

to be deliuered to the foresaid A. and B. &c. befoze the said feast of All-Saints, the said eight scoze weies of salt, in manuer and sozme afoze said: Then if the said B. and C. their heires oꝛ executoꝛs, pay to the aboue named A. B. &c. soꝛ and in consideration of the said eight scoze weies of bay salt, in the feast of &c. 60. l. of &c. That then &c.

A Condition to redeliuer Plate lent.

The Condition &c. that whereas the aboue named W. W. hath lent and deliuered vnto the aboue bound J. P. certaine parcels of siluer Plate hereafter mentioned, weighing 228. ounces and a halfe Haberdepoy weight, of the value of 68. pounds, & ten shillings, lawfull English money, after the rate of vs. s. foꝛ euerie ounce of the same weight, as particularly hereafter followeth: that is to say, one luerie Can guilt, weighing 44. ounces and a halfe: one other luerie Can guilt, weighing 42. ounces and a halfe: one other drinking Can &c. If therefore the said J. P. his executoꝛs oꝛ administꝛatoꝛs, oꝛ anie of them, doe within ten dayes next ensuing the date hereof, well and truly redeliuer, oꝛ cause to be redeliuered vnto the said W. W. oꝛ his certaine Atturney, executoꝛs, oꝛ administꝛatoꝛs, oꝛ some of them, in the Hall of &c. All the same parcels of plate, in such and so good plight, maner and sozme, in all respects as he the said J. P. oꝛ any other person oꝛ persons, foꝛ him, oꝛ to his vse, oꝛ by his appointment, hath oꝛ shall receiue the same, That then &c. Sec. 135.

A Condition to deliuer Corne.

The Condition &c. That if the within bound J. S. do well and truly deliuer, oꝛ cause to be deliuered vnto the within named J. P. his &c. twentie quarters of wheate, white and red, sweete, cleane, drie and merchantable with the best, on this side the scaft of &c. That then &c. Sec. 136.

A Condition for the deliuerie of Corne.

The condition of this obligation is such, that if the within bound J. D. his executoꝛs oꝛ administꝛatoꝛs, doe well and truly deliuer, oꝛ cause to be deliuered to the within named B. G. his certaine Atturney oꝛ executoꝛs, at the mansion house of the said B. G. within the Citie of P. ten Combes of Rie, able, good stufte, merchantable, faire, Sec. 137.

faire, cleane, and by a lawfull bushell measured, and also ten combes of malt like stoffe, merchantable, cleane fined, and by a lawfull bushell measured, after the accustomed measure in the said citie of P. in manner and forme following: that is to say, On this side the feast of the Nativitie of our Lord God, the said ten combes of Rie, And on this side the feast of E. then next following the said ten combe of malt, after the rate and measure aforesaid, That then &c.

A Condition to deliver Coales.

Señ. 138.

The condition &c. do deliver, or cause &c. T. C. his &c. at a certaine place in the ward of C. within the citie of L. commonly called and knowne by the name of the common Wharfe, 20. chaldrons of coles, commonly called Newcastle or Sea coales, well and truly measured, and as good, great and large measure, as is commonly made and delivered at the key side in great Par mouth, of verie good, able stoffe, and merchantable with the rest, on this side the feast of &c. That then &c.

A Condition to carrie coales.

Señ. 139.

The condition &c. That if the within bound T. C. his executors or administrators, or any of them, at his and their only proper costs and charges, do leade, carrie, bring and deliver, or cause to be led, carried, brought, and delivered to the said W. W. his executors &c. soztie good and sufficient Mainie loads of Sea-coales, everie load thereof containing one whole rucke of coales, or more, from the coale pits, commonly called B. coale pits, in the Lordship of B. aforesaid, to the now dwelling house of the said W. W. in B. aforesaid, at the severall times hereafter exprest: that is to say, ten loades of the said soztie loads parcell, befoze the feast of Pentecost next ensuing the date hereof, and other twentie loades of the said soztie loads, befoze the feast of S. Michael the Archangel now next ensuing, and other vij. loades of the said soztie loads, befoze the feast of S. Mich. the archangell, which shall be in the yeare of our Lord God 1597. And other foure loades of the said soztie loads residuc, befoze the feast of S. Michaele, which shall be in the yeare &c. That then &c.

A Condition to seale an Obligation with a Suertie.

Señ. 140.

The condition of this Obligation is such, that if the within bound T. S. his heires, executors, or administrators, and one other good,

good, able, & sufficiēt person with the said T. S. on this side the feast of sc. do seale, and as their deeds sufficiēt in the law, deliner vnto the within named J. C. his executozs oꝝ assignes, one good, lawfull, and sufficient wꝛiting obligatoꝛie in the law, wherein the said T. S. and the other good, able, and sufficient person, and their heirs, executozs, and administratozs, and euery of them, shalbe and shal be bound iointly and seuerally vnto the said J. C. his executozs and administratozs, in the summe of one hundred Markes of good English money, indozced with condition in due oꝛder and foꝛme of law, foꝛ the true payment of foꝛtie l. of like money to be paied vnto the said J. C. his executozs oꝝ assignes, in maner and foꝛme following: that is to say, at the feast sc. ten pounds, at the feast of sc. then next insuing ten pounds, and so from thencefoꝛth yerely, and euery yere then next and immediatly foꝛlowing, at the feast of sc. ten pounds of like money, vntill the said foꝛtie pounds be fully satisfied and paied, That then sc.

A Condition to cause one to seale an Obligation.

The condition sc. That if the within bound J. C. befoze the feast Sect. 141.
of s. next comming after the date hereof, cause W. C. sc. to be bound by his wꝛiting obligatoꝛy sufficient in the Law, and with his seale insealed, vnto the within named E. in foꝛtie l. of sc. to be paied the tenth day of A. sc. And also befoze the said feast, cause the said W. to deliuer the same Obligation foꝛ his deed vnto J. K. of H. to the vse of the said E. That then sc.

A Condition to release &c.

The condition sc. That if the within bound B. C. doe cause J. Sect. 142.
D. and E. his wife, befoze the feast of Easter next comming at the costs and charges in the law of the said B. by their sufficient deed in the law, to release, remit, and quite claime, to the within named C. D. sc. and their heires, all their right, title, dower, and interest, which the said J. D. and E. his wife, oꝝ either of them, haue, had, oꝝ may haue, of, and in all such lands, tenements &c. That then sc.

A Condition to make a Ioynture.

The condition sc. that if the within bound W. R. sc. oꝝ his heires Sect. 143.
at their own proper costs & charges, befoze the feast of E. next after the date within wꝛitten, make, oꝝ cause to be made vnto A. B. sc.

a good, sure, sufficient, and lawfull estate in the law, of, and in all and singular those lands, tenements, &c. with the appurtenances in the Citie of L. of the yeerly value of 10. l. &c. ouer and aboue all charges and reppises. To haue and to hold all the said lands and tenements with the appurtenances vnto the said A. B. &c. for terme of the life of D. G. to the vse of the same D. G. and to her assigns for terme of her life, the which D. by the grace of God, shall marrie and take to husband the said W. R. And also if the said W. R. after the said estate, of, and in the lands and tenements afoze-reherfed, doe, suffer & cause to be done, all and euery such thing and things, as shall be aduised by the learned counsell of the said A. B. C. D. &c. their heires and executors, to make the afozesaid estate sure to the aboue named A. B. to the vse of the same D. for terme of her life, be it by recouerie, fines, seoffments, release, confirmation, and deeds inrolled with warrantie, or without warrantie; or any of them, or otherwise, That then &c.

A Condition to make an Estate.

Sect. 144.

The condition &c. that if the within bound C. W. or his heires, within 16. daies &c. doe make and deliuer, or cause to be made & deliuered vnto the within named T. H. and his heirs, a good, perfect, sure, and lawfull estate in fee simple, of, and in thre rods of free land in C. called R. to the only vse of the said T. H. his heires and assigns for euer. And also if the said W. or his assigns, shall not impaire anie of the premises, by felling of any wood or timber, or otherwise before or after the making of the said estate, That then &c.

A Condition to make a Ioynture.

Sect. 145.

The condition &c. That where the within bound J. C. by the grace of God, shall marry and take to wife C. E. daughter of the within named R. E. If therefore the said J. C. his heires or assigns, within the terme of one yeer next after the date within witten, doe conuey and assure, or cause &c. vnto the within named R. E. and D. E. or their heires, so much lands, tenements, and hereditaments, lying in the countie of P. as then at the assurance making, shall be, and so continue to be of the yearely value of &c. by yeer, ouer all charges and reppises. To haue and to hold the said lands, tenements, and hereditaments vnto the said R. E. and D. E. and their heires, to the vse of the said J. C. and C. and their heires for euer. And also if the said J. C. or his heires, within vij. yeers &c. shall purchase so much other lands and tenements, as shall amount to the value of 30. pounds of good ec.

and

and shall make the like conueiance and assure of them to the said R. and P. and their heirs, to the vse aforesaid, That then &c.

A Condition for further assurance.

The condition &c. That where the within bound W. R. for and in consideration of a certain summe of money to him paid by the within named R. C. hath bargained and sold vnto the said R. all that mesuage &c. with thappurtenances, late &c. If At C. of P. Percer, and C. his wife, late daughter of the said R. P. and the heires of them, & euery of them, within the space of &c. shall do and suffer, or cause to be done and suffered, all and euery thing &c. whatsoeuer, which shall be deuised, advised, or required of the said W. his heirs or executors, by the said R. C. his heirs or assigns, or the learned counsell of the said R. his heirs or assigns, at the costs & charges in the law of the said R. his heirs or assigns, for the good and perfect conueying and assuring of al and singular the said mesuages and p̄misses with thappurtenances, to be made sure and perfect to the said R. C. his heirs and assignes, to the only vse of the said R. his heirs and assignes for euer, be it by fine, feoffement, deed, or indenture, recouerie with voucher or vouchers, confirmation, release with warrantie, onely against the said W. R. & his heirs, or by any other way or means whatsoeuer &c. And &c. (As in Conditions to saue harmelesse,) That then &c.

Sec̄. 146.

A Condition for making a Lease.

The condition &c. That if sir J. C. knight, his heirs or assigns, befoze the feast of S. Michaell tharchangell next insuing the date hereof, cause or procure R. P. of &c. to surrender, cancell, and to make frustrate, one Indenture of Lease to him made by the said sir J. of soure closes, lying &c. and of all other the grounds, tenements, and hereditaments, m̄tioned and exp̄ssed in the said indenture of lease. And mozeouer, if the said sir J. his heires or assigns, doe befoze the xx. day of Octob. next insuing, make, seale, and deliuer vnto the aboue named R. C. his executors or assigns, one good and sufficient lease by indenture of the said iij. closes, & of all and singular other the lands, tenements, & hereditaments, contained in the said former indenture of lease, for the terme and space of xij. yeares, to begin and take effect from the feast &c. with a clause of reservation of the yerely rent of xx. s. to be inserted in the said Indenture: The same lease, grounds, closes, and p̄misses to be then discharged of al former leases, charges, bargains, and incumbrances, had, made, or done by the said sir J. his

Sec̄. 147.

heires

heires and assigns. And lastly, if the said Sir J. his heires and assigns, and every of them, do from time to time, & at all times after the said feast of S. Michaell tharchangell, within the time and space of five yerres next insuing the date hereof, execute, suffer, and make, or cause &c. all and every such further act and thing &c. That then &c.

A Condition to performe and Exchange.

Sect. 148.

The condition &c. That where the aboue bound H. B. hath giuen and granted in exchange to the aboue named J. B. all those &c. all which are contained and certainly expessed in one Indenture of the date of these presents, made betweene the said H. B. &c. as by the same moze at large it appcareth. If therefore the said H. B. do not at any time hereafter disagree from the same exchange, nor do not hereafter suffer to be done, any thing or act wherby the said exchange shall or may be made void or frustrate: And further, do cause and procure all and every heire and heires apparant of the said H. being of the full age of &c. to ratifie, confirme, and make perfect for euer the said exchange within one &c. next after such heire or heires apparant shall accomplish the said age, That then &c.

A Condition to reinseoffe.

Sect. 149.

The condition &c. That whereas the within named H. A. by his deed of seoffement, hath giuen, granted, and confirmed, and deliuered vnto the aboue bound C. T. all that manor, capitall mesuage, tenement & farme, called or knowen by the name of D. with all and singular thappurtenances, and also all other the mesuages, lands, tenements, and hereditamēt's whatsoeuer, which now be, or late were accepted, reputed, vsed, knowen, or lettē, to, with, or as part, parcell, or member of the same manor, tenement, or farme, with the rents, reuerfions, and seruices, to the same belonging or appertaining. And al those lands, tenements, and hereditaments in H. in the said county of C. To haue and to hold to the same C. his heires and assigns, as by the said deed of seoffmēt it may moze plainly appeare, if the said C. or his heires, befoze the first day of &c. next insuing the date hereof, shall make, or cause to be made, at the colts & charges in the law of the said H. A. such sure & lawful estate in fee simple, without condition or moze gage, to the only vse of the said H. A. his heires or assigns for euer, of, & in the said manor, chiefe mesuage, tenement, farme, and all other the premises with their appurtenāces, as is or shal be deuised or aduised by the said H. his heires or assigns, by the counsel learned of any of them. And also if the said manor, and al other the premises, and every

*vid. de seoffmēt
sect 230.*

euerie part therof, at the time of the said estate & other assurance therof made, shall be clearly exonerated and discharged of all former bargaines, sales, charges & incumbrances whatsoener, had, made, done, procured, or suffered to be done to the said C. T. (the title of dower of S. the wife of the said C. onely excepted.) And also if the said C. T. and S. now his wife, and all and euery other person and persons now hauing any right or title, in, or to the premises, by, or from the said C. T. from time to time, and at all times hereafter, within the space of two years next ensuing the date hereof, when and as often as they, or any of them, shall be therunto reasonably required by the said H. his heires or assignes, shall at the costs & charges in the law of the said H. A. his heires or assignes, doe, make, knowledge, and suffer to be done, all & euerie such act or acts, thing and things, for the moze better and further assurance of the premises, to be had and made sure to the said A. his heires and assignes, as by the counsell learned of the said H. A. his heires, executozs, or assignes, shall be reasonably deuised or aduised, be it by fine, feoffement, release with warrantie, or other wise. And also if the said C. T. shall for ever hereafter acquit, discharge and saue harmelesse, as well the said H. A. his heires and assignes, as the premises, and euerie parcell therof, for, and concerning such interest, dower, and title of dower, as the said S. now the wife of the said C. shall or may haue, in, or to the premises, by, or after the death of the said C. T. That then &c.

A Condition to graunt an Annuitie.

The Condition &c. That if the within bound W. B. and F. B. Sect. 150. or one of them, or the heires, executozs, or administrators of anie of them, on this side the feast &c. do duly & lawfully grant, conuey, and assure, or cause &c. vnto one C. D. of &c. and P. his wife, by good & sufficient assurance in the law, one yearely rent or annuities of r. l. by the yere, to be going & issuing out of the lands & tenements of the said W. B. and F. B. in C. &c. within the countie of P. now being, and which hereafter for ever shall continue and be of the clear yearly value of rr. l. of &c. ouer all charges & reppyses, of which said lands & tenements the said W. and F. or one of them, at the time of the said annuities, graunting and assuring, shall be lawfully by good, lawfull & sure interest and title, sole seised in their demesne, as of fee, to their own vses, without any condition or limitation, which may alter or determine the same: The said rent or annuities to be paid vnto the said C. D. his wife, or to one of them, & to the longer liuer of either of them, at the feasts of &c. by euen portions. To haue, hold, receiue, and enjoy the said annuity or
 annuall.

annual rent of xx . unto the said C . and D . and their assignes, and to the longest liuer of the, at the feasts aforesaid, by even portions yearly, and every yeare during the naturall liues of the said C . and D . and the longer liuer of either of them. And also if the said W . and F . or one of them at the said assurance making, shall have full power, right, and lawfull authoritie, to conuey and assure the said yearly rent or annuities to be issuing out of the said lands and tenements aforesaid, unto the said C . and D . his wife, and either of them, and the longer liuer of them. And also if the said W . and F . or one of them, at the said granting and assuring of the said annuities, shall and will thereby charge the said lands & tenements, with a sufficient clause of distress, that if the said rent and annuities, or any part thereof, shall be at any time behind when it ought to be paid: That then it shall and may be lawfull unto the said C . and D . and euerie of them, and the longer liuer of either of them, to enter in and vpon the lands and tenements aforesaid, and there to distrain, and the distresse and distresses there so found, to take, leade, driue, chase, and carrie away, and with them and either of them, and the longer liuer of them, to withhold and detaine, vntil the said C . and D . and the longer liuer of them, shall be of the said yearly annuity of 15 s . and also of 40 s . in the name of a paine for euerie such default of payment, together with the arerages thereof, if any shall happen to be fully satisfied and paid. And also if the said W . and F . or one of them, at the said granting and assuring of the said rent or annuities, as is aforesaid, shall be and stand lawfully seised of the lands and tenements, whereof the said rent or annuities shall be so issuing or limited to issue, as is aforesaid, in their demesne as of free to their own vses, without any condition or limitation, by good, lawfull, sure interest, and perfect right and title, discharged or sau'd harmles for euer, of, and from all manner charges & incumbrances, except the rents and seruices to be xx . and except the said rent or annuities, That then xx .

A Condition to surrender Customarie lands.

Sec. 151.

The Condition xx . is such, That whete the within bound J. K . hath bargained and sold to the within named T. L . all that his mease with the edifices, and foure acres and a halfe of arable land xx . with all their appurtenances xx . To haue and to hold the said tenements and premisses, to the said T . and to his heirs, at the will of the Lord and Lords of the manors whereof the same bin holden, after the custome of the said manor or manors whereof they be parcell, if the same J. K . at the next court or courts to be holden at the same manor or

or manors, do surrender and yeeld into the hand of the Lord or Lords of the said manor for the time being, all the right &c. to the use of the said M. his heires, in such wise, as the same M. or his heires shall and may be admitted tenants of the same, to hold the same to them and to their heirs, at the will of the Lords aforesaid, after the custome of the said manors. And also if the said J. or his heires, shall at all times hereafter discharge the premises of all former bargaines, sales, ioyntures, dowries, rents, fines, forfeitures, paines, and amerciaments, and other charges, had, done, caused, or made, at any time or times befoze the said surrender, That then &c.

A Condition to make a Boat.

The Condition &c. That if the above bounden J. D. & J. B. their executors or assigns, or any of them, do, shall, and will well & truly worke & make, or cause to be well & truly wrought & made, at the only proper costs and charges of the said J. & J. their executors or assigns, one good, sufficient, & perfect Boat called a Catch, to, and for thonly proper use and behoofe of the above named S. S. And the same boat or catch, do, & shall worke and make in greatnes and goodnes, both in length, and breadth, & burthen, like vnto a certaine boat called a catch of A. H. now already made & wrought. And the said boat or catch doe and shall make broader in the botome of the same, then the said boat or catch of the said A. H. now is by the quantity of one hand breadth, & do and shall work & make the same of good, substantiall, and seasonable timber wood, and all other stuffe requisite & necessary for the making thereof, and of so good workmanship in al points and properties, and to all purposes, and intents, as the said boat or catch of the said A. H. now is made and wrought of, without all couin, fraud & deceit. And the said boat or catch, well, sufficiently, & perfectly wrought & made, as is aforesaid, do, and shall well & truly deliuer, or cause to be deliuered befoze the 15. day of J. &c. at D. in the said county of P. to the said S. S. his executors or assigns without further delay: So that the said S. S. his executors or assigns, or any of them, doe, at, and vpon the deliuerie of the said boat or catch, well and perfectly wrought and made, as is aforesaid, content and pay, or cause to be contented and paid to the said J. D. and J. B. their executors &c. the iust and whole summe of vi. l. &c. That then &c.

Sect. 152.

A Condition to make an estate of lands by Fine.

The Condition &c. That where the above bounden W. D. hath receiued of the within named R. L. the summe of &c. if the said

Sect. 153.

W. D.

W. P. and P. his wife, in consideration of the said summe of ꝛc. befoze the feast of ꝛc. do make a sufficient and lawfull estate in the Law in fee simple by fine in due forme of Law, to be leuted at the costs and charges of the said R. L. to J. L. and W. L. of, and in the lands and tenements in H. in the County of P. being of the inheritance of the said P. and of the yerely value of ꝛc. to thintent that the said J. L. and W. L. shall by the same fine, grant and render againe the same lands and tenements to the said W. P. and P. during their lines, without impeachment of wast, the remainder after the decease of the said W. and P. to E. the wife of the said R. L. & daughter of the said W. and P. for terme of her life, & after the decease of the said E. the remainder to the said R. L. and to the heires ꝛc. And also if the said W. P. befoze the said feast of ꝛc. make a lawfull graunt to the said R. L. of all his whole terme and interest of yeares, which the said W. P. hath of the demise and lease of our Soueraigne Lord the King, in the West grange, lately belonging to ꝛc. That then ꝛc.

A Condition to make reparations and fences.

Sect. 154.

The Condition ꝛc. That where the aboue named W. H. hath and holdeth, or hereafter shall haue & hold one mesuage, xx. acres of arable land, and one acre of medow, in L. and S. in the Countie of E. for certaine yeares yet induring, for a certaine yerely rent, the remainder or reuerstō thereof belonging vnto the said W. B. and A. his wife, and the heires of the said W. B. as by a certain fine knowledged befoze sir E. A. knight, Lord chiefe Justice of the common Pleas at Westm. and other the Quēns maiesties Justices of the same bench, of the same pzeimisses, for that purpose, in the same terme of S. Trinitie last past, byon graunt and render, plainly appeareth. If therefore the said W. H. his executozs, administratozs, or assignes, & euery of them, at his and their owne proper costs and charges, shall at all times hereafter during the continuance of the said terme of yeares, in the said fine expzessed, well and sufficiently make, repaire, sustain, maintaine, and vphold, all the houses, edifices, walles, pales, hedges, fences, ditches, and water-courses, and buildings, in, and vpon, and about the demised pzeimisses. And in the end of the same terme leaue the said houses and buildings so sufficiently repaired, sustained, maintained and vpholden, and the ditches, water-courses, hedges, and fences, well and sufficiently amended, scoured and made. And also if the said W. H. his executozs, administratozs, or assigns, and euery of them, shall during the terme afozesaid, pay, and beare all subsidies, outrents,

outrents, fares, and all other charges whatsoever, issuing out, of, or from the premises, or any part thereof, and thereof discharge and save harmelesse the said W. G. and his wife, and the heires of the said W. That then &c.

A Condition for the warrantie of Wood, or any like thing.

The Condition &c. That where the within bound F. hath bargained and sold, and deliuered to the within named K. 1000. bales of Tholouse wood, of the markes of foure knots euerie bale, and hath promised and warranted vnto the same K. that euerie set of the same Wood shall make, when it is set and pzoed, foure pounds &c. if it be so that euerie set of the same Wood, when it is set and pzoed, make the said warrantie of iij. pounds Sterling &c. or if any set of the foresaid wood (reckoning three hundred for a set) make not when it is set and pzoed the said warrant of iij. pounds Sterling. And then if the foresaid F. from time to time; vpon due knowledge thereof to him made and giuen by the foresaid K. or by his assignes, do wel and truly deliuer, or cause to be deliuered to the said K. or to his certaine Atturney, or to his executozs, at the Bridge foote in the Citie of L. as much Tholouse wood, of the goodnesse and warrantie afozesaid, after xvj. s. Sterling for euerie such hundred weight thereof, as shall lacke in anie set of the afozesaid warrantie of iij. pounds Sterling, That then &c. Sect. 156.

A Condition to warrant the sale of a Ship.

The Condition &c. that where the within bound A. W. solde vnto the within named C. D. a certain ship called the G. of C. and all maner of battell instruments, furnisshments, & apparrell of the same ship, with the appurtenances, for a certain summe of money between them accorded, as in a bill of sale thereof made, plainly doth appeare, if the said C. D. well and peaceably may haue, hold, enioy, and possesse to him, his heires and assignes, all the said ship, battell instruments, apparel, & appurtenances afozesaid, without contradiction, let, or disturbance of any person or persons, by reason of any lawfull claime or interest in the same, befoze the date of these presents had or made, according to the tenor and effect of the said Bill, That then &c. Sect. 157.

A Condition to enioy lands quietly.

The condition &c. that if the within named A. may haue, hold, and peaceably possesse, to him and to his heires & assignes for ever, all those fine messuages, with the appurtenances, which sometime were the within bound W. H. without any disturbance, let, interruption, or contradiction, Sect. 157.

curia, expulsion, impleading, molesting, vexation or griefe, either of, or by the said C. his heires, or any other person or persons whatsoever, hauing or pretending any maner right, title, vse, claime, or interest, of and in the said five messuages, or any part or parcel of the same. What then &c.

A Condition peaceably to enioy Corne or Grasse.

Sec. 158.

The Condition &c. That where the within bounden **K. C.** by his writing indented, bearing date the day of the date hereof, amongst other things hath bargained and sold vnto the within named **J. C.** all his barley growing vpon 20. acres of land, parcell of the mannoz late of **C.** And the pease and fitches growing vpon &c. parcell of the said mannoz, and the grasse growing vpon all the medow grounds belonging to the said mannoz, and the hemp growing vpon two hemp lands parcell of the said mannoz, containing by &c. as by the said writing indented moze evidently appeareth. If the said **J. C.** his executors and assignes, shall or may peaceably and quietly sell, carrie away, haue, hold, and enioy, to him, his executors and assignes for euer, all the said corne, grasse and hemp, without any lawfull let, interruption, disturbance, trouble, or vexation of any person or persons. What then &c.

A Condition peaceably to enioy lands.

Sec. 159.

The Condition &c. That where the within bounden **T. S.** and **M.** his wife, by their dede of feoffment indented, bearing date &c. haue executed and made an estate vnto the within named **W. F.** and **E.** his wife, of a certaine tenement, and the moitie of a Well in **P.** in the &c. as by the same deed it doth and may appeare, if the said **W.** and **E.** and the heires and assignes of the said **W.** shall and may for euer hereafter, haue, hold, and enioy all and singular the premises, and euerie part thereof, according to the tenor, forme, and effect of the same deed indented, discharged, or otherwise saued harmeless for euer, of, and from all maner of charges, troubles, and incumbzances, had, made, done, or suffered by the said **T.** and **M.** or either of them, the rent and seruices from thenceforth to be due or payable for the premises, or any part thereof, to the chiefe Lord or Lords &c.

A Condition to suffer one to enioy lands recovered.

Sec. 160.

The Condition &c. That if the within bounden **W. P.** his executors, administrators, assignes, & euerie of them, do permit and suffer the within named **S. P.** his heires, executors, administrators, farmers,

farmers, tenants, & assignes, and every of them, peaceably & quietly to haue, hold, occupie and enioy, without let, disturbance, beration or interruption of the said S. W. P. his &c. the mannoz of C. now in the tenure and occupation of the said S. P. and which lately belonged to the Chantry, Priouerie, or Colledge of C. in the said county, & which one J. C. gentleman lately recovered, amongst other lands and tenements, by a writ of Entre sur disseisin en le Post against C. A. Clerke, late Priouost of that said Chantry, Priouerie, or Colledge of C. afoze said, according to the true meaning, effect, and intent of a paire of Indentures of award, indented & made betweene the right honozable S. T. A. Knight, and S. C. B. B. bearing date &c. And also if the said W. P. do yearly so; ever acquit and discharge the said S. P. and his heires, of and from all such tenths as shall be payable and demanded on the behalle of our Soueraign Lady and her successozs, of, in, or for the said mannoz, lands, and tenements, That then &c.

A Condition to saue harmelesse.

The Condition of &c. that where the within bound W. D. hath bargained and sold to the within named J. T. all those his messuages, lands, tenements, & hereditaments, both freehold and copihold in H. L. C. and B. in the countie of P. which W. D. deceased, Father to the said W. or any other to his vse, were seised of, as by an Indenture made thereof, bearing date &c. moze plainly it doth and may appeare, if the within bound D. his heires, executozs, and assignes shall from henceforth, from time to time acquite, discharge or saue harmelesse, as well the said lands, tenements, and hereditaments and every parcell thereof, both freehold and copihold, as also the said J. T. his heires and assignes, against J. the late wife of the said W. D. deceased, and against all other persons, of, and for the dower, title, estate & interest of dower, which the said J. the late wife of the said W. D. deceased, hath or is intituled, or ought to haue, of, in, and to the said lands and tenements, and all other the premises, or any parcell thereof, That then &c. Sect. 161.

A Condition that lands be discharged.

The Condition &c. That whereas the within bound T. D. by his deede indented, bearing date &c. hath made and executed an estate vnto the within named L. W. of and in foure tenements, with their

their appurtenances lying in *℞. &c.* vnder a certaine condition in the said deed exprested, as by the same deed, at large doth and may appeare. If therfoze the said foure tenements with all their appurtenances, at the time of the said estate and feoffement making, were cleerely discharged of all former bargaines, sales, titles, dowes, iointures, statutes merchants, and of the staple, annuities, leases, and of all other troubles, charges, & incumbances, whatsoeuer they be: the said condition, and the rents and seruices to be due, and going out of the premises to the chiefe Lord of the fee of the same onely except. And also if the said *L. D.* and *C.* now his wife, vpon the default of payment of any summe or summes of money in the said deed of feoffement contained, shall make or cause to be made to the vse of the said *L. W.* his heirs and assigns, such further, good & sufficient assurance, of and in the premises, and euerie part and part cell therof, as shall be from time to time further deuised or required by the said *L. W.* his heires or assigns, or by his or their learned counsell, at the costs and charges in the Law of the said *L. W.* or his heires or assigns, That then &c.

A Condition to defend the title of lands lately recovered, and to pay costs expended about the same.

Sec. 163.

The Condition &c. That where the within bounden *S. W. W.*, and *C. D.* lately recovered the mannoz of *C.* & diuers other lands and tenements in *C.* aforesaid, by a common writ of *Entre* in the post against the aboue named *C. T.* and *G. T.* which recovery was had to the vse of the said *G. T.* for terme of his life, without impeachment of wast, & after his decease to the vse of the aboue named *C. T.* for terme of his life, if the said *S. W. W.* and *C. D.* their executozs, administrators, and assigns, and euerie of them, doe hereafter at their costs and charges in the law, lawfully defend the said *C. T.* and *G. T.* against all such persons as hereafter shall make any lawfull entrie, in, or to the said mannoz, lands, and tenements, or that shall commence anie action, bill, or plaint against the said *C. T.* and *G. T.* their tenants, farmers or seruants, concerning the occupation, title, or interest of the said *C.* and also if the said *S. W. W.* and *C. D.* their executozs, and assigns, do hereafter truly content and pay to the said *C.* and *G.* their executozs and assigns, all such lawfull costs & charges as they hereafter shall happen to bestow & spend, in, and about the defence of their interest and title, which they haue in, and to the said mannoz, lands, and tenements, That then &c.

A Condition to pay Money for Mariage.

The Condition &c. That if the within bound C. H. T. H. & W. A. or one of them, their heirs, &c. or any of them, do well and truly, by content & pay, or cause to be contented & paid to the Receiver generall of the Q. Maiesties Court of Wards and Lineries, or to his lawfull deputie for the time being, to her highnes vse, at all feasts of &c. which shall be in the yere of our Lord God &c. the summe of &c. in part of payment, of &c. for the fine of the licence of mariage of C. H. late wife of T. H. Esquire deceased, That then &c. Sect. 164.

A Condition to bequeath goods to a Wife.

The condition &c. That if the within bound W. C. shall give, bequeath, and appoint, by his last Will & Testament, vnto A. S. whom the said W. C. intendeth to take to wife, if it please God to spare him life, so much of his proper goods and cattels as shall extend & be worth one C. Markes. And that the said A. & her executozs after the decease of the said W. C. shall & may quietly haue, inioy, and possesse the same goods & cattels, according to the same last wil & Testament, without let or interruption of the executozs or administrators of the said W. C. or of any other person or persons, That then &c. Sect. 165.

A Condition to get the assent of the Counsell of the Court of Wards, to let certaine lands.

The condition &c. That whereas the same J. B. by vertue of a Lease to him made out of the Court of Wards & Liueries, vnder the Seale of the same court, is at this present time possessor, for, and during the Spinoitic of T. H. the Queenes Maiesties ward, of, and in one great, large, & capitall meale, farme, or tenement in W. a. foresaid, & of diuers pastures, closes, lands, & tenements in W. a. foresaid, of the yerely rent of &c. of the inheritance of the said T. H. whose committæ thereof J. W. now is, In which Lease there is a Prouiso or a condition, that he the said J. B. shall, ne may, without the speciall licence of the Counsel of the said Court of Wards & Liueries, alien, bargaine, or sell his said interest and terme, of, and in the said premises, to any person or persons, vnder paine of forfeiture of the said interest: If therefore the said J. B. at, or befoze the day of &c. next insuing the date aboue witten, do procure and lawfully get & obtaine the good wils and assents of the Counsell of the said court of Wards and Liueries, soz to alien, give, and graunt his said interest and estate Sect. 166.

of, in, and to the said capitall mease and p̄misses to the said J. W. and his assigns, and at, or befoze the same day of ꝛc. assure & lawfully conuey the same his interest & estate, of, & in the said p̄misses, together with the deed of the lease therof to the said J. W. & to his vse, discharged, of, and from all former bargaines, sales, charges, and incūbzances whatsoeuer, by him the said J. W. or by his consent or means don, suffered, or p̄cured, & also, at, or befoze the said day of ꝛc. deliuer or cause to be deliuered to the vse of the said J. W. his executoꝝ or assigns, the said deed or Indenture of the said Lease, That then ꝛc.

A Condition for the occupying of two Boates, and certaine Nets.

Sc. 167.

The condition ꝛc. That where the within bound H. H. and the A. of the burthen or weight of six Tunne, or thereabouts, with sailes, tacklings, cables, and ankers, and other appareil and furniture to the same boat belonging, and also of try, Herring nets, and Mackrel nets: And whereas also the said H. and A. are likewise owners of thre parts of an other Boat in foure diuided called the P. of the burthen of an C. tun, with the thre parts of all manner of sailes, tacklings, cables, and ankers, and all other furniture and apparell to the same boat called the P. belonging ꝛc. And whereas also the said J. W. is proper owner of one Pet called a set net, with two ankers, and other necessaries thereunto belonging, which boats and nets, by the consent of both the said owners, are put to the vse of the said H. H. for the affaires & voyages of fishing, called Herring saire, and Mackrell saire, to be made from time to time, as well for the benefit & commoditie of the said J. as for the commoditie of the said H. H. Now if the said H. H. his executoꝝ, ꝛc. doe at all times hereafter without fraud or guile make a iust account, and true and perfect reckoning, to the said J. his executoꝝ, ꝛc. of, for, and concerning the benefits, profits, and commodities of euery voyage called herring & mackrell saire, from time to time, when he shall be hereunto lawfully required, and doe yeeld and pay vnto the said J. his executoꝝ ꝛc. the moitie of euery such profits and commodities had and made of euery such voyages without fraud or collusion, and shall be answerable to the said J. his executoꝝ, ꝛc. for the moitie of the said Boats, Pets, and apparell, when he shall be thereunto lawfully required: Except alwaies the misfortune, and casualties of the Sea to be at the aduenture of the said J. That then ꝛc.

A Condi-

A Condition to purchase and sell.

The Condition &c. That if the within bound S. C. at anie time hereafter doe buy or purchase to him and his heires for ever, the manor of C. with the appurtenances in F. within written, then if the said C. at the request of the within named J. D. do bargain & sel, giue, graunt, and lawfully assure to the within named J. & to his heires for ever, one parcell of land, containing by estimation iy. acres, parcell of the said manor, for so much money, and as good cheape as the said C. doth buy the same parcell of thzee acres, after the rate of the purchase of the said whole manor, and not otherwise, so that the money be paid to the said C. at the time of the said bargaine or estate thereof, to be made without any fraud or deceit, That then &c. Sect. 168.

A Condition to purchase an appeale.

The Condition &c. That if the aboue bound A. W. nor any for her, or in her name, to her knowledge, or by her meanes, aduice, consent or procurement, do from henceforth willingly commence, prefer, prosecute or follow any indictment, appeale, or any other action or suit, neither voluntarily giue, or procure to be giuen any euidence or prooffe against &c. nor against any of them, for or concerning the death or killing of W. W. late husband to the said A. W. nor willingly doe or cause to be done any act or thing whatsoever, for the further suing or inditing of &c. for or concerning the death or killing of the said W. W. That then &c. Sect. 169.

A Condition not to prosecute any action in the spirituall Court.

The Condition &c. That where heretofore there hath bin proccesse procured by the aboue bound T. S. forth of the Queenes Maies Ecclesiasticall Court at Pozke, against Agnes then called by the name of A. W. whom the aboue named C. W. hath now espoused & taken to his wife, vpon pretence of a precontract sarmised by the said T. S. to be made betweene him the said T. and the said Agnes. Iftherefoze the said T. S. nor any for him or in his name, by his meanes or procurement, doe from henceforth prosecute and follow, or cause to be prosecuted and followed, the said suit against the said A. nor against any other person or persons that heretofore haue had any dealing in the said suit or matter, on the part and behalfe of the said A. nor doe at any time hereafter procure or commence, nor cause to be procured or commenced any other suit or proccesse forth of the same. Sect. 170.

same Ecclesiasticall Court, or any Court having authoritie to hold plea thereof against the said G. W. and A. now his wife, or against any other person or persons, that haue travelled or dealt in that cause, against tye said T. S. or that haue travelled on the behalfe of the said A. And morcouer if the said T. S. doe at all time hereafter withy in one yeare next ensuing the date thereof, doe, and suffer to be done, all and euerie such act and acts, thing and things, as hereafter shall be deuised or aduised by the counsell of the said G. and A. for the cleere and better determination and discharge of all such pretended right, or claime, as the said T. S. hath, might, or may haue, challenge or make against the said A. by vertue or colour of any precontract or promise betweene him the said T. and the said A. surmised or pretended, or by reason of any other matter whatsoeuer heretofore had or moued betweene the said T. S. and the said A. at the costs and charges in the law of the said G. W. That then &c.

A Condition to performe Covenants.

Sec. 171.

The Condition &c. That if the within bound T. F. &c. doe well and truly hold, performe, obserue, fulfill and keep all and singular covenants, graunts, articles, payments, promises, and agréments, which on the part and behalfe of the said T. F. his heires, executozs, &c. or any of them are to bee holden, performed, obserued, fulfilled and kept, contained, witten, declared, and specified in one paire of Indentures, bearing date &c. made betweene the said T. F. of the one partie, and the within named S. T. on the other partie, according to the tenor, purport, true intent and meaning of the said Indentures, That then &c.

To performe an award

Sec. 172:

The Condition &c. That if the aboue bound C. L. his executozs, and administrators, and euerie of them, for his and their part and behalfe, in all things doe well and truly stand to, obey, performe, fulfill and keepe the award, arbitrement, order, rule, doome and iudgement of A. C. A. P. H. D. and K. S. arbitratozs indifferently chosen, as well on the part of the said C. L. on the one partie, as on the part of the aboue named J. J. on the other partie, to arbitrate, award, order, and iudge of, and vpon all, and all manner of actions, suits, debts, accompts, trespasses, controuerfies and demaunds, what

whatsceuer, had, mooued, or depending, or which might haue bin had or mooued betweene the same parties, at any time before the date aboue written: So alwaies as the same Arbitrators doe make their award and iudgements, of, and concerning the premisses, by writing indented vnder al their hands & seales, on this side the twentieth day of June next comming, and one part of the said writing indented vnder all their hands and seales, and the same deliuer, or cause to be deliuered to the said C. L. or his assigns, requiring the same, vpon the same twentieth day of June next comming, at the now dwelling house of the said A. B. set and being in Castcheape in London, betweene the holvers of 2. and 5. of the clocke in the afternoone of the same day. And also if the said C. L. doe not discharge the said Arbitrators, noz any of them in the meane time, That then &c.

A Condition to performe an Award of lands, and to shew Euidence.

The Condition &c. That if the within bound H. J. and J. D. doe stand to, obey, perfozme, keepe, and fulfill the award, arbitremēt, ordinance, rule, & iudgement, of W. M. &c. and D. D. arbitrators indifferently named, elected, and chosen, aswel on the part of the within named K. as on the part of the said H. J. to arbitrate, ordeine, and determine, aswell of, and vpon the right, title, interest, vse, and possession of a garden, lying &c. as of, and vpon all actions, trespasses, quarrels, suit, debates, debts, demands, and all other griefes, and inconueniences, had, mooued, stirred, or depending betweene the said parties, concerning the same garden. And also the said H. J. before the feast of Easter next coming &c. shew vnto the said Arbitrers all such writings as he hath in his possession concerning their right, title, vse, interest, or possession of the foresaid garden, in such wise that the said arbitrers be not delayed to make an arbitrement, of, & in the premisses for want of the sight of the said writings and euidences: So alwaies that &c. That then &c.

A Condition that a Prentice shall not wast his Masters goods.

The Condition &c. That where one J. S. the sonne of the within bound A. S. by his writing indented, bearing date the day of the date of this present obligatiō, hath put himself apprentice to the within named R. C. to the craft of a Cutler, from the feast of S. Michaell

the Archangell last past, vntill the end of the terme of seuen yeares from thence next following, as by the same Indenture moze plainely appeareth. If the said A. S. shall at any time during the said terme, willingly or negliently cast away, consume, or wast any of the goods or chattels of the said A. C. then if the said A. S. his executozs or administrators, vpon a lawfull pzoofe made of the casting away, consuming, or wasting of the said goods or chattels, shall content & pay, or cause to be contented & paid to the said A. C. his executozs or administrators, the value of all such goods & cattels, as shall so fortune to be cast away, wasted, or consumed, from time to time, vpon the said lawfull pzoofe made of the same, during the said terme. Provided alvwayes, that the said A. his executozs or administrators, shal not be chargeable or compellable by this Obligation to pay, satisfie, or recompence vnto the said A. C. his executozs or administrators aboute the summe of foztie Markes, That then &c.

A Condition for a Seruant, or Apprentice.

Sect. 175.

THe condition &c. That where the within named J. T. befoze the sealing and delinerie of this Obligation hath hired and retained the within bound W. D. to serue the said J. from the day of the date hereof, soz, and during the term of 3. whole yeares from thence next insuing. If therefore the said W. D. from the day of the date hereof, shall dwell, tarrie, serue, and abide, to and with the said J. his executozs and assignes, vnto the full end and terme of thzee whole yeares now next insuing and fully to be ended. And also shall during the said terme, well, faithfully, and obediently serue the said J. his executozs and assignes, in all such woꝝks, busineses, and affairs, as the said W. D. shall be put vnto, accoꝝding to the power, wit, and abilitie of the said W. D. without absenting himselfe either by day or by night, without licence of the said J. his executozs or assignes during the said terme. And also if the said W. D. shall not during the said terme either wast or consume the goods and chattels of the same J. his executozs or assignes, but shall behaue himselfe honestly and obediently towards the said J. his executozs or assignes as a iust, faithfull, & honest seruant ought to doe during the said terme, to all intents, respects, and purposes, That then &c.

*A Condition not to disanull a Letter of attorney
to receiue debts.*

The condition &c. That where the aboue bound R. B. hath Sect. 176.
made a Letter of attorney vnto the within named R. F. to re-
ceiue of R. C. of &c. and R. D. of &c. all and singular such summes of
money as are due and owing vnto the said R. B. by and from the
said R. C. and R. D. by their thre seuerall wrytings obligatozie bea-
ring date the &c. wherein the said R. and R. stand ioinly & seuerally
bound vnto the said R. B. and every of them in the summe of &c. in-
dozsed with condition in every of them, for the payment of &c. as by
the same letter of attorney, & wrytings obligatozie afozesaid, it doth
apppeare. If the said R. B. do not at any time hereafter reuoke oꝝ dis-
anull the said letter of attorney, noꝝ make any letter of attorney, con-
cerning any of the said wrytings obligatoꝝ to any person oꝝ persons,
other then to the said R. F. his executoꝝ oꝝ administratoꝝ. And also
if there be such persons dwelling in the said towne of H. as be called
and named by the names and additions of R. C. and R. D. and also if
the said thre seuerall wrytings obligatozie, and every of them be the
good, lawfull, sure, & sufficient deeds in the law of the said R. C. and
R. D. and every of them. And also if the said R. C. and R. D. their ex-
ecutoꝝ and administratoꝝ, and every of them, now be, & shall con-
tinue and be sufficient in habilitie and substance to answer and sa-
tisfie the said debts and every of them, ouer & besides all other debts,
which they oꝝ any of them now, oꝝ hereafter do oꝝ shal owe, oꝝ be char-
ged with to any person oꝝ persons. And shall haue alwaies Assets in
their owne hands, occupation, and possession, during and vntill such
time as the said debt and every of them, oꝝ all such summes of mo-
ney as are specified oꝝ contained in the Indozcements of every of the
said wrytings obligatozie, shall be fully answered, satisfied, oꝝ pai-
ed vnto the said R. B. his executoꝝ oꝝ assignes. And also if the said R. B.
his executoꝝ and administratoꝝ, shall and will at all times hereaf-
ter, at the costes and charges in the law of the said R. F. his execu-
toꝝ oꝝ administratoꝝ, auow, iustifie, and pꝛolocate with effect to
finall end, all & every such action oꝝ actions, suits, and plaints, iudge-
ments, and executions, as the said R. B. his executoꝝ &c. shall cause to
be attempted, commenced, affirmed, pursued, alwarded oꝝ adiudged,
in the name of the said R. B. his executoꝝ oꝝ administratoꝝ, against
the said R. C. and R. D. and either of them, oꝝ the heires, executoꝝ,
oꝝ administratoꝝ of any of them, for the recouerie of any summs of
money.

money in the said writings obligatorie, or any of them, or in the indentments of any of them contained, and shall not willingly be nonsuit, nor suffer any nonsuit to be in the same action, actions, suits, plaints, iudgements, or executions, nor any of them, nor hath not heretofore done, nor hereafter shall do, suffer, or make any act or acts, thing or things, release, or acquittance, whereby the said writings obligatorie, or any of them, or any summe of money in them, or any of them, or in the indentment of any of them contained, or any of the said action or actions, suits, plaints, iudgements, executions, or any other benefit arising by reason of any the premises, shall or may be in any wise released, acquitted, discharged, barred, defeated, or annulled, without the consent & agreement of the said R. F. his executors or administrators. And also if the said R. hath not received any part of the summes of money in the said writings obligatorie, or any of them, or in the indentments of any of them contained. And also if the said R. B. his executors or administrators, shall and will permit and suffer the said R. F. his executors or administrators, to receive and take the whole advantage & benefit of the said writings obligatorie, and summes of money aforesaid, action, actions, suits, plaints, iudgements, and executions, and euery of them, to the only vse of the said R. F. his executors and administrators. And also if the said R. B. shall at the like costes of the said R. F. his executors and administrators, or at the request of any of them, doe & suffer all & euery other and further act and acts, whereby the said R. F. his executors & administrators shall or may attaine vnto the said benefit and advantage of the premises. And also if the said R. B. his executors or administrators shall not at any time hereafter demand any accompt to be peyled to him, or them, by the said R. F. his executors or administrators, so, or concerning the premises, or any part thereof, That then &c.

A Condition not to disanull a Letter of attourney for lands.

Sec. 177.

The Condition &c. That where the within bound J. B. and C. B. have made a Letter of attourney vnto the within named W. C. to recover all manner of lands and tenements whatsoener, which to the said J. B. and C. descended & came, or ought to haue descended and come, as heires of J. B. their late father deceased, as by the same Letter of attourney &c. if the said J. B. and C. B. or any of them shall not at any time hereafter reuoke or disanull the said Letter of attourney. And also if the said J. and C. or either of them, shall and will at the

the costs and charges in the law of the said **W. C.** his executors, or administrators from time to time, & at all times hereafter, auow, iustifie and prosecute with effect to finall end, all and euerie such action and actions, suits and plaints, as the said **W.** his executors, or administrators, shall bying, attempt, or commence in any of her Maiesties Courts, in the names of the said **J. C.** and **W.** against any person or persons whatsoever, for the recouerie of any such the lands or tenements, as were the said **J. W.** And shall not willingly be nonsuit or suffer any nonsuit, or discontinuance or retraxit to bee in the same action, actions, suits, or plaints, or any of them. And also if the said **J.** and **C.** or any of them shall not doe, or willingly suffer to bee done any act or acts, thing or things whatsoever, whereby the title, right, or interest of the said **J. & C.** & either of them, of, in, or to the said lands and tenements aforesaid, or any of them, or any action, actions, suit, or plaint, commenced or to bee commenced or attempted by the said **W.** against any person or persons, in the name of the said **J. C. & W.** shall or may be letted, hindered, discharged, aduihilated, aduinished, defeated or auoided, without the consent & agreement of the said **W.** his executors, or administrators. And also if the said **J. & C.** & euerie of them and their heires, shall & will after such recouerie so had, as is aforesaid, at the reasonable request of the said **W.** or his heires, conuety and assure to the only vse of the said **W.** his heires and assignes, all their part and portiou of the lands and tenements, so to be recouered, and all their right, title and interest which the said **J. & C.** or eyther of them, or any of their heires shall then haue or ought to haue, of and in the premisses, or any part or parcell thereof, with Couenants of being ditcharged &c.

A Condition to performe a Will.

The Condition of this Obligation is such, that where the within Sect. 178.
bound J. W. shall (by the grace of God) marrie and take to wife **R. A.** of **J.** late the wife of **C. R.** deceased. And where also the said **C. R.** by his testament and last will, named and ordained the said **R. A.** sole executrix of the same his testament and last will, and by the same hath giuen and bequeathed to **A. P. L.** to be paid **sc.** to **F. R. V. P.** to be paid **sc.** if the said **J. W.** his executors or administrators, shall well and truly pay to the said **A.** the summe of **p. L. sc.** at the said day **sc.** and to the said **F. R. V. P.** **sc.** at the said day **sc.** And also if the said **J. W.** his executors or administrators, shall fulfill & truly accomplish and

and performe the said testament and last will of the said C. K. and also truly satisfie, content, and pay all legacies, gifts, and bequests contained and specified in the same last will and testament, according to the tenor, purport, and true meaning of the said testament and last will, That then &c.

*A Condition to performe a will, and saue harmelesse
the executors thereof.*

Sec. 179.

The Condition &c. That where the within named T. L. hath authorized the within bound D. F. to fulfill the testament and last will of one C. L. father to the said T. L. in deed of the same T. and hath assigned all his right of executorship vnto the said D. F. Now if the said D. F. doe performe the said testament and last will of the said C. L. deceased, and also do acquit, discharge and saue harmles the said T. L. at all times hereafter, against all and euery person and persons whatsoeuer, of, for, or concerning all actions, suits, demands, legacies and all libels hereafter to be brought against the said T. L. by reason of the said testament and last will of &c. That then &c.

A Condition not to meddle with Executorship.

Sec. 180.

The Condition of this obligation is such, that whereas the within bound T. L. hath assigned and committed all his right of executorship of the testament and last will of S. J. late deceased, vnto the within named K. K. and hath fully for her part authorized, licensed, and assigned the said K. K. only to do all and euery thing and things by himselte and his assignes, concerning the execution of the said last will and testament. That therefore if the said S. J. shall not intermeddle with the administration of any part of the goods and chattels, money, debts, or plate of the said Testator, without the consent of the said K. K. his heires or executors, but shall at all times hereafter, and from time to time permit and suffer the said K. K. his executors and assignes, to administer all such goods, chattels, money, debts, and plate, as at the day of the making hereof beene in the custodie of the said K. K. to be administered, or in the hands or possession of any other person or persons, except such goods, chattels, money, and plate, as beene in the possession and custodie of the said T. L. of the said Testator, which is or are to be administered, as shall be thought good by the said T. L. And further if the said S. J. his heires &c. doe not discharge any debt of the said Testator, without the

the consent of the said R. R. his executors, or administrators, nor any action which the said R. R. or his executors, shall justly attempt and bring against any person or persons, to, or for the recoverie of any of the debts, goods, and cattels of the said Testator, That then &c.

*A Condition not to doe any act as Executor, without
consent of his Coexecutor.*

The condition &c. That where one C. W. late of P. widow deceased, by her Testament and last will, named, ordained, & constituted the within bound M. B. and the within named P. J. to be Executors of the same her Testament and last will, as by the same last will & testament amongst other things appeareth; If the same M. B. shall not at any time hereafter make, or cause to be made, any release, acquittance, or other discharge to any person or persons, for, or concerning any of the debts, goods, or cattels, which were the said C. W. the day of her decease, nor shall doe, suffer, or cause to done or suffered to be done, any other act or acts, thing or things, in, or about the execution of the said Testament and last will of the said C. without the assent, consent, and agreement of the said P. J. That then &c.

Sec. 181.

*A Condition not to sell Lands, but to the Obligee
for a summe certaine.*

The Condition &c. That if the within bound J. H. the day of the date of these presents be true & lawfull owner of a good, perfect, absolute, and indefeasible estate in fee simple, to his owne onely use, of, and in one tenement with the appurtenances in A. &c. and hath not at any time since the first day of October last past before the date hereof, bargained, aliened, sold, or put away, nor shall at any time hereafter alien, sell, or by any waies or meanes put away the said tenements and premises, or any part thereof, to any person or persons, other then to the within named C. S. his heires or assignes: So that the said C. S. his heires or assignes will content, satisfie, or pay, or cause to be contented, satisfied, and payed, unto the said J. H. the summe of xl. pounds, of &c. for such good, perfect, and sufficient assurance in the Law of an estate in fee, of, and in the said tenements and premises, and every part and parcell thereof, to be conveyed from the said J. H. his heires and assignes, to the said C. S. his heirs and assignes for ever, discharged, of all manner of titles, charges, and incumbrances whatsoever, as shall be demised, or advised by the said

Sec. 182.

C. S.

C. S. his heires or assignes, or by his or their learned Councell in the law, That then &c.

A Condition that a mans Wife shall claime no Dower, but release upon request.

Sect. 183.

The Condition &c. That where the within bound **W. A.** hath bargained & sold to the within named **T. P.** all those his lands and tenements, as well freehold as copyhold, in **S.** in the countie of **P.** if the said **T. P.** his heires and assignes, shall or may at all times hereafter, haue, hold, occupie, and inioy as much of the premises as be freehold, without let or interruptio of **P.** now wife of the said **W. A.** or her assignes, by reason of any interest or title of Dower, that she the said **P.** may fortune hereafter to claime, of, or in the same premises being freehold, if she shall happen to suruiue the said **W. A.** her husband. And further, if the same **T. P.** shall be minded at any time within the space of one yere next comming after the date hereof to haue the said **P.** to release all her right, title, and interest, of, and in as much of the premises as be freehold, then if she the said **P.** upon a reasonable request to her thereof made by the said **W. A.** his heires or assignes, shall lawfully release all her right and title, of, and in the same premises, to the vse of the said **T. P.** his heires and assignes, at the onely costes and charges in the law of the said **T.** his heires and assignes. And also if the said **P.** at the next Court or Courts which shall be holden for the manor or manors, whereof the copyhold premises ben holden (having of the same courts so to be holden reasonable knowledge, notice, or warning to her giuen by the said **T. P.** his heires &c.) shall lawfully surrender and release all her right, title, and interest, of, and in the same copyhold premises, to the vse of the said **S. P.** his heires and assignes, the same premises then being cleerely discharged, or otherwise from time to time sufficiently saued harmelesse, of, and from all former bargaines, sales, titles, fines, americiaments, issues, forfeitures, and other charges and incumbrances whatsoever they be, had, made, done, or charged by the said **W. A.** or by any other person or persons by his assent or commaundement, (the fine or fines for the taking of the premises being Copyhold or customarie tenure by the said **T.** his heires or assignes, and the rents and seruices from thenceforth to be due to the Lord or Lords of whom the same premises beene holden onely excepted.) That then &c.

A Condition that an estate is good, and that the wife shall claime no dower.

The Condition &c. That where the within bound R. S. by his deed of feoffement, bearing date the day of the date of this present obligation, hath made and executed an estate in fee simple, to the within named T. H. and his heires, of, and in the tenement &c. and which did descend to the said R. S. as sonne and heire of A. C. his father deceased, as by the same deed of feoffement moze plainely appeareth. If the said estate be good, lawfull, perfect, and sure to the said T. H. and his heires, according to the tenor and effect of the said deed of feoffement. And also, if the said tenement at this time be clearly discharged of all former bargaines, sales, titles, interests, statutes, recognisances, rent charges, arrerages of rents, and all other troubles, charges, and incumbrances whatsoeuer they bee, (except the rents and seruices thereof, to the Lords of the fees of the same, from thenceforth to bee due.) And if it shall fortune the said A. S. now wife of the same R. S. to suruiue the said R. then if neither the same A. nor anie other person or persons, for her, or in her name, shall trouble, bere, nor sue the said T. H. his heires, executors, nor assignes, nor the owners or possessors of the said tenement &c. or of any part thereof, for her dower, or, or in the same premises, or for any other title or demand, in, or to the same, or any part thereof, That then &c. Sect. 184.

A Condition not to be suertie.

The Condition &c. That where the within bound C. D. hath heretofore many times entred into bonds, and become suerty for diuers persons, for the paiement of diuers summes of money, as well by witing as without witing, so that thereby the said C. D. hath bin like to fall into decay & pouertie: for the auoiding wherof the said C. D. by the aduiseument of diuers of his friends, hath thought it good to bind himselfe in the penaltie of a C. P. to the within named W. A. to the intent clearly to abstaine and refraine himselfe from the aforesaid suertiship, If therefore the said C. D. shall not at anie time or times hereafter giue his promise, or become bound, or stand as suerty by any kind of means, without the consent and agreement of the said W. for any person or persons whatsoeuer, for or about the summe of pl. s. at any one time, except it be for one R. D. of P. That then &c. Sect. 185.

A Condition not to play at Dice.

Sect. 186.

The Condition &c. That where the within bound J. B. hath heretofore accustomed, frequented, & vsed to play at the dice, cards & tables, to his great hinderance and losse, so that, by exercise, vse, & accustomed playing at those vnlawfull games, the said J. B. hath beene like to fall and come into extreme pouertie and other dangers: soz the auoiding of which said euils, the said J. B. through the aduertisement of his friends, hath agreed to be bound in the sum of xl. l. within witten, to abstain & clerly to absent himselfe from the playes & games of them & euerie of them, soz and during the terme of seuen yeares &c. If therefoze the said J. B. shall not at any time o2 times hereafter, priuily o2 openly, during the space of seuen yeares next ensuing the date hereof, play at any of the said vnlawfull games of dice o2 cards, & tables, noz any of them, with any maner of person o2 persons, soz any summe o2 summes of money, o2 any other goods o2 chattels (liberty soz playing at cards soz the space of eight daies yearely, next after the feast of the birth of our Lord God, commonly called Christmas, during the said seuen yeares onely excepted) That then &c.

A Condition to pay money, or saue harmelesse of a Recognisance.

Sect. 187.

The Condition &c. That whereas the aboue named J. B. at the request and instant desire, and soz the debt of the aboue bound J. A. together with him, and one J. C. by one Recognisance of the date aboue witten, knowledged in the Queenes Maiesties high court of Chancerie, standeth bound vnto A. W. in one hundred pounds, with a condition soz the payment of fiftie pound of &c. vpon the last day of June next ensuing the date aboue witten, if the said A. W. and A. her daughter, o2 either of them shall be then liuing) at the now dwelling house of K. B. notarie; at the Royall Exchange in London, as by the said Recognisance moze at large may appeare. If therefoze the said J. A. his heires &c. doe content &c. to the said A. o2 A. their executors o2 assignes, the said summe of fiftie pound, of &c. vpon the said last day of June next ensuing, at the place afozesaid (if the said A. o2 A. v2 either of them shall be then liuing) in full discharge of the said recited Recognisance, that then this present Recognisance &c.

A Condition to saue harmelesse of a Bond.

Sect. 188.

The Condition &c. That whereas the within named P. C. at the instance and speciall request of the within bound W. C. together with

with the same *W.* and for the debt of the same *W.* by a certaine writing obligatorie, bearing date &c. and standeth jointly and severally bound unto one *J. D.* of &c. in the summe of 30. *l.* With condition thereupon indorsed for the payment of xxv. *l.* of lawfull money of England, at &c. as by the same writing obligatorie, and the indorsement thereof more plainly appeareth, If therfore the said *W. C.* his heires &c. shall at all times hereafter, & from time to time, cleerly acquit, discharge, or sufficiently saue harmelesse the said *J. D.* his heires, executozs and administrators, & euerie of them, againſt the said *J. D.* his heires, executozs, administrators, & euerie of them, of, for, and concerning the said writing obligatorie, & the condition thereof, and euerie sum and summs of money in the same writing obligatorie, and the indorsement thereof contained. And also if the said *W. C.* his heires, executozs, or assigns, or one of them, shall within v. daies next ensuing after the said feast of *S. J.* the Apostle, deliuer, or cause to bee deliuered unto the hands of the said *C.* his heires &c. the said writing obligatorie cancelled, or else some lawfull and sufficient acquittance, or other discharge of and concerning the same, That then &c.

A Condition to saue harmelesse of a Bond for the peace.

The Condition &c. That whereas the within named *W. B.* at the Sect. 189. instance, & speciall request of the within bounden *G. D.* together with the same *G. D.* and other, standeth jointly and severally bound for the said *G. D.* to our soueraigne Ladie the Queenes Maiestie that now is, in the summe of xx. *l.* of &c. with condition that if the said *G. D.* doe obserue and keepe the peace of our said Soueraigne Ladie, against all her liege people, and specially against one *C. C.* vntill the feast of *C.* next comming after the date hereof, as by the same recognifance appeareth, If therfore the said *G. D.* his executozs and administrators or any of them, do at all and euerie time & times hereafter, & from time to time cleerly exonerate, acquit, discharge or otherwise sufficiently saue and keepe harmeles by all waies and meanes whatsoever, as well the said *W. B.* his executozs & administrators, & euerie of them, as all & singular the lands, tenements, goods and chattels of the said *W. B.* his executozs and administrators, and euerie of them, against our said soueraigne Ladie the Ducene, her heires and successozs, by reason of the said Recognifance, and without any veration, trouble or molestation of the said *W. B.* his executozs or administrators, or any of them, That then &c.

M

A

A Condition to saue harmelesse a suertie in the Guild-hall.

Sect. 150.

The Condition &c. That where one T. P. &c. hath brought and commenced an action of debt of ten £. against the within bound J. W. in the Queens Maiesties Court of the Guild hall of the Citie of L. befoze M. R. and K. H. Sherifes of the same Citie, in & to which plaint the within named J. C. & K. C. at the request of the said J. W. are become pledges and suerties for the said J. W. to answer vnto the said T. P. in the same plaint. If therefore the said J. W. his heires, executors or assignes, do at all times hereafter, & from time to time, clearly exonerate, acquit, discharge or saue harmelesse the said J. C. and K. C. their heires, executors, & administrators, and euerie of them against the said T. P. his heires, executors, and administrators, and all and euerie other person and persons whatsoeuer, of and for the said action, and all things concerning the same. That then &c.

A Condition to discharge his bailes in the Kings Bench.

Sect. 191.

The condition &c. That where the aboue named H. C. and one K. H. in their proper persons haue vndertaken for the aboue bound C. F. by a Recognisance or mainprise, taken and knowledged befoze the Iustices of the Kings Bench at Westminster, that if it happen the said C. F. to be condemned in any action at the suit of T. B. Esquire, that then the said K. H. and H. C. did grant all costs and dammages, and executions, which should be iudged to the said T. B. in that behalf, should be leuid to the vse of the said T. B. of the lands & chattels of the said K. H. & H. C. if so it be that y^e said C. F. do not pay the same damages himselfe to the said T. B. or restore and yeld himselfe againe by meanes thereof to the prison of the Marshall of the Marshalsey, if the said C. F. his heires, &c. and euerie of them, at all times hereafter from time to time, doe well and truely acquite, discharge or saue harmeles the said H. C. and K. H. their heires &c. and euerie of them, against the said T. B. his &c. of and for the breach and forfeiture of the said Recognisance and mainprise, and of, and for the execution of the said action, whereupon the same Recognisance and mainprise was so taken and knowledged, and also of, for & vpon all other bonds, obligations, and recognisances, wherin the said H. C. standeth bound to any other person or persons, for, and in the behalfe of the said C. F. That then &c.

A Condition to saue his baile harmelesse, and render himselfe prisoner, if &c.

The condition &c. That wheras the within named C. F. this p^{re} Sect. 192. sent Terme of S. Michael, became bound suertie, mainperno^r, baile, or pledge, for the within bound T. F. against H. S. of &c. in the Court for p^{re}ces befoze the Queenes Maiestie to be holden, as by the Records thereof appeareth: That now if the said T. F. his executo^rs or administ^rato^rs shall pay, or cause to be paid vnto the sayd H. S. his executo^rs &c. all and every such debts, damages, summe or summes of money, as shall be recovered by the said H. S. against the said T. F. in the said Court, or yeeld his bodie into the prison or keeping the Marthail of the Marthalley for the same, according to the intent and meaning of the same baile and iudgement thereupon to be giuen in the same Court, And thereof for euer saue and keepe harmelesse the said C. F. his heires, executo^rs, and administ^rato^rs, against the sayd H. S. his executo^rs and administ^rato^rs, and every of them, That then &c.

A Condition to saue harmelesse of Couenants for the sale of Woods.

The condition &c. That where R. C. Esquire by his deed indeted Sect. 193. bearing date &c. hath bargained & sold to T. H. all that his wood and vnderwood, called & knowen by the name of &c. cōstayning &c. set, standing, growing, & being within the Parish & woods of &c. as by the said Indentures &c. which woods the said T. H. hath bargained and sold to the within bound J. P. If the said J. P. &c. & every of them doe wel and truly contēt & pay to the said R. C. or his executo^rs or assigns the summe of &c. at the day & time contained in the said Indentures, in the name and behalfe of the said T. H. And also doe discharge and saue harmelesse the said T. H. and his executo^rs and administ^rato^rs, of, to, and for all couenants, graunts, and agreements contained and specified in the said Indentures, which on the part of the said T. H. his executo^rs, administ^rato^rs, and assignes, and every or any of them are to be obserued &c. That then &c.

A Condition to saue harmelesse of a Recognisance.

The condition &c. That where the within named A. B. at the inst Sect. 194. stance, petition, and request of the within bound C. F. & for his debt by a certaine Obligation or Recognisance made befoze W. P. Recorder of the city of L. & J. B. knight, Ald. of L. in the summe of xx. li. of &c. as the same Obl. appeareth, if the sayd C. F. his heires &c.

pay vnto the saed Chamber all the aforesaid sum of xx. li. & also saue & keepe harmelesse the aboue named A. B. from all maner of indemnities, costs, and charges, of, for, & concerning the said Obligation or recognisance, & all other things concerning the same, That then &c.

A Condition to saue harmelesse of Legacies, and to pay the same to the legataries.

Sec̄t. 195.

The Condition &c. That where the within bound R. B. & J. his wife, haue receiued & had at the insealing & deliuerie of these presents, of the within named J. B. & J. B. administrators of the goods and chattels of one J. B. late of S. deceased the summe of rbig. l. of &c. (viz.) x. li. the one halfe or moitie of a Legarie giuen to J. B. by the last will and Testament of the said J. B. her late father, & big. li. to be paid to one A. A. daughter of the said J. B. by vertue of the said last wil & Testament of the aboue named J. B. Now therefore, if the said R. B. his heirs &c. doe discharge, acquite, saue, & keepe harmelesse the said J. B. and J. B. their heirs &c. against all maner of persons for the paiment of the said rbiij. li. of &c. And also pay the same x. li. vnto her the said J. B. when she shall accomplish the full age of xxj. yeres, if she so long liue, and if she fortune to die befoze the sayd age, then to him, her, or them that can or may lawfully demaund or claime to haue the sayd x. li. befoze remembzed, and J. J. and their administrators, for the payment of the same summe. And also beare and sustaine the halfe charges of the education and bringing by the said A. vntill she shall attaine and accomplish the said age of xxj. yeres, That then &c.

A Condition to saue harmelesse of debts and legacies.

Sec̄t. 196.

The Condition &c. That if the within bound J. K. his executors &c. and euery of them, shall and will vpon reasonable request and notice, well and sufficiently saue and keepe harmelesse & indemnified the said C. against all and euery person and persons, of, for, and concerning all and euery debt or debts which J. K. deceased, late Father of the said J. and C. did at the time of his death owe vnto any person or persons whatsoener, and of, from, and concerning all & euery such legacies as are pretended to be giuen, or were giuen or bequeathed in & by a supposed will & testament of the said J. K. deceased, & of, for, and concerning þe said last will: or els if any person or persons shal at any time hereafter commence or sue, or cause to be comenced or sued any plaint, suit, or action against the said C. K. her executors or administrators,

Executors, for or by reason of any debt, legacie or other thing due, payable or bequeathed, or supposed to be due, payable, or bequeathed by the said J. R. the father, to any person or persons, & the said C. R. and her executors that and wil from time to time, in conuenient time giue notice thereof to the said J. R. the sonne, his executors and administrators, & permit & suffer such answer & plea to be pleaded & made vnto as shalbe deuised, aduised or made by any Councelloz, Attorney, or Procurator that shall for that purpose be retained by the said J. R. the son, his executors, or administrators: if then the said J. R. the son, his heirs, executors &c. from time to time, shall & wil wel & sufficiently recompence & allow vnto the said C. her executors or administrators, all & euerie such summe & summes of money as by order of law without collusion shalbe recovered against her or them, or any of them, for or by reason of euerie such plaint, suit, action or actions, together with all such costs, charges & expences as they or any of them shall necessarily expend, disburse or lay out about & defending of any such plaints, actions, suit or suits, or in trauell about the same, within vij. moneths next after request & notice thereof to him the said J. R. the sonne, his heirs, executors, or administrators to be giuen or made by the said C. R. her heirs, executors, or administrators, That then &c.

A Condition to saue harmelesse from suits in the law &c.

The Condition &c. That if the aboue bound W. T. his executors, Sect. 197. and administrators, & euerie of them, at all times hereafter vpon sufficient warning & request do by reasonable recompence saue & keep harmles & indemnified W. H. R. S. & C. T. and euerie of them, and the executors &c. against C. B. and euerie other person & persons claiming by, from or vnder him any right or title, of & from all manner of suits, damages, costs, and charges in the law, arising or growing, or which hereafter shall arise and grow by meanes of any suite now being or depending, between the said W. T. and C. B. or which hereafter shall arise or grow betweene them, of, for or concerning the estate, right, title, interest or possession, of, or in one mesuage with the appurtenances in D. in &c. That then &c.

*A Condition to keepe the peace, and appeare before the
Queenes Counsell.*

The Condition &c. That if the within bound J. A. observe and Sect. 198. keepe the peace against the Quæns our soueraigne Ladie, and all
her

her liege people, between this and the xv. of Easter next comming, and then do personally appeare befoze h^e Queene and her most honorabile Counsell in the Starre-chambe at W. and so from day to day, and not to depart without licence of the said Court, That then &c.

A Condition to keepe the peace.

Sect. 199.

Conditio istius obligationis talis est, quod si interi⁹ obligat R. de cetero bene & honeste se habeat, & pacem Domine Regine gerat erga infranominat I. S. & W. R. & eor^u virumq; & omnes familiares & seruiantes suos, prout ordo charitat^{is} & honestatis idem requirit, ac ipse ipsos I. & W. seu eor^u alterum non leserit verbo nec opere, quod in ipsorum I. & W. damnum siue lesionem nominis sui, siue bonæ famæ aliqualiter conuertⁱ poterit, ac etiam si dicti I. & W. siue eorum alter p^{er} p^{ro}d^{um} R. aut p^{ro} aliquem alium seu aliquos alios eius causa, querela, favore, amore, odio, instigatione, seu p^{ro}curacione de cetero non plequant nec implacent pro aliqua causa, querela seu materia quacunq^{ue} int^{er} dict^{os} I. & W. & p^{ro}f. R. ante dat^{am} infrascript^{am} habet, mot^{us}, seu exort^{us}, qd' tunc p^{re}sens obligatio, vacua & p^{ro} nulla habeat, & si p^{ro}d^{um} R. contr^{aria} p^{ro}missa seu eor^u aliquod in futur^{um} fec^{erit}, seu fieri p^{ro}curauer^{it}, qd' tunc p^{re}sens obligat^{io} in omni suo robore stet & effectu &c

A Condition to keepe the peace, and to be of good abearing.

Sect. 200.

The condition &c. That if the within bounden S. & C. his wife, do keepe the peace against all the Kings liege people, and specially against A. B. C. D. &c. and beare themselves honestly and duely, both in their words and deeds, against the said A. B. &c. nor slander them, nor any of them, of, or upon any such matter touching the death of J. Q. or the suit about the triall of the same, wherein the said A. C. &c. by the Queenes lawes is cleerely declared innocent &c.

A Condition for apparance in the Kings Bench, and good abearing.

Sect. 201.

Conditio istius obligationis talis est, quod si interius obligat I. L. compareat personaliter sub custodia infranominati Vicecom^{itis} vel eius deputat^{us} coram Domino rege in octabis S. Hill^{is} proximo futur^o ubi-
cunque tunc fuerit in Anglia, ad inuentendum tunc coram ipso d^{omi}no reg. sufficientem securitatem de se bene gerendo erga iptum dominum reg & cunctum populum suum, iuxta tenorem breuis dicti domini Reg. p^{re}af. Vicecom^{itis} inde direct^{us}, & se bene medio tempore gerat, & dict^{us} vicecom^{itis},
hered^{um}

hered, et executores suos erga dominum Regem et cunctum populum
suum de, & in omnib⁹ concernent premissa indemne conferret, qđ tūc
&c. -

A Condition of the peace for the good abearing.

The condition &c. That if h^e within bound R. T. do personally ap- Sect. 202.
peare in the custody of the Bailly within witten, or of his deputy, befoze the Justices of our soueraigne Lord the King &c. the Sunday next after the Nativite of S. Jo. Baptist &c. at the towne &c. to find there befoze the said Justices, god and sufficient suerties of the peace, & do behave & beare himselve well & peaceably against our said soueraigne Lord, & all his liege people, & specially against A. B. & in the meane time keepe the peace of our said soueraigne Lord. And is frō hencefozth saue & keepe harmelesse the within named bailie &c. foz & concerning the premisses, & every part of them, That then &c.

A Condition for apparance in the Common place.

Conditio istius obligationis talis est, qđ si interi⁹ obligat I. H. com- Sect. 203.
pareat personaliter corā Iustic⁹ dom⁹ reg. apud W. à die Pas. in xv. dies, ad respondēd H. B. de plac⁹ debi⁹ vel detenc⁹, aut compos⁹, iuxta tenor⁹ b⁹ris Reg. prat. Vic⁹ inde direct⁹ &c.

A Condition to give evidence against a Felon.

The Condition &c. That if the above bounden T. W. & R. C. doe Sect. 204.
pursue and give such evidence as they know, at the next general Sessions foz the County of W. to be holden against D. D. and R. B. now prisoners in the castle of W. concerning certaine felonious acts by them perpetrated or committed, Then &c.

A Condition to give evidence against Felons at the Sessions.

The condition &c. That where the within named R. P. and J. B. Sect. 205.
by vertue of their office by instruction given and declared unto them by me P. L. of P. have attached & taken as a Felon one G. G. of P. foz and concerning the in-bezilmēt & taking away of ii. peces of Clozthūd, of the goods and chattels of one R. W. of P. D. being in the safe custodie and keeping of the said P. L. if the same P. at the Sessions of the peace of our soueraigne Lodie Quene Elizabeth, next to be holden at P. within the countie of &c. in the sayd citie of P. in his owne proper person do appeare befoze the Justices of peace of

our Soueraigne Lady the Queenes Maiestie befoze them, then and there to declare to the said Iustices such pregnant evidences against the said G. G. of, for, and concerning the premises, as he the said J. hath perfect knowledge of, or can declare of a very trueth in the discharge and acquiting of the said Shirises, aswell against our said Soueraigne Lady the Queene, as against all and euery other person and persons: That then &c.

Conditio quod compareat coram Iustic' pacis ad proximum Sessionem.

Sect. 206.

CONditio istius obligationis talis est, qđ si quēdā A. W. Spinster, in propria psona sua compareat corā Iustic' dom̄ Reg. de pace in comitē N. conseruand assignat, necnō &c. ad proximū. Sessionē pacis dictæ dom̄ reg. apud M. in le Shirehouse ibim̄ prox. tenend ad respondend tam dict' dom̄ reg. quā G. S. de placit' transgressi. & contēpti, contra formā statut' seruient. Et vlteri⁹ indēpnēs cōseruet intransmissā Vic' & eorum verumque heredes & execut' suos, verlus dictā dñam Reg. & omnes alios quoscunque, de & super pmissis, extunc presens &c.

A Condition for apparance in the Kings Bench for the peace.

Sect. 207.

CONditio &c. qđ si infra obligatus I. L. cōpareat psonalit' in custodia infranominat' Vic' &c. coram dom̄ Reg. in octabis sancti Mich. proximū futurū vbiunque tunc fuerit in Angl', ad inueniendū tūc coram ipsa dom̄ reg. sufficientē securitatē pacis dom̄ reg. & de se benegerendū erga ipsam dom̄ Reginam & cunctū populū suū, & p̄cipue erga H. C. iuxta tenor' breuis ipsius dom̄ reg. p̄fat' Vic' inde direct', & medio tēpore pacem gerat, & dict' Vic', hered', & executōr' suos ergo dñam reg. cunctum populum suum, & p̄cipue erga p̄dict' H. de, & in omnibus concernēti' p̄missa indempnes conseruet, quod &c.

A Condition for behaiour, and not to resort to the obligees house.

Sect. 208.

The Condition &c. That if the within bound J. L. from henceforth wel and honestly, aswell in words as in deeds, behaue and demeanne himselfe against the within named W. P. & from this time forward, neither to bebuke, mislay, thzeat, menace, ne byaue the same W. noz to him any bodily hurt or harme do, or procure to be done, noz any

any assault or fray vpon him make, or cause to be made. And also doe not from henceforth come, resort, or draw into the house of the said *W.* nor with him, ne any of his be accompaigned, eating, drinking, familiar, or conuersant within the said house, That then &c.

A Condition for apparance vpon a Latitat.

The Condition &c. That if the aboue bound *G. H.* doe appeare Sect. 209.
before our Soueraigne Lady the Queenes Maiestie at *W.* the Thursday next after quindena Pascha, to answer vnto *R. C.* in a plea of Trespasse: That then &c.

A Condition to be true Prisoner.

The Condition &c. That if *J. H.* Merchant of &c. which now is in Sect. 210.
the Queenes prison, vnder keeping of the Shirife within witten, as well by reason of a writ of our soueraigne Lady the Queene, of the statute of the Staple contayning the summe of *C. P.* &c. as also for certaine other actions, causes, and suites, on the behalfe of *R. S.* &c. moued & commenced, be from henceforth a true and faithful prisoner, tarrying and remayning with the said Shirife and his deputy, till the same *R. S.* be fully at an end discharged & acquitted of the said action, and then content and pay to the said Shirife &c. all and singular costs, charges, fees, and other duties, in such cases heretofore accustomed to be payd: That then &c.

A Condition to returne Cattell repleued.

The Condition &c. That where the within named Shirife, by vertue of his office, & vpon the complaint of the within bound *J. L.* Sect. 211.
had deliuered and repleued to the same *J.* two hozes, and foure kine, which one *W. B.* late toke, and wrongfully withholdeth, as the sayd *J. S.* sayth, If the same *J.* do pursue his action with effect against the sayd *W.* for the taking and withholding of the said hozes and kine, and make returne of the same, if the returne thereof be so adiudged, by law, and the said Shirife, his heirs & executors acquite, discharge & saue harmlesse against our soueraigne Lady the Q. and the said *W.* of and for all & euery thing concerning the premises, That then &c.

*A Condition that Pyrats shall appeare at the next
gaole delinerie.*

The Condition &c. That if the aboue bound *W. W.* now prisor Sect. 212.
ner with the Sericant of the Admiralty, be forth-comming, and make

make his personall apparance befoze the said Mast. Doctoꝝ L. Judge of her Maiesties Court of the Admiraltie, and other her Maiesties Commissioners for s. yacies, at the next Sessions of Oasle delivery to be holden in the Citie of L. oꝝ the Borough of Southwarke, for Marine causes, And do not from thence depart without special licēce first had and obtained of the said Commissioners, That thence &c.

A Condition of a Recognisance of an Alehouse keeper.

Sec̄. 213.

THe Condition of this Recognisance is such, That if the aboue bound J. V. appointed to keepe an Alehouse, oꝝ victualing house, aswell for the reliefe of his poꝛe neighbors, as for good, honest, & wel disposed waifestring & traoualling persons, do at al time & times hereafter, keepe and maintaine in his house cōuenient victuals, not maintaining oꝝ suffering in his house, at any time oꝝ times, any vnlawfull games, neither sell oꝝ viter any victuals in time of diuine seruice to be celebrated in the parish Church of &c. vpon the holy daies, except in case of necessity, noꝝ in the night after conuenient times, & that for lawfull causes, that is to say: after the houres of ix. of the clock in the after noone of euery day in the Summer time, and viij. of the clocke in the Winter. neither after the same houres receiue into his house any thee' vagabonds, rogues, oꝝ suspected person oꝝ persons, to his knowledge, to play, eate, drinke, oꝝ lodge, and abide in the said house, without the cōmandement of the Constable, oꝝ other officer there for the time being, oꝝ at any time oꝝ times do suffer to remain by y^e space of x. houres in his house, any idle person oꝝ persons &c. That then &c.

A Condition of a Recognisance for Brewing.

Sec̄. 214.

THe Condition of this Recognisance is such, that whereas the said A. P. is licenced by vs G. F. and F. R. two of the Queenes Maiesties Iustices of Peace within the said County of D. to brew, to sell, and keepe a common Alehouse, according to the statute for brewers, made in the 5. yeare of the reigne of our late soueraigne Lord King Edward the first: If therefore the said A. P. doe brew to sell and keepe a common Alehouse, and doe not vse, noꝝ suffer any vnlawfull games, oꝝ euill order within his house, orchard, oꝝ garden, but vse, maintaine, and keepe good order and rule within the same, according to the Statute, That then &c.

A Condition of an Alehouse keeper.

Sec̄. 215.

THe Condition of this Recognisance is such, y^e where the within bound J. S. is appointed to keepe a common Alehouse at D. if the

the said J. S. doe observe, keepe, & vse, or cause to be kept & bled, good & honest rule & conseruation in the same Alehouse, and doe not in the same suppozt & maintaine, or suffer to be kept, exercised or bled, anie vnlawfull gaires and plaies, as at Dice, Cards, Tables, or anie other vnlawfull games, prohibited by the lawes & statutes of this realme, and especially by mens seruants, appzntices, comon labozers or idle persons, and also doe not keepe tipling, or resort of any persons in the same Alehouse on the houres of diuine seruire on the Sabbath day, or other festiuall daies, and doe not wittingly lodge, suppozt, or maintaine in the same Alehouse, men or women of euill name, fame or condition, haunTERS or any other misruled persons, knowing them to be of such sozt & condition. And also prepare two honest beds to lodge in such travelling persons as from time to time shal happen to haue need of lodging, during the terme that he shall keepe the same Alehouse, That then &c.

A Condition to knowledge satisfaction.

The condition &c. That if the within bound T. H. his executozs, Sect. 216. or administrators, befoze the end of the next Easter term, by him or themselves, or by his or their lawfull Atturney, shal in the Quens Maiesties Court of her common plees, confesse or acknowledge satisfaction of all such Judgements & executions, as the said T. H. hath recovered in the said Court against one W. S. late of K. in the county of P. Gentleman, That then &c.

A Condition to make goods sold, worth &c.

The Condition &c. That where the within bound J. S. the day of Sect. 217. the date within witten, for the sum of xx. pounds &c. hath bargained, sold and deliuered to the within named T. P. diuers goods, plate and jewels, in a certaine Indenture comprehended, bearing date &c. vnder a Condition in the same Indenture specified: If the said J. S. make default of payment, in the said Indenture mentioned and comprised. And then if all the afozesaid goods, plate & jewels, indifferently praised, be found of lesse value then &c. so that the said J. S. immediately pay, or cause to be paid to the aboue named T. his heires &c. as much good and lawfull money, or other ware, as shall amount to the summe of all that shall be lacking of the said &c. in the goods, plate, and jewels afoze rehearsed: That then &c.

A Condition to find a Curat to serue a Cure.

The condition &c. That if the aboue bound J. S. his heires, executozs, Sect. 218. administrators, or assigns, or any of them, do well and truly
from

from time to time, & at all times hereafter, at his & their proper costs & charges, find & maintaine one able and sufficient Curat or Minister, which shall well and sufficiently discharge and serue the Cure of the said parish Church of &c. according to the Ecclesiasticall lawes of this Realme, and well and truly discharge, and acquite the said A. from the seruing thereof, during all such time as the said A. shall be and continue Parson of the said Parish. That then &c.

A Condition to finde necessaries during life.

Sec̄t. 219.

The Condition &c. That if the within bound C. F. his &c. at the only costs & charges of the said C. F. his executors &c. shall and will sufficiently and competently find, provide, and giue, or cause &c. vnto D. now wife of the within named E. J. during the naturall life of the said D. good, sufficient, and competent houserome for her dwelling and abiding, & also sufficient and competent lodging, bedding, & wholesome sustentance, meat, drinke, apparell, & all other things meet & requisite, to and for the sustentation, keeping, and liuing of the said D. during the naturall life of the said D. That then &c.

A Condition to find meate, drinke &c.

Sec̄t. 220.

The Condition &c. That where a marriage is to be had and celebrated betwixen the within named H. G. of the one party, and one D. S. one of the daughters of the within bound E. S. of the other partie, if the said E. his heires, executors, and assignes, shall after the day of the marriage aforesaid, for and during the terme of iij. yeares thence next and immediatly following, fully to be complete and ended, finde vnto the said H. & D. & vnto one seruant of the said H. sufficient meate and drinke, with conuenient bedding & other necessaries to the same belonging and appertaining, when, or as often as they or any of them shall repaire, resort, abide, or remaine, in, or at the mansion house of the said E. commonly called and knowne by the name of S. or else where, during the terme aforesaid: That then &c.

A Condition to leaue his wife &c.

Sec̄t. 221.

The Condition of &c. That where the within bound J. L. shall by the grace of God, marrie and take to wife A. P. widdow, if the said J. after the marriage had and solemnized, happen to die befoze the said A. that then if the said J. do leaue the said A. worth an C. L. in monney, or in moueables, ouer and aboue household stuffe, by legacie or otherwise, to be deliuered by the executors, or assignes of the said J. to the said A. her executors or assignes, within one moneth next after the death

death of the said F. to be employed and disposed to the proper use of the said A. at her will and pleasure, That then &c.

A Condition to leaue his wife suruiuing, goods worth &c.

The Condition of &c. That where the aboue bound **W. B.** is by the grace of God shortly to marry & take to wife **P. H.** nere kind, woman vnto the said **F. R. & W. B.** hath no inheritace, which he may lawfully assure for the Joynture of the said **P. H.** nor whereof she is by law to be endowed, and therefore very carefull and willing, that if it please God that the said **W. B.** doe die befoze the said **P. H.** that he may and shall leaue the said **P. H.** sufficiently prouided for, respecting his ability, and the portion he had by her, And accordingly hath promised to the said **F. R. H. S.** and **F. H.** If therfoze the said **W. B.** doe by his last will and testament in writing, or otherwise, sufficiently and lawfully prouide, without all fraud or practise, that the said **P. H.** may haue and enjoy to her owne use, immediatly after the death of the sayd **W. B.** if she fortune to ouerlue him, goods and chattels amounting to the cleere summe and value of &c. aboue all charges, which she shall and may lawfully possesse and enjoy at her will and pleasure, without any lawfull claime, challenge, or demand to be made by any person or persons, That then &c. Sect. 222.

A Condition to suffer his wife to make a Will.

The Condition &c. That if the within bound **R. P.** doe permit & suffer one **P. D.** which the saue **R.** by Gods grace shall take to wife at any time befoze her death, to declare & make her wil, deuise, and giue at her pleasure xl. li. of &c. to what person or persons, & vnto what use and purpose as she will at her pleasure. And also permit and suffer her executors to proue, declare, and perfozme the last Will by her made, without veration or interruption, denying, or impediment of the said **R.** And also if the same **R.** do perfozme, fulfil, obserue, pay, and content the said xl. li. so by her assigned, bequeathed, and willed, to such person or persons, in such maner and use, & at such daies, and within such time, as by her shall be deuised, bequeathed, and willed, without any further delay, That then &c. Sect. 223.

A Condition to suffer his wife to giue certaine Goods during her life, or by will.

The Condition &c. That if the within bound **T. B.** after marriage had betweene him, and **A.** widow, late wife to **T. B.** deceased, Sect. 224.

deceased, do permit & suffer the said A. to giue, bequeath, or appoint, by her last wil, or otherwise, at any time during her life, goods & chattels, to the value of *ꝛc.* so y^t the same gift, bequest, or appointment so to be had & made, shall be good & available to the said parties, to whō the said gift, bequest, or appointment shall be so made by the said A. against the said T. B. & his executors, without let, impediment, or disturbance of the said T. B. or of his executors &c. And also if the said T. B. do accomplish, performe, and fulfil the said gift, bequest, or appointment, having thereof notice and knowledge by the said A. or by her last wil, with his owne proper goods, according to the intent and true meaning of a paire of Indentures made betweene the said T. B. of the one party, and P. K. and C. G. of the other party, bearing date *ꝛc.* That then *ꝛc.*

A Condition to passe an accompt, and procure discharge for a Shirife.

Sect. 225.

The Condition *ꝛc.* That if the aboue bound H. D. his heires, executors, & administrators, doe make a true & perfect accompt, of & for the aboue named T. his heires & executors, in the Exchequer of our Soueraigne Ladie the Queene, and the heirs and successors of the said Quēne, of, for, & vpon all issues, charges, summe & summones, which be or shall be asked, charged, or demaunded, of, or vpon the said T. as late Shirife of the said Countie, and get, & procure a sufficient Quicquid est thereof for the said T. his heires & executors. And moze ouer do well and truely discharge, saue, or keepe harmelisse the said T. his heires *ꝛc.* against our soueraigne Lady her heires & successors and all other person or persons of, for, and concerning the said office of Shirife, and all the receipts and charges thereof, That then *ꝛc.*

A Condition for the executing of a Bailymicke.

Sect. 226.

The Condition *ꝛc.* That if the aboue bound J. P. doe well and truely exercise the said office of Bailife and Collector in the County of P. by himselfe, or his sufficient deputy or deputies, for whom he will answer, during the time that he shall continue in the same. And doe by himselfe, or by his sufficient deputie or deputies for whō he will likewise, answer, appeare verely at al times of the yere, befoze the Receiuoz of the Quēnes Maiesties said rents, profits, and reuenues for the time being, vpon the precept of the sayd Receiuoz, or of his deputie, verely, at such time and place within the sayd County of P. as the same Receiuoz by his precept shall limit and appoint to the said J. P. And also if the said J. P. do then pay, or cause to be paid to the Quēnes vse, her heirs and successors, to the hands of the sayd Receiuoz,

Receiuoꝝ, oꝝ to the hand of his deputie oꝝ deputies, all such summes
 of money due to our Soueraigne Ladie the Queene, at, oꝝ befoze the
 feast of E. yearly, as the said J. P. shall oꝝ may by any lawfull oꝝ
 due meanes leuie oꝝ receiue, within oꝝ by reason of the said office of
 Waylife oꝝ Collectoꝝ. And also if the said J. P. by himselſe, oꝝ his suf-
 ficient deputie oꝝ deputies, doe appeare and accompt yearly befoze the
 Q. Maiesties Auditor oꝝ Auditorꝝ, oꝝ the deputie oꝝ deputies of the
 Quenes Maiesties Auditor oꝝ Auditorꝝ, at the Audite to bee holden
 within the said county of P. oꝝ elsewhere, as to him shalbe by the same
 pꝛecept appointed, betwene the feast of S. Mich. the Archangell, & the
 Patiuitie of our Lord God, oꝝ after such time and place within the
 said countie of P. as by the pꝛecept of the same Auditor oꝝ Auditorꝝ,
 oꝝ of his deputie oꝝ deputies shalbe to him limited & appointed, of, and
 foꝝ all rents, reuenues, and pꝛofits due and payable, within, oꝝ by rea-
 son of the said office of Waylife and Collectoꝝ, at, oꝝ befoze the feast of
 S. Michael the Archangell next befoze the same Audite. And do well
 and truly content and pay, oꝝ cause to be contented and paid to the Q.
 Maiesties use, her heires and successoꝝ, to the hands of the receiuoꝝ
 of the said rents, reuenues, and pꝛofits, all and euerie such summe and
 summes of money, as from time to time befoze the said Auditor oꝝ
 Auditorꝝ, oꝝ his oꝝ their deputie oꝝ deputies, shall be iustly found due
 to the Quenes Maiestie, her heires and successoꝝ, by the said J. P. oꝝ
 his deputie oꝝ deputies, by reason of the said office of waylife and col-
 lectoꝝ, vpon the foot oꝝ determination of euerie such accompt, had and
 made. And also doe obserue, perfoꝝme, fulfill and keepe from time to
 time, all things, clauses and articles touching Waylifes and Collec-
 toꝝ, contained and mentioned in the Statute foꝝ the true answering
 of the kings reuenues, made in the Parliament holden at Westm. in
 the vij. yeare of the raigne of our Soueraigne Lord King E. the vij.
 And if it shall happen at any time hereafter during the time that the
 said J. P. shalbe Waylife & collectoꝝ, as is afozesaid, any of the suertie
 oꝝ suerties now bounden foꝝ the said J. P. to die, oꝝ decay, oꝝ shall be
 mistiked and thought not able and sufficient by the Treasorer and
 Chancelloꝝ of the Erchequer foꝝ the time being, to answer and pay
 all such summes due, oꝝ to be due, by the said Collectoꝝ foꝝ his said of-
 fice, according to the true meaning hereof: Then if the said J. P.
 doe within one moneth next after the death oꝝ decay of any the per-
 son oꝝ persons aboue bounden, oꝝ after notice to him to bee giuen of
 such mistiking, as is afozesaid, of any the said persons so bound,
 finde, name, cause, and pꝛocure, such able and sufficient person,

and persons, as by the said Treasozer and Chancelloz of the said Eschequer for the time being, shall be thought meet and conuenient to be surely bound vnto our said soueraigne L. her heirs & successozs, in the stead & place of him or them so dead, decayed, or disliked and thought insufficient as aforesaid, and in such summe or summes of mony, and vpon such condition, & in such sort, as he or they which so shall be dead, decayed, or disliked, as is aforesaid, shal, be, is or shall be bound at the time or times that hee or they shall die, decay, or be disliked and thought vnmeet as is aforesaid: and that as often as any such doth decay, or any disliked shall happen during the time the said J. P. shall remaine & be baylife or collectoz of the premises, as is aforesaid, That then this Recognizance to be void and of none effect, or els &c.

A Condition to exercise a Bayliwike.

Sec. 227.

The Condition &c. That if the within bound J. A. do well & truly exercise & occupie y^e office of the Bayliwike of the hundred of C. vnder the within named C. T. being Sherife of C. & be readie & attendant to the said Sherif & his deputie, at all times when he shalbe required, in executing his said office of Sherifewike, & discharge and laue harmles the said Sherife against our soueraigne &c. and all other persons, for executing of all maner of proces, precepts, warrants & commandements, to be directed, executed, & done by the said J. and of all prisoners as shall be in his custody, & well & truly content & pay to the same Sherife, his executozs or assigns, all the issues, reuenues, and profits of the said hundred, whereof the certainties amount to the sum of iij. l. by the confession of the said baylife, to be paid ouly at the feast of C. &c. And also leuie, content and pay to the said Sherife, all such græne ware, pipesiluer, and issues, as the said Sherife shal be charged with in the said hundred, & as shall be extreated out to the said Baylife to gather, to be paid to the said Sherife afoze the said feast &c. That then &c.

A Condition to resigne a Vicarage.

Sec. 228.

The Condition &c. That if the within bound C. S. within one month next after request to him to be made by the within named W. C. or his certaine Atturney, do well & sufficiently resigne the Vicarage perpetuall of the Church of D. in the countie of C. in the diocesse of L. & C. into the hands of the Ordinarie of the said place for the time being, to the intent that the said Ordinarie shall institute and induct the said W. or such other person as the said W. shall for that purpose name Vicar of the said Vicarage, That then &c.

A Condition to renew suerties.

The Condition &c. That if the within bounden J. M. and T. D. or one of them, their heires, executozs &c. do well & truly content and pay, or cause to bee contented and paid vnto the within named W. M. his executozs &c. the summe of xx. l. &c. in manner and sozme following &c. And further, if at anie time hereafter befoze the said summe of 20. l. be fully paid, as is afozesaid, it shall happen the said J. M. and T. C. or either of them to die, Then the suriuoz of the said J. and T. together with one good, able, and sufficient person or suerty, shall in stead of him that shall so depart, within thze moneths next after the death of him that shall so depart, become and stand bound to the said W. M. his executozs or assignes, by an other good and sufficient writing obligatozie, for the paiement of the said xx. l. or so much thereof, as shall then be and remaine vnpated, in such maner and sozme, to all intents and purposes as are contained in this present obligation, (the said W. M. his executozs or assignes, vpon the sealing and deliuerie of the said new writing obligatozie, deliuering out the old Obligation then remaining, to be cancelled) That then &c.

Sect. 229.

Deseafances.

A Deseafance of an Obligation.

His Indenture made &c. Betweenc C. M. and W. M. Witnesseth, That whereas the saide W. M. standeth bound vnto the said C. M. by one Obligation, Bond, or writing Obligation, bearing the date hereof, in the summe of 200. l. payable at the feast of Easter next ensuing the date hereof, as thereby appeareth: That yett neuertheless, the said C. M. is contented, and for himselfe, his executozs, and administrators, and euerie of them, doth couenant, grant, promise, and agree, to and with the said W. M. his heires &c. by these presents, that if the said W. M. his &c. doe well and truly pay, or cause to be paid vnto the said C. M. his &c. C. l. of &c. vpon the feast day of the Ascension of our Lord God, which shall be in the yeare of our Lord God 1599. in the south porch of the parish church of R. in the countie of D. That then and thenceforth the said Obligation, bond, or writing obligatozie to be utterly void and of none effect in the Law, or else to stand, remaine, and be &c. In

Sect. 230.

S. more deffigato
Sint 407. 708

N

witness

wignes w^herof the said parties to these present indentures interchāge-
ably haue set their hands & seales the day & yeare first aboue w^{ri}tten:

*A Defeasance of a Recognisance for the payment of
money at severall daies.*

Sect. 231.

THis Indenture &c. Witnesseth, that whereas R. W. of D. in the
Countie of E. yeoman, and J. L. of C. in the Countie aforesaid
yeoman, by a certain recognisance provided for the recoverie of debts
taken, recognised and sealed befoze S. C. W. Knight, chiefe Justice
of the Kings Bench, bearing date the day of these presents, stand and
be jointly and severally bounden vnto T. V. of C. in the countie of E.
yeoman, in the summe of one hundred pounds sterling, to be paid as
in the same Recognisance thereof made, more plainely doth appeare:
P^{ro}uerthelesse, the said T. for him; his heires and executors, willeth
& granteth by these presents, that if he the said R. and J. their heires,
executors, and assignes, or any of them, do truly content and pay, or
cause to be contented and paid vnto the aforesaid T. his heires, exe-
cutors or assignes, the summe of forty pounds of good and lawfull mo-
ney of England, in maner and forme following: that is to say, In the
feast of sc. five pounds, at the dwelling house of the said T. where hee
now inhabiteth: And the first day of May sc. five pounds at the said
house, and so forth from yeare to yeare, and halfe yeare to halfe yeare
euerie first day of May next and immediatly ensuing one another, at
the house of the said T. as is aforesaid, five pounds, vntill the said
summes of forty pounds be fully contented and paid: That then sc.

*A Defeasance to make a Lease, according to an old Lease thereof,
and for quiet occupation thereof.*

Sect. 232.

THis Indenture &c. betweene T. W. and B. his wife, and G. P.
of sc. Witnesseth, that where the said G. P. by his deed indented,
bearing date the 28. day of P. in the fourth yeare of sc. haue demised,
graunted, and to farwe letten vnto the said T. W. and B. his wife,
all those his sheep pastures, leases, feedings and commons, set, lying,
and being in the manors of S. and P. in B. in the countie of P. with
all and singular sc. To haue, hold, and occupie the same to the said T.
W. and B. their executors and assignes, from the day of the date of
the said deed indented, for and during the terme of 21. yeares thence
next following, as by the tenor of the same deed indented moze plainely
it doth appeare. And whereas the said G. P. personally standeth
bound befoze the Queenes Maiestie, in her high Court of Chancerie
by

by a Recognisance there acknowledged, bearing date &c. vnto þ said
 T. W. and W. his wife, in the summe of &c. as by the tenoz of the same
 Recognisance inrolled in the said Court, doth and may moze plainly
 appeare: It is therfore couenanted, condiscended, fully concluded &
 agræd betweene the same parties, and the same T. W. & W. his wife
 for themselues, their &c. do couenant and grant, to and with the said
 G. P. his &c. that if he the said G. P. his &c. within one yere next af-
 ter the sul end, expiration, & determination of the said xxj. yeres, & af-
 ter a reasonable & conuenient request to the said G. P. his &c. had and
 made by the same T. W. and W. his wife, or any of them, or the
 heirs &c. of them, or any of them, make, seale, and deliuer, or cause to
 be made, sealed, & deliuered, a godd, sufficiēt, sure, & indefeasible new
 lease of the same shæpe pasture &c. vnto the same T. W. and W. his
 wife, or the longest liuer of them, if either of the same W. or W. then
 fortune to be dead. To haue and to hold the same, for, and during the
 terme of xx. yeres next insuing, with oncly such and no moze rent re-
 serued for the same, and such like, & no moze, noz other articles, agræ-
 ments, or couenants, then be contained in the Indenture afoze men-
 tioned (þ names of the parties thereunto, the date & expiration of the
 same new lease, & other things of course, and not of substance or effect
 only to be changed and altered in the same, & by the assent or mutuall
 agrément of both the parties to the same, according to the true mea-
 ning & intent hereof.) And also if the same T. W. and W. their heires
 &c. shal quietly haue, hold, occupy, and inioy the same premisses, by al
 the time of the terme of the said xx. yeaeres, according to the tenoz of
 the new appointed lease, paying such rent as is reserued & contained
 in the same Indentures, without any lawfull euiction or disturbance
 of the said G. P. his heires or assignes, or any other by him, his, or a-
 ny of their pzocurement or commandement. That then &c.

A Deafeance of a statute Staple for debt.

THis Indenture &c. Betweene C. C. of &c. and J. A. J. B. and J. B.
 of the other party, Witnesseth, that whereas the said J. A. J. B.
 and J. B. by one writing or Recognisance, bearing the date hereof,
 made according to the Statute pzouided and set forth for the recovery
 of debt, sealed, taken, and acknowledged befoze sir T. D. knight,
 Maioz of the Staple at Westm. & W. F. esquire Recorder of the citie
 of L. are, and stand iointly and seuerally bound to the said C. C. in
 the summe of CC. pounds, of lawfull moncy &c. as by the same wri-
 ting or Recognisance appeareth. Neuertheleffe, it is agreed betweene
 the said parties, and the said C. C. is contented and pleased, and by

Sect. 233.

these presents, for him, his executors, &c. doth covenant &c. to & with the said J. A. J. B. J. C. and every of them, their &c. in maner & forme following, that is to say: that if the said J. A. J. B. and J. C. or any of them, or &c. do well and truly pay, to cause to be paid vnto the said C. C. his &c. the summe of one hundred pounds, of &c. at, or in the now dwelling house of C. C. &c. in the countie of S. in, and vpon the 4. day of &c. (if the said J. C. and C. C. daughter of the said C. C. or either of them shall be then liuing in this transitorie life,) That then the said writing or Recognisance of &c. shall be vtterly void and of none effect, as though the same had neuer beene made. In witnesse &c.

*A Defeasance of a Statute knowledged before the chiefe
Iustice of the common Plees.*

Sec. 234.

THIS Indenture &c. Betweene C. W. of &c. and W. W. of &c. Witnesseth, that whereas the said W. W. standeth bound vnto the said C. W. by one Statute, Recognisance, or bond, bearing date hereof, knowledged befoze sir C. A. knight, Lord chiefe Iustice of the common Plees at Westminster, in the summe of C. C. pounds, payable at the feast of Easter next insuing the date hereof, as therby appeareth: That yet neuerthelesse, the said C. W. is contented, and for himself, his executors &c. and every of them doth covenant, grant, promise, and agree, to, and with the said W. W. his heires &c. that if he the said W. W. his heires &c. do well and truly pay, or cause to be paid vnto the said C. his executors &c. one hundred pounds &c. vpon the feast day of &c. in the South porch of the parish church of saint D. situate in Fleetstreet in London, That then &c.

*Et more Defeasances
Stat 407: 408.*

In like manner may all other Defeasances of Statutes Merchant and single Recognisances knowledged in the Chancery, or elsewhere be made, *Mutatis mutandis*. And so we thinke we haue sufficiently discoursed of the sundry formes of Conditions, and Defeasances of Obligations and Recognisances: vnto which, Feoffements seeme by good right worthy to be next placed.

Feoffements.

Of Feoffements, and what a Feoffement is.

Sec. 235.



A Feoffement, Feoffamentum, or rather Feufamentum, for it seemeth to be deriued of Feudum, a Gottish word, so called à fide vel fidelitate, which is defined of the Ciuill Lawiers, A louing

A louing and free grant of a thing either immouable, or of like nature, by transferring of the vse and profite thereof, retaining the verie proprietie vnder the doing of Fealtie, and other seruices. And of some it is said to be a kind of protection or patronage, safegard, or homage, whereby some dignitie, pension, or ground, is in such maner giuen or graunted to any man, that he and his heires and posteritie should for euer acknowledge to y^e autho^r of the same a good turne, & worship him as their Patron or Lord, and defend his person, honour, lands, and goods &c. By which I gather, that Feoffamentum generally signifieth donationem feudi. But with vs it is properly any gift or graunt, of any hono^rs, castles, manors, messuages, lands, or other cozpozall immoueable things of like nature, to another, and his heires for euer, by the deliuerie of seisin and possession of the thing giuen, whether the gift be made by word or w^riting. And when it is by w^riting, it is called a deed of Feoffement. And in euerie Feoffement the giuer is called the feoffo^r, feoffator: and hee that receiueth by vertue thereof, the feoffee, feoffatus: As in these examles following.

A Feoffement of lands descended.

SCiant &c. quod ego I. N. de P. in comitatu N. Yeoman, filius & hæ- Sect. 236.
 Sres R. N. nuper de P. prædict' defuncti, vendidi, concessi, & hac præ-
 senti charta mea confirmaui W. F. decem acras terræ cum pertinentijs,
 iacē & existē in villa & parochia de B. in comitatu prædict', viz. in-
 ter terram &c. Quæ quidem decem ac^r ter^r cum ptinent' nuper fuerunt
 prædict' R. P. patris mei, & quæ per & post mortem ipsius R. mihi præf
 I. vt filio & hæredi eiusdem R. iure hereditario descendebant. Habend'
 & tenend' prædict' decem acras ter^r cum pertinentijs præf. W. hæred' &
 assignatis suis in perpetuum de capitalibus dominis feodi illus, per ser-
 uitia inde debita, & de iure consueta, ad opus & vsu^m dicti W. hæred'
 & assignatorum suorum imperpetuum: Et ego veid' præf. I. & hæredes
 mei prædict' decem acras ter^r cum pertinentijs præf. W. hæredibus &
 assignatis suis, contra omnes gentes warrantabimus imperpetuum per
 præfentes. In cuius rei &c.

A Feoffement of lands purchased according to an Indenture &c.

SCiant &c. quod ego I. P. ad instantiam & requisitionem W. F. ac in Sect. 237.
 complementum & executionem certarum conuentium & conces-
 sionum contentar' & specificar' in quibusdā Indentur', gerentibus datum
 quarto.

quarto die I. ultimo præterito ante datum præsentium, factis inter me præfatum I. ex vna parte, & prædict' W. ex altera parte, dedi, concessi, & hac præfenti charta mea confirmaui eidem W. totum manerium meum de D. in S. cum pertinentijs in comitatu E. vna cum omnibus terris & tenementis, pratis, pascuis, pasturis, botcis, & subbotcis, redditibus, reuersionibus, & seruitijs, & omnibus suis pertinentijs eidem manerio spectantibus siue pertinentibus, quæ ego prædict' I. nuper habui mihi, hæredibus & assignatis meis, ex dono & feoffamento N. K. Habendum & tenendum totum &c. *vi supra.*

A Feoffement in fee, with a letter of Attorney.

Sect. 238.

SCiant præsentēs & futuri, quod ego W. H. generos. dedi &c. W. C. manerium meum de T. &c. Habend' & tenend' prædictum manerium cum omnibus &c. præfāt W. C. & I. S. hæredibus & assignatis suis imperpetuum. Et ego vero prædict' &c. Et vterius sciant me præfāt W. fecisse, ordinasse, constituisse, & in loco meo posuisse dilectos mihi in Christo R. F. & W. S. meos veros & legitimos Attornatos, coniunctim & diuisim, ad intrand' & possessionem capiendam pro me, & in nomine meo, de, & in præd' manerijs, terris, tenementis, reuersionibus, & seruitijs, cum omnibus suis pertinentijs, & post huiusmodi possessionem sic inde captam & habitam, deinde pro me, & in nomine meo, plenam & pacificam possessionem & seisinam inde præfatis W. & I. aut eorum in hac parte attornat' siue attornatis deliberandum, secundum tenorem, vim, formam, & effectum huius præsentis chartæ meæ: Ratam & gratam habens & habitur' totum & quicquid præd' Attornati mei seu eorum alter nomine meo fecerint, vel alter eorum fecerit in præmissis. In cuius rei &c. Dat' &c.

A Feoffement in fee on a decree in the Chancery.

Sect. 239.

SCiant &c. quod ego I. B. ad instantiam & specialem requisitionem R. S. P. necnon vigore & autoritate cuiusdam decreti super petitionem eiusdem R. P. in Cancell' domini Regi de & super maner' de L. cum pertinentiæ in com' E. versus me habi: Tradidi, dimisi, liberaui, & hac præfenti charta mea confirmaui eidem R. prædict' maner' cum pertinentijs præfāt R. hæredibus & assignatis suis in perpetuum ad vsum eiusdem I. hæred' & assignatorum suorum, secundum vim, formam & effectum decreti prædicti. Habendum & tenendum &c. In cuius rei testimonium &c.

*A Feoffment of the moitie of a Manor recovered by
a writ of Entric in the Post.*

SCiant &c. quod ego I.D. pro summa quadraginta lib. &c. mihi per Sec. 240.
R. F. præ manibus solutæ, de quibus quidem xl. li. fateor me plenarie fore satisfactum & perfolurum, dictumque R. hæredes, executores, & administratores suos inde esse acquietos & exoneratos per præsentibus: Dedi, concessi, & hac præsentis charta mea confirmaui eidem R. medietatē maner de S. cum pertinentijs, ac vnus mesuag', vnus gardini, xx. acra' tert', x. ac' prati, xl. ac' pastur', & xx. solid' reddit' cum pertinentijs in T. & C. in com' E. Quam quidem medietatem omnium & singulorum præmissorum cum pertinē, ego p' I.D. in curia domini reg' coram I.B. milite, & socijs suis Iustic' ipsius domini reg' apud W. nuper recuperaui versus N. P. & I. vxor' eius, per breue dict' domini reg' de ingressu super disseisinam in le Post, prout inter record' de termino S. Hillarij, anno regni Henrici viij &c. plenius apparet. Habendum & tenendum totam p' medietatem dictorum maner, tert', & tenementorum, ac cæterorum præmissorum cum suis pertinentijs p' R. hæredibus et assignatis suis in perpetuum &c. *vt in alijs chartis præcedent'.*

A Feoffment in fee of lands by Executors &c.

OMnibus Christi fidelibus ad quos hoc præsens scriptum peruenit, W. & I. executores testamenti R. W. &c. Salutem in dño sempiternam. Cum p'dictus R. per testamentum lectum & proclamatum in Hustingo Londoñ certo die &c. proxim' post festum Sancti Barnabe, anno reg' H. viij. &c. xix. dederit & legauerit I. vxori suæ, tria tenementa sua cum p'tiñ quæ habuit in dicta Ciuitate, vnde vnum tenementum scituatum est et iacet in parochia S. Mar' virginis in *Fanthestrate*, inter tenentum &c. Et aliud tenentum scituat' est &c. Et tertium tenementum scituatum est &c. Habend' et tenend' p'dicta tria tenementa cum suis pertinentijs, p'fat. I. ad terminum vitæ suæ. Et post decessum p'dict' I. voluit & legauit antedictus testator, quod p'dict' tria tenementa cum pertinentijs Agnæ fil' hæred' de corpore suo legitimè procreatis integrè remanerent, et pro defectu hæredis de corpore eiusdem Agnæ legitimè procreati, voluit & legauit p'dictus testator, quod prædicta tria tenementa cum suis pertinentijs, nobis prædictis W. & I. et executoribus nostris integrè remanerent ad vendendum, Sec. 241.

& pecuniam suam inde percipiendam in operibus charitatis disponēd̄, prout in eodem testamento plenius continetur. Et quia prædictus I. obijt, & prædictus A. similiter sine hæredibus de corpore suo legitime procreat̄ decessit: Sciatis nos præfat̄ W. & I. executores dicti testamenti præfat̄ R. auctoritate dicti testamenti, dimisisse, concessisse, & hoc præsentī scripto nostro confirmasse, ac pro quadam pecuniæ summa inde in complementum executionis dicti testamenti præ manibus solut̄, vendidisse R. L. de Lond̄ Ciui & Mercatori Londoñ, prædict̄ tria tenementa cum suis pertinentijs. Habendum & teuendum eidem R. hæred̄ &c. In cuius rei &c.

A Feoffement in London.

Sect. 242.

SCiant &c. quod nos C. T. & K. T. dimisimus & feoffauimus W. R. filio W. R. I. W. & I. R. de Lond̄, duo tenementa nostra cum domibus, cellarijs, sollarijs, gardinis, & omnibus alijs suis pertinentijs scituacis in vico vocat̄ S. M. in parochia sancti A super Cornehil Lond̄, scilicet inter &c. Quæ quidem &c. cum suis pertinentijs nos præd̄ C. T. & K. T. nuper habuimus coniunctim, ex dimissione & feoffament̄ præd̄ W. R. filij dicti W. R. & I. R. fratris eius, prout in quadam charta per præfat̄ W. R. & I. R. inde nobis confecta, cuius datum est &c. continetur. Habendum & tenendum prædicta tenementa &c. Dat̄ &c.

A Feoffement in fee of a Hundred.

Sect. 243.

OMnibus Christi fidelibus ad quos præsens scriptū puenit, R. R. Miles salutē in dño. Cum dñs rex nunc 31. die Maij, anno regni sui 25. per literas suas patentes dederit & concesserit mihi præfat̄ R. R. inter alia Hundred̄ de B. in comitatu E. cum omnibus iuribus, finibus, amerciamentis, wrec' naris, et alijs emolumentis & commodatibus eidem Hundred̄ debitis spectantibus siue pertinentē quouis modo. Habend̄ & tenend̄ hundred̄ præd̄, ac cætera præmissa cum pertinēti mihi præf. R. R. hæred̄ & assignatis meis, de dicto dño rege & hæred̄ suis, per seruitia inde ab antiquo debita & de iure consueta in perpetuum, prout in eisdem literis plenius continet̄. Noveritis me præf. R. R. per præfentes, dedisse, concessisse, & confirmasse, & virtute & auctoritate licentiæ mihi per dictum dominum regem, per dictas literas suas parētes concess. reuerendo in Christo patri & dño R. permissione diuina B. & W. Episcop̄, R. L. militi, R. B. I. H. ciuibus & Aldermanis Londoñ; & W. C. scruienti meo prædictum hundredum de B. cum omnibus &c.

Habend̄

Habendū & tenendū idem hundredū &c. ac cætera p̄missa cum pertinentī præfat̄ Episcop̄ R. L. R. B. T. H. & W. C. hæredibus & assignatis suis, de dicto domino rege & hæredibus suis, per seruitia inde ab antiquo debita, & de iure consueta imperpetuum. Et ego vero &c. warrantizabimus &c. Et ulterius noueritis me præfat̄ R. R. per p̄sentes, fecisse, constituisse, & in loco meo posuisse dilectos &c.

A Feoffement in fee to the husband and wife.

SCiant &c. quod ego R. B. dedi &c. A. T. de eadem, & E. vxori suæ, Sec̄. 244.
Stotum illud mesuag' meum quod ego habeo in dicta villa de S. scitu-
atum &c. Habendum & tenendum &c. In cuius &c.

A Feoffement in fee of Copihold lands.

OMnibus &c. T. B. Miles, dominus manerij de W. in coñ E. salu- Sec̄. 245.
tem in domino sempiternam. Cum I. M. ad Curiam tentam apud
maner̄ de W. prædict' die Lunæ proximo post festum S. Hill' Ep̄i, anno
&c. præsens in cur' sursum reddidit in manus domini manerij prædict'
duo tenementa hæreditabilia, vnde vnum est cum domibus edificat', &
aliud tenementum non edificat', ac cert' terr' marisc' eisdem tenementis
spectant' cum omnibus suis pertinentijs, quondam vocat' H. iacent' in
W. prædict', ad opus W. T. & vxor' eius, & hæred' suorum. Quibus domi-
nus per Seneschallum suum concessit inde seisinam, tenendum eidem
W. & I. vxori eius, hæred' & assign' per virgam ad voluntatem domini,
secundum consuetudinem manerij, per seruitia & consuetudines inde
debita, & de iure consueta imperpetuum, prout per rotulum curiæ præ-
dict' latius patet. Posteaque p̄d' I. obiit viuentem prædict' W. viro suo, &
idem W. legitim' possessionar' existens, de, & in p̄dict' duobus tenementis
ac cæteris p̄missis vt p̄dict' est in forma p̄dict', eadem duo tenementa ac
cætera p̄missa cum eorum pertinentī in manus meas nuper sursum red-
didit, ad intentionem quod ego p̄dicta duo tenementa ac cætera præ-
missa cum suis pertinentijs, per chartam meam sigillatam cuidam R. T.
dimitterem, traderem, liberarem, & confirmarem. Sup' quo sciatis me
p̄fat' T. B. pro quadam pecuniæ summa &c. dimisisse, tradidisse, libe-
rasse, & hoc p̄senti scripto meo indentato confirmasse p̄fat' R. D. p̄dict'
duo tenementa, ac p̄d' terr' & marisc' eisdem tenementis spectant', cum
omnibus suis pertinentijs. Habendum &c. præfat' R. D. hæredibus &
assignatis suis liberè, quietè, benè, & pacificè per chartam imperpetu-
um. Reddendo inde annuatim mihi præfat. T. B. & hæredibus &
assignatis

assignatis meis dominis manerij prædicti pro tempore existē, decem solidi legalis monetæ Anglię ad festa Pasch' & S. Mich. archang' per equales portiones, & sectam curiæ in manerio meo præd' cum acciderit: Ac etiam ultra hoc reddendo ad quamlibet alienationem seu venditionem prædict' duorum tenementorum, ac cætororum præmissorum prædict' mihi & hæredibus meis dominis manerij prædict' pro tempore existē vij. s. legalis monetæ Angl' pro omnibus reddit', seruitijs & demandis quibuscunque. Ita quod si & quoties contingit prædict' annualem reddit' x. s. aut præd' reddit' vij. s. aut dictam sectam curiæ, cum ut præfertur solui debeat, a retro fore in parte vel in toto post aliquem terminum solutionis inde prælimiē contra formam prædictam, quod tunc & toties bene & liceat & licebit mihi præfat. T. B. hæred' & assignatis meis dominis manerij prædicti pro tempore existē, in prædict' duo tenementa, terras, & marefc' præd', & in quamlibet inde parcellam intrare & distringere, distractionesque sic ibidem captas licitè asportare, abducere, effugare, decariare, & penes se retinere, quousque præd' reddit' sic a retro existē, & omnia inde arerag' si quæ fuerint, nobis plenariè fuer' satisfact' & persolut'. Ac insuper noueritis me præfat. T. B. fecisse, ordinasse, &c. *ut in alijs chartis.*

A Feoffement of lands in auncient demefne recovered there by fine.

Scã. 246.

SCiant &c. quod ego I. D. vendidi, dedi, concessi, & hac præsentis charta mea confirmaui I. S. illas tres toftas terræ cum pertinē voc' C. prout in simul iacent apud H. infra parochiam de H. in com' E. viz. inter terras &c. Ac etiam quendam annualem reddit' trium solidorum & nouem denariorum, leuanđ & percipiend' de tenement' sequent', scilicet de R. B. pro vno tenemento & certa terr' in H. vocat' G. ij. s. vij. đ. & de N. P. pro vno tenemento & vno gardino adiacente in H. præd' vocat' P. xv. denar' ad duos anni terminū, viz. ad festa Pasch' & S. Mich. per equales portiones annuatim soluend', quæ nuper habui à T. M. & A. vxore eius; virtute cuiusdam finalis concordia fact' in Curia domine K. reg' Angl' præchariss. consortis H. vij. Dei gratia Angliæ &c. maner' sui de H. ibidem tenta decimo die Februarij anno regni dicti domini regis 35. coram A. B. & C. D. balliuis ipsius reginæ maner' sui prædict', ac P. D. R. C. I. W. & E. K. testatoribus curiæ illius, inter me præfat. I. D. quer', & prædict' T. M. & A. iam vxor' eius deforc', prout in fine præd' liquet manifestè. Habendum &c. *ut in alijs chartis.*

A Feoffe-

A Feoffment to the intent to reinfeoffe.

SCiant &c. quod ego M. C. dedi &c. W. B. totum illud mesuagium &c. Habend' &c. præfat' W. B. & hæredibus suis &c. ad eam intentionem quod idem W. B. aut hæredes sui infra decem dies proximi sequent' possidatum huius præsentis chartæ meæ, refoffabit seu refoffari faciet me præfat' M. C. ac quosdam I. K. & A. C. quam quidem A. idem I. Deo fauente ducet in vxorem, de & in prædicto mesuagio &c. Habend' &c. mihi præfat' M. C. & assignatis meis, ad solum vsum mei ipsius M. pro termino vitæ meæ absque impetitione alicuius vasti. Et post decessum mei ipsius M. tunc habend' & tenend' prædictum mesuagium &c. præf. I. K. & A. & eorum vtriq; diutius viuenti & hæred' masculis de corpore ipsius I. K. legitimè procreat, ad solum vsum ipsorum I. & A. & eorum vtriusq; diutius viuentis & hæred' masculis de corpore ipsius I. legitimè procreat. Ita quod pro defectu hæred' masculi de corpore, dict' I. legitimè procreat, prædictum mesuagium &c. post decessum ipsorum I. & A. integrè remaneat mihi præf. M. & hæred' meis imperpetuum &c. *vt in alijs chartis.*

Sec. 247.

A refoffement.

SCiant &c. quod nos T. P. & W. S. ad specialem instantiam I. M. dimissimus, tradidimus, feoffauimus, liberauimus, & hac præsentis chartæ nostra confirmauimus eidem I. ac M. vxori eius totum illud mesuagium &c. Quod quidem mesuagium cum prædictis duobus acris terræ cum pertinentijs, nos prænominati T. P. & W. S. nuper coniunctim habuimus nobis & hæred' nostris imperpetuum, ex dono, concessione, feoffamento, & chartæ confirmatione I. M. prout in quadam charta cuius dat' est primo die Augusti vltimo præterito, ante dat' præsentium inde nobis confect', plenius apparet. Habend' &c. In cuius rei testimoñ &c.

Sec. 248.

A Feoffment of lands giuen by Testament.

SCiant &c. quod ego I. M. dedi, concessi, & hac præsentis charta mea sindentata confirmaui T. P. & W. S. vnum mesuag' &c. Quod quidem mesuagium &c. nuper fuerunt N. F. defuncti. Et quæ idem N. per suum testamentum & vltimam voluntatem factum & declaratum inscript', secundum formam statuti inde prouisi, mihi præfato I. & hæredib' meis nuper dedit & legauit, prout in testamento vltimæ voluntatis prædictæ, cuius dat' est primo die Maij, anno Domini &c. & anno regni

Sec. 249.

regni Henrici octavi Dei gratia &c. plenius continetur. Habend' sub forma & conditione sequentibus, viz. quod p̄dict' T. P. & W. S. vel heredes aut assignati sui cum inde requisit' lucr', refoffabunt me p̄satum I. M. ac quandam M. uxorem meam, de, & in p̄dict' mesuagio &c. Habendum & tenendum nobis p̄satis I. & M. ac heredibus & assignat' meis p̄dict' I. in perpetuum. In cuius rei testimonium vni parti p̄santis chart' meæ indentat' penes p̄satis T. & W. remanent', Ego p̄sd' I. M. sigillum meum apposui. Et quia idem sigillum meum quampluribus est incognitum, ideo sigilla honestorum virorum R. R. R. S. & E. K. testium in testamento & vltima voluntate p̄dict' N. F. nominat' & specialiter vocat', p̄santibus apposui & apponi procuravi. Et nos p̄dict' R. R. & E. ad specialem instantiam & personalem rogatum p̄dict' I. M. p̄santibus sigilla nostra apposuimus in fidelem & testimonium omnium p̄missorum; Alteri vero inde parte penes me p̄satis I. M. residenti, p̄sd' T. P. & W. S. sigilla sua apposuerunt, Dat' &c.

A Feoffment of a Mannor.

Sect. 250.

OMnibus Christi &c. ad quos &c. peruenerit, E. N. Miles cancellarius Curie augmentationum Coronæ Domini regis, Salutem in Domino sempiternam. Sciatis quod ego p̄satus E. N. virtute vigore & auctoritate licentiæ reg. ad inscript' faciend' p̄missi. habi' & obtent', ac pro quadam pecuniæ summa mihi p̄satis E. per I. W. Milif' Theaurar' Curie p̄dict' p̄ manibus bene & fideliter persolut', tradidi, feoffaui, vendidi, barganizaui, & hac p̄senti charta mea, confirmaui I. W. totum illud manerium meum de R. in comitatu O. cum suis membris & pertinentijs vniuersis, nuper Monasterio de S. dudum spectant' & pertinentibus. Necnon patronat', aduocatiõn, nominationõn, p̄sentationõn, & ius patronatus Ecclesiæ & rectoriæ de R. in comitatu O. dict' nuper Monasterio de S. dudum spectantia & pertinentia, ac etiam omnia & singula maneria, mesuagia, grangia, molendina, domos, ædificia, hortos, columbar', pomar', gardina, terras, tementa, prat', pastur', & pascua, boscos, subboscos, vias, communias, aquas, piscar', stagna, viuar', estuar', parcos, warren', vassa, moras, iam p̄n, bruct', mariscos, tam falsos, quam dulces, reuerfiones, seruiç', reddit', & proficua super quibuscunque dimissionibus & concessionibus reseruat', reddit' & firmis omnium tenementorum & firmariorum ad terminum vitæ & annorum per copiam Curie & custumar', reddit', seruiç', reddit' oneris, reddit' siccos, annuitates, ac feod' firm', feod' militum, cur', letas, uif. franc' pleg', ac omnia quæ ad uif. franc' pleg' p̄tinent, natiuos, & villanos

villanos cum eorum sequel', bona & catalla wauiaata, bona & catalla feloñ & fugitiuorum, velagatorum, attinctorum, & in exigendis posit, eschaet, releuia, extrahuf, libertates, franches. iur, iurisdictiones, priuilegia, & omnia alia proficua, commoditates, possessiones, et hæreditamenta mea quæcunque, cum eorum pertinentijs vniuersis, situaf, iacent, & existent in villa, campis, parochia, seu hamlet de R. parua, in dicto comitatu O. Ac etiam reuersiones & reddit omnium & singulorum præmissorum, & cuiuslibet inde parcell, ac omnes & singulos boscos et subboscos, & arbores quascunque super eisdem crescent siue existent. Adeo plenè, liberè, & integrè, ac in tam amplis modo & forma, ac cum omnibus eisdem & huiusmodi & consimilibus liberatibus, priuilegijs, iurisdictionibus, franchesijs, iuribus, proficuis et commoditatibus, quibuscunque, prout dictus Rex nunc Henricus octauus Dei gratia &c. per literas suas patentes sub magno sigillo tuo Angliæ confectas, gerentes datum apud Westmonasterium decimo octauo die &c. anno regni sui &c. mihi præfat E. N. ac hæredibus & assignatis meis iam dudum inter alia dedit & concessit, & adeo plenè, liberè, & integrè, & in tam amplis modo & forma, prout præmissa aut aliquam inde parcell' modo habeo, seu habere debeo, ratione, vigore, & virtute dictarum literarum patentium inde mihi vt præfertur confect', aut aliter quocunque modo. Habendum, tenendum, & gaudendum prædictum manerium de R. & prædicta mesuagia, terras, tenementa, prata, pasua, pasturas, reddit, reuersiones, seruitia, aduocationes, &c. ac cætera omnia præmissa superius expressa et specificat, cum eorum pertinentijs vniuersis præfato I. W. ac hæredibus et assignatis suis imperpetuum, ad solum & proprium opus et vsu ipsius I. W. hæredum & assignatorum suorum imperpetuum. Reddendo inde annuatim dicto domino Regi, hæredibus & successoribus suis x. li. bonæ & legalis monetæ Angliæ, ad dictâ Curiam Augmentacium reuenc' Coronæ Regiæ, ad festum Sancti Mich. archangel' singulis annis soluend' pro omnibus alijs seruitijs, sectis, et demandis quibuscunque eidem domino Regi, hæredibus vel successoribus suis quouis modo reddend', soluend', vel faciendis, Tenend' &c. In cuius rei &c.

Liuerie of seisin.

Sect. 25 r.



Be it deeds of Feoffement thus made be sealed and deliuered by the feoffor vnto the feoffee, and openly read, yet the things in such Charters contained, passe, not without liuery of possession and seisin, Litt Sect' 59. & 60. For no feoffement can be made without Liuerie of seisin, It is meete therefore I should shew what Liuerie of seisin is, and to what end it was inuented, and how it ought to be made. It is termed in Latin, Traditio possessionis, Inuestitura, vulgo deliberatio seisinæ, which is nothing else, but datio possessionis, for Tradere non significat rei proprietatem dare, sed rem ipsam accipienti potrigere, eiusue possessionem ad illum transferre: wherefore we may wel define Liuerie of seisin to be a ceremonie in our law, vsed in the conueying of lands or tenements, or other things corporall (for of things incorporal no Liuerie of seisin may be) by feoffement from one man to another in fee simple, fee taile, or for the terme of life, as an agreement or token of the willingnesse of the feoffor to depart with, and of the feoffee to receiue the things wherof the feoffment is made. Which was ordained at the first, that y common pleople might thereby haue notice of thaliteration of such estates, & sa better know in whom the right thereof remained, for their common quiet and repose, Perkins 209. 210. Braet. li. 2. ca. 18. Sect. 12. The vsuall maner of deliuerie of seisin of houses, lands, tenements, is, that the feoffor & feoffee if they be present, or in their absence, their Procurators or Attornies (by sufficient warrants of Atturney in wzing) doe come to y house or place wherof seisin is to be deliuered: And there in the presence of sundry good witnesses openly read, or cause to be read, the deed of feoffement, and letter of Atturney thereof, or to declare y verie effect thereof before them in English. Which being so done, the feoffor or his Atturney, must take a clot of earth, or a bough, or a twig of a tree therupō growing, or the ring or halp of the dooze of y house, and deliuer the same with the said deed vnto the feoffee or his Atturney, saying: I deliuer these vnto you in name of possession and seisin of all the lands and tenements contained in this deed, to haue and to hold accozding to the soyme and effect of the same deed. If the feoffement be without deed (as it may well be) then at the time of the deliuerie of Seisin, must be exprest y verie estate which the feoffee must haue thereby. In deliuerie of Seisin, al persons hauing any law-
full

full possession of seisin in the thing, of which seisin is to be deliuered, ought either to ioine together in the making of the Liuerie of seisin, or to be remoued thence, as lessees for yeares, or for life: for euerie Liuerie ought to bying an immediate possession vnto the feoffee, Littleton Sect. 61. & 418. Also if the feoffement be of diuers parcells of lands, lying in severall towne in one Countie, Liuerie of seisin in any part therof sufficeth for all, if they be then in the feoffors possession and out of Lease. But if they be in diuers countie, or in lease, or out of his possession, it is convenient that he enter into euerie parcell therof, and make Liuerie of seisin in euerie severall parcell therof, for he can give no possession vnto his feoffee if he haue it not in himself at the very instant of the deliuerie of seisin made, Littleton cap. 18. Sect. 1. And Bracton saith, Non iacebit seiscina aliquo tempore medio vacua. By liuerie of seisin the feoffor transferreth vnto the feoffee all that he hath in the things whereof the liuerie is made, according to the state thereupon limited. If two severall deeds of feoffement bee made to two severall persons of one selfe thing, it passeth vnto him vnto whom seisin is first deliuered, according to the verse:

Rem domino vel non domino vendente duobus,

In iure est portior, traditione prior.

Where the gift or graunt is of landes or tenements in lease, they commonly passe by Attournement of the particular tenants thereof, and not by liuerie of seisin. And the like order is to passe things which cannot passe but by grant in writing, as seruices, reuerfions, remainders, rents, commons &c. of which it shall be intreated in the Chapter of Graunts, Litt. Sect. 283. And by euerie Liuerie of seisin passeth an estate of freehold at the least.

The manner of indorsing or entring of Liuerie vpon deeds of feoffement by the feoffor to the feoffee in their owne person. Thus.

Memorandum, quod decimo die Martij, an^o &c. plena & pacifica Sect. 252.
 possessio & seiscina de manerio & tenementis infrascripta cum pertinentijs, data & deliberata fuit per infrascripta A. B. infrascripta C. D. in proprijs personis suis, secundum vim, formam, tenorem, & effectum chartæ infrascriptæ, in præsentia eorum quorum nomina subscripta sunt, viz. A. B. C. D. E. F. & aliorum. *Subscribing the names of the witnesses present therat.*

¶ by their Attornies thus:

Señ. 253.

Memorandum, quod decimo die Maij, anno xxxviij. Eliz. Reg. &c. plena & pacifica possessio & seisin de tenementis infrascript cum pertin &c. data & deliberata fuit p E. F. & E. H. attorn infranominat A. B. cuida G. H. attorn infranominat C. D. virtute sepeal' literar' attornat eis inde confectar, iuxta vim, formam, tenorem, & effectum chartar' infraspes', & literarum attornat p'd, *ut supra.*

¶ thus:

Per infranominat E. F. attornat p'rad A. B. iuxta &c. *ut supra.* ¶ to the like effect in Latin or English.

¶ Of letters of Attorney to give and receive seisin, shall be spoken in their place: Albeit they may be inserted in the deeds of Feoffement, *ut supra.*

A Gift or Grant intaile.

Señ. 254.

OMnibus Christi fidelib' ad quos hoc p'sens scriptum indentat' pervenerit, H. Comes A. salutem in dom' sempitern'. Sciatis me p'f. H. Com' A. tam p' & in consideratione summa &c. bon' & legalis monetae Angl' mihi p'f. Com' p' F. B. & S. gen' p'ra manibus bene & fidelit' per solut', unde fateor me p'f. Comitem plenat' fore satisfactum & persolut', eundemq; F. haered', execut', & administrat' suos inde plenè acquies' & exonerat' esse p' p'sentes, quam etiam in pte complement' quarundã conventioni' & agreementor' content', declarat', & specificat', in quibusd' Indentur' fact' inf me p'f. C. & I. D. & I. L. vxor dict' filiam meam dict' Com' ex vna pte, & p'f. F. B. ex altera parte gereñ dat' &c. anno regni domini nostrar' Eliz. Reg. nunc quinto, tradidisse, concessisse, & hoc p'æsenti scripto meo confirmasse p'f. F. B. omnia illa terras, tenementa, prata, pascua, pastur', boscos, subboscos, liberas communias, & haered', iacent' siue existent' in C. & S. in hoc p'æsenti script' indentat' inferius express', declarat', seu specificat', omnibus & omnimodis libertatibus, regalitat', iurisdictionibus, priuilegijs, & franchisijs, de, & in eisdem terris, tenementis, & cæteris p'missis, & in qualibet inde parcel' mihi p'æfat. Com', haered', & assignatis meis tantummodo & omnino except' & reseruat', viz. omnia illa terras, tenementa, prata, pascua, & pastur', modo vel nuper parcell' terr' dominical' p'ædicti manerij de S. in dicto com' S. vocat' seu cognit' per nomen vel nomin' de B. alias B. Street meadow, great D. meadow, D. sole head, ac D. meadow: Ac etiam totam illam parcell' terr' ibidem vocat' le hill vnder S. Ac totam illam aliam parcellam terr' ibidem adiacent' gardino p'ædicto F. B. in longitudine &c. inter domum dicti F. ibidem

nouo

nouo ædificat, & quendam campum ibidem vocat N. & in longitud' in-
 ter mess. dict' F. & al' viam ibidem ducent' ad &c. Ac etiam totam illam
 aliam parcell' terr' ibid' vocat le R. Ac etiam totam illam ac' terr' vasti
 ibid' iaceñ inter le B. & le C. Ac etiam totum illum aquæ cursum vo-
 cat siue cognit' per nomen de le C. per vel super dict' acram terr' vasti
 modo curreñ cum omnibus & omnimod' comijs & proficuis, mem-
 bris & commoditatibus & pertiñ vniuers. dict' præmissis seu alicui inde
 parcell' quoquo modo spectañ siue pertiñ, aut vt membr', partes vel par-
 cell' præmiss. prius concessor', seu alicuius inde parcell' communif' ante
 hac habet, cognit', vsitat', locat', seu demiss. existeñ. Ac omnes & omni-
 mod' boscos, subboscos, & arbores suas quascunque, de, in, & super præ-
 miss. super præconcess. cresceñ siue existeñ, ac solum & fundum eiusdem
 bosci, necnon rem' & reuersiones quascunque singulor' pmiss. & cuiusli-
 bet inde parcell', & reddit', & alia annual' profic', quæ cum, de, vel su-
 per quibuscunque dimissionibus siue concessionibus præmissorum &
 cuiuslibet inde parcell' quoquomodo reseruã siue habet sint, vacua,
 libera, vel communia, in omnibus terr' seu vastis meis infra manerium si-
 ue dominum meum p'dict', & in qualibet inde pcell'. Habend' & tenend'
 omnia & singula p'd' terr', tenementa, hereditaria, & cetera omnia & sin-
 gula pmiss. superius express. & specificat', cum omnib' & singulis suis p-
 tineñ præf. F. B. & hæred' de corpore suo legit' procreat' & procreand'.
 Et pro defectu talis exitus, remanere inde R. B. filio cuiusdam R. B. de
 B. in com' S. gen', & hæred' de corpore suo legitim' procreat', & procre-
 and'. Et pro defectu talis exitus, remanere inde hæred' cuiusdam I. B. p'ris
 prædict' F. B. defunct', & de tempore ipsius I. legitim' procreat' & pro-
 creand'. Tenend' de me p'fat' Com' A. hæred' & assign' meis vt de mane-
 rio meo de S. præd' in dict' com' S. in liber' socagio & non aliter, viz. per
 fidelitat', & secl' cur' manerij de S. p'dict', viz. ad duas cur' ibid' sup' ratio-
 nables monition' vel notitias ann' tened' (vocat' le great Courts) & red-
 dend' inde annuat' mihi præfat' Comiti hæred' & assign' meis &c. ad fe-
 sta &c. Et annuat' soluend' per equales portiones, ac reddend' inde mihi
 præfat' Com' hæred' & assign' meis post mortem cuiuslibet teneñ de præ-
 dict' terr', tenement', & cæter' pmissis vnã Harietam, viz. optimum ani-
 mal cuiuslibet tenentis, vel 33. s. legal' monetæ Angl' pro qualibet hariet'
 de tempore in tempus capiend' seu recipiend', ad election' mei præfat'
 Comit' hæred' & assign' meor' capiend' siue recipiend'; Ad faciendum
 & reddend' mihi præf. Comiti hæred' & assign' meis omnia alia onera
 & seruitia quæ pro pmiss. seu aliqua inde parcell' per hoc præfens script'
 prius concess. ante hoc tempore guer' fieri consuet' tacit' per consuetud'
 manet prædict' pro omnibus alijs seruitijs, releijs, exactionibus, rebus,
 & de-

& demand' quibuscunque proinde quoquomodo reddend', solvend', vel faciendum. Et si cōtingat prædict' reddi, sectam cur', vel hāriet, vel summam præd', aut alia oner' reseruat' in forma pd', aut aliquam inde parcel- lam a retro fore in parte vel in toto post aliqd' festum, aut tempus pdict' ad q' solui vel fieri debeat aut debent, quod tunc bene licebit mihi præf. Comiti hæred' & assign' meis, in omnia & singula præd' terr', tenement', & cætera præmiss. cum pertiñ & quamlibet inde parcell' intrare & distrin- gere, & distractiones sic ibm capē & habit' asportare, effugare, & penes me retinere, quousque de eisdem seruitijs, reddi, oneribus, & hāriet, & summa prædict' plenar' satisfact', content', & persolut' fuero, seu aliquis nostr' persolut' fuerit. Ac etiam si contingat prædict' F. B. aut aliquem hæred' de corpore suo legit' procreat', aut aliquem hered' de corpore prædict' I. B. prijs legit' procreat' ad aliq' tempus impost' præd' terr', tenement', & cæter' præmiss. aut aliquam inde parcell' alienare, disconti- nuare, vel vendere, per aliquam recuperationem ad communem legem, aut aliter, quod eisdem alienationibus, venditionibus, aut recuperationib' non obstant' bene liceat & licebit præf' mihi Comi, hæred' & assign' meis in omnia prædict' mesuag', tenement', & cætera præmiss. cum pertiñ & quamlibet inde parcell' intrare & distringere pro eisdem vel consi- milibus reddi, sect' cur', hāriet, summis, seruitijs, & alijs oneribus præd', vt supradictum est, secundum veram intentionem huius præsent' scripti mei inde confect'. Ac si fortè eueniat prædict' reddi, hāriet, summam, sect' cur', aut alia seruitia & onera prædict' extingend' aut determinand' fore, ratione alicuius recuperationis, quod tunc etiam bene liceat, & lice- mihi præf' Comi, hæred' & assign' meis in omnia pdict' terr', tenement', & cæter' præmiss. cum suis pertiñ, & quamlibet inde parcell' intrare & distringere vt supradictum est pro tantis & consimilibus reddi, hārietis, summis, sect' cur', & alijs seruitijs & oneribus superius per præsent' mihi præf' Comi & hæred' meis reseruat', aliquibus alienationibus, disconti- nuationibus, venditionibus, ac recuperationibus in cont' non obstante. Prouiso tamen semper quod prædict' Comes, hered', neque assign' sui colore præmiss. aut alicuius in eodem specificat' habebunt neque perci- pient, nec habere aut percipere clamabunt seu vindicab. p' præmiss. duos sepeal' reddi, sect' cur', seruit', & onera prædict', nec colore præmiss. distringant aut distringere possint seu valeant in præmiss. neque in aliqua inde parcell' pro eisdem, aut pro aliqua inde parcell' contra veram inten- tionem huius præsent' scripti inde confect'. Et ego vero prædict' Comes & hered' mei omnia prædict' terr', tenement', hæreditament', & cæter' p- miss. cum omnibus & singulis suis pertiñ præf' F. B. & hæred' suis præd', Et pro defect' talis exitus præf' R. B. & hæred' suis prædic', Ac pro de-
fect'

fecit talis exitus pref. hæredē pdict. I. B. contra me p̄fat. Cōm & heredē meos, & contra omnes al' personam & personā clam, aut habentes, aliquod ius, titulum, rectum, vel interesse, de aut in p̄miss. seu in aliqua inde parcell', pro me p̄fat. Cōm, heredē, vel assignatis meis warrantiz. & imperpetuum defendemus per presentes. Et ulterius concordatum est, & prædict. F. B. pro se & heredibus suis conuenit & concedit, ad, & cum pref. Cōm, heredibus & assignat' suis, quod si contingat p̄fat. F. B. sine hæredē aliquo de corpore suo legitim' procreat' obire, aut si contigerit heredē omnes de copor' prædict. I. legitim' procreat' sine heredē aliquo obire de corporibus eorum, aut de corpore alicuius eorum legitim' procreat', quod tunc et deinceps prædict. H. pro defect' tal' exit' (vt p̄fertur) ac omnes hæredē dict' F. B. collatei, ac omnes al' persona & personæ, & eorum hæredē, qui tunc habebunt aliquod statum, ius, titulum, seu interesse quouismodo, de, vel in p̄miss. seu aliqua inde p̄cell', stabunt & erunt seisciti, de, et in omnibus et singulis p̄missis, ad opus & vsum eorundem personæ & personarum, ac heredē, ac assign' suorum, qui aliquo tempore postea habebunt aliquem statum, vel &c.

A gift in generall taile tripartite, with remainders ouer.

Sec. 255.

SCiant &c. quod ego. A. B. dedi, concessi, et hac presenti charta mea tripartita. indentat. confirmau' C. B. filio meo, totum illud tenētum meum &c. in &c. Habend' et tenend' pdict' tenement' &c. p̄fat. C. B. & hered' de corpore suo legitim' procreat'. Et pro defectu hered' de corpore dicti C. legit' procreat', volo quod pdict' tenētum cum gardiñ suisque p̄tiñ D. B. filio meo natu minori integrè remaneat: Habend' et tenend' illi, & hered' de corpore suo legitime procreat', de capitalibus dominis feodi. Et pro defect' hered' de corpore ipsius D. legitim' procreat', volo quod pdict' tenētum cum gardiñ seu horto suisque p̄tiñ integrè remaneat hered' legitim' pdict' C. B. inperpetuum. Et ego vero p̄nominatus A. B. et hered' mei pdict' tenementum cum gardiñ & suis p̄tiñ p̄fat. C. B. et hæred' de copor' suo legitime procreat' in forma prædict' contr' omnes gentes warrantizabimus, et inperpetuum defendemus. In cuius rei testimonium duabus partibus huius chartæ meæ tripartitæ indentatæ penes p̄f. C. & D. remanentis, sigillum meum apposui: Tertie verò p̄ti eiuldem chartæ penes me p̄f. A. B. remanent, p̄d C. & D. sigill' sua apposuerunt. His testibus &c.



Eodem modo de chartis Quadrupartitis, Quinquupartitis, & similibus dicendum est.

A gift in the speciall taile.

Sect. 256. Omnibus &c. Dedisse &c. et concessisse, ac tenore præsentium dare et concedere A. B. totam domum &c. Habend', tenend', et gaudend' dictam domum &c. præf. A. I. et hæred' masculis de corpore ipsius A. inter eundem A. & Eliz. vxor' eiusdem A. legit' procreatis et procreandis. Tenend' &c.

An other forme of speciall taile.

Sect. 257. Pateat p'sentibus et futuris, quod ego A. B. dedi et cōcessi, ac p' p'sentes, do et concedo charissimū mihi in christo D. et A. vxori eius, maner' meū &c. Habend' &c. præfat' H. D. et A. vxori suæ, ac hæred' masculis de corporibus eorum inter eos legitimè procreatis &c.

The forme of a gift in Frankmarriage.

Sect. 258. Sciant &c. me M. H. de W. dedisse, et concessisse, ac presenti charta mea confirmasse I. A. filio meo, et Marg. vxori eius, filix veræ T. N. in liberum Maritajium, vnum mesuag' &c. Habend' &c. præfat' I. et M. vxor' suæ, & hæred' de eorum corporibus legitimè procreatis, de me, & hæred' meis in perpetuum. Et ego prænominatus W. H. & hæred' mei p'dict' mesuag' &c. præfat' I. & M. vxori suæ, et hæred' de eorund' corporibus, legitimè procreat', contra omnes gentes warrantizabimus, ac aduersus capital' dominos, cæterosque vniuers'. acquietabimus & defendamus in perpetuum per p'sentes. In cuius &c.

Or thus.

Habend' &c. præfat' H. et hæred' quos procreabit de corpore M. vxoris suæ &c.

Or thus.

Habend' præfat' H. et M. vxori eius, & hæred' de corpore p'dict' H. legitimè procreat' &c.

Or thus.

Habend' præfat' H. & M. vxori eius, & hæred' de corpore suo p' p'dict' H. legitimè procreandis &c.

Feoffements to uses.

Sect. 259. Sciant &c. Quod ego I. B. in complementum & performandum quorundam conventionum, concessionum, & agreementorum, specificat et declarat in quibusdam Indenturis, gerent' datum die dat'

dat huius presentis charte indentate facte inter me prefatum I. B. ex vna parte, & W. P. & G. P. ex altera parte, Concessi, feoffavi, & hoc presenti scripto meo indentate confirmaui eisdem W. P. & G. B. hæredibus & assignatis suis, omnia illa mesuag' &c. Habend' & tenend' &c. prefat' W. P. & G. B. hæred' & assignatis suis, ad opus, vsum, intentionem, ac sub conditionem in dicta Indentura specificat' & declarat', scdm formam, effectum, & veram intentionem dictæ Indenture de capitalibus dnis &c. Et ego vero pd' I. B. & hæred' mei omnia & singula dicta mesuag', tera, & teneinta, ac cetera premissa, cum omnibus & singulis suis pertin' prefat' W. P. & G. B. hæred' & assignatis suis, ad opus & vsum pd', tam contra me prefat' I. B. hæred' & assignatos meos, quam contra hæred' & assignat' R. B. nup' de N. warrantiz. & imperpetuum defendem' per presentes. In cuius rei testimonium &c.

A Feoffment untill a certaine summe of money be paid.

SCiant &c. quod ego I. V. in complementum ultimæ voluntatis C. D. Sect. 260.
demisi, tradidi, liberaui, & hoc presenti &c. H. T. I. T. & I. C. quandam parcelam terræ meæ arabilis cum pertinẽ, continentẽ &c. Quam quidem parcelam terrę inter alias terras & tenẽta, ego prædict' I. V. simul cum T. C. &c. iam defuncto nuper coniunctim habuimus nobis, hæredibus & assignatis nostris, ad vsum dicti T. C. hæredum & assignatorum suorum, & ad inde perimplendum vltimũ volunt' ipsius T. ex dimissione, liberatione, & chartæ confirmationẽ I. H. filiæ & hæred' I. S. Habend' & tenend' prædictam peciam tera cum pertinẽ præfat' H. T. I. T. & I. C. hæredibus assignatis suis in perpetuum, de capitalibus dominis &c. ad vsum eorundem H. T. I. T. & I. C. hæred' & assignat' suorum, donec & quousque idem H. I. & I. hæred' & assignati sui, de exit', reddit', reuentionibus, & proficuis, prouenientibus de prædicta parcella tera cum pertinẽ, fidelit' & plenarie content' fuerint & satisfact' de summa x. Marcarum legal' monetæ Angliæ vltra omnia onera & repris. iuxta voluntatẽ supradict' T. C. disponenda. Et postquam dictæ decem Marcæ sic plenarie persoluẽ fuerint, quod tunc dicti H. T. I. T. & I. C. hæred' & assignat' sui sint & existant feoffati, de & in prædicta parcella terræ cum pertin', ad vsum Aliciæ, nuper vxoris dicti T. T. durante vita ipsius Aliciæ, & post eiusdem Aliciæ decessum, ac postquam prædictæ decem marcæ sic plenarie persoluẽ fuerint vt præfertur, tunc ad vsum W. C. filij prædict' T. C. ac hæred' & assignatof' suorum in perpetuum. In cuius rei &c.

*A Feoffement to the use of the Vendor, if he save his sherties
harmlesse, and if not, to the Vendees use.*

Sect. 261.

SCiant &c. quod ego E.M. in complementum & confirmatiõni cuiusdam barganiæ & venditionis per me quibusdam R. B. &c. et E. vxori eius nuper facti, necnon ad instantiam & specialem requisitiõnem ipsorum R. B. & E. vendidi, dedi, concessi, liberaui, feciffaui, & hac præsentẽ charta mea indentata confirmaui præfato R. B. & E. vxorẽ eius, I.R. & C.S. totum illud &c. quæ ego prædicti E. nuper habui mihi hæred' & assignat' meis, ad solum opus & vsum mei ipsius E.M. hered' & assignatorum meorum, ex dono, concessione, & chartæ confirmatione T. M. & A. N. prout per quandam chartam &c. Habend' & tenend' prædicti &c. præfat' R. B. & E. vxori eius, hæred' & assignatis suis, ad opus & vsum, ac sub conditione sequenti, videlicet, Quod si prædicti R. B. & E. vxor eius, hered' vel execut' sui exonerauerint aut indemnes conseruauerint, vel exonerari, vel indemnes conseruari fecerint, vel vnus eorum exonerauerit, aut indemnes conseruauerit, vel exonerari aut indemnes conseruari fecerit I. R. C.S. & E. B. hæred', executoꝝ, & administrat' suos, & eorum quemlibet, erga me præfat' E. M. executoꝝ & administrat' meos, & alios quoscunque, de, & pro se peralibus script' obligat', gerent' dat' die dat' huius præsentis chartæ, In quibus prædicti R. B. I. R. C.S. & E. B. coniunctim & diuisim tenentur & obligantur mihi prenominato E.M. pro debito antedicti R. B. ac pro perquisitione præmissi. in quolibet eorundem scriptorum obligatoriorum in summa xl. Marc^o, indorsat' cum conditione pro solutione &c. legal' &c. ad festum &c. annuatim soluend', prout per script' prædicti manifestius declaratur, ac de, & pro omnibus pecuniarum summis in supradict' script' obligat', & eorum quolibet specificat', quod tunc prædicti R. B. & E. vxor eius I. R. C.S. & E. B. & hæred' sui erunt seisit, de, & in dicto mesuagio cum ædificijs, gardiñ, & omnibus pertinentijs suis ad solum opus & vsum prædictorum R. B. & E. vxoris eius, & hæred' suorum, & tunc prælens charta mea indentata, & seisina, de & in præmissis cum suis pertinentiẽ liberaẽ & capta, firmæ sunt & stabiles ad solum opus & vsum prædicti R. B. & E. vxoris eius, hæred' & assignatorum suorum imperpetuum per præsentẽ &c.

Et si contingat prædicti R. B. & E. vxorem eius hæred', executoꝝ, & assignat' suos minime exonerare aut indemnes conseruare, nec exonerari aut indemnes conseruari facere prædicti I. R. C.S. & E. B. hæred', executoꝝ, & administratores suos, & eorum quemlibet, erga me

me præfat̄ E. M. executor̄ & administrators meos, & alios quoscun- que, de, et pro prædictis scriptis obligat̄, et eorum quolibet, ac de et pro omnibus dictis pecuniarum summis in eisdem scriptis obligat̄, et eorum quolibet specificat̄, quod tunc prædict' R. B. et E. vxor eius, I. R. C. S. E. B. & heredes sui erunt seisit̄, de et in p̄d̄ &c. tantum ad solum opus et vsum talium vel hñodi eorum I. R. C. S. & E. B. hæred̄ et assignat̄ suorum, qui, vel quorum hæred̄, execut̄, vel administrat̄, pro prædict' script' obligat̄, aut eorum aliquo vexari, molestari, aut indemnes non conseruari contingent. Et ego prædictus E. M. et hæredes mei prædict' &c. præfat̄ R. B. et E. vxori eius, I. R. C. S. et E. B. hæred̄ et assignatis suis, ad vsum prædictum, contra me et hered̄ meos warrantizabimus & in perpetuū defendemus per præsent̄es. In cuius rei testimonium vtrique parti harum cartarum indentat̄, ego prædictus E. M. sigillum meum appolui. Dat̄ &c.

A Scedule expressing the uses of a Feoffement.

THis Indenture made &c. Betweene J. H. and G. H. on the one parte, and T. P. J. C. and C. G. on the other partie, Witnesseth, that whereas the said J. H. and G. H. by their deed of Feoffement indented, vnto this present Scedule indented annexed, haue infeofed the said T. P. J. C. and C. G. of, and in the mannoz of &c. that the intent of the said deed, and the liuerie and seisin made vpon the same is, that the said T. P. J. C. and C. G. and euery of them, & their heires, and the suruiuoꝝ of them, & his heirs, shall stand and be seised, of and in the said manoz &c. mentioned in the same deed of feoffement, to the vse of them, and of their heires, to the intents, and vpon the condition hereafter in this scedule expressed: that is to say, That the said T. P. J. C. and C. G. and the suruiuoꝝ of them and his heires, shall at all times hereafter from time to time during the life of the said J. H. within foure monethes after request to them, or any of them made, by the said J. H. his executoꝝ or assignes, shall make all such leases and deuises, assurances, feoffements, estates, and conueyances, gifts, and graunts, of annuities soꝝ terme of life, or liues, or soꝝ tearme of yeares, and at will, and in fee simple, or in taile with remainder, of, in, or out of all the said lands, tenements, and other the said premises, and euery parcell thereof, to such person or persons, as the said J. H. shall at any time during his life nominate and appoint the same assurances, feoffements, estates, conueyances, deuises,

Sect. 262.

leases and graunts thereof to be made at the costs and charges of the said J. H. and also upon condition that the said T. P. J. C. and C. G. and the suruiuoꝝ of them, and his heires shall further make such assurances, conueyances, feoffements, estates, gifts in taile with remainders ouer, or any other estates, conueyances, or assurances in law, of, or in the said manors, lands, and tenements, and of euery part thereof, to such person and persons, and their heires, or to the heires of their bodies lawfully begotten for terme of life, or liues, or otherwise, to whom the said J. H. also by his last will & Testament in wꝛiting shall nominate, assigne, & appoint the same estates, assurances, or conueyances to be made, according to the true meaning of the said last will & Testament of the said J. H. And the said T. P. J. C. and C. G. couenant &c. that they the said T. P. J. C. and C. G. at the costes and charges of the said J. H. his heires, executoꝝ, and assignes, or at the costes and charges of such person to whom the same estate of the pꝛemisses shall be by the same J. H. appointed to be made, shall execute & make all such estates, conueiances, and assurances, of, and in the pꝛemisses, or any part thereof, to the same & such persons to whom the said estates shall be so assigned and appointed by the said J. H. by his last will & Testament, or otherwise. And if the said T. P. J. C. and C. G. shall refuse to execute and make such estates and assurances, of, and in the pꝛemisses, to such persons to who the said J. H. shall assigne and appoint the said estates to be made, of, and in y^e said manors, lands, tenements, and euery part thereof, in maner and form afoꝛesaid: Then the said T. P. J. C. & C. G. do couenant &c. that they the said T. P. J. C. and C. G. shall after such refusall, stand and be seised, of, and in the said manors &c. to the vse of such persons, & their heires, and the heires of their bodies lawfully begotten, for terme of life, or liues, or yeares, in taile, or in fee, according to the estates to whom the said J. H. in his life time, or otherwise, shall by his last will giue, appoint, or assigne the said manor, lands, &c. befoꝛe mentioned and rehearsed in these pꝛesents. In witness whereof &c. Given the day and yeare first aboue wꝛitten.

A Scedule limiting Vses.

Sec. 263. **T**he vse and intents of the deed of Feoffement indented tripartite hereunto annexed; and the estates thereupon executed of me the said G. S. named in the said deed, is, that the said gift and grant mentioned in the said deed, and the estate thereupon executed, of, and in

in the capitall mesuages in S. mentioned in the said deed called the hall of S. with the appurtenances, and of and in the Mill of S. called Stanfords Mill, and one meadow called Mill meadow, one pasture called A. and all other lands and tenements in S. aforesaid, now in the tenure, occupation, or manurance of me the said G. S. except one pasture called W. hill, shall be and be, And the said A. C. J. D. J. G. B. G. and their heires, shall stand and thereof be seised to the vse of me the said G. S. for terme of my life, and after my death, to the vse of J. G. now wife of me the said G. for terme of her life, and after her death, to the vse of the heires of the bodie of me the said G. lawfully begotten, And for default of such issue &c. with remainder ouer. Provided alwaies, that if it happen the said J. after the death of me the said G. S. to marrie againe, that then and from thenceforth the said feoffement, gift, graunt, and estate of the capitall mesuage, Mill, lands, and tenements in G. aforesaid, in the tenure of me the said G. S. (except befoze excepted) shall be, And the said A. and the said coseoffees and their heires, shall stand and be thereof seised to the vse of the heires of the bodie of me the said G. S. lawfully begotten, and for default of such issue, to the vse of the said R. S. and his heires males of his bodie lawfully begotten, And for default &c. And that the said feoffement, estate, gift, and grant, of and in the rest & residue of all the said mesuages, milles, lands, tenements, and other hereditaments whatsoever they be in S. and A. mentioned in the said deed indented tripartie, whereof no vse befoze in this present scedule is declared, shall be, And the said A. and the said coseoffees shall stand and be seised thereof to the vse of me the said G. S. and of the heires of the bodie of me the said G. lawfully begotten, and for default of such issue, to the vse of the said R. S. and of his heires males lawfully begotten, and for default &c. Provided alwaies, that if the said J. now wife of me the said G. at any time after the death of me the said G. fortune to marrie againe, that then and from thenceforth the said feoffement, gift, graunt, and estate, of, and in the said residue of the said lands, tenements, and other the premises with the appurtenances in S. and A. shall be to the vse of the said J. for terme of her life, and after her decease to the vse of the heires of the bodie of me the said G. lawfully begotten, and for default of such issue, to the vse of R. S. &c.

Vfes.

A couenant limiting the Vfes to the Mortgageor, paying certaine money and charges of assurances, vntill he practise to alien or incumber the lands, and then to the Mortgagee.

Sec. 264.

PRouided alwaies, and it is neuerthelesse couenanted, concluded, condiscended, and agræd, by and betwixt the said parties to these presents, And the said J. B. &c. doth couenant and graunt &c. That if the said R. G. or his heires, at any time within the space of tenne yeres next insuing the date hereof, doe pay, or cause to be paid vnto the said J. B. his heires, executors, or assignes, at one whole and intire payment, aswell the said summe of thirtie pounds by him already disbursed, as aforesaid, for the said purchase of the reuerision of the premises, in maner and forme aforesaid, as also all and euery other such summe and summes of money, as the said J. hath already disbursed and paid, or shall hereafter be charged with, touching and concerning any writing, assurance, or conueyance, of, or concerning the said tenements and premises, or any part thereof, made, or to be had and made, within tenne daies after that a reasonable Bill thereof shall be shewed and deliuered to the said R. G. or his heires, by the said J. his heires, executors, or assignes: That then and from thenceforth immediately after all the summes aforesaid satisfied and payed to the said J. his heires, executors, and assignes, in maner and forme aforesaid, the said J. B. his heires and assignes of the said reuerision of the said tenements and premises with the appurtenances, shall stand and be seised during the life of the said J. A. and W. and of the longest liuer of them. And after their deceases, of all the said premises in demeane and possession, to the vse of the said R. G. and his heires, vntill such time as the said R. G. or his said heires shall aduisedly, determinately, and considerately goe about to Mortgage, alien, bargaine, sell, or otherwise to doe, or put away the said tenements and premises, or any parcell thereof, in possession or reuerision, without the speciall consent and agreement in writing of the said J. B. or his heires, in that behalfe first had and obtained: Or shall as is aboue mentioned, goe about to charge, trouble, or in any wise incumber the said tenements and premises, or any parcell thereof, without the like consent and licence. And shall

for

for the conveyance and assurance of any such mortgage, bargain, sale charge, or incumbrances, goe about to doe, practise, or put in bre, or willingly suffer to be gone about, had, done, practised, or put in bre, any open or secret effectuall act, matter, or thing, for any such conveyance, assurance, charge or incumbrance to be had or made. And from and immediatly after such matter, act, or thing, so as is aforesaid had, done, practised, or put in bre, or suffered to be had, practised, or put in bre by the said R. G. or his heires, whereby the said R. or his said heires shall goe about to grant, alien, mortgage, bargain, sell, charge, or incoimber the said premises, or any part thereof: Then and from thenceforth, as well this present assurance and conveyance, as also the said fine, and all other assurance and conveyance made and to be made of the premises, and everie part and parcell thereof, shall be &c. And the said R. G. and his said heires, and all and everie other person and persons, having or lawfully claiming any estate, right, or title, in, or to the said premises, or any part thereof, by, from, or under the said R. or his said heires, shall stand and be seised of the said premises, and everie parcell thereof, to the vse of the said J. B. his heires and assigns, according to the purpozt, effect, and true intent and meaning of these present Indentures, absolutely without any further mortgage or condition.

An Indenture Tripartite of lands and tenements to vses.

THis Indenture tripartite made &c. Betweene T. T. on the first Sect. 265. partie, A. B. C. D. and E. F. on the second partie, and G. H. I. and L. P. on the thirde partie, Witnesseith, that the said T. T. for the speciall trust and confidence that he hath in the said A. B. C. D. E. F. G. H. I. and L. P. &c. and for divers other good and reasonable causes and considerations moving him, hath giuen &c. unto the said A. B. C. D. E. F. G. H. I. &c. all those his lands, tenements &c. To have and hold &c. to the onely vses and proper behooves of the said A. B. C. D. E. F. &c. during the naturall life of the said T. T. and for and during the terme of twelne yeares, next and immediatly following, after the naturall life of the said T. T. and after the death of the said T. T. and after the said terme of yeares ended and determined, then to have and to hold the said landes, tenements, and other the premises, to the said A. B. C. D. &c. their heires and assigns, to the vse of them and their heires. And upon condition that the said G. H. I. and L. &c. and their heires, or the survivors or survivor

of them, and his and their heires, shall befoze the naturall death of the said *T. T.* or within seven yeares next after the naturall death of the said *T. T.* alien, bargaine, and sell the pzemisses with the appurtenances, or so much thereof as by the said *T. T.* at anie time during the naturall life of the said *T. T.* shall be limited or appointed by him by writing or otherwise, and after the bargaine, sale, or alienation so had and made, the desire of the said *T. T.* is, that the said *A. B. C. D.* &c. for the speciall trust and confidence that the said *T. T.* doth put in them, shall within sixe moneths next after the said bargaine and sale, or alienation, purchase or cause to bee purchased, other landes, tenements, and hereditaments, of as much cleere yearly value, as the pzemisses that shall be so bargained or sold by them, or anie of them shall amount vnto: and that the surviuor or surviuors of them, shall within the said sixe moneths, cause the said lands so purchased, to be by good assurance & conveiance in the law assured and made sure to the heires of the said *T. T.* in fee simple, discharged of all charges & incumbances, by them or by any of them, to be had, made, done or suffered. Provided alwaies, that for default of such bargaine, sale, or alienation of the pzemisses by these presents given or graunted, bargained or sold, from and after the natural death of the said *T. T.* and from & after the end & terme of *xy.* years next after the death of the said *T. T.* the said *A. B. C. D.* &c. and all and euerie other person and persons that shall be seised of, or in the pzemisses, shall stand and be seised thereof, to the only vse and behoufe of the right heires of the said *T. T.* of and in so much of the pzemisses by these presents given and graunted, and of euerie part thereof, wherof no bargaine, sale, or alienation shall be hereafter by the said *A. B. C. D.* &c. so made, as is aforesaid, and that also then and from thencefozth it shall be lawfull for the right heires of the said *T. T.* to reenter into so much of the pzemisses, wherof no bargaine, sale, or alienation shall be hereafter by the said *A. B. C. D.* &c. so made as is aforesaid, and the same to haue againe &c. And the said *G. H. I.* and *K.* doe couenant &c. that they and euerie of them, their heires, and assignes, and euerie of them, shall permit and suffer the said *A. B. C. D.* &c. and euerie of them, and their assignes, quietly to receiue and take the issues and profits of all and singular the said pzemisses with the appurtenances, during the naturall life of the said *T. T.* and during the said terme of twelue yeares, without interruption or disturbance of the said *G. H. I.* and *K.* or anie of them, or any other person or persons, by the meanes or procurement of any of them, to be employed or bestowed, to such vses and intents as the said *T. T.*

hath

hath, and shall assigne, limit, and appoint. And the said C. H. J. and B. for them their heires and assignes &c. doe covenant and graunt, to and with the said T. T. and to and with the said A. B. and C. and to and with the said D. E. and F. and euery of them, that if it shall fortune the said A. B. & C. to decease, during the naturall life of the said T. T. that then the said C. F. C. H. J. and B. and their heires and assignes, shall peaceably permit & suffer the said D. E. & F. and euery of them, and their assignes, to haue, take and receiue, all and singular the issues, rents, reuenues, and profits, of all and singular the premises, and euery part & parcell thereof, for, and during &c. without any let &c. (vt supra.) And the said T. T. for him &c. that the said A. B. &c. and their heires, and all and euery other person or persons now being seised of, and in the premises, by these presents bargained and sold, or of, or in any part or parcell thereof, shall from henceforth stand, remaine, and be seised thereof, & of euery part thereof, to the vles, intents, behoofes and conditions, in these presents befoze expressed mentioned, or declared. In witnesse &c.

Conueyance to vses.

THis Indenture made &c. Betweene K. S. on the one partie, and Sect. 266.
 T. K. K. A. and T. A. on the other partie, Witnessech, that the said K. S. aswell for the naturall loue, zeale, and affection that he beareth vnto C. S. his sonne and heire apparant, and other the issues male of his bodie lawfully to be begotten, and their issues male, and others of the blood and name of S. and for that he is very desirous, and fully minded, resolved, and determined, that all and singular his manors, lands, tenements, tythes, rents, reuerfions, seruices, & hereditaments with the appurtenances, in these presents expressed, mentioned, and contained, should and might for euer hereafter, if it shall so please almighty God, come, discend, continue, remaine, & bee vnto the said C. S. and vnto such issues male, as shall be begotten of his bodie, and their issues male, and vnto such other persons, and such of the blood and name of S. as hereafter in these present Indentures are named, intended, or meant, according to the true intents and meaning of these presents, and vnder the conditions, covenants, & agreements, limitations, provisions, contingencies, and true meaning of these presents, and in maner and forme hereafter in these presents expressed, limited, & declared, and in such maner & forme, & so long only, as in, & by these presents is limited, intended, implied, or meant: And so that none estate, title, vse, or interest hereafter in these presents limited

limited or appointed, should in any wise be altered, discontinued, forfeited, prejudiced, barred, or disappointed, contrary to the true meaning thereof. The said R. S. doth covenant &c. to make a sufficient Franchisement to the said E. R. R. R. and E. U. of all and singular those his Manors, Lordships, or Townes &c. To have and to hold all the said Manors, Lordships, Townes &c. to the said E. R. R. R. and E. U. their heirs and assignes for ever, in the manner and forme, and to the vles, intents, and purposes, hereafter in these presents limited, appointed, intended, and meant, and vnder and according to the conditions, covenants, contingencies, provisions, limitations, true intent and meaning in these presents expressed, and to, or for no other vse, intent, or purpose, that is to say: To the onely vse and behoofe of the said R. S. for and during his natural life, without impeachment of any manner of law, And after his deceale, to thonly vse and behoofe of the said E. S. and of the heires males of his bodie lawfully begotten. And for default of such issue male of the bodie of the said E. S. lawfully begotten, then to the onely vse and behoofe of the second issue male of the bodie of the said R. S. lawfully begotten and to be begotten. And if it happen the said second issue male of the bodie of the said R. S. lawfully begotten, and to be begotten; to die without issue male of his bodie lawfully begotten, then to thonly proper vse and behoofe of the thirde issue male of the bodie of the said R. S. lawfully begotten, and to be begotten, and of the heires males of his bodie lawfully begotten, and to be begotten, & so from issue male to issue male of the said E. S. lawfully begotten, so long as there shall be any such issue male of the bodie of the said R. S. lawfully begotten, alivie. And for default of such issue male of the bodie of the said R. S. lawfully begotten, and to be begotten, then to the vse of A. S. & of the heires males of his bodie lawfully begotten, and to be begotten. And for default of such issue male of the body of the said A. lawfully begotten, & to be begotten, then to the onely vse of B. S. & of the heires males of his body lawfully begotten, & to be begotten. And for default of such issue male of the body of the said B. lawfully begotten, & to be begotten, then to the vse of the next heires male of R. S. grandfather of the said R. S. & to the heires males of his body lawfully begotten. And for default of such issue male, to the only vse & behoofe of the right heirs of the said E. for ever. Provided alwaies, & vpon condition, & it is the true intet and meaning of these present indentures, & al the parties to the same, that if any issue male of the body of the said R. S. lawfully behotten, or to be begotten, or any other issue male, or

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other person or persons, named, intended, implied, or meant to have or take any estate of inheritance, by reason of the said feoffment so to be made, and of these present Indentures, or of either of them, or of any limitation of any terme, estate, vse, or other thing in them, or either of them contained, at any time hereafter shall earnestly or willingly imagine, determine, purpose, consent, conclude, intend, practise or go about to give, sell, alien, forfeit, barre, alter, discontinue, lease; or doe away the said manors, mesuages, lands, tenements, and hereditaments, and other the premises, with the appurtenances, or any part or parcell thereof, or his or their estate, title, vse, remainder, or interest, of, or in the same manors, mesuages, lands, tenements, & hereditaments, & premises, with the appurtenances, or any part or parcell thereof, to any person or persons, by any way or means, otherwise then for any estate or estates, for terme or termes, according to the covenants, conditions, provisions, and true intent & meaning in these presents expressed, contained, and intended: that then & thenceforth the estate, vse, interest, and possibilitie of everie such person and persons, so earnestly and willingly imagining, determining, purpose, intending, concluding, practising, devising, or going about to give, sell, alien, forfeit, alter, discontinue, barre, lease or doe away the said manors, mesuages, lands, tenements, hereditaments, and premises, with the appurtenances, or any part thereof, contrarie to the limitations, conditions, true intent, and meaning of these present Indentures, of, in, and for such & so much only of the said manors, mesuages, lands, tenements, hereditaments, and premises with the appurtenances, as he or they shall fortune so, as is aforesaid, earnestly, and willingly to imagine, purpose, conclude, intend, consent, practise, devise, or goe about to give, grant, sell, alien, forfeit, alter, discontinue, barre, lease, or doe away contrarie to the true intent and meaning of these presents, shall cease, determine, & become utterly void &c. so earnestly or willingly imagining &c. to all intents & purposes, as if such person and persons had never bin named, indented, implied, or meant in these presents, and as if none vse, estate, interest, or possibilitie, of, and in the said manors, mesuages, lands, tenements, hereditaments, & premises, with the appurtenances, or of any part thereof, had ever bene limited, implied, or meant vnto such person or persons. And that then also and thenceforth the said T. R. R. R. and T. A. and their heires, and the heires of the suruiour of them shall thenceforth stand and be seised of such and so much of the said manors, mesuages, lands, tenements, and premises, wherein the said estate and vse

of such person or persons so as is aforesaid, shall happen to cease and be determined, to the use of such person or persons to whom the use of the same aboue in these presents is limited, intended, implied, or meant to be next in remainder, if such person or persons should haue died without issue of his or their bodies lawfully begotten, the remainder thereof in forme aforesaid, to such other person or persons belonging, according to the conditions, provisions, limitations of use, intent, and true meaning in these present Indentures expressed and specified: any covenant, limitation of use, or other matter or thing to the contrarie hereof notwithstanding. Provided also, and upon condition, and it is the true intent and meaning of these present Indentures, and of all the parties to the same, That it shall and may be lawfull to and for the said R. S. during his naturall life, to make, or cause to be made, any lease or leases of the said manors, messuages, lands, tenements, and premises, or any part thereof, to any person or persons, for any terme or termes, estate or estates, not exceeding the terme of one hundred yeares from the day of the making thereof, reseruing vpon euerie such lease or leases, the old accustomed yearely rent, or more, to be due and payable during the continuance thereof, by vertue of such lease or leases. And that the said T. R. R. R. and T. W. and their heires, and the heires of the suruiuor of euerie of them, shall stand and be seised of, & in such and so much of the said manors, messuages, landes, tenements, and premises, as so by the said R. S. shall happen to be leased, to the use of such person & persons, to whom any such estate for the terme of yeares shall be so made or granted by the said R. during the continuance of the same lease or leases, and after the end, determination, or expiration of such lease or leases, to such use and uses, as in & by these presents is limited, intended, or meant. And that it shall and may be lawfull to and for the said R. S. and euerie other person and persons, that the said R. S. shall thereunto name or appoint, during the naturall life of the said R. S. to sell, cut down, take, and carrie away, and to bargain, sell, giue, and graunt all or anie woods, vnderwoods, springs or trees growing, or which during the naturall life of the said R. S. shall grow vpon the said premises, or in or vpon any part thereof, with the appurtenances, to anie person or persons. And that it shall be lawfull for euerie such person and persons, to whom any of the said woods, vnderwoods, trees or springs shall happen to be leased, giuen, aliened, bargained, or sold, to sell, cut down, take, and carrie away the same, and euerie part thereof, according to the effect and true meaning of euerie such lease, contract, and bargain

bargaine thereof to be made: any thing in these presents contained to the contrarie thereof in any wise notwithstanding. Provided also, and vpon Condition, and it is the true intent & meaning of these present Indentures, and of all the parties to the same, that it shall & may be lawful, to, and for any and euerie such issue of the bodie of the said R. S. lawfully begotten, and to be begotten, & to, and for euerie other issue male, or other person & persons, named, intended, implied or meant to haue or take any estate of inheritance, in possession, reversion, remainder, or in vse, by reason of the said feoffment so to be made, & of these presents, or of either of them, or of any limitation of any estate, promise, condition, vse, or other thing in them, or either of them being thereof seised accordingly, to make or cause to be made, any lease or leases, estate or estates, of the said manors, meluages, lands, tenements, and premises, or of any part thereof, to any person or persons, for any terme or termes not exceeding xxi. yeares, from the day of the making thereof: So alwaies, that vpon euerie such lease, terme or estate, so to be made, the old accustomed yearly rent or moze be reserved & payable yearly to the owner or owners of the inheritance thereof, during the continuance of such lease or leases, terme or termes, estate or estates, without fraud or collusion. And that if any such lease or leases as is aforesaid, shall so happen to be made or granted, that then the said R. R. R. and T. W. and the suruiours & suruiour of them, & his heires, shall stand and be seised of, and in such & so much of the said manors, meluages, lands, tenements & premises, as shall so happen to be leased, to the only vse and vses of euery such person or persons, to whom anie such lease or leases, terme or termes, estate or estates shall happen to be made during the continuance thereof, according to the true intent, and meaning of these presents, and of such lease and leases, and after the end & expiration or determination of euerie such lease and leases, to such vse and vses, as in these presents is limited, intended, implied, or meant. Provided also, and vpon condition, and it is the true intent and meaning of these present Indentures, & of all the said parties to the same, That it shall & may be lawfull for the said R. S. during his naturall life, to nominate, appoint, & giue authoritie to any person or persons to receiue the rents, issues, fines incomes, commodities, & profits of all the said manors, meluages, lands, tenements, hereditaments, and premises, with the appurtenances, & of euerie or anie of them, to the vse of the said R. without rending any account thereof or therefore to any person or persons, but only to the said R. S. Provided also and vpon condition, and it is the true intent and meaning of these present

Indentures, & of all the said parties to the same, that it shall & may be lawfull to any issue male of the bodie of the said R. S. lawfully begotten, and to be begotten, & to euerie other issue male or other person or persons, named, intended, implied, or ment, to haue or take any estate of inheritance by reason of the said feoffement so to be made, & of these present Indentures, or either of them, which hereafter shall haue married any woman, to make any estate of any part of the said manors, messuages, lands, tenements, hereditaments, & premisses with the appurtenances for the terme of life of such wife or wiues, for her or their iointure or dower, reseruing no réit or other thing for so much of the said manors, &c. & premisses wherupon any such estate or estates shall happen so to be made. And that the said T. R. R. R. & T. A. and their heires, & the suruiuoꝝ of them & their heires, shall stand & be seised of, and in such & so much of the said manors, messuages &c. and the premisses with y^e appurtenances, wherupon any such estate or estates shall happen to be made in forme aforesaid, according to the true meaning of these presents, & of such estate so to be made to the vse of such wife or wiues for the term of her & their liues. Provided also, and vpon further condition, & it is the true intent & meaning of these present Indentures, & of all the said parties to the same, & of the said feoffement so to be made, that if the said T. R. R. R. & T. A. or some one of them, or the suruiuoꝝ of them, or his heires, or the said C. S. or his heires males, or some other person which shall inherit the said manor &c. or any of the, according to the limitation, true intent and meaning in these presents declared, do not well and truly pay or cause to be paid 1000. l. of sc. in the South porch of the parish Church of R. in the said countie of P. to the vse of y^e said R. S. at & in such feall day, as y^e said R. S. by his writing sealed shall name or appoint, & to such person or persons as y^e said R. S. by his said writing sealed shall name or appoint to receiue the same 1000. l. of sc. That then & thenceforth these present Indentures & the said feoffemēt so to be made, to be utterly void & of none effect in the law. And that then also & thenceforth it shall & may be lawfull to & for the said R. S. into all the said manors, messuages &c. & premisses with the appurtenances, to rénter, & the same to haue again & possesse as in his former estate. And y^e then, & thenceforth the said T. R. R. R. & T. A. & euery of them, & the suruiuoꝝ & suruiuoꝝ of them & his heires shall stand & be seised of, & in all the said manors &c. with the appurtenances, to the only vse & behoufe of the said R. S. his heires and assigns for ever, and to, and for none other vse, intent or purpose: any thing to the contrarie therof in any wise notwithstanding. In witness &c.

*An assurance to be made to a man for term of his life, and after his decease to
thuse of his children, and to be assured for paiement of his debts.*

THis Indenture &c. Between **Wm. B. J. B. & T. A.** on the one party, **W. S.** on thother party, Witnesseth that the said **W. S.** hath couenanted &c. that he the said **W. S.** befoze the **Patruitie** of **S. John Bapt.** next insuing the date hereof, shall aswell in consideration that all such manors &c. appointed for the Jointure of **Ladie C.** now wife of the said **W. S.** shall be acquitted and discharged of al rents and other charges resolute, going out of the said lads &c. and for and in consideration of payment of the debts of the said **W. S.** or of the mariage of the daughter of the said **W. S.** shall make, or cause to be made to the said **Wm. B. J. B. & T. A.** or to such other person or persons, as they, or any two of the shall for that purpose name or appoint, a good, sure, sufficient, & lawful estate or estates in the law in fee simple, of, and in the Rectorie & Parsonage of **D.** & the manors of **A. and B.** &c. To haue and to hold al & singular the aforesaid parsonages, rectories, manors, lands, &c. to the said **Wm. B. J. B. & T. A.** & their heirs, or to such other person or persons, as they, or the suruiuo or suruiuoys of the, or their heirs shall name & appoint, & to their heirs, to the vse of the said **Wm. B. J. B. & T. A.** for terme of two yeres next insuing &c. to the intent that they with the rents, issues, & profits of the same, shall & will well and truly content & pay, during the said term, all such rents, fees, and annuities, to all & every such person & persons as be expressed & mentioned in certain scedules indeted, to these present Indetures annexed. And it is further couenanted &c. that if any money shall happen to remaine vnpaid in the hands of the said **Wm. B. J. B. and T. A.** their heirs &c. after the said yerely rents & annuities contented and paid, or of any other person and persons named in any of the said scedules, to whom any fee, annuall rent, or annuitie ought to be paid and soztune to die, so y the rent, fee, & annuitie befoze payable vnto him so dying be extinguished, or if any of the said annuities, rents, or fees be otherwise discharged or determined: That the y said **Wm. B. J. B. & T. A.** their heirs &c. shall from time to time during the said terme of two yeres, well & truly content & bestow the same money so remaining & growing by such discharge, toward the payment of such debts as are obtained & expressed in one other scedule indeted hereunto annexed, & the said annuities & debts discharged, shall wel & truly perceiue & take the money so remaining vnpaid & growing, in, & vpon the premises, towards the mariages of **D. A.** & **D.** daughters of the said **W. S.** vntil such time as they haue receiued, leuied, & take of y said réts, issues, & profits

profits 900. pounds of good etc. Provided alwaies, and it is further covenanted etc. that after the said annuities, fees, debts, and marriage money discharged & paid, the said W. B. J. B. & T. W. & their heires, and all & every other person etc. y^e shall be seised, of, & in the premises or any part thereof that stand and be seised, of, & in al and singular the premises with their appurtenances to thuse & behoufe of the said T. S. during his life without impeachment of any wast. And that after the decease of the said T. S. they shall stand & be seised of as much thereof as shall amount to the perely value of xx. l. of etc. to thuse of W. S. one of the yonger sonnes of the said T. S. for the terme of the life of the said W. S. & of, & in so much thereof as shall amount to other xx. l. of etc. to thuse of H. S. one other of the younger sounes of the said T. S. for term of life of the said H. and of the residue thereof immediately after the death of the said T. S. and of, & in the premises appointed to thuse of the said W. S. and H. S. to thuse of H. S. son & heire apparent to the said T. S. & of the heires of his bodie lawfully begotten, & for default of such issue, to thuse of the said W. S. second son of the said S. and to the heires of his bodie lawfully begottē, & for default of such issue of the bodie of the said W. S. to thuse of the said H. S. & to the heires of his bodie lawfully begotten, & for default of such issue to thuse of the right heires of the said H. S. and their heirs for ever etc. ut supra. Provided alwaies, and byon condition following, and it is fully covenanted, granted, condiscended, concluded, & agreed, by & between the said parties to these present Indentures, & it is y^e true intent and meaning thereof, that it shall be lawful, to, & for the aforesaid W. B. at any time & every time & times, and from time to time from henceforth during his life, by his deed or w^{riting} by him sealed befoze two sufficient witnesses or moe, to alter, determine, diminish, or enlarge any or all thuse, v^{ses}, estate, estates, limitations or intents, comprised in these Indentures, & also at his will & pleasure by his deed or w^{riting} by him sealed befoze two sufficient witnesses, or moe, as aforesaid, to limit & appoint thuse or v^{ses} of thaforsaid mesuages & premises, or of any part of y^e same to the aforesaid persons or any of thē, or to anie other person or persons in fee simple, fee taile, for terme of life, or for yeres, or otherwise, and y^e they the said seoffees & the seruivoz and seruivoz of them and his heirs shall stand & be seised of the said tenements, & premises with thappurtenances, to such and the same v^{ses}, that in his said w^{riting} to be sealed by him befoze two sufficient witnesses or moe, shall be limited or appointed, and to none other v^{se} or v^{ses}, intent or purpose: any matter or thing befoze in these Indentures

mentioned, to the contrarie thereof notwithstanding. In witnesse &c.

*A Couenant that cesty que use for yeares shall dispose the profits
for the education of the seoffors children.*

ANd it is agreed between the said parties, & the said G. T. &c. doth Sect. 268.
Covenant &c. to and with the said H. B. his heirs &c. to bestow the
issues, rents, revenues and profits of the premises, that they or any of
them shall receive, and shall be intitled to have, take, or receive, in or
during the said terme of &c. in maner and forme following: That is to
say, to pay, or cause to be paid yearly, after the decease of the said H.
B. to everie of the iij. daughters of the said H. B. named A. C. B. and
C. or to the vse of everie of them, to, & for their finding & bzinging by,
v. l. of &c. vntill their severall ages of xxj. yeares, or their severall dates
of marriage, so that, as soone as any of them shall attaine to her severall
age of xxj. yeares, or to her day of marriage, that the painēt to her, or so
many of them as shall come to full age, or be married, to cease. And
yearly after the decease of the said H. B. vnto everie of the said thre
sonnes of the said H. B. named J. P. and H. or to the vse of everie of
them, to, and for their severall finding and education xv. l. of lawfull
money of England, vntill the end and determination of the residue of
the said terme of 18. yeares, that shall be to come at y^e time of the death
of the said H. B. and if any of the said J. P. and P. fortune to die with-
in the said terme, That his or their part or parts of the said yearly pai-
ments so deceasing, to be paid on, vnto his or their next heire. And the
ouerplus of the said issues and profits that shall remaine over & above
the said payments had and made, the costs and charges of the leuying
and receiuing therof, as well in Bailifes fees, as otherwise deducted,
The same to be paid to the said thre sonnes, or to the surviuor or sur-
viuors of them, at the end of the said eighteene yeares &c.

A Couenant for to barre or extinguish Remainders.

ANd further the said G. T. and T. W. for them &c. That the said Sect. 269.
G. T. and T. W. or either of them, their heires, executors nor ad-
ministratozs, nor the heire, or executors, nor administrators of epyer
of them, shall at any time hereafter accept, receive, take, or claime any
releafe, acquitance, witting, benefit, advantage, or discharge of any
tollēnt, graunt, article, or agreement contained in these presents,
whych shall bar, hinder, extinguish, or determine any agreement, intent

oz meaning, contained, meant oz implied, in, oz by these presents of a-
nie of the said A. D. H. K. severally, oz jointly with others, vnlesse it
be with the ful assent, consent, and agrément of all the said executoꝝ,
oz of as many of them as shall be then liuing.

*A Covenant that Feoffees in vse shall not doe any act to
frustrate vses.*

Sect. 270.

ANd further the said P. D. &c. that they the said P. P. and T. W.
noꝝ either of them, noꝝ the heires, executoꝝ, administrators, of
them, oz either of them, shall at any time hereafter accept, receiue,
take oz claime anie release, acquittance, benefite, aduantage, oz dis-
charge of any covenant, graunt, article, and agrément contained in
these presents, oz which shall barre, hinder oz ertinguish, oz determin
any agrément, intent oz meaning, contained, meant, oz implied, by
these presents, to and with each of the said H. and K. whiles they both
be liuing.

A feoffment to vses alterable by the feoffor &c.

Sect. 271.

THIS Indenture made &c. Witnesseth, that the said A. B. soꝝ &c.
hath giuen, granted &c. to the said C. D. and E. F. all those mesu-
ages, tenements &c. To haue & to hold the said mesuages oz tenements,
and all and singular the premisses with the appurtenances, vnto the
said C. D. and E. F. their heires and assignes soꝝ euer, to such vses,
intents, and purposes, as hereafter in these presents are expessed, li-
mited, and declared, and to and soꝝ none other vse, intent oz purpose:
that is to say, to the vse of the said A. B. soꝝ, and during the terme of
threescoꝝe yeares, next ensuing the date hereof fully to be complet and
ended, if the said A. B. doe so long liue. And after that to the vse of J.
now wife of the said A. B. soꝝ the terme of threescoꝝe yeares, from
thence next following fully to bee complete and ended, if the said J.
do so long liue. And after that to the vse of N. P. of R. in the county of
S. Gentleman; and R. D. of P. in the countie of S. Gentleman, their
heires and assignes soꝝ euer. Provided alwaies and vpon condition
following, and it is fully covenanted, graunted, condiscended, conclu-
ded and agreed, by and betweene the said parties to these present In-
dentures, and it is the true intent and meaning thereof, that it shall
be lawfull, to and soꝝ the aforesaid A. B. at anie time, and euerie time
and times, and from time to time from hencefoꝝth during his life
by

by his deed or writing by him sealed befoze two sufficient witnesses or moze, to alter, determine, diminish, or enlarge any, or all the vse, vses, estate, estates, limitations, or intents, comprized in these Indentures, And also at his will and pleasure by his deed or writing by him sealed befoze two sufficient witnesses or moe, as aforesaid, to limit & appoint the vse or vses of the aforesaid mesuages & premises, or of any part of the same to the aforesaid persons, or any of them or to any other person or persons, in fee simple, fee taile, for terme of life, or of yerces, or otherwise. And that they the said feoffees, and the survivors of them, & his heirs, shall stand and be seised of the said tenements & premises with the appurtenances, to such and the same vses, that in his said writing to be sealed by him befoze two sufficient witnesses, or moe shall be limited, or appointed, & to none other vse or vses, intēt, or purpose: any matter or thing befoze in these Indentures mentioned to the contrary therof notwithstanding. In witness whereof &c.

Adced to alter the vses in the former Indenture and to create new.

TO all Christian people &c. A.B. of C. sendeth greeting in our Lord God everlasting. Whereas the said A. B. by his Indenture made betweene him the said A. B. on the one party, and C. D. of &c. and E. F. of &c. on the other party, bearing date &c. in the 32. yeare of the reigne of our soueraigne Ladie the Queenes Maiestie that now is, for diuers good causes and considerations him at that time mouing, did giue, graunt, infeoffe, and confirme vnto the said C. D. and E. F. all those mesuages &c. (as in the former Indenture) in the said Countie of D. or elsewhere within the Realme of England, which late were the lands &c. of G. H. in L. in the said Countie of D. gentleman. To haue and to hold &c. vnto the said C. D. & E. F. their heires and assignes for ever, to such vses, intents, & purposes, as be specified, mentioned, limited, & declared in the said Indenture. In which said Indenture there is contained one prouiso or conditiō, the tenor or effect whereof is as followeth. Provided alwaies, and vpon condition following, and it is fully covenanted &c. (reciting the Prouiso of the former Indenture verbatim.) Know you now therfoze him the said A. B. according to the tenor, purport, & true meaning of y^e said Indenture, to be minded, disposed, & fully determined to alter & chāge the vses declared in the said Indenture: And therfoze he the said A. B. doth by these presents notifie, signifie, & declare, that

Sec. 272. 2.

the aforesaid mesuages, tenements, cottages, lands, meadowes, feedings, pastures, hereditaments, & premises, with thappurtenances, & the vses in the said former Indenture expressed, and al assurance, and assurances heretofore had, made, knowledged, and suffered of the said premises, or any part thereof, thall from henceforth remaine and be to such person and persons, and to such intents and purposes, as hereafter in these presents are expressed and declared: the said former Indenture, or any other assurance or conuiance had of y^e said tenemets & premises, or any part thereof to the contrary thereof in any wise notwithstanding. That is to say, the said mesuages, cottages, lands, tenements, hereditaments, and premises, shalbe to thuse of the said A. B. for and during the terme of xl. yeres, next insuing the date hereof, fully to be compleat & ended, if the said A. B. do so long liue. And after to the vse of J. wife of the said A. B. for, and during &c. And afterwards to the vse of my well beloued friends W. W. of K. in the County of P. gentleman, & T. S. of S. in &c. gentleman, their heires and assigns for euer. In witness &c.

A Condition to alter Vses.

Sect. 273.

PRouided alwaies, & it is further couenanted, granted, & agreed betweene the said parties, that if it shall fortune the said T. T. at any time during his life, by writing vnder seale inrolled in any court of recozd, to graunt vnto the said &c. or to any of them, or to any other persons befoze mentioned, one moitie of &c. That then, & frō thenceforth the said estate, and all and euery y^e vses befoze in these presents mentioned, to be utterly void and of none effect, & that then, & from thenceforth, aswell the said &c. (expressing the feoffees) & their heires and assigns, as also all their estate, and all other assurances hereafter to be had and made, of, or in the said tenements and premises, or any part or parcell thereof, to the vses aforesaid, shall be to the only vse of the said T. T. and his &c. And that then, & from thenceforth it shal be lawfull, to, and for the said T. T. &c. & to euery of them to reenter in to y^e said tenements and premises, & the same to haue againe & repossed as in their former estate: These Indentures or any thing therein contained to the contrary thereof in any wise notwithstanding &c.

A Condition to alter Vses.

Sect. 274.

PRouided alwaies, & vpon condition &c. y^e if it shall happen the said T. T. hereafter at any time to haue issue of his body lawfully begotten,

begotten, or any wife of the said T. T. at the time of his decease to be inheint with any issue begotten by the said T. T. that then within five Moneths after such issue had, and after five hundred Markes paid to any person or persons, for & in the name of such issue to the said A. &c. or tendered and refused, or not received by the said A. &c. the vse of the said land &c. shall be and inure, and the said feoffees &c. shall therefore stand and be seised to the vse of the heires of the said T. of his bodie lawfully begotten, and of the heires of their bodie lawfully begotten. And for default of such issue, to the heires of the right heires of the said T. T. and their heires for ever &c.

A liberte to graunt leases.

Provided alwaies, and the true intent and meaning of the parties Sect. 275.
to these presents is, And the said T. S. doth for him, & his heires, covenant and graunt, to and with the said R. D. his executozs and assignes, by these presents, that the said R. D. shall & may at all times, from time to time, during his life, without any let or disturbance of the said T. S. his heires, executozs, or administratozs, demise, grant, and lease the said manozs, lands, tenements, and hereditaments or any part or parcell thereof (the lands, tenements, and hereditaments appointed to be conueyed and assured to the said R. and C. for terme of her life, as is aforesaid, & the manoz house, scite, & demieane lands of B, only excepted) to any person or persons for terme of three lines or vnder, or for terme of xxj. yeres or vnder, in such maner and forme, as a tenant in taile may lawfully doe, & not other wise, so as there be reserved, in, and vpon euery such Lease and Leases, the vsnall & old accustomed rent or moze, and appointed to be payable verely during the same terme, to such person or persons, as by force of these presents, and the conueyances to be made, and agræd to be made by the force of these presents, shall or ought, after the decease of the said R. haue the immediate reuerfion or remainder thereof: any thing to the contrary hereof in these presents contained notwithstanding.

A liberte for the feoffor in Vse to make annuities.

and Joyntures.

Provided also, and it is condiscended and agreed between the said Sect. 276.
parties, that the said R. D. shall and may at any time hereafter by his writing, or writings indented, cordozed, & assure, or by his last will and Testament, giue, demise, and appoint, severally and not jointly,
to

to every or any the younger sonne or sonnes of the said K. of the bodie of the said A. his wife, lawfully begotten, one annuitie or yerely rent charge of r. pounds, to every of them severally, to be issuing, going out, and to be perceined of, out, and upon the said manors, lands, and tenements, (except the said lands and tenements appointed for the Jointure of the said C. for terme of life, as is aforesaid,) for, and during all the naturall life, or severall lives of every such son or sonnes. And it is in like manner condiscended and agræd. betwene the said parties, that where the above recited lands, tenements, and hereditaments to be assured for the Jointure of the said C. and specified in the said scedule, are now parcell of the Jointure lands of the said A. that he the said K. D. shall have full libertie to assure and convey certayne lands, tenements, and hereditaments called K. for the Jointure of the said A. during her naturall life, in full recompence and satisfaction of the said lands and tenements specified in the said scedule, and to be assured for the Jointure of the said C. as is aforesaid.

A Condition to alter Uses.

Sec. 277.

PROvided also further, that it shall be lawful, to, & for the said Sir T. P. at any time, or from time to time at his pleasure, during his life, by his writing indented, or by his last wil and Testament in writing, by him sealed and subscribed, to alter, determine, diminish, change, or enlarge, any use or uses, conditions, limitations, or intents, comprised in these presents, the said estate of D. P. onely excepted. And also at his pleasure by the same his writing indented, or by his last will and Testament, sealed and subscribed, as is aforesaid, to limit and appoint, give & grant the use of the said manors, lands, tenements, & hereditaments with their appurtenances, or of any parcell of the same, to the said persons, or any of them, or to any other person or persons, in fee simple, fee taile, for terme of life, or lines, or yeres, or otherwise, (the estate and interest of the said D. P. alwaies being saved unto her:) these Indentures, or any use or uses, thing or matter aforesaid in these Indentures to the contrary in any wise notwithstanding. And that after such alteration, determination, diminishing, or enlarging, limiting, or appointing, any use or uses, conditions, or intents of the premises, or of any part or parcell thereof, as is aforesaid, the use onely of so much of the premises, whereof any alteration, determination, diminishing, or enlarging shall be so had and made, shall be to such person and persons, uses, intents, and conditions, as shall be mentioned, specified, or declared in

in

in that writing indented, or last will and testament onely, and to none other person or persons, vles, intets, nor prouisoes. Provided further, and it is declared by these presents, that the true intent and meaning of this Indenture is, that when any vles or vles about limited, or anie estate thereby made or growen, by vertue or meaning of these Indentures, or by any prouisoes, conditions, or limitations aforesaid, shall cease, end, & determine, by breaking of any prouiso or condition: That then immediately the vles of such and so much of the premises, where of any vles or estate about limited, shall so cease, end, or determine, shall be immediately, after former limitations in vles, ended, ceased, or determined, in such person or persons, to whom the vles thereof is next limited and appointed by these Indentures, of like estate, and in manner and forme, as the same should haue bin, if the same limitation had bin without any prouiso or condition, and had bin ended indeed.

The limitation of Vses.

AND it is further couenanted &c. that the said feoffees shall be seised Sect. 278.
of the said manors, lands, &c. to the vles of the said A. and the said issues males &c. until such times as the said A. or any one or moe of his issues males, after he, they, or any of them shall be owners of the premises, or of any part or parcell thereof, in possession, reversion, or remainder, shall either doe, or suffer to be done, some act or acts, thing or things, for the discontinuance of the taile of the premises, or any part or parcell thereof, or for taking away the right of the premises, or of any part or parcell thereof, otherwise then is appointed by the Act of Parliament made in the two and thirtieth yeare of the reaigno of King Henry the eight, intituled, An Act that the leasees shall enioy their Fairmes against the Tenant in taile, or in the right of their Wiues, or Churches, whereby the state of intaile of the premises, or any part or parcell thereof, or the right of the said estate in the premises, or in any part thereof limited by these presents to the said A. and his heires males aforesaid, shall not, or cannot take place, according to the true intent of his dæd indented, and the meaning of the said B. &c. And then to the vles of the &c. Limiting other vles.

A Covenant reserving power to alter and raise vses.

Scct. 279.

PRouided alwaies, if it shall chance the said J. S. by his testament and last will, made in writing and sealed with his owne hand, or by Indenture inrolled, and subscribed with his owne hand, or by deed of feoffment, or other conveyance in writing, sealed with his hand and seale, to deuise, assure, appoint or conuey, the premises, or any parcell thereof, or any rents, annuities, fees, offices, or any other profits, commodities or aduantages going out, or comming out of the premises, or any parcell thereof, or by any writing indented, sealed by the hands of the said J. D. and subscribed, and deliuered by him, to limit, dispose, appoint, or assigne the vse or vses, of all and singular the premises, or any parcell thereof, or to appoint any rents, annuities, offices, fees, commodities, profits or aduantages out of the premises, or any part thereof, or the vses thereof, in any other sort then befoze is specified in these presents, that then and from thenceforth as well the assurances afozesaid shall bee, as the said R. D. &c. their heires and assignes, As also all and euerie other person and persons, and their heires, any thing lawfully hauing or claiming in the premises, or any part thereof, by the said R. D. &c. their heires or assignes, or after or under, their estate or interest, shall stand and be seised of the premises, or of such parcell of the same, so deuised, assured, conueyed, limited or appointed, And also shall stand and bee seised to such vse and behoefe, and of such person or persons, to whom such annuities, fees, profits, commodities, or aduantages of the premises, so shalbe deuised, conueyed, limited, assured, or appointed of such estat and interest, as in the same conveyance, last will, or feoffment, or in the same writing, and euerie or any of them shall be conueyed, and not otherwise, no: in any other manner: anything to the contrarie notwithstanding.

A Covenant to alier vses.

Scct. 280.

AND it is further condiscended & agreed betwixt the said parties, and euerie of them, for themselues, their heires and assignes do covenant and graunt to each other of the same parties, and their heires and assignes, that if it fortune at any time hereafter the said T. T. during his life, to draw & ingrosse in parchment, or cause &c. another indenture with certain covenants contained in þe same, to lead to the vse of

of

of the same recoveries, fines, and assurances in another sort & order, then in these present Indentures they be lead, limited, & bestowed: and the same so drawn and ingrossed shall seal and deliver as his deed, that then immediatly upon the summe of ten Shillings of lawfull etc. disbursed and bestowed amongst the poore inhabitants of the manor of H. the same assurances & every of them shall be, & the same A.B.C.D. their heirs & assignes, and every other person or persons, having or iustly clayming to have any estate or thing in the same premises, or any part thereof, shall stand and be seised of the same, to thonly vles contained in these Indentures, and to none other vles nor intents: any thing in these Indentures to the contrary thereof notwithstanding etc.

See more of Vses in Couenants to leuie fines and suffer recoveries, and in Couenants to make Assurances, Couenants of mariage and Ioinctures.

A Prouiso for discontinuance of Vses.

PRouided alwaies, that if any the said sonnes of the said J. S. of Sect. 231. his body lawfully begotten, or any etc. shall at any time hereafter aduisedly, willingly, determinately, and effectually procure or assent, to or for any act or acts, thing or things, for any bargaine, sale, discontinuance, alienation, exchange, or forfeiture to be had or made of the said lands, tenements, hereditaments, and other the premises, or of any part or parcell thereof to him or them, or any of them, as is aforesaid, by these presents limited, declared, or agreed to be conueyed in vse or possession, whereby any estate of the premises or any part or parcell thereof in vse or possession mentioned, limited, or declared by these presents, may, should, or might by any waies, or by any meanes be vndone, discontinued, debarred, altered, determined or forfeited, and the same bargaine, sale, discontinuance, alienation, exchange, or forfeiture, or any other open or effectual thing or act towards the same effect shall attempt etc. or by any other effectual act or acts, thing or things whatsoever, whereas or whereby any bargaine, sale, discontinuance, alienation, exchange, or forfeiture, shall or may insue: That then immediatly from and after the time of such procuring, attempting, causing, commanding, willingly assenting, suffering, or going about, in manner and forme as is aforesaid, and before any such bargaine, sale, discontinuance,

nuance, alienation, exchange, or forfeiture, had, made, or perfected, executed, committed, or done, the said use and uses, estate and estates, limited and declared in these presents, to him or them that so shall attempt, cause, procure, command, or wittingly assent or suffer any such act or acts, thing or things, to be prosecuted, executed, performed, done, or put in use, in manner above declared, whereupon any bargain, sale, discontinuance, alienation, exchange, or forfeiture shall or may in law contrary to the true meaning of these presents, of, and in such, & so much of the said manors, lands, tenements, and hereditaments with the appurtenances, for which any of the things aforesaid, shall be attempted, caused, procured, commanded, assented, or suffered to be executed, performed, done, or put in use, contrary to the true meaning of these presents, shall cease only, as in respect and having regard to such a person or persons, so attempting, procuring, causing, commanding, wittingly assenting to, suffering, or going about any act or acts, thing or things aforesaid, contrary to the intent and true meaning of these presents, in such sort, quality, degree, and condition, as if such person or persons, their heirs, or heirs, so attempting, procuring, causing, commanding, wittingly assenting to, suffering, or going about any such act or acts, thing or things, as is aforesaid, were naturally dead, & no otherwise. And then and in such case shall immediately come, grow, or be, by the true intent and meaning of these presents, if such person or persons that so shall procure or assent to, or for any such act or acts, thing or things, were naturally dead, of such like estate, and in like manner and form, and with such like remainders in use over, and with like limitations and conditions, as the same should have come, grown, or been, if the same person that so shall procure, or assent to, or for any such act or acts, thing or things to be done, at, or immediately before the time of such procuring or assenting were naturally dead, and none otherwise.

Alibertie by Uses to make Leases.

Sec. 1827

PRovided also, and it is fully covenanted, granted, and agreed by all the parties to these presents, that it shall and may be lawfull to, and for the said Sir J. S. by his deed or deeds indented, during the naturall life of the said Sir J. S. to demise and lease the aforesaid manors, lands, tenements, and other the premises appointed by these presents to be conveyed and assured to the aforesaid

J. S.

T. S. F. S. T. P. and L. D. and their heires, to the vse of the said
 T. for terme of his naturall life, without impeachment of wast, and
 after his decease to the vse of J. S. the sonne, and of their heires males
 of the bodie of the said J. S. the sonne, of the bodie of the said D.
 lawfully begotten, and for default of such heires, to the vse of the
 heires of the bodie of the said J. S. the sonne lawfully begotten, with
 other estates in vse of the same, as is aforesaid, to any person or per-
 sons for the terme of xxi. yeares & not aboue, or for any lesser terme or
 termes from the making of the same lease or leases, whereof no for-
 mer lease and leases, of, and in the same mannoys, lands, and tene-
 ments, so to be demised, shall at the time of the making of the same
 lease or leases, have being and continuance. So that vpon euerie the
 same lease and leases, so to be made, the old and accustomed rent and
 rents or moze shall be reserued, to have continuance, and shall be pay-
 able yearly during the same lease and leases, to such person and per-
 sons as shall have the immediate reuerision or remainder thereof du-
 ring the same lease or leases to be made. And so that the same lease
 nor leases, nor any of them, bee made without impeachment of wast,
 and that then the said assurance and assurances to bee made, as is a-
 fforesaid, shall be, and the said T. S. F. S. T. P. and L. D. and their
 heires shall stand and be seised, of, and in the premises so to be demi-
 sed or leased, as is aforesaid, to the vse and vses of such seuerall per-
 son and persons, to whom the said premises or any parcell thereof
 shall be so leased, their executoys, administratoys and assigns, for and
 during such terme and termes as beene befoze declared, or vnder, as
 shall be limited vpon any such lease or leases to bee made, as is a-
 fforesaid, vpon any such like seuerall conditions to be annexed to the
 vses, for non-payment of the seuerall rents so to be seuerally reserued
 vpon such leases, as shall be limited in the same leases, and annexed
 to the lease of the said lands, by the true intent and meaning of such
 leases: any thing in these presents mentioned or expressed to the con-
 trarie in any wise notwithstanding.

Conueyances to uses.

ANd to þ vses that the said W. D. may during his life make toin: Scēt. 283.
 ter or iointers of all such lands, tenements and hereditaments
 in S. aforesaid, parcell of the premises last recited, being now in the
 possession of T. D. and J. D. bzyethen of the said W. to any such wife

oꝛ wines as they the said T. and J. P. oꝛ either of them, shall fortune hereafter to marrie oꝛ take to wife, foꝛ & during their naturall life oꝛ liues. And that it shall likewise be lawfull to the said W. P. to make iointer oꝛ iointers of lands, tenements, and hereditaments in S. and K. parcell of the pꝛemises last recited, to the yearly value of ꝛc. to anie wife oꝛ wines, that he shall hereafter fortune to marrie & take to wife other then P. his now wife, foꝛ and during the natural life oꝛ liues, of any such wife oꝛ wines. And further, that it shall be lawfull, to and foꝛ the said W. P. during his life, and to the said T. P. his son and heire apparant after his death, to make a iointer oꝛ iointers to anie such wife oꝛ wines as the said T. P. the son thal hereafter fortune to marrie of the said manors, lands, tenements, and hereditaments, parcel of the pꝛemises last recited, of the yearly rent of foztie pounds aboue all charges and reppises. And that the said W. P. shall haue in like maner free libertie and lawfull authoritie and power during his natural life, of lands, tenements, & hereditaments, parcell of the pꝛemises last recited, of the yearly rent of xx. pounds, to make leases and grants therof to the yonger sonne oꝛ sonnes of the said W. foꝛ terme of their naturall life oꝛ liues, oꝛ thereof, oꝛ of any part thereof, to declare his last will and testament, foꝛ the perfoꝛmance thereof and payment of his debts, so that it be but foꝛ the space and terme of xx. yeares, oꝛ vnder, next after the death of the said W. And that the said J. P. & other the said Conisces and their heires, shall stand and be seised of the said pꝛemises, oꝛ any part thereof appointed, limited, oꝛ assigned by the said W. P. foꝛ the iointer oꝛ iointers of his wife oꝛ wines of the said brethren, oꝛ either of them, oꝛ foꝛ any wife that the said W. shall hereafter marrie, oꝛ the wife oꝛ wines of the said T. P. oꝛ to his yonger son oꝛ sonnes, during life oꝛ liues, in maner and foꝛm afoꝛesaid, to the vse of such person and persons as the said W. shall assign, limit oꝛ appoint the same during the time afoꝛesaid, and according to the limitation afoꝛesaid.

Trust

Trust.

A bargain and sale in trust to Uses.

THis Indenture tripartite &c. Berweene **T. T.** on the first partie, Sect. 284.
B. C. D. and **E.** on the second partie, and **F. G. H. I.** and **K.** on
the third partie, Witneseth, that the said **T. T.** for the speciall trust
and confidence that hee hath in the said **A. B. C. D. E. F. G. H. I. K.**
and for the summe of &c. Hath giuen, bargained, and solde, and by
these presents doth giue, bargain, and sell vnto the said **A. B.** &c. all
those his lands &c. To haue and to hold &c. during the naturall life of
the said **T. T.** and for and during the terme of tenne yeares next and
immedately following after the naturall death of the said **T. T.** And
after the death of the said **T. T.** and after the said terme of ten yeares
ended and determined, then to haue and to hold the said mannozs,
lands &c. to the said **A. B. C. D.** &c. their heires and assignes, to the vse
of them and their heires &c. And vpon conoition that if the said **G. H.**
I. and **K.** and their heires, or the suruiuoꝝ or suruiuoꝝs of them, and
his and their heires shall befoze the naturall death of the said **T. T.**
or within sixe yeares next after the naturall death of the said **T. T.** a-
lien, bargain, and sell the pꝛemisses with the appurtenances, or so
much therof as by the said **T. T.** shall be limited or appointed by him,
by woꝝd or by wꝛiting, will, or otherwise, And the desire and request
of the said **T. T.** is, that after the bargain, sale, or alienation so had
or made, the said **A. B. C. D.** &c. for the speciall trust and confidence
that the said **T. T.** doth put in them, shall within sixe moneths next
after such bargain, sale or alienation, purchase or cause to be pur-
chased, other lands, tenements, and hereditaments, of as much
cleere yearly value as the pꝛemisses that shall be so bargained or sold
by them or any of them shall amount vnto, and that the suruiuoꝝ or
suruiuoꝝs of them shall within sixe moneths after such purchase, cause
the same lands so purchased to be by good assurances and conueyan-
ces in the said Law assured and made sure to the heires of the said **T.**
T. in fee simple discharged of all maner of charges and incumbzan-
ces by them to be had, made, done or suffered.

Provided alwayes, that for default of such bargain, sale, or alie-
nation of the pꝛemisses, by these presents giuen or grāted, bargained
or solde, from and after the said naturall death of the said **T. T.** and

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from

from and after the said terme and end of ten yeers next after the naturall death of the said T. T. the said A. B. C. and D. &c. and all and every person and persons that shalbe seised, of, or in the said tenements and premises, shall stand and be seised thereof to the onely vse and behoufe of the right heires of the said T. T. of, and in so much of the premises by these presents given or graunted, whereof no bargaine, sale, or alienation shall be hereafter by the said A. B. C. D. &c. so made as is aforesaid. And that then, and from thenceforth it shall be lawful for the said right heires of the said T. T. to reenter into so much of the premises, whereof no such bargaine, sale, or alienation, as is aforesaid, shall bee hereafter by the said A. B. so made as is aforesaid. And the said G. H. I. and K. doe couenant &c. that they and every of them shall permit and suffer the said A. B. and C. &c. and every of them and their assigns quietly to receive and take the issues and profits of all and singular the said premises with the appurtenances during the naturall life of the said T. T. and during the said terme of ten yeares next after his naturall death, without interruption or disturbance of the said G. H. I. and K. or any of them, or any other person or persons, by the meanes and procurement of any of them, to be employed and bestowed to such purposes, vses, and intents, as the said T. T. hath and shall assigne, limit, and appoint. And the said G. H. I. and K. for themselves doe covenant &c. That if it shall fortune the said A. B. and C. to decease during the natural life of the said T. T. that then the said G. H. I. and K. and their executors and assigns, shall peaceably permit and suffer the said D. C. and F. and every of them and their assigns, to haue, take, and receive all and singular the issues, rents, reuenues and profits, of all and singular the premises, and every part and parcel thereof, for and during &c. without any let or impediment to be had, made, or procured by the said G. H. I. and K. or any of them, or by any other person or persons, by the meanes or procurement of any of them, to be employed and bestowed to such vses and intents, as the said T. T. shall limit, declare, assigne, or appoint by word or writing. And the said T. T. for him, his heires and assigns doth covenant &c. that the said &c. and every other person and persons now being seised, of, and in the premises, or of, or in any part or parcell thereof, shall from henceforth stand and be seised thereof, and of every part thereof, to the vses, intents, behoufes and conditions, in these presents befoze declared, mentioned, and expressed, and to, or for none other vse, intent, or purpose. In witness whereof

&c.

*Covenants to convey a Lease and goods in Trust,
in stead of a Joynture.*

Sect. 285.

THis Indenture &c. Betweene **T. G.** and **W. L.** &c. Witnesseth, that in consideration of a marriage to be had & solemnized between the said **W. L.** of the one partie, and **B. D.** widow, daughter of the said **T. G.** of the other party, It is now fully covenanted &c. that is to say, the said **W. L.** &c. doth covenant &c. that where **A. B.** by his deed indented, dated &c. hath demised, granted, and to farme letten to the said **W. L.** all that his manoz of **C.** To haue and to hold &c. as by the said Indenture moze plainly doth & may appeare, the said **W. L.** in consideration of the said marriage to be had & solemnized between him the said **W. L.** & the said **B.** in maner and foyme afozesaid, & for the great zeale & love that he beareth to the said **B.** covenanteth &c. that hee the said **W. L.** befoze the feast of &c. shall at the costs & charges of him the said **W. L.** his executozs oꝝ assignes, by his deed indented, assure, demise, giue, and grant to **A.** and **C.** the said manoz of &c. together with all his right, title, interest, possession and terme, which the said **W. L.** hath to come, in, and to the same manoz, and other the premises. To haue and to hold the same to the said **A.** and **C.** and their executozs, administrators & assignes, during the residue of the said terme of years yet to come, of, in, & to the said tenements & premises, by vertue of the same Lease for years aboue in the said presents recited, vpon condition onely that the said **A.** and **C.** and their executozs & administrators, & the executozs oꝝ administrators of the suruiuoꝝ oꝝ suruiuoꝝ of the, shall within five moneths next after the same assurance, demise, gift & grant so by the said **W. L.** made of the premises to the said **A.** and **C.** make one other demise and grant to the said **W. L.** and **B.** of the said mannoz of &c. to the said **W. L.** and **B.** their executozs, administrators and assignes, from the date of the same demise and grant so by the same **A.** & **C.** to be made to the said **W. L.** & **B.** for & during the residue of the said lease and terme of years, mentioned in the said former Indentures yet to come, fully to be accomplished & ended. In which Indentures there shall be a sufficient clause oꝝ pꝛouiso contained, That if it happen the said **W. L.** to die, and the said **B.** him to ouerline, and that after the death of the said **W. L.** it shall happen the said **B.** to die befoze the end of the said term of years comprised in the said lease made to the said **W. L.** in maner & foyme afozesaid, that then the residue of the said term of years, which shall so happē to remain & be vndertermined at the death of the said **B.** shall remain, go & be to the executozs of the said **W. L.** And further the said **W. L.** covenanteth &c. that if it shall

happen the said *W. L.* to die, and the said *B.* to suruiue and ouerliue the said *W. L.* that then the said *W. L.* shall further in consideration of the said marriage by his last will and testament, freely giue, assure and assigne to the said *B.* to his owne proper vse towards her liuing, aduancement and preferment, goods and cattels, then being discharged of all incumbrances, and which the said *W. L.* shall then haue by god & iust title, amounting to the clere yearly value of *ʒc.* of the proper goods and chattels of the said *W. L.* And further the said *W. L.* covenanteth, &c. that after one assurance, grant and conueyance made of the said terme and lease of the said manors &c. by the said *A.* and *C.* and to the said *W. L.* and *B.* and to the longer liuer of them, in manner and forme aforesaid: That then and from thenceforth during the life of the said *W. L.* and *B.* the said *W. L.* shall not bargain, sell, surrender, forfeit, giue nor alien the said tenements and premises, nor any part thereof, nor his said estate, terme nor interest, of, in, nor to the same, nor any part thereof, nor shall in any wise incumber the said manors, nor other the said premises, nor any part thereof, but that the executors of the said *W. L.* shall acquit, discharge, and saue harmeles, aswell the said *B.* as the said manors and other the premises, and every part thereof, during all the said terme of years, in, and to the said premises limited, appointed, and to be assured & conueyed to the said *B.* in manner and forme aforesaid, of all &c. And further the said *W. L.* covenanteth &c. that he the said *W. L.* his executors and assigns, shall and wil at all times hereafter from time to time, doe, suffer, and cause to be done and suffered, all and every such act and acts, deuise, thing and things, as hereafter shall be reasonably deuised, or aduised by the said *T. C.* his executors or assigns, or by his or their Counsell learned in the law, for the further and better assurance and sure making, of, and to the said lease & terms of years, of, & in the said manors of *C.* &c. to be assured & made sure to the said *W. L.* & *B.* and to y^e suruiuor of them, or to either of them, in manner and forme aforesaid. Prouided alwaies, and it is further covenanted &c. betwixt the said parties to these presents &c. and the said *W. L.* for him, his heires, &c. covenanteth &c. to, & with the said *T. C.* that if it shall happē the said *W. L.* or the said *B.* to decease, or die befoze the said marriage had betwixt them, or that any of them shall refuse to marry with the other of them, at any time limited for the said marriage, or that the Law of God them to marry wil not permit & suffer, or any other lawfull impediment shall happen, whereby the said marriage shall not take effect: That then the said *W. L.* &c. shall satisfie, content, or otherwise repay to the said *T.*

B. &c.

W. &c. at W. &c. within one moneth next after such death, refusal, or other such lawfull impediment, as is aforesaid, the summe of &c. of good &c. in full payment of the said summe of &c. paid in marriage with the said W. D. In witnesse &c.

To assure a lease for a iointure: conuey parcell of the terme to the wiuers friends, if she so long liue, then let them reconuey parcell of their parcell to the husband, if he so long doe liue.

A Conuoyance in trust by a widow, of a lease giuen vnto her first husband, that her second husband should not sell it away, as commonly it happeneth.

THis Indenture &c. Betweene A. B. widow, late wife of T. B. Sect. 286.
and executrix of the last will and testament of the same T. B. on the one partie, and T. P. J. B. and K. T. brythren of the said A. on the other partie, Witnesseth, that whereas the said T. B. by his last will and testament, bearing date &c. did giue vnto the said A. B. all that his interest, lease, and terme of yeares which hee had of, and to the farme of S. and of all &c. with all his goods, chattels, stiffe, and implements of household then being and remaining there. Prouided alwayes, that if it shall happen the said A. B. to depart this naturall life befoze the end and terme of the said yeares should bee expired, ended and determined, that then the interest and terme of yeares of the said A. B. in the said farme of S. and &c. should cease, and then and from thenceforth hee willed that the said farme with &c. as it came to the said A. B. should remain to P. B. his daughter, and her heires during the residue of the said yeares then to come in the said farme &c. Know ye now by these presents, that the said A. B. for sundry considerations her moving, and especially for the performance of the said will of the said A. B. according to the meaning thereof, hath giuen, graunted &c. and by these presents doth fully &c. vnto the said T. P. J. B. and K. T. all that her said right, title, estate, interest, lease, & terme of yeares, which the said A. B. hath yet to come and expyre of and in the said mannoz or farme of S. and of all and in all &c. Neuerthelesse, the said T. P. J. B. and K. T. doe couenant &c. that the same A. B. and her assignes, shall haue the occupation and vse of all the said manozs &c. and all and singular other the premises in the said severall leases specified, and shall and may haue and take the profits & commodities of the same to her own vse, commoditie and profit during the said terme contained in the said lease of the premises, if the said A. B. doth so long liue,

line. Provided alwaies, and it is further agræd &c. that if it shall hap-
pen the said A. B. or anie husband or husbands to whom the said A.
shall fortune hereafter to be married, to alien, give, graunt, or sell her
whole interest and terme of years, to any person or persons, of, and in
the premises befoze graunted, or any parcell of the same: Or if it for-
tune the said A. B. do die befoze the end of the said years contained in
the same lease: that then this present gift and grant of the vse and oc-
cupation of the said premises to the said A. in forme afozesaid, given,
made, or graunted, to cease and utterly to be boide, and then it shall
be lawfull to the said T. P. J. B. and R. T. their executozs and admi-
nistratozs, and euerie of them, into the said mannozs &c. to reenter &c.
And furthermoze, the said T. P. J. B. and R. T. doe couenant &c. that
they the said T. J. and B. &c. their executozs &c. shall within one quar-
ter of a yeare after the death of the said A. and at the costs &c. graunt
vnto the said M. B. daughter of the &c. if the said M. be then liuing,
the said mannozs &c. and other the premises to her owne vse, during
so many yeares of the said terme of yeares, as shall then remaine not
ended, of, and in the same manozs, &c. and premises, or in any of the,
discharged of all former bargaines, &c. And furthermoze, the said T.
P. J. B. and R. T. do couenant &c. that if it fortune the said M. B. to
decease in the life of the said A. B. that then the said T. J. and R. their
executozs &c. shall likewise within one quarter of a yeare after the
death of the said M. B. cleerely conuey and assure vnto the said A. B.
if they be thereto required by the said A. and at the costs &c. all their
said right, title, &c. In wites &c.

An assignement of a Lease to certaine vses.

Sect. 287.

THis Indenture made &c. betwæne W. T. on the one party, and F.
R. and J. H. on thother party, witnesseth, that where the said W.
T. is, and now standeth lawfully possessed for terme of 26. yeares yet
to come, of, in, and vpon the manoz of T. with thappurtenances in &c.
by vertue of one Indenture of lease thereof made to the said W. T.
by &c. bearing date the xx. day of &c. in the &c. pælding and paying ther-
foze yearly &c. the yearly rent and farmz of &c. as by and in the said in-
denture of lease moze at large appeareth: now the said W. T. for and
in consideration of a marriage to be had and solemnized betwæn him
and D. K. &c. hath given and granted, and by these presents doth give
and graunt to the said F. R. & J. H. all and singular the mesuages &c.
with thappurtenances in T. afozesaid, mentioned or contained in the
said

said Indenture of lease, and al his estate, interest, and terme of yeres
 yet to come by vertue of the said Lease made by the said &c. in and to
 the said lāds, grounds, and pzemisses in G. afozesaid. To haue and to
 hold the said mesuage in G. afozesaid, to the said F. R. and J. W. their
 executozs and assigns, in maner and sozme following: that is to say,
 To the vse of the said W. T. soz, and during the terme and space of
 foztie yeares next and immediatly insuing the date hereof, if the said
 W. T. shal so long liue, & after to the vse of the said D. soz, & during
 the terme and space of other foztie yeres thē next following, if the
 said D. shall so long liue, and after to the vse of the first issue male of
 the said W. T. begotten by him of h̄ bodie of the said D. soz the term
 of so many yeres as then shall be to come, and shall then remaine vn-
 expired of the said Lease made by the said &c. if the issue male doe so
 long liue. And if it foztune the said W. T. to haue no issue male
 begotten by him of the bodie of the said D. then to the first issue fe-
 male of the said W. T. supra, &c. during and vntill such time as h̄ iust
 summe of one hundred pounds be fully had, receiued, & taken, of the
 issues and pprofits of the said lands & pzemisses, soz and towards the
 preferment in marriage of the said issue female, if the said lease made
 to the said W. T. by the said &c. and the terme of yeares therein con-
 tained shall so long indure and continue. And after the said hundred
 pounds so had and leuied, then to the vse of such person and parsons
 as the said W. T. shall giue oꝛ bequeath the same vnto, soz, & during
 all the residue of the said terme and yeres contained and expzessed in
 the said Indenture of lease made by the said &c. And the said W.
 T. doth couenant and graunt soz him &c. that the said W. T. the day
 of the date hereof, is, and standeth lawfully possessed of the pzemisses,
 and euery parcell thereof, in manner and sozme afozesaid: And that
 the said pzemisses, and euery parcell thereof now be, and so shall con-
 tinue and remaine to vles and limitations afoze rehearsed, accoꝛ-
 ding to h̄ true effect and meaning of these pzesents, cleerely dischar-
 ged, of, and from all sozmer bargains, and payments of any rents re-
 serued by the same Indenture of lease made by the said &c. conueian-
 ces, and all other charges and incumbzances whatsoeuer. And that
 he h̄ said W. T. hath not heretofoze done, noz that he noz his assignes
 hereafter shall doe oꝛ suffer to be done, any act oꝛ thing, whereby the
 said estate, vles, & limitations, mentioned oꝛ expzessed, by, oꝛ in this
 Indenture, oꝛ any of them, shall be made void, frustrate, oꝛ shall not
 take effect, oꝛ Indenture, accoꝛding to the true effect and meaning of
 these pzesents. In witnesse &c.

A Covenant for quiet inioying, vntill money be paid.

Sect. 288.

ANd the said G. S. doth couenant and grant, for him, his heires, executozs, and administratozs, to and with ꝛc. That if it fortune the said F. K. his executozs or assignes at any time hereafter during the said terme of 9. yeares to be lawfully euited or explused, of, and from the quiet possession or occupation of the said manoz & pzemisses demised vnto him by the said fozmer Indenture of lease, whereby the said F. or his assignes, shall or may not quietly perceiue and take the annuall or yearely sum of xx. l. of the Tithes, rents, and pzofits of the said manoz and pzemisses, according to the true effect & meaning of the said fozmer indenture of lease: y then pzeiently vpon such euiti- on or explusion, the said F. K. his executozs and assigns, shall and may quietly and peaceably haue, occupy, and inioy the said capitall mesa- ge or tenements called the H. and all the grounds, coale-mines, and hereditaments therewith demised and occupied, during, and vntill such time as so much of the said nine scoze pounds as then shall be vn- receiued by the said F. K. his executozs or assignes, shall be well & truly- contented & paid to the said F. K. his executozs &c. by the said G. S. his heires or assignes, discharged of all incumbzances, had, made, or done by the said G. S. his heires or assignes. Provided, and it is so concluded and agræd, by and betweene the said parties, that if y said F. K. his executozs and assigns, do quietly and peaceably occupy and inioy the said manoz of D. and other the pzemisses, demised by y said fozmer indenture of lease, during all the said terme of 9. yeres, acco- zding to the purpozt and true meaning of the said Indenture of lease. And if the said G. S. his executozs or assignes, do well and truly con- tent and pay to the said F. K. his executozs or assignes the summs of nine scoze pounds, or so much thereof as then shall remaine not recei- ued by the said F. his executozs or assignes: that then pzeiently after the end and determination of the said terme of nine yeares so quietly occupied by the said F. his executozs or assignes, as is afozesaid, or immediately from and after such payment had and made, as is afoze- said, this pzeient Indenture of lease shall be vtterly boide, frustrate, and of none effect, and haue no further being: any thing afozesaid to the contrary notwithstanding. In witnesse &c.

A feoffement to twelue persons in trust to certaine uses.

Sect. 289.

THIS Indenture &c. Witnesseth, that the said A. S. for the speciall trust & confidence that he the said A. S. hath & reposeth in the said A. B.

A. B. C. D. &c. and their heires and assignes, and for the great zeale and good will which he beareth to the poore people which now be, and which hereafter from time to time shall be inhabiting and dwelling within the towne of C. in the countie of D. And towards the maintenance, repaying, and making of such byldges and highwayes, as now be, or hereafter shall be erected or made in the said towne of C. or within one halfe mile of the same. And for and towards the discharge, payment, and contribution of fifteens, taxes, musters, wars, and other common charges & impositions wherewith the said towne of C. or the inhabitants thereof, shall or may be charged, and in case and reliefe of the poore people of the said towne of C. for the time being, hath giuen, graunted, and confirmed, and by these presents for him and his heires, doth freely and absolutely giue, graunt, and confirme vnto the said A. B. C. D. &c. and their heires for ever, all those his mesuages &c. To have and to hold &c. to the said A. B. C. D. &c. their heires and assignes for ever, to the onely use and behoofe of the said A. B. C. D. &c. their heires and assignes for ever vpon trust, And to the intent that they the said A. B. C. D. &c. their heires and assignes, shall with all the yearely rents, revenues, issues, and profits of the said tenements and premises &c. succour and relieue the said poore people, which now be, or hereafter shall be inhabiting within the said towne of C. and the said byldges maintaine and make, and the said payments, contributions, and charges shall beare and sustaine, in such sort and manner, as shall yerely from time to time for ever be agreed vpon and thought meete by the chiefest part of the inhabitants of the said towne of C. for the time being. And the said A. B. C. D. &c. doe covenant &c. That if the said A. B. C. D. &c. or any of them, shall at any time or times hereafter remooue, goe, & depart away forth of the said towne of C. to any other place to inhabite and dwell, and doe and shall inhabite and dwell out of the said towne of C. that then such and so many of the said twelve Cofesoffees afozenamed, which shall so depart away forth of the said towne of C. and inhabite & dwell in any other place, shall not after such his, or their departure thence, as is aforesaid, take, receiue, or dispose, any of the rents, issues, or profits of the said tenements & premises; but at all times after such his or their so departing and going away of him, or them, as is aforesaid, shall grant, conuey, release, & assure to the residue of the said twelve persons then liuing, and their heires, or to such other twelve persons which shall be named and chosen by the chiefest or more part of the said inhabitants of the said towne of C. then for the time being, to be sub-

A stated

substituted and put in place and roome of the said person or persons so departing by dying, and of the residue of the said feoffees then remaining, or surviving, & their heires, all his and their estate, right, title, and interest, of, and in the said lands & premises, discharged & kept harmless, of, & from all bargains, estates, titles, charges, troubles, and incumbrances, then had or made, or to be had or made, by him or the, or any of them, so dying or departing away, as aforesaid, as shall be devised or advised by the chiefest or moze part of the inhabitants of the said towne of C. aforesaid for the time being, or by their, or any of their counsell learned in the Lawes of this Realme: Except such leases for the terme of yeres as shall be made according to the tenor and true meaning of these presents. And it is further intended, meant, and agreed, by & between the said parties to these presents, that when and so often, and at whatsover time or times hereafter, six of the said twelve persons aforesaid as feoffees, as aforesaid, or of anie other persons hereafter to be so named as feoffees thereof, or moze of them shall be dead, or departed out of y^e said towne of C. to dwell elsewhere as is aforesaid: That then and so often it shall and may be lawfull, to and for the chiefest and most substantiall part of the inhabitants of the said towne of C. for the time being, to name, elect, and chose 12. other persons of the inhabitants of the said towne of C. for the time being to be feoffees in Trust, and to stand seised to the uses aforesaid, and be substituted and put in the place and roome of the said former feoffees. And in like maner and forme, election & elections of the said feoffees to be made, as is aforesaid, from time to time successively for ever, so often as it shall be requisite. And that after such election or elections of such twelve persons to be feoffees, as is aforesaid, made by the said inhabitants of C. aforesaid, such & so many of the feoffees aforesaid, as shall be then living, at the reasonable request, costs & charges of the inhabitants of the said towne then being, or the moze or the chiefest part of the inhabitants of the said Towne for the time being, shall by sufficient deed or deeds, or other conueiances or assurances, grat, convey, & assure the said lands &c. and premises, to the said twelve persons so newly cholen, & their heires, to thuses & intents aforesaid, with such coucnats & conditions therein to be contained, as shall be thought requisite to the said chiefest part of the said inhabitants for the time being, or their learned counsell, discharged of al titles, charges, & incumbrances, had or made, or to be had or made by the, or any of them, other then such as shall be had by the with the like consent of the said inhabitants for the time being, as is aforesaid. Provided alwaies,

and it is &c. to these presents in manner and forme following: that is to say, That it shall not nor may not be lawfull at any time or times hereafter, to, or for the said A. B. and his said roseoffee befoze named, or any of them, their heires or assignes, or any of them, or any other person or persons whatsoeuer hereafter to be named, elected, or chosen feoffes of the said lands, tenements, and premises, to the bles above witten, to charge, conuey, imploy or conuert the said lands, tenements, hereditaments & premises, with thappurtenances, or any part thereof, or the rents, issues and profits thereof, or of any part thereof, to anie other ble or bles, intent or intents, or any other waies, then to the bles above in these presents mentioned, without the consent of the most or chiefest part of the inhabitants of the said towne of C. for the time being therunto first had and obtained, nor to extinguish, releafe, determine, frustrate or make void any rent or rents, condition or conditions, grant, covenant or agreement reserued, contained, mentioned or implied, or to be reserued, contained, mentioned or implied, in, or by any lease or leases hereafter made of the said tenements and premises, or of any part thereof, nor to make any new lease or leases of the said tenements and premises, or of any part thereof, befoze such time as all former leases of so much thereof so newly to be demised shall be expired, determined, surrendered, or ended, nor for any longer time or terme then xij. years, from the making of such new lease or leases, nor for any lesser or smaller rents, then bin now already reserued and yielded for the same, and for and vnder such conditions and clauses of reentrie for default of payments of anie rent or rents to be reserued, in, or by any such lease or leases, and with such other conditions, provisions, and covenants therein to be contained, as from time to time for euer shall be thought meete and requisite by the said moze or chiefest part of the said inhabitants of the said towne of C. for the time being. And provided also, and vpon condition, and it is the true intent and meaning of these presents, and of all the parties to the same, and the said inhabitants of the said towne of C. doe consent and agree, that it shall not at anie time hereafter be lawfull to anie person or persons that hereafter shall be named, chosen and made a feoffe or feoffees of the said tenements & premises as is aforesaid, during such time as he or they shall so remaine and be feoffe or feoffees thereof, to haue, take, or occupie anie part of the said tenements and premises, by lease for years or otherwise, nor to any lessee or farmer of anie part of the said tenements and premises, during such time as he shall so be a lessee or farmer thereof, to be named, chosen, or made feoffee thereof,

or of any part thereof. And it is further concluded and agreed, by, and between all the said parties to these presents, and every of them, with the full consent and agreement of the said inhabitants of the said town of C. that yearly, and every yeare for ever hereafter, two of the said persons being, or which shall be feoffees of the premises, as is aforesaid, shall be chosen by lots, and named the common Treasurers of C. to be Treasurers or Collectors and keepers of all such rents, revenues and profits as shall come, arise, or grow, of and for the said tenements and premises, to the uses aforesaid, and to doe all such acts and things, as shall be necessarie, for or about the same, untill the friday next after the feast of P. ac vincula, commonly called Lammas day, which shall be next after every time of such choise of the said Treasurers, as is aforesaid, And that every yeare hereafter upon the Friday next after the said feast of P. ac vincula, commonly called Lammas day, the said Treasurers for the yeare then past for the time being, in the presence of so many of the inhabitants of the said town of C. and the residue of the said feoffees, as will vouchsafe to be then there present thereat, in the parish church of C. aforesaid, shall make and yeeld by a just and true reckoning, and account of all such summes of money, and other things, as they shall then have received, disbursed, or done, in, for, or by reason of the premises, or any part thereof, unto the said inhabitants, or the said residue of the said feoffees, not being then Treasurers there, & to deliuer all the arrearages and ouerplus of the said receipt, unto such two other persons, as shall then next after them be chosen Treasurers of the premises, as is aforesaid for ever. In witness &c.

Grants, and what they be.

Sec. 290.

A Grant *Concessio*, signifieth permission, sufferance, leaue, licence, yeelding or giuing ouer of a thing, but specially taken, it signifieth a gift in writing, of such things as cannot aptly passe by word onely without writing: As rents, reuerfions, seruices, aduowfons in grosse, common in grosse, villeine in grosse, tithes &c. or made by such persons as cannot giue but by deed: as the King, and all bodies politicke, as Maiors and Comminalties, Deanes, Chapters &c. which differences bin oftentimes neglected, and then it is taken generally to signifie euery gift whatsoever made of any thing by any person whatsoever. And he that graunteth, is termed the grantor, and he to whom the graunt is made, the grantee. An instrument of graunt, is a deed containing the description of such a gift or graunt, as is aforesaid. Of the examples whereof great varietie ensueth.

A

*A Grant of a reuerſion and common, with ſuit of
Court reſerued, &c.*

ſect. 291.

THis Indenture made betweene *F.* of *ꝛc.* and *L.* *ꝛc.* Witneſſeth, that the ſaid *F.* hath graunted, bargained *ꝛc.* all thoſe meſuages, *ꝛc.* with the appurtenances ſet, lying, and being within the Lordſhip of *B.* and in the pariſh of *A.* and *S.* and either of them, within the *C.* of *P.* and now oꝝ late in the tenure oꝝ occupation of *K.* oꝝ his aſſignes, by foꝛce of one demife oꝝ leaſe not yet expired, made therof to the ſaid *K.* and his aſſignes by *C.* *K.* *ꝛc.* And alſo the reuerſion and reuerſions of all and ſingular the premiſſes, and euery part and parcel thereof, together with common foꝛ all maner of beaſts of the ſaid *K.* *ꝛc.* his heires and aſſignes, in, and vpon the commons and waſt grounds, parcel of the ſaid Lordſhip and Manoz, And all wayes & paſſages, to and from the premiſſes, and euery part thereof, in ſuch ample & large maner, as the ſaid *K.* at any time heretofore haue uſually had, uſed oꝝ taken the ſame, ſithence the making of the ſaid Leaſe, together with one acre of paſture with the appurtenances, lying in a cloſe of paſture called *B.* within the pariſh of *ꝛc.* To haue and to hold *ꝛc.* all the ſaid meſuages *ꝛc.* and other the premiſſes, with ſufficient common, as is aforeſaid, and all other the premiſſes befoꝛe bargained and ſold, with all and ſingular their appurtenances, and the reuerſion and reuerſions of the ſame to the ſaid *L.* *ꝛc.* Yeelding and paying therofore yearly vnto the ſaid *F.* his heires and aſſignes, Lords of *ꝛc.* the ſumme of thꝛee ſhillings yearly at the leaſt of *ꝛc.* And alſo doing ſuit to the court of the ſaid manoz at two times in the yeare, vpon generall warning to be giuen foꝛ the holding of the ſaid Court, by the Baylife oꝝ other officer of the ſaid *F.* his heires oꝝ aſſignes, Lords of the ſaid manoz. And if the ſaid *L.* vpon ſuch reaſonable warning, as aforeſaid, ſhal faile & make default in doing ſuit, as is aforeſaid: That then and ſo often the ſaid *L.* ſhal foꝛfeit to the ſaid *F.* *ꝛc.* Lords of the ſaid manoz, foꝛ euery ſuch default iij. *s.* in full ſatiſfaction foꝛ euery ſuch default. And the ſaid *L.* foꝛ *ꝛc.* doth couenāt and grant, to *ꝛc.* *F.* *ꝛc.* that if the ſaid yearly rent of iij. *s.* oꝝ the ſaid ſumme of iij. *s.* foꝛ not doing ſuit to the Court, as is aforeſaid be not paid: That then and ſo often it ſhall be lawfull foꝛ the ſaid *F.* his heires and aſſignes, Lords of the ſaid manoz into the aforeſaid premiſſes, & euery part and parcel thereof to enter, and there diſtrain *ꝛc.* as by one deed therof made *ꝛc.* bearing date *ꝛc.* plainly appeareth. That now the ſaid *F.* foꝛ diuers good and lawfull conſiderations him therunto mouing, hath bargained & ſold, giuen and graunted to the ſaid *L.* his heires *ꝛc.* foꝛ euer, all the ſaid meſuages,

mesuages, commons, rents, suit of Court, tenements, and other the premises, and all his reuerſion and reuerſions, of, and in the ſame, and euery part thereof with the appurtenances. To haue and to hold the ſaid meſuages, tenements, and premisses with the appurtenances to the ſaid T. his heires and assignes for ever, to the only vſe and behoſe &c. In witneſſe whereof &c.

*A Grant of the Reuerſion of certaine lands, with
other lands in poſſeſſion.*

Sect. 292.

OMnibus ad quos &c. W. B. I. W. W. R. I. S. & I. W. ſaluſ &c. Cum M. vxor I. W. nuper vxor I. W. habeat & teneat pro termino vitæ ſuæ, ex dimiſſi. & feoffamento noſtr̄ p̄dicti W. B. I. W. W. R. I. S. & I. W. diuerſas terr̄ & ten̄ cum ſuis pertinẽti nup̄ dicti I. W. viri ſui, ſciuat̄ & iacent̄ in vill' de S. p̄dicti, reuerſione & reman̄ eorundem terrar̄ & ten̄torũ immediatẽ poſt deceſſum eiufdem M. nobis & hered' nr̄is de iure ſpectant̄: Cumque etiam nos p̄d̄ W. B. I. W. W. R. I. S. & I. W. ad preſens ſeiſiti ſumus & poſſeſſionati in Dñico noſtro vt de feodo, de, & in diuerſis alijs terris, teneſntis, reddiſ, & ſeruic', pratis, paſcuſ, & paſtuſ, cum ſuis pertin̄, ſciuat̄ & iacent̄ in H. in diſt' coſm̄ E. quæ etiã nuper fuerunt dicti I. W. viri nup̄ dicti M. Et quæ omnia & ſingula ſuprad̄ terr̄, ten̄, & cætera p̄miſſa in S. & H. p̄dictis, Nos p̄dicti W. B. I. W. W. R. I. S. & I. W. ſimul cum I. W. filio nup̄ p̄d̄ I. W. (qui totum ius ſuum nobis & heredibus nr̄is nuper conceſſit & relaxauit) nup̄ coniunctim habuimus nobis, heredibus, & assignatis noſtris in perpetuum, ex dono & ceſſione, & chartæ confirmatione I. G. Sciatis nos preſat̄ W. B. I. W. W. R. I. S. & I. W. dimiſſiſſe, tradidiſſe, cõceſſiſſe, liberaſſe, & hoc preſertim ſcripto noſtro confirmaſſe preſat̄ I. W. filio, ac M. C. filiz nuper I. C. quam dicti I. W. (Deo dante) ducet in vxorem, tam omnia p̄d̄ terras & tenementa cum ſuis pertinentijs, quæ habemus in villa de H. p̄dicti & alibi, Quam etiam reuerſionẽ & reuerſiones p̄dictarum terrar̄, ten̄torum, reddiſ, ſeruic', ac ceterorum p̄miſſorum in S. p̄dicti. Habend' & tenend' omnia p̄d̄ terras & tenement̄, ac cætera premiſſa in H. p̄d̄, vna cum reuerſione p̄d̄ terr̄, ten̄, & ceterorum premiſſorum in S. immediatẽ cum acciderit poſt mortem dicti M. W. preſato I. W. filio, & M. C. ac hered' de corporibus eorum inter eos legit̄ procreatis, de capitalibus &c. Et volumus, & p̄ preſentes concedimus, quod ſi contingat dictos I. W. filium, & M. C. ſine hæred' de corpor' eorum inter eos legitimẽ procreatis obire, quod tunc omnia p̄d̄ terr̄ & ten̄ ac cætera premiſſa in H. p̄d̄, vna cum reuerſione p̄d̄ terr̄ & tenement̄,
ac

ac ceteroꝝ premissor in S. prædict' immediate cum acciderit post mortem dictæ M. W. integrè remaneant & reuertant prædicti I. W. filio dicti W. G. & W. R. necnon I. S. & T. T. heredibus & assignatis suis in perpetuum, Tenendum de capitalibus &c. In cuius rei &c.

A Grant of Turbarie.

THis Indenture &c. Witnesseth, that the said A. B. hath given &c. to the said T. F. and to the heires males of his body, &c. sufficient turbarie, with free libertie to digge and get turues, and libertie to draw, reare, windraw, repaire and stacke the same turues so digged and gotten within the manor of D. so often as need shal require, at all and euery seasonable and reasonable time and times of the yere, to be burnt, spent, or bled within, or at their mansion house of D. in the said County of L. and not elsewhere, with free entry, egress and regress, in, to, and from the said manor, mesuage &c. to take and carry away the said turues, with carts, waines, or otherwise, at his and their wills and pleasures, at like seasonable and reasonable times, &c.

Sect. 293.

A Grant of Common for a hundred Sheepe.

OMnibus &c. Sciatis me &c. in consideratione boni & laudabilis consilij per T. F. mihi impensi & imposterum impendend', dedisse, & hoc presenti scripto meo confirmasse eidem T. F. annuatim, durante vita ipsius T. F. custodiam debitam ad centum oues, tam in ouili, falda, & pastura conueniente cum ouibus meis per totum annum custodiend' & pasturand', & infra manerium meum de D. in comitatu C. quam in omnibus & singulis terris & tenementis meis in D. Habend', gaudend', & percipiend' eidem T. F. & assignatis suis, p̄ tota vita ipsius T. F. Et bene licebit eidem T. F. toties quoties ei placuerit ad intrand' in omnia præd' maneria, terras, & tenementa, ad superuidend' oues suas predictas, & eas in meliorem pasturam imponend' (si necesse fuerit) ac oues præd' & quamlibet pcellam earundem vendere, permutare, & ad votum suum de eis faciend', ac oues alias ad numerum centum ouium & non vlti, in ouil' & pastur' præd' imponere & dimittere custodiend' & pasturand' in forma predicta. In cuius rei &c.

Sect. 294.

A Grant of a Reuerſion to the Queene.

THis Indenture made &c. Betweene R. III. of D. &c. on the one party, and our most gracious ſoueraigne Ladie Q. Elizabeth on the

Sect. 295.

the

the other party, Witnessech, that the said R. W. for, and in consideration of a certaine summe of money to him payed by our said Soueraigne, whereof he acknowledged the receipt, and therof and of euery part thereof doth cleerly acquite and discharge our said Soueraigne Lady her heires and successors for euer, hath giuen, granted, aliened, bargained, and sold, and by these presents doth giue, grant, alien, bargain & sell vnto our said soueraigne Lady the Q. maiestie, her heires and successors for euer, all that close of pasture or pastures, & all lands, tenements and hereditaments whatsoever, with the appurtenances, called or knowne by the name or names of B. situate, lying, and being in the parish and fields of H. in the C. of D. now or late in the tenure or occupation of J. B. or of his assignes, together with all the rights, members, and appurtenances of the same. To haue & to hold the said tenements and premisses, with the appurtenances to our said Soueraigne Lady the Q. maiestie, her heires and successors for euer, vnto the onely proper vse and behoufe of our said soueraigne Lady the Q. maiestie, her heires and successors for euer. Provided alwayes, and vpon condition following, that if the said R. W. or his heires, or any of them, do at any time hereafter graunt by his deed, to be inrolled in the Q. highnesse Court of Chancerie, one annuity or yearely rent of *xx.* of lawfull English money, vnto our said soueraigne Lady the Q. highnesse, her heires and successors, issuing and going forth of any the lands, tenements & hereditaments of the said R. W. or of his heires, declaring his or their intent therein to be, that this said grant to the Q. highnesse shalbe void: That then this present deed, or grant, bargain and sale of the said premisses with the appurtenances to the Q. highnesse, her heires and successors limited and appointed, shalbe utterly void, frustrate and of none effect &c. In witnesse &c.

A Grant of a Remainder and a Reuerfion of lands to the Queenes Maiestie, for the preservation thereof by deed inrolled, renewable by tender of money &c.

ScA. 296.

TO all faithfull people to whom *xx.* J. C. of L. in the C. of Pozke Clothier, sendeth greeting in our Lord God euerlasting. Whereas one J. C. my father late of L. aforesaid, in the said C. of Pozke deceased, was lawfully seised in his demeane as of fee, of, and in certain closes and parcels of land, medow, and pasture, lying and being on the south side of one water or riuer called L. in D. within the parish of H. in the Countie of Pozke. And the said J. C. being of the lands,

tenor

tenements, and premises so seised, did by his deed indented, bearing date &c. giue, graunt, and confirme the said premises to C. C. his sonne & naturall brother vnto me the said J. C. by the name of C. C. his yonger sonne. To haue and to hold all and singular the premises with their appurtenances, to the said C. C. and to the heires males of his body lawfully begotten. And if it should happen the said C. C. to die without issue male of his body lawfully begotten: that then all the aforesaid lands and tenements with the appurtenances, should remaine to me the said J. C. elder brother of the said C. C. and to the heires males of my bodie lawfully begotten. And if it should happen me the said J. C. to die without heire male of my bodie lawfully begotten: then the aforesaid lands and tenements with their appurtenances to remaine to the heires males of him the said J. C. the giuer lawfully begotten: And if it should happen him the said J. C. to die without such issue male of his bodie lawfully begotten: that then all the said lands & tenements with the appurtenances, should remaine to the heires of the bodie of the said C. C. lawfully begotten. And for default of such issue: that then all the foresaid lands and tenements with thappurtenances should wholly reuert to the right heires of him the said J. C. the giuer, wheresoeuer they can be found for euer, as by the said deed indented more planely appeareth. The remainder of which said lands & tenements with thappurtenances, by vertue of the said deed, together with the reuerſion thereof, are expectant vnto me the said J. C. being sonne and heire vnto the said J. C. the giuer, and elder brother vnto the said C. C. Know yee therefore mee the said J. C. for diuers good causes and considerations me specially mouing, to haue giuen, granted, and confirmed, and by these presents doe giue, grant, and confirme to our Soueraigne Lady Elizab. by the grace of God, Queene of &c. all my reuerſion and remainder of the said lands &c. and all my right, title, interest, estate, vse, possession, and demaund which I now haue, or at any time hereafter shall haue, or ought to haue, of, and in the same. To haue and to hold the said reuerſion and remainder, whensoever the same shall happen, and all other my right, interest, estate, vse, possession, and demand, which I now haue, or any time hereafter shall or ought to haue, of, and in the premises, vnto our said Soueraigne Lady D. Eliz. and her successors for euer, vpon this condition following: that is to say, if I. the said J. C. mine heirs or assigns, or anie of vs, doe at anie time hereafter, offer or render to pay vnto the Barons of her Maiesties Court of Ercheq. or to anie one of them sitting in the open court there, for, and to her Maiesties

Use, or to the use of her successors, the summe of xl. s. of good and lawfull money of England: That then immediately and at all times after such tender and offer of payment to be made of the said summe of xl. s. to her Heiresses use, or to the use of her successors, as aforesaid: This present graunt, and the knowledging and inrolling thereof, and euery thing and things therein contained, to be utterly void, frustrate, & of none effect. And such reuerſion, remainder, use, possession & estate which I now haue in the premises, or at any time hereafter ought to haue (if this present graunt were not made) by any possibilitie, immediately after such tender and offer of payment made (as aforesaid) shall be and remaine to me and my heirs for euer, and so to be adiudged and taken for euer, in such maner and forme, as though this present graunt had neuer bene had, made, knowledged, nor inrolled: This present writing, nor the knowledging or inrolment thereof, or any thing therein contained to the contrarie thereof in any wise notwithstanding. In witness whereof vnto this my present writing, I haue set my hand and seale. Given the xij. day of Febr. in the yeare of the raigne of our said Soueraigne Ladie Elizabeth, by the grace of God of England &c.

A sale of a reuerſion.

¶ Sect. 397.

OMnibus &c. I. H. salutem in dño sempitern. Cum C. M. vidua quæ fuit vxor I. M. iuxta voluntatē eiusdem I. M. habeat & teneat ad terminū vitæ eiusdem C. ex dimissione, traditione, & chartæ indentatę confirmatione mei dicti I. H. ac I. B. iam defuncti, omnes illas terras &c. quæ ego dictus I. H. & prædictus I. B. quondam coniunctim habuimus nobis hæredē & assignatē nostris in perpetuum, ex dono & feoffamento dicti I. M. in villa & campis &c. & reuerſione omnium prædictorum terrarum, tenementorū, & redditū, post mortem dicti C. mihi præfat. I. H. & heredibus & assignatis meis de iure spectant. Noueritis me præf. I. H. dimisisse, tradidisse, liberasse, & hoc præſenti scripto meo confirmasse N. S. de N. dicti reuerſionem omnium prædicti &c. cum omnibus suis pertinentijs, statim cum acciderit post mortem dicti C. Ita quod omnia prædicta terrę &c. Habendā & tenendā dicti reuerſionem cum omnibus & singulis suis præmissis cum pertinentijs post mortem dicti C. hæredē, & assignatē suis in perpetuum de capitalibus domini &c. In cuius &c.

A grant of an Annuity.

OMnibus &c. T.G. in com̄ N. salutem in &c. Sciatis me p̄fāt T.G. Sect. 298.
tam pro & in consideratione boni consilij mihi p̄ quendam T.M.
de P. in Com̄ p̄dict' gen̄, ante hęc impensi, & imposterū impendend',
quam pro diuersis alijs causis & considerationib' me in hoc specialiter
mouent, dedisse, concessisse, et hoc p̄senti scripto meo confirmasse p̄fāt
N. & assignatis suis, quandam annuitatē siue annual' reddit' &c. exeunt
& annuatim p̄cipiendā de manerio meo de C. in p̄dict' com̄ N. Ac de
omnib' mesuag', terr', tenement', et hereditament' meis quibuscunq; cū
suis pertinentijs vniuersis de C. p̄dict'. Habend', gaudend', leuand', &
percipiendā diēt' annuitatē siue annual' reddit' &c. de p̄dict' maner' de
C. p̄dict', p̄fāt T.N. & assign' suis pro termino vitæ natural' eiusd' T.N.
p̄ manus firmaniorū, tenentiū, recept', balliuorū, seu aliorū officiariorū,
occupatorū p̄missorū, aut alicuius inde parcell', ad festa &c. & quis por-
cionibus annuatim soluend'. Et si contingat &c. si licito modo petatur
&c. plenariē solut' fuerit, De qua quidem annuitate siue annual' reddit'
&c. ego p̄f. T.G. posui p̄fāt T.N. in plenam et pacificā possessionem &
seisn', p̄ solutionē sibi in die confect' p̄sentium 4. d. nomine seisiñ eius-
dem. Et vterius ego p̄fāt T.G. volo & concedo per p̄sentes, quod hoc
p̄sens scriptū meū, vna cum acquietanc' p̄f. T.N. sit sufficiens warrant
cuiusq; firmat', tenent', recept', balliuorū, seu aliorū officiar', siue occu-
pator' p̄missorum, aut alicuius inde parcell' ad onerand' eos, & quēli-
bet eorum, de, p̄, & concern' solutionē annuitat' siue annual' reddit' &c.
ac arrerag' eiusdē. Quodque illi p̄d' firmat', tenētes, recept', occupator',
balliui, seu Eschaet', & alij officiarij p̄missorum, aut alicuius inde p̄cell',
ac hærēd', executor', & administratores sui, qui p̄dict' annuitat' siue an-
nual' reddit', aut arrerag' eiusdē p̄fāt T.N. aut suo certo Attornato solu-
uere contigerint, sup̄ monstrac' acquietanc' p̄dict' T.N. proinde fienđ
exonerabuntur versus me p̄fāt T.G. & hærēd' et assign' meos, de tanto
reddit' p̄missorum, aut alicuius inde parcell' quant' ipsi p̄fāt T.N. aut
suo certo attornat', de p̄dict' annual' reddit' &c. aut de arrerag' inde sol-
uent, aut solutere contigerint &c. In cuius rei testimoñ &c.

A grant of an Annuity to a Chirurgeon.

SCiatis nos dedisse, concessisse, & hoc p̄senti scripto nostr' confirmasse Sect. 299.
pro nobis & hærēd' nostris, dilect' & fideli seruienti n̄ro D.B. Chi-
rurgo, pro bono seruitio, consilio, & necessario auxilio suo nobis & om-
nibus filijs & filiab' inter nos legit' procreat' in n̄ra necessitate & corpo-
ris egritudin' impenso & imposter' impēdend', quandā annuitatē &c.

A grant of part of an Annuitie.

Sect. 300. **V**Nto all Christian people, to whom this present writing shall come, F. R. of ꝛc. and D. R. of ꝛc. Widow, sendeth greeting, Where the said F. R. doth yerely pay to the said D. during her life an Annuity oz yerely rent of ꝛc. foꝝ, & in consideration of her Dower of the lands of J. R. her late husband deceased. And where also the said D. of her fræ will and beneuolence is minded to giue vnto W. P. her bꝛother, one Annuitie oz yerely rent of five Marks, parcel of the said Annuitie oz yerely rent of ꝛc. towards his pꝛeferment & maintenace of lꝛyng, to be had and receiued at the hands of the said F. R. his heires oz assignes, who is herie well contented and pleased to pay the same accordingly. Therefore know you me the said D. to haue giuen & granted, & by these presents doe giue & grant to the said W. P. my bꝛother, the said Annuitie oz yerely rent of five Marks, parcel of the said yerely rent of ꝛc. to be paid yerely by the said F. R. his heires oz assignes, at the feast of S. Martin the Bishop in Winter, & Pentecost, by euen portions. To haue & perceiue the said Annuity oz yerely summe of ꝛc. to the said W. P. and his assignes, from ꝛc. during the naturall life of me the said D. if the Mariage which God willing shal be had & solemnized betwæne W. T. of ꝛc. gentlemã, and me the said D. shall so long indure & continue. And the said F. R. doth grant by these presents, foꝝ him & his heires, that if it foꝝtune the said Annuity oz yerely rent of ꝛc. oz any part oz parcel therof to be behind vnpaid by the space of twenty daies, next after any of the said feasts oz daies wheræat the same ought to be paid: That then it shall be lawful, foꝝ, and to the said W. P. and his assignes, into all that his Manor of D. with the appurtenances in the said Countie of D. and into all & singular his lands, tenements, & hereditaments in D. afoꝝesaid, to enter and distrain, And the distresse there so taken, to lead, dziue, chafe, and carrie away, & the same to impound, detaine, & keepe, vntill such time as he oz they of the said annuall oz yerely rent of ꝛc. with the arerages therof, if any such be, be fully satisfied, contented, and paid, In witness whereof aswell the said F. R. as the said D. to this presēt writing haue put their Seales, the twentieth day of ꝛc.

A graunt of an Annuitie.

Sect. 301. **O**Maibus &c. Noueritis me præfat I. dedisse, concessisse, & hoc pꝛsenti scripto meo confirmasse C. T. de D. vnum annual' redditꝛ, siue annuitatem xl. s. exeuñt de quodam tenemēto siue hospicio in &c. Habendꝛ

Habend', tenend', & p̄cipiend' p̄dictum annual' redditum, siue annuitatem xl.s. de p̄dict' tenemento siue hospicio cum suis pertinentijs p̄f. C. hæredibus & assignatis suis in perpetuum, ad festum Annunciationis beatae Mariæ virginis, & sancti Michaelis Archangeli, per æquales portiones annuatim soluend'. Et si contingat p̄dict' annualem redditum siue annuitatem xl.s. ad aliquem festum solutionis, quo solui debet, in p̄te vel in toto a retro esse non solum quod extunc bene liceat p̄ced' C. hæredibus & assignat' suis in dictum tenementum siue hospicium intrar', & distringere, & distractiones ibidem inuētas seu captas alportar', abducere, fugare, & penes se retinere, quousque de p̄dict' annuali redditu siue annuitate, vna cum omnibus inde areragijs, si quæ fuerint, sibi plenariè fuerit satisfact' & persolutum: de quo quidem annuali redditu siue annuitate, posui p̄dict' R. in plenam possessionem & seisinam, per solutionem sex denariorum &c. In cuius rei testimonium &c.

A Grant of a Reuerſion.

OMnibus Christi fidelib', ad quos p̄sens scriptum peruenerit, W. H. &c. Cum C. H. pater meus habeat & teneat pro termino vitæ suæ quoddam tenementum cum suis pertinentijs in W. &c. vocatum H. reuerſionē inde post suum decessum mihi & hæredibus meis spectant': Noueritis me p̄f. W. dedisse, & hoc p̄senti scripto meo confirmasse. T. B. reuerſionem dicti tenemēti cum suis pertinentijs cum acciderit post decessum p̄dict' R. patris mei. Habend' & tenend' p̄dict' reuerſionem cum suis pertinentijs cum acciderit, p̄f. T. B. hæredibus & assignatis suis in perpetuum, de capitalibus &c. In cuius rei &c. Dat' &c.

Sect. 302.

A Grant of an Annuitie, with a paine for not paying the same.

OMnibus Christi fidelibus &c. E. K. gen', consanguineus & hæres H. R. salutem. Sciatis me p̄f. E. dedisse, concessisse, & hoc p̄senti scripto meo confirmasse M. B. & I. vxori eius, ac nuper vxori p̄dict' H. quandam annuitatem siue annual' redditum xxvj.s. &c. in plenam satisfactionē & contentationē totius dotis siue iunctur' spectant' dictæ I. post mortē p̄d. H. de, siue in omnib' terris & tenētis p̄d. vocat' &c. Habend' & percipiend' p̄dictam annuitatem siue annual' redditum p̄f. M. B. & I. vxor' ei', p̄ t̄m̄ā vitæ ipsor' M. & I. ac alterius eorum diut' uiuent',

Sect. 303.

viuent. Et si contingat &c. *vt in alijs districtiombus.* Et vltcrius sciatis me p̄f. E. concessisse, & hoc præfenti scripto meo confirmasse præf. M. & I. vxori eius, quod quotiescunque contigerit dict' annuitatem siue annual' reddit' a retro fore non solut' in parte vel in toto post aliquod festum festorum prædictorum quo solui debeat, per spacium sex septimanarum, tunc ego prædict' E. & hæredes mei forisfaciemus decem solid' nomine penæ præf. M. & I. vxori eius, quos tunc benelicebit retinere quousque tam de prædict' annuitate siue annuali redditu xx.s. quam pro prædict' x.s. nomine penæ sic forisfact', vna cum arreragijs, misis, & expensis, ea occasione habit', plenariè fuerit satisfact', & solut'. In cuius rei testimonium &c.

A Grant of a Rent charge with a nomine penæ, determinable by payment of money. And a covenant to leuie a fine for the assurance thereof, and that for want of payment the grantor may enter.

Sect. 304.

THis Indenture made &c. Betweene G. A. on the one partie, and F. K. on the other partie, Witnessech, That the said G. A. for and in consideration of the sum of &c. to him by the said F. K. well and truly contented and paid befoze the in sealing and deliuerie hereof: of which said summe the said G. A. doth acknowledge him selfe fully satisfied and paid, and thereof doth acquite the said F. K. by these presents, hath giuen and graunted, and by this Indenture doth for him and his heires cleerely giue and grant vnto the said F. K. and his heires, the yearely rent or summe &c. issuing and going forth of all that capitall mesuage or tenement, with the appurtenances, in B. afozesaid, in the said Countie of D. commonly called and knowne by the name of G. hall, and out of all those landes and hereditaments in B. afozesaid, knowne, reputed, or taken as part or parcell of the said tenement, or so demised or occupied, to or with the same, and issuing and going forth of all that mesuage or tenement &c. And forth of all other his lands, tenements, and hereditaments in B. afozesaid, in the said Countie of D. To haue, hold, perceiue and enioy the said annuall rent or summe of &c. vnto the said K. F. his heires and assignes, to the only and proper vse and behoufe of the said K. F. his heires and assigns for euer, payable yearely at the now mansion house of the said F. S. at S. within the countie of D. at the feast of &c. by even portions. The first payment thereof to begin at the feast of &c. which shall be in the yeare of our Lord God &c.

And

And the said G. A. doth covenant &c. that if it shall fortune the said annuall rent or summe &c. or any part or parcell thereof to be arrere and vnpaid by the space of xx. daies next after any of the said feasts or dayes wherent the same ought to be payed: That then and from thenceforth it shall be lawfull, for, and to the said F. R. his heires and assignes into the said mesuages, lands, and pzemisses, and every part and parcell thereof to enter and distraine, and the distresses then and there found, to lead, dzive, chase, and carry away, and the same to detaine and keepe, butill such time and times, as he or they be fully satisfied, contented, and payed the said annuall or yearely rent of &c. with the arrerages thereof, if any such be. And the said G. doth also covenant &c. to and with &c. That if it shall happen the said annuall rent &c. or any part or parcell thereof to be arrere and vnpaid by the space of xxx. daies next after any of the said feastes or dayes wherent the same annuall rent ought to be payed: That then and from thenceforth the said G. A. his heires and assignes shall forfeit and lose to the said F. R. his heires and assignes, the summe of x. pounds of lawfull English money nomine poene for every such default. And the said G. A. doth likewise covenant and graunt for him, his heires and assignes, to and with the said F. R. his heires and assignes by this Indenture: That if it shall fortune the said annuall rent or summe &c. or any part or parcell thereof, or the said summes of &c. to be forfeited nomine poene, if any such shall be, or any of them to be arrere and vnpaid by the space of fortie daies next after any of the said feasts, wherent the same annuall rent ought to be payed: Or if it shall fortune that no sufficient distresse or distresses can be had or taken, in, or vpon the pzemisses, according to the true intent and meaning of these present Indentures: Or if it shall happen any rescous or poundbreach to bee made, or any repleuin or repleuins to be sued or obtained, of, or for, or by reasons of any distresse or distresses to be taken by vertue of these presents, as is aforesaid: That then and from thenceforth it shall and may be lawfull, for, and to the said F. R. his heires and assignes, into the said mesuages, lands, and pzemisses, out of which the said annuall rent is graunted to enter, and the same, and every part thereof to vse, haue, and inioy to his and their owne vse and bles, and the rents, issue, and profits thereof comming and arising, to receive, and take, & the same to detaine and keepe to his and their owne vse, without any accompt making thereof to the said G. A. his heires or assignes, and to vse and occupie the said lands and pzemisses to his and their owne vse,

untill such time as the said annuall rent or summe of ꝛc. and euerie
 part and parcell thereof, and the arrerages of the same, together with
 the said summe or summes to be forfeited nomine poenæ (if any such
 be) be unto the said R. R. his heires and assignes, fully from time to
 time paid by the said G. A. his heires, or assignes, or some of them:
 Of which said summe of ꝛc. the said G. A. hath put the said F. R. in
 full possession and seisin, by the payment & deliuerie of twelue pence
 of lawfull English money, being parcell of the said rent, unto the
 said F. R. at the insealing and deliuerie hereof. And the said G. A.
 doth further couenant for him, his heires &c. to and with the said
 F. R. his heires &c. that he the said G. A. shall well and truly pay, or
 cause to be paid unto the said F. R. his heires and assignes yearely,
 the said annuall rent of forty pounds, and euerie part and parcell
 thereof, in, or vpon euerie of the said feast daies befoze mentioned,
 or within twentie daies next after euerie of the said feast daies, at,
 or in the said now dwelling or mansion house of the said F. R. at S.
 aforesaid, within the said Countie of D. And the said G. A. doth
 further couenant, for him, his heires and assignes, to, and with the
 said F. R. his heires, executors, and assignes, by these presents, that
 he the said G. A. is the day of the date hereof lawfully seised of a good
 and perfect estate of inheritance in fee simple, of, and in the said me-
 suages, lands, and premises, and euerie part and parcell thereof,
 And that the said mesuages, lands, and premises, out of which the
 said rent of forty pounds is granted, and euerie part or parcel thereof,
 at the day of the date hereof, or at, or befoze the said feast of ꝛc. which
 shall be in the yeare of our Lord God ꝛc. shall be, and from thence-
 forth to remaine and continue free, exonerated, and cleerely dischar-
 ged, or otherwise laued harmlesse by the said G. A. or his heires,
 executors, or assignes, of, and from all former bargaines, leases,
 titles, charges, and incumbrances whatsoever: One Annuitie or
 rent charge of ꝛc. by yeare, yearely going forth of certain of the said
 lands and premises called S. to R. S. and his heires, And one other
 Annuitie or rent charge of ꝛc. by yeare, yearely going forth of the
 said lands and premises, to the said R. S. his executors or assignes,
 from the third day of October next insuing the date hereof, for, and
 during the terme and space of ꝛc. then next and immediately follow-
 ing, fully to be compleat & ended: And Leases for yeares heretofore
 made, not exceeding the number of ten yeares from the date hereof,
 whereupon the accustomed yearely rents or more are reserved: And
 the title of Dowry of C. now wife of the said G. and the rents and
 seruices

services hereafter to be due to the chiefe Lord or Lords of the fees
 fees thereof onely excepted and forzeptised. And the said G. A. doth
 further covenant &c. that the said lands and pzemiffes befoze men-
 tioned, out of which the said rent is granted, are of the cleere yearely
 value of xl. pounds, ouer and aboue all charges, annuities, and re-
 pzeses. And the said G. A. doth also covenant &c. that he the said G. A.
 shall and wil befoze the feaft of Easter next insuing the date hereof, at
 the costs and charges of the said G. A. leuie a fine in due forme of law
 to P. C. and R. C. and to the heires of one of them, of all and singu-
 lar the said mesuages, lands, and pzemiffes, and of every part & par-
 cell thereof, by the name and names of foure mesuages &c. or by such
 or the like name or names in effect and meaning: by which said fine
 the said G. A. shall recognise the said tenements with thappurtenan-
 ces to be the right of the said P. as those which the said P. & R. haue
 of the gift of the said G. and the same shall remise and quite claime
 from him the said G. and his heires, to the said P. and R. and the
 heires of the said P. for evermore. And further the said G. shall by
 the same fine grant for him and his heires, that they shall warrant
 to the said P. and R. and the heires of the said P. the tenements a-
 foresaid with h appurtenances, against al men for evermore: which
 said fine so to be leuied and perfected of the said lands and pzemiffes,
 by the name and names aforesaid, or by any other name or names
 whatsoeuer is meant & intended. And the said parties do according-
 ly conclude and agreé for them and their heires, that the said fine, and
 all and every other fine and fines, recoveris and conueiance hereaf-
 ter to be had, made, or executed, by, or betweene the said parties, or
 betweene the said G. A. & any other person or persons by the appoint-
 ment or nomination of the said P. R. his heires or assignes of the said
 lands and pzemiffes, or of any part thereof, shall be to the vse, behoofs,
 intents, and purposes, hereafter in this Indenture mentioned and
 expzessed, and to and for none other vse, intent, or purpose. And it is
 further concluded and agreéd, by and between the said parties to this
 Indenture, for them & their heires, and either of the said parties both
 severally covenant and conclude, to and with other their heires and
 assignes, that the said P. C. and R. C. and their heires, and all and
 every other person or persons, and their heires, that now be, or then
 shall stand or be seised of the said lands and pzemiffes, or of any part
 or parcell thereof, shall from and immediatly after the said fine bee
 perfected, stand, and be seised of the said lands and pzemiffes, to these
 intents and purposes following: that is to wit, That if the said
 annuall

annuall rent oꝛ summe of xl. pounds, oꝛ any part oꝛ parcell thereof, oꝛ
 the said summe oꝛ summes of x. pounds to be forfeited nomine pœnæ,
 oꝛ any of them, at any time oꝛ times hereafter shall fortune to be
 arreare and unpaid by the space of foztie daies, next after any of the
 said feasts, whereat the said Annuall rent ought to be paid at the
 place before mentioned: Or if no sufficient distresse can be found, as
 aforesaid, oꝛ any rescous, poundbreach, oꝛ repleuin shall happen to be
 had oꝛ made, as is aforesaid: That then and from thencefoꝛth, and at
 all and euery time and times, and from time to time it shall and may
 be lawfull to the said F. R. his heires and assigns into the said mesu-
 ages, lands, and pꝛemises, out of which the said rent is granted, and
 euery part and parcell thereof to enter, and the same and euery part
 thereof to haue and inioy, and the rents, issues, and profits thereof
 comming and arising, to receiue and take, and the same to detaine
 and keepe to his oꝛ their owne vse, without any accompt making
 thereof to the said G. A. his heires oꝛ assigns, and to vse and occupie
 the said lands and pꝛemises, to his oꝛ their owne vse and benefite, un-
 till such time and times as the said annuall rent of xl. pounds, and
 the arrerages thereof, together with the said summe oꝛ summes to be
 forfeited nomine pœnæ if any such be vnto the said F. R. his heires
 oꝛ assigns, shall be fully from time to time paid by the said G. A. his
 heires oꝛ assigns, oꝛ some of them, according to the true meaning
 of these pꝛesents, And that after payment of the said annuall rent of
 xl. li. and of the said summe oꝛ summes to be forfeited nomine pœnæ,
 if any such shall be, and of euery part and parcell of the said rent and
 penaltie, when and as often as they, oꝛ any of them shall fortune to
 be behind, in foꝛme aforesaid, had and made vnto the said F. R. his
 heires and assigns, with thar arerages thereof (if any such be) The
 said fine, and all & euery other assurance to be had oꝛ made of the said
 lands and pꝛemises, oꝛ of any part thereof, by the appointment and
 nomination of the said F. R. shall be deemed and taken to be to the
 vse and behoefe of the said G. A. his heires and assigns foꝛ euer, with
 this condition, limitation, & purpose, That it shall and may alwaies
 be lawfull to the said F. R. his heires and assigns, to enter into the
 said lands and pꝛemises, out of which the said rent is granted foꝛ
 default of payment of the said annuall rent by the space of xl. daies,
 at all and euery such time and times as the same shall be arreare, and
 to take and receiue the issues and profits, vse, & occupation of the said
 lands and pꝛemises, buttill he oꝛ they be paid the same annuall rent
 with thar arerages thereof, & the said summe oꝛ summes to be forfeited
 nomine

nomine penæ, if any be, and euerie part thereof from time to time, according to the meaning of this Indenture. And the said G. A. doth furthemoze covenant &c. that he the said G. A. and his heires, shall and will from time to time, at all times hereafter, when and as often as he or they, or any of them shall be thereunto reasonably required by the said F. R. his heires or assigns, within the time & space of 5. years next ensuing the date hereof, doe, execute, acknowledge, and make, or cause and suffer to be done, executed, acknowledged, and made, all and euerie such further act and acts, thing and things of assurance, deuises & assurances whatsoener, as shall be reasonably deuised or aduised by the said F. R. his heires or assigns, or by his or their counsell for the further and better assurance, suertie, & sure making of the said annuall rent of 4c. vnto the said F. R. his heires or assigns, according to the effect and true meaning of these presents, at the costs and charges in the law of the said G. B. so that the said G. be not compelled to trauell aboue twentie miles from the place where he now dwelleth, for the making or doing of any such further assurances. Provided alwaies, and it is concluded and agreed by and betweene the said parties to this Indenture, for them, their heires, and assigns: That if the said G. A. his &c. or anie of them, doe well and truly content and pay, or cause &c. vnto the said F. R. his &c. the summe of 4c. in or vpon the feast day of 4c. which shall bee Anno Domini 4c. at or in the now mansion house of the said F. R. at S. aforesaid, betwixen the houres of 4c. That then and from thenceforth this present graunt, and all & euerie clause and article herein contained, and all bonds for further assurance and enjoying of the said annuall rent, to be utterly void & of none effect: the said fine or other conueyance to be made of the premises, by the appointment of the said F. R. notwithstanding. Provided also, that if the said G. A. his &c. doe make default in payment of the said summe of 4c. vpon the said feast of day 4c. which shall bee in the said yeare of our Lord God 4c. at the place aforesaid, whereby the said annual rent of 4c. by the true meaning of this Indenture, is to continue to the said F. R. and his heires: yet neuertheles the said F. R. is contented, and accordingly doth covenant and conclude for him &c. That if the said G. A. at any time during his naturall life, and during the life of the said F. R. together, shall bee minded that the said yearely rent or summe of 4c. shall cease and haue no further being or continuance, and thereupon the said G. A. during the life of him, and of the said F. R. doe by his writing vnder his hand and seale, sealed in the presence of thzee or moe substantiall and credible witnesses, vpon either of the

said

said feast daies give notice or warning vnto the said F. R. at his now mansion house at S. aforesaid: That he the said G. is minded that the said yearly rent or summe of xi. l. shal cease and haue no further being or continuance: And also doe well and truly pay or cause to be paid vnto the said F. R. or his assignes, the sum of 400. l. of lawfull English money, at, or in the said now dwelling house of the said F. R. at S. vpon the feast day or day of paymēt, next after such warning or notice given, with the half yeares rent that shalbe due vpon the same feast day: That then and from thenceforth after such payment of the said summe of 400. had and made in maner and sozme abouesaid, and vpon the payment of the said halfe yeares rent, which shal be due at the end of the said halfe yeare, the said yearly rent of xl. l. to cease and be determine: and the said clause of distresse, and all and every other article, thing, covenant and grant herein mentioned for giuing any benefit to the said F. R. his heires or assignes: And the said bonds for further assurance or conueyance of the said annuall rent of 400. to be utterly void and of none effect: any thing in these presents before mentioned to the contrary &c. And lastly, it is agreed between the said parties for them and their heires, & either of the same parties doth severally conclude and covenant, to and with the other parties & their heires, that the said fine before mentioned, and all and every other fine and fines, act and acts, thing and things, conuicance and assurance hereafter to be had, made, or suffered, by, or against the said G. A. of the said lands and premises, or of any part therof, shall be to the vse, intent and true meaning of these presents, and vpon condition and conditions herein mentioned, & to none other vse, intent or purpose. In witness whereof, the parties aboue named to these present Indentures interchangeably haue put their hands and seales the day and yere aboue witten.

A Graunt of a rent charge.

Scct. 305.

THis Indenture made betweene J. K. &c. on the one partie, and K. G. of 40. on the other partie, Witnesseth, that where J. L. of 40. by his deed indented, dated the xx. day of J. in the yeare of the reign of 40. made betwē the said J. L. on the one party, and F. R. deceased, of F. one of her Daughters Sericants at the law, late father of the said J. K. on the other partie, for, and in consideration &c. hath giuen & graunted vnto the said F. R. and his heires, one yearly rent of 40. issuing and going forth of the manors of A. & B. with thappurtenances in the county of D. & forth of all 40. To haue 40. the said annuall rent of 40. vnto

vnto the said *F. R.* his heires and assignes for euer, payable yerely at
 o2 in the house of the said *F. R.* in *W.* in the said Countie of *D.* in, o2
 vpon the feast day of *sc.* and in o2 vpon the feast day of *sc.* by equall
 porcions, o2 within tenne daies next after either of the said feast
 daies, The first payment thereof to begin at the feast of *sc.* then next
 insuing the date of the said deed. And whereas the said *J. L.* hath
 by his said deed couenanted and graunted for him, his heires, execu-
 to2s, and administrato2s, to and with the said *F. R.* his heires *sc.*
 That if it shall fortune the said annuall rent of *sc.* o2 any part o2 par-
 cell thereof to be arrere and vnpaid by the space of twentie dayes,
 next after any of the said feasts befoze mentioned: That then and
 from thencefozth it should and might be lawfull, to, and for the said
F. R. his heirs, executo2s, and assignes, into the said manors, lands,
 and p2emisses with the appurtenances, o2 any part o2 parcell thereof,
 to enter and distraine, And the distresse then and there found, to lead,
 o2 iue, chafe, and carry away, and the same to detaine and keepe, vntil
 such time and times as he o2 they should be fully satisfied, contented,
 and payed the said annuall rent, with the arrerages thereof, if any
 such should be. And whereas the said *J. L.* by his said deed hath
 likewise couenanted and graunted for him, his heires, executo2s,
 and administrato2s, to, and with the said *F. R.* his heires, execu-
 to2s, administrato2s, and assignes, that if it happen the said annuall
 rent of one hundred pounds, o2 any part o2 parcell thereof to be ar-
 reare and vnpaid by the space of thirtie dayes, next after the feast
 daies in the said deed mentioned: That then and from thencefozth
 the said *J. L.* his heires and assignes should forseit and lose vnto the
 said *F. R.* his heires and assignes the summe of twentie pounds of
 lawfull English money nomine pena2, for euery such default. And
 whereas the said *J. L.* by his said deed hath also couenanted for him,
 his heires *sc.* to and with *F. R.* his heires and assignes, That if it
 should fortune the said annuall rent of one *C. l.* o2 any part o2 parcel
 thereof, o2 the said summe o2 summes of *sc.* forfeited nomine pena2,
 if any such should be, o2 any of them to be arrere and vnpaid, at
 the place afozesaid, by the space of *sc.* next after any of the said feast
 dayes in the said deed mentioned: That then and from thencefozth
 it should and might be lawfull, to and for the said *F. R.* his heires and
 assignes, without any demaund making of the said rent, into the said
 manors, lands, and p2emisses with thappurtenances, and into al and
 euery part thereof to enter, And the same and euery part thereof, to
 be, haue, and inioy to him, his heires and assignes, to his and their
 owne

otone vse, vntill such time as the said annuall rent or summe of x. l. and euery part and parcell thereof, And all such arrearages of the same annuall rent as shall grow due vnto the said F. R. his heires and assignes, during such time as he or they shall haue the said manors and pzemisses, or any part thereof, in his or their possession, for want of payment of the said rent, together with the summe or summes to be for. nomine pœnæ, if any such should be, vnto the said F. R. his heires and assignes fully from time to time paid by the said J. L. his heires or assignes, or some of them, of which said rent of xj. d. the said J. L. did put the said F. R. in full possession and seisin by the payment and deliuerie of xj. d. of lawfull English money, being parcell of the said rent, vnto the said F. R. at the inlealing and deliuerie of the said deed. And whereas the said J. L. by his said deed hath further couenanted for him, his heires, executozs, & administrators, with the said F. R. his heires and assignes, That he the said J. L. the day of the date of his said deed, was lawfully seised of a good and perfect estate of inheritance of fee simple, or fee taile, without reuerſion or remainder being in the Queens Maiestie, of, & in the said manors, lands, and pzemisses, out of which the said rent is graunted, and of euery part and parcell thereof, discharged of all incumbrances whatsoever, one lease &c. excepted and forzeprised. And whereas the said &c. that the sayd manors, lands, and pzemisses, out of which the said annuall rent of one C. l. is graunted, were and should continue ſubiect and lyable to the distresse and entrie of the said F. R. his heires and assignes, from time to time of the cleere and accustomed yearely value of Cxxx. li. ouer and aboue all charges, deductions, and reppises. And whereas &c. that he the said J. L. at his proper costes and charges, befoze the feast of Pentecost next insuing the date of his said deed should and would leuie a fine in due forme of Law vnto W. L. and J. D. of all and singular the manors, lands, and pzemisses, in the said deed mentioned, and of euery part and parcell thereof, and of all other the lands and hereditaments of the said J. L. within the Realme of England, by the name and names of the manors of P. and H. with thappurtenances, and of xxx. mesuages, &c. with thappurtenances in H. L. P. H. B. C. C. alias S. H. C. B. in W. S. alias S. H. and S. alias S. by which said fine the said J. S. should recognize &c. which said fine or any other fine to be leuied by the said J. of the said manors, lands, & pzemisses, by the name and names afozesaid, or by any other name or names whatsoever, should be to the intent that the same W. L. &c. and the ſaruiuoꝝ of them, should stand and be iudged perfect tenants

or tenant of the freehold of the said mannoꝝ, landes and pꝛemisses, vntill such time as a perfect recoverie might be had and lawfully executed of the said pꝛemisses against the said W. L. and J. D. or the suruiuoꝝ of either of them by T. F. of H. and W. S. or by either of them, and after to the vse, intents, and purpose in the said deed mentioned and expꝛessed. And whereas &c. that the said T. F. and W. S. should befoze the feasts of P. then next ensuing the date of the said deed, commence and pꝛofecute at the costs & charges of the said J. one wyit of Entresur disseisin in le post, against the said W. L. and J. D. or against the suruiuoꝝ of them, whereby they should demaund against them, or against the one of them the said mannoꝝ, lands and pꝛemisses, and euerie part and parcell therof, by the name and names befoze mentioned, or by any other name or names whatsoeuer, vnto which wyit the said W. L. and J. D. or the suruiuoꝝ of them, should appeare in proper person, or by his or their attorney or attornies lawfully and sufficiently authozized, and should vouch to warrantie him the said J. L. And that hee the said J. L. should appeare vpon the same vouch in his proper person, or by his attorney or attornyes lawfully authozized, & should vouch to warrantie the comon vouchꝛ: And the same comon vouchꝛ should appeare in his owne person vpon the same vouchꝛ, and should imparle, and afterwards should make default, whereby a perfect iudgement might be had and giuen foꝝ the said T. F. and W. S. against the said W. L. and J. D. foꝝ recoverie of the mannoꝝ and pꝛemisses, and likewise foꝝ the said W. L. and J. D. to recouer in value against the said J. L. after the manner and course of the comon recoverie in such case vled, which said recoverie so to be suffered and perfected by any name or names whatsoeuer was meant and intended, and the said parties to the said deed accordingly concluded and agreed, foꝝ them and their heires, that the same recoverie, vouchꝛ, iudgements, and recovery in value, & all and euerie other matter & thing thereupon depending or following should be to the intent, vse, and pꝛpoces in the said deed mentioned and expꝛessed. And after the vles, intents, and purposes mentioned and expꝛessed in the said deed obserued, and fully from time to time performed, according to the true meaning thereof, should be deemed and taken to the vles, intents, and purposes mentioned & expꝛessed in one other Indenture bearing date of the first recited deed, and sealed and deliuered after the same, made between the said J. L. one the one partie, and H. B. of R. in the said county of D. Gentleman, and W. W. of W. in the countie of P. gent. on the other party. And whereas by the

the first recited originall deed it was further concluded & agræd by & between the said parties to the said deed, for them and their heirs, and either of the said parties severally covenanted & concluded, to & with thother their heires & assignes, that they the said recoverers and their heirs, and the said recoverees & their heirs, & all & every other person & persons, & his & their heirs that then were, or within one yeare then next following, should stand and be seised of the premises or any part therof, should from & immediatly after y^e said recovery executed & perfected, and from & after the said fine leuied, stand & be seised of all & singular the said manors & premises, except in the said first original deed excepted, & that the same recoverie touching y^e said premises, except in the said first recited original deed excepted, should from thenceforth be deemed & taken to these intents & purposes following: that is to wit, that if the said annuall rent of one C. v. or any part or parcel therof, or the said summe or summes of 7c. to be forfeited nomine penæ, or any of them, should at any time & times from thenceforth be arreare & unpaid by y^e space of xl. daies, next after any of the said feast dayes in the said first recited original deed mentioned, wherat y^e same annual rent ought to be paid at the place in the said first original deed mentioned: y^e then & from thenceforth, & at all & every time and times whē such default of payment should be, it should & might be lawfull to & for the said J. K. his heires &c. into the said manors &c. except in the said first originall deed excepted, to enter, & the same & everie part therof to have & enjoy to him, his heires &c. to his & their own ble untill such time & times as the said annual rent of one C. v. & tharrerages therof, together with y^e said sum or sums, to be forfeited nomine penæ, should be unto y^e said J. K. his &c. fully from time to time paid by the said J. F. his heires &c. or some of thē, with tharrerages of y^e said rent y^e shall grow due & payable during the time that the said J. K. his heires &c. should hold and enjoy the said lands & premises, or any part therof in his or their possession. And after the paymt of the annual rent of 7c. and the said sum or sums to be f:2l. nomine penæ, if any such should be, & every part of y^e said rent & penalty, when & as often as they or any of them should fortune to be behind, in such forme as in the first recited originall deed is said, had & made unto y^e said J. K. his heirs or assignes, with the arrerages therof, if any such should be, the said recoverie & fine should be, and the said recoverers and recoverees, & their heirs, and all and every other person & persons, & his & their heirs, that then were & thenceforth should stand & be seised of y^e said whole manors, lands & premises mentioned in the said first recited originall deed should stand & be seised thereof,

and

ind of euerie part and parcel therof, to such vse, intents, and purposes is are mentioned and expressed in the said deed, mentioned to be made betweene the said J. L. on his partie, with condition, limitation, and purpose, that it should and might be lawfull to the said F. R. his heirs and assigns, to enter into the said manors, lands, and premises out of the which the said rent is granted, and euerie part thereof for default of payment of the said annuall rent of one C. l. or any part thereof, by the space of foztie daies next after euerie of the said feasts, wherein the same should be create, and to haue and to enioy the same to him, his heires and assigns, to his and their owne vse, vntill he or they be paid the said annuall rent with the arretages therof, if any such should be, and the said summe or summes of sc. to be forfeited nomine penæ and euerie part thereof from time to time. And whereas sc. that he the said J. L. his heirs, executors, and administrators and assigns, should well and truely pay, satisfie, and allow, or cause sc. vnto the said F. R. his heires and assigns yearly the said annuall rent of 100. l. and euerie part and parcell thereof, in or vpon euerie of the said feast daies in the said first recited lease or deed mentioned, or within tenne daies next after euerie of the said feast daies, at or in the said then mansion house of the said F. R. at S. W. aforesaid, and that as well during the time that the said J. his heires or assigns, farmors or tenants shall haue, occupie, and enioy the said manors, lands, and premises, as also during the time that the said F. R. his heires or assigns, should through any default of payment of the said rent of one C. l. or any part thereof, enter into, haue, occupie, and enioy the said manors, lands, tenements, and hereditaments, or any part or parcell thereof, that the same entry, occupation & enioying of the said manors, lands or premises, or any part thereof by the said F. his heires or assigns, should not by any suspicion make any ceasing or defalcation of the said rent or of anie part thereof. And that the said J. L. should make further assurance generally, with a proviso, that if the said J. L. at anie time during his owne life, and during the life of the said F. R. together, should bee minded the said yearely rent of one hundred pound should cease, and haue no further being or continuance, & thereupon the said J. L. during the life of him, & of the said F. R. together, should by his writing vnder his hand and seale, sealed in the presence of thzee or moe substantiall and credible witnesses vpon either of the said feast daies, giue notice or warning vnto the said F. R. his heires or assigns, at the then dwelling house of the said F. R. at S. W. aforesaid, that he the said J. L. was minded that the said annuall rent

of 4c. should cease and have no further being or continuance, & with all at the time of the said notice so to be given, should well and truly pay or cause to be paid unto the said F. R. or to his executors or assignes, the summe of 4c. at the then dwelling house of the said F. R. at S. M. aforesaid, and also should well and truly pay, or cause to be paid unto the said F. R. his executors or assignes; the sum of 4c. at or in the then dwelling house of the said F. R. at S. M. aforesaid, upon the feast day appointed for the payment of the said halfe yeares rent next ensuing after such warning & notice given, with the said halfe yeares rent which should be due upon the feast day, that then and fro thenceforth after such payment of the said summe of 4c. and upon payment of the said summe 4c. had & made in maner and soyme aforesaid, and likewise upon payment of the said rent, which should be due at the end of the said halfe yere next after such notice given, as is aforesaid, the said perely rent or summe of 4c. to cease & be determined, & the said clause of distress & entry, & all & every other article, thing, covenant or grant therein contained for giving any benefit or vse to the said F. R. his heirs or assignes, and the Statutes and bonds for the further assurance and continuance of the said annuall rent of 4c. to be void & of none effect, the said recoverie & fine, or any other thing befoze mentioned to the contrarie thereof in any wise notwithstanding. And whereas that the said recoverie and fine aforesaid, and all and every act or acts, thing and things, assurance or conuenance thenceforth to be had, made or suffered, by, or against the said J. L. or any other person or persons by his assent, nominatio or pleasure, of the said manors or of any part thereof should be, And that all and everie person & persons, & his and their heirs then seised, or thenceforth to be seised, of anie estate or Estates of inheritance whatsoever of the said premises, or of anie part thereof (except befoze excepted) to the vles, intents, & true meaning set downe as in, & by this first recited originall deed amongst divers other things moze at large it doth and may appear. Now the said J. R. for & in consideration of the summe of 4c. hath bargained and sold, and by these presents doth for himselfe and his heirs fully & absolutely, bargain & sell unto the said R. M. and his heirs, the said manors of A. and B. with the appurtenances, and all those lands, tenements and hereditaments in A. B. C. D. E. F. G. H. I. J. K. L. M. N. O. P. Q. R. S. T. U. V. W. X. Y. Z. alias S. in the said countie of D. which at the in sealing and delivrie of the said first originall deed, were the lands, tenements & hereditaments of the said J. L. reputed or taken for the inheritance of the said J. L. and also the said annuall or yearely rent, or summe of 4c. issuing and going forth

of the said manors of **L. & W.** with thappurtenances, and sozth of all other lands, tenements & hereditaments which then were, or were reputed or taken for the inheritance of the said **J. L.** in **L. B. C. D. W. E. W. G. H. I. S.** alias **S.** in the said Countie of **D.** or els where within the realm of Englād, his grounds & inheritances called **W.** & all his lands and tenements in **D.** and 4. acres of pasture lying in the parish of **S.** in a certaine place called **S.** onely excepted and sozprised, together with the said first original dæd. And al his right, title, interest and demand, of, in or to the said manors, lands, tenements, hereditaments, annuities, rents, sums of money, & demaunds whatsoeuer, together with the recited deed, & all deeds, writings, & estreits, concerning incident or belonging to the premises, or made, for, or concerning the same. To haue &c. the said manors, lands, tenements & hereditaments, annuities, rents, sums of money, & premises befoze by these presents graunted, as is afozesaid, together with the said deeds, writings, & estreits vnto the said **R. III.** his heirs & assigns soz euer, in as full, large, ample, and beneficiall manner, as the afozesaid **J. R.** or **J. K.** or any other person may, might, should or ought to haue, hold, perceiue & inioy the same by reason of the said deed & grant made by the said **J. L.** to the said **J. R.** as afozesaid. And the said **J. R.** doth for himself &c. that he the said **J. III.** at the sealing of these presents standeth, and is seised of the said recited manors, & other the premises (except befoze excepted) to the onely vse of himselfe his heires &c. as is befoze recited. And the said **R. III.** his heirs &c. shall & may quietly & peaceably at al times hereafter & from time to time haue &c. the said manors &c. befoze by these presents graunted, to his and their proper vse and behoofe, without the lawfull let, trouble, euiction, interruption, deniall, incumbzance, charge or other disturbance whatsoever of y^e said **J. R.** or **J. K.** or their or either of their heirs, or of any other person or persons, by their or either of their heirs assent, consēt, act, meanes, or procurement, counsell or deuise. And the said **J. R.** doth further &c. that neither the said **J. R.** nor **J. K.** nor any other person or persons, by their or either of their acts meanes or procurement, haue done, executed, knowledged or committed, or caused to be done, executed, knowledged or committed, nor y^e the said **J. R.** nor his heires shall at any time hereafter do, execute, knowledge or commit, or cause to be done, executed, knowledged or committed any act or acts, things, euise or deuises, wherby y^e said **R. III.** his heirs or assigns shall or may be disturbed, letted, hindered, & denied to inioy, haue & receiue quietly & peaceably, al & euery of y^e premises befoze by these presents mentioned

to be granted unto the said R. W. as aforesaid. In witness &c.

Concessio annuitat' pro seruicio.

Secl. 306. **O**Mnibus &c. Sciatis me præfat T. G. ex certa scientia et mero motu meo, ac intuitu obsequij & seruicij mihi per S. R. et I. vx. eius seruient' meos antehac impensi, dedisse &c. eidem S. et I. &c. quandam &c. ad festa &c. æquis portionibus annuatim soluend'. Habend' & tenend' prædict' annuitatē siue annual' reddit' xl. s. Soluend' præfat S. & I. vx. eius durā viæ natural' ipsor' S. & I. et eor' vtriusque diutius vident' in foris sequen' Et si contingat prædict' annuitat' &c. Prouiso semp' qd' si prædict' S. R. et I. aut eor' alter obire contigerit. Quod tunc et deinceps solutio medietat' dict' annuitat' xl. s. totaliter cessabit: Aliquo superius memorat' siue in hoc præsent' script' meo specificat', in contrarij quouismodo non obstant', In cuius rei &c.

A Grant of annuitie for terme of life, pro consilio & auxilio.

Secl. 307. **O**Mnibus &c. Sciatis me præf. I. dedisse &c. T. M. pro bono consilio tuo et ingenti auxilio suo mihi in mea necessitate impensio, quand' annuitat' siue annual' reddit' xxx s. legalis monet' Angl'. Habend' et recipiend' &c. de exitib', proficuis, firmis et emolument' maner' mei de S. in com' E. ad festa &c. Soluend' tam pro manus meas proprias quam pro manus balliuor', receptor', firmario' siue tenentium manerij prædict' pro tempore existen'. Et si contingat &c.

A Grant of annuitie made by a parson of a Church, so indure so long as he shall be Parson.

Secl. 308. **O**Mnibus &c. I. H. clericus rector' eccles. paroch. de L. in com' S. Salut': Sciatis me præf. I. pro bono consilio dedisse &c. eidem R. quand' annuitat' &c. habend' præf. R. quam diu ego prædict' I. rector' eccles. prædict' extitero, Soluend' annuatim &c. Et si contingat &c. Dat' &c.

A Grant of annuitie, with condition that the wife shall claime no dower.

Secl. 309. **O**Mnibus &c. Sciatis me præfat H. dedisse &c. H. M. &c. primo die solutionis inde incipiend' ad tale festum festor' prædict' quod post mort' mei prædict' H. primo et prox. euenerit, Habend' et recipiend' prædict' annuitatem siue annual' reddit' xx. li. ad festa prædict' in forma prædict'. Soluend' præfat T. B. ex ec' et assign' suis pro termino vitæ cuiusdam R. modo vx. mei prædict' H. ad opus & vsu' ipsius R. ad terminum vitæ suæ pro &

& in considerac' & nomine totius dotis ipsi⁹ R. habend' de omnibus illis manerijs, terris, & teneñtis, quæ nuper fuer' vel modo sunt mei p̄d H. Et si contingat p̄d annuitat' siue annual' reddit' xx. li. vel alicuius inde parcelle a retro fore post mortem mei ipsius H. ad aliquod festum &c. Prouiso semper, quod si præd R. seu aliqua alia persona, siue person' eius nomine et per eius assensum, actum, vel procuracionē, aliquo tempore post mortem dicti H. aliquod ius, titul', clameum, aut demand' nomine dotis suæ, de, & in prædict' maner', terris, tenētis, & cæteris præmissis, aut in aliqua inde parcella habere clamauerit, seu demandauerit quouis modo, qđ extunc & exinde solutio prædict' annuitat' siue annual' reddit' p̄d xx. li. aut alicuius inde parcelle, cessabit, & ista prædict' concessio eiusdem deinde cessabit & frustrabit', hoc præsentī scripto meo, siue aliqua re siue materia in eodem script' in contrar' specificata seu expressa in aliquo non obstante. In cuius &c.

A grant of Annuitie made to a woman, to begin after the death of her husband upon condition.

OMnibus &c. W. R. &c. Sciatis me præfat W. in complement' qua- Sect. 319.
 rundam conuentionē, concessionē, et agreementorum content' et spec' in quibusdam indenturis, quarum dat' est vltimo die Maij, anñ &c. fact' inter T. P. de E. ex vna parte, & me præfat W. R. ex altera part', dedisse, concessisse, & hoc præsentī scripto meo indentato confirmasse M. vxorē dicti T. quandam annuitat' &c. Habend' & recipiend' p̄d &c. præfat M. & assign' suis pro termino vitæ dictæ M. soluend' annuatim ad duos ann' term', viz. ad festa &c. per equales portionē in Ecclesia parochiali de S. præd. Et si contingat p̄d annuitat' &c. Prouiso semp, qđ ista præd concessio annuitat' siue annualis reddit' quatuor marca' non capiat aliquem effectum, nec alicuius sit valoris durante vita dicti T. P. sed immediat' post mortem ipsius T. Et quod prima inde solutio erit ad primum festum festo' p̄dicto' p̄xim' accident' post mortē ipsius T. Prouiso etiam semper, quod si dicta M. aliquo tempore post mortem dicti T. aliquod ius, titul', clameum, aut demand' nomine dotis siue iuncturæ suæ, de & in p̄d terris & tenementis, seu in aliqua inde parcella, per se ipsam siue aliquam aliam personam clamauerit aut vendicauerit quouis modo, quod tunc & extunc solutio prædict' annuitat' seu annualis reddit' quatuor marca' prædict' & cuiusque inde parcelle cessabit, et ista p̄dict' concessio eiusd' deinceps cessabit et frustrabit': aliqua re siue materia in hoc p̄sent' script' in contrar' specificata seu expressa non obstante. In cuius rei &c. *vel sic:*

Prouiso etiam semper qđ si pđ M. aliquo tempore post mortem dicti T. pretextu alicui⁹ iuris, tit. clamei, aut interesse pro, aut in nomine dotis seu iunctur suæ, placitauerit clamauerit siue expulerit quouismodo pđ W. R. hæred⁹ vel assign⁹ suos pro, aut de pđ ter⁹ et ten⁹tis, seu aliqua inde parcella, qđ tunc et extunc illa præd⁹ solut⁹ annuitatis &c. vsupra. In cuius rei testimon⁹ vtrique parti huius p⁹sent⁹ script⁹ mei indentati sigill⁹ meum apposui. Dat⁹ &c.

A Grant of annuitie to the use of a woman to begin after death of the grantor.

Sec^t. 311.

OMnib⁹ &c. T. P. &c. Noueritis me p⁹f. T. P. dedisse &c. I. M. et W. R. quãd⁹ annuitat⁹ &c. Habed⁹ &c. p⁹f. I. et W. et assign⁹ suis pro termino vitæ A. K. & ad vsu⁹ ipsius A. K. pro t⁹mi⁹n vit⁹ suæ, quã ego p⁹dict⁹ T. propon⁹ (diu⁹n⁹ grat⁹) habet⁹ in vxor⁹ meã: Soluend⁹ &c. Pri⁹m⁹ term⁹ solution⁹ inde incipient⁹ ad illud fest⁹ festo⁹ p⁹d⁹ qđ prius acciderit post mortē mei p⁹d⁹ T. & non antea. Et si contingat p⁹d⁹ &c. In cuius rei &c.

A Grant of annuitie for. terme of life, pro consilio impend⁹ &c.

Sec^t. 312.

OMnibus &c. N. W. &c. Sciatis me præfat⁹ N. dedisse, &c. pro consilio suo impenso & impofterum impend⁹, quand⁹ annuitatem siue annualē redd⁹ 13. solido⁹ exeunt⁹ de omnib⁹ cer⁹, ten⁹, & hæred⁹ meis in S. in co⁹m E. &c. Habend⁹ &c. red⁹ p⁹f. T. ad term⁹ vitæ suæ, soluend⁹ &c. Et si contingat &c. Dat. &c.

Nota, si hõc ne uoile que son person soit charge de cest annuitie, mes tant-solement son terre, donques doit este tiel clause escrie in le fine de son fait, Prouiso semper quod p⁹sent⁹ scriptum, nec aliquid in eo specificat non aliquat⁹ se extendat ad onerandu⁹ personam meam per breue annuitatis, seu alio modo quocunq⁹ sed tantummodo ad onerand⁹ terras & ten⁹ta mea p⁹d⁹ de annuali redditu præd⁹ &c. Car donques le terr⁹ est ccharge, & le person discharge, &c.

A Covenant that the lessee may lop woods.

Sec^t. 313.

ANd the said H. S. for him, his heires, and executozs, couenãteth and granteth by these p⁹sents, to, and with the said R. L. & his executozs: That it shall be lawfull for the said R. L. his executozs and assignes, yearly during the said terme of xl. years, to crop, and lop all and singular the woods & fræs, growing and being in & vpon the p⁹misses, and take aswell all the same lops, crops, and tops, as also all the

the underwoods, growing & being in & upon the premises, to the onely vse and behoefe of the said R. L. his executozs and assignes &c.

A Covenant that the lessor may enter and make fallowes.

PRouided alwaies, and neuerthelesse it is couenanted, concluded, &c. Sect. 314.
by & betwain the said parties to these presents. And the said R. L. for himselfe &c. both by these presents &c. to, and with the said W. W. his heires and assignes &c. that it shall and may be lawfull, to, and for the said W. W. his heires & assigns, & euery o2 any of them, at all and euerie time & times conuenient within the last yeare of the said terme of 21. yeares, to enter into, and haue so much of the demised tenemētts & premises, with the appurtenances, as in the same yere shall be meet to be fallowed, and to epre, plow, and fallow the same, & euery o2 any part thereof, accozding to the vsage and custome of the countrey there in that behalfe, without any let, interruption, o2 disturbance of y^e said R. L. his executozs o2 assigns, o2 of any other person o2 persons, by his o2 their, o2 any of their meanes, assent, o2 procurement.

A Covenant that the Lessee shall not assigne.

PRouided alwaies, that the said P. his executozs o2 assigns shall Sect. 315
not demise, let, let, giue, o2 grant y^e said whole terme of yeres, yet to come, of, & in the said manoz & parsonage, & all other the premises, to any person o2 persons, other thē to the wife, child, o2 children of the said P. o2 any other person o2 persons to any of their vses, except only to the said J. P. o2 W. P. sonne and heire apparant of the said J. if the said J. o2 W. will giue & yeeld vnto the said J. P. his executozs o2 assigns, as much in money for the same, as any other indifferent person will do, without any fraud, couin, o2 collusion. And if the said J. o2 W. doe refuse to giue as much money for the said terme, o2 any part thereof, of the premises, o2 any part thereof, as any other indifferent person will, without fraud, couin, o2 collusion, as abovesaid, that then and from thencefozth it shall be lawfull to the said P. his executozs &c. to giue, graunt, alien, o2 assigne the said terme, o2 any part thereof, to any person o2 persons, at his o2 their pleasure, any thing herein contained to the contrary notwithstanding. And also the said P. couenanteth &c. for him, his executozs &c. to & with the said J. P. his executozs & administrators, by these presents, that if the said P. do die vnmarrid, & without issue lawfull, that then it shal be lawfull to the said J. P. & to his assignes, during the life of the said J. to enter into the premises, & euery part thereof, and to receiue, leuy, & take the illnes, reuenues, & profits of the same, for his onely vse and commodify, during only the life of the said J. paying, performing, & fulfilling all

all and singular the covenants, grants, articles, and agréments, contained & mentioned in the sayd former Indenture, of, for, & during the time and times that the sayd J. shall have, occupie, or enjoy the sayde premises, or any part or parcell thereof after the death of the sayd P. unmarried, & without issue, in mauer & forme asforesaid, or els not. And if the sayd P. happen to die unmarried & without issue, y^e the premises & euery part thereof, during the said terme, shall come, remain, & be after the decease of the said J. to the brethren of the said P. or to any or diuers of them, or to any other person or persons to his or their onely proper uses & profits, in such like maner & forme, as the said P. shall deuise or assigne by his last will & testament, without paying any thing for the same, or otherwise to be charged or incumbyd by any manner of meanes or waies for the same, other then is declared & mentioned in the said former Indentures, except only for the due debt of the sayd P. wherewith the said P. may happen to charge them in his last will & testament. Provided alwaies, that if it happen the said yearely rent of *sc.* or any part or parcell thereof to be behind vnpaid in part or in all one fortnight next after the last day or time of any day of paiement appointed in the said former Indenture *sc.* And also if the sayd P. his *sc.* do not, or shall not hereafter performe, fulfill, & execute all & euery of the covenants, grants, articles, & agréments contained & specified in the said former Indenture, which of the part of the said J. & his *sc.* are to be obserued, performed, fulfilled and kept, or els if the said P. his *sc.* do not, or shall not hereafter obserue, performe, & fulfill all & singular the abouesaid covenants, grants, articles, & agréments contained and specified aboue in this present Indenture, which of the part of the said P. or his executors *sc.* are to be obserued, performed, fulfilled & kept: that then & from thenceforth it shall be lawfull to the said J. his *sc.* to enter into all & singular the premises with thappurtenances, and into euery parcel thereof, & the same to retain & haue as in his former estate: this Indenture or any thing therein contained to the contrary notwithstanding. Further the sayd P. & his executors *sc.* for him, his executors, *sc.* and with the said J. & his executors & administrators by these presents, that he the said P. shall yield, pay, & deliuer or cause to be deliuered vnto the said J. & his assignes, during y^e terme of xx. yeres next comming after the date hereof, xvj. quarters of wheat, xx. quarters of oates, good, sweet, marchantable, & cleane dight, & vij. loads of wheat straw, & vij. loads of oate straw, at the feast of S. M. tharch. next comming after the date hereof, & after the feast of S. M. tharch. to deliuer all the residue of the sayd cozne abouesaid monthly, by euen portions during

during the said terme of xx. yeres. Also the said J. couenanteth & granteth that when & as often as the price of wheat shall amount & rise aboue vs. s. viij. s. a quarter, which is after x. d. the bushell, & the price of Mtes shall arise & amount aboue ij. s. the quarter, which is after ij. d. the bushel: That then the said J. his executoz & assignes, shall allow the said P. asmuch in money as shall so arise aboue the prices afozenamed, limited, & appointed, from yere to yere. And also the said P. couenanteth and granteth, that if it happen the said J. to decease and depart this present life vnto almighty God, befoze E. D. mother vnto the said P. & befoze the said terme of xx. yeres be fully expired: that then the said P. shall yeeld, pay, & deliuer, yearely from thencefozth during the said xx. yeares, vnto the sayd E. D. to her assignes, during the residue of the sayd xx. yeres then to come, v. quarters of Wheat, & six quarters of Mts. Provided alwaies, that if the said J. & E. doe both depart from this present life befoze the said terme of xx. yeres be fully expired, that then & from thencefozth the deliuey of all the said Cozne and Straw, in forme afozesaid, to cease, and not to be due o2 payable, These two articles o2 clauses last befoze mentioned, o2 any thing in them, o2 any other matter, clause, o2 thing, whatsoeuer it be in this indenture contayned o2 otherwise to the contrary notwithstanding. In witnesse &c.

A Couenant by the Lessee to depart.

Provided alwaies, & neverthelesse it is couenanted, condiscended, concluded, and fully agreed betweene the said parties, & the said E. D. for him, his heires, executozs, and administrators, couenanteth by these presents, to and with the said A. B. his heires, executozs, administrators, and assignes, that if the said A. B. his heires, executozs, administrators, o2 assignes, o2 any of them do well and truly contet and pay, o2 cause to be contented vnto the said E. D. his heires executozs, administrators, o2 assignes, o2 any of them, the summe of 50. at one whole and entier payment, at, o2 vpon the day of 50. in the Hal of Lincolns Inne in the countie of Middlesex, betweene the houres 50. without fraud o2 couin: That then & from thencefozth and after the payment of the said summe of 50. the said bargain and sale of the said capital mansion with thappurtenances and al other the afozesaid mesuages and hereditamets with their appurtenances befoze bargained and sold, shall be clerely void and of none effect: And that then & from thencefozth the said E. D. and his heires, and all & every such person o2 persons, & their heirs, shall be, stand, & be seised in the said Capital mansion.

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manſion, and other the premisses, with their appurtenances, & every part and parcell thereof, to the only vse of the said A. B. and the heires and assignes of the said A. B. for ever, and to no other vse. And that then the said C. D. his heires or assignes, shall deliuer, or cause to be deliuered vnto the said A. B. or the heires or assignes of the said A. B. all and every such deed and deedes, evidences, charters, wrytings, escripts, and muniments, concerning the premisses, which he shall haue receiued of the deliuerie of the said A. B. or of the heires or assignes of the said A. B. And for default of payment of the said summe of ꝑc. vnto the said C. D. his heires or assignes, as is aforesaid, made, & not performed: That then & from thenceforth the said bargaine, sale, & assurance of the said capitall manſion or dwelling house, & all other the premisses, shall be good & auailable to the said C. D. his heires and assignes, to their vse for ever absolutely, without any manner of condition: And that thenceforth the said C. D. his heires & assignes, shall quietly occupie & enjoy all & singular the premisses, with their appurtenances, to his or their owne vse & behoefe, without let or interruption of the said A. B. his heires or assignes, or any other person or persons, in his or their name or names, interest, or behalfe, or by his or their assent, meanes, or procurement: This Indenture, or any thing therein contained, to the contrarie in any wise notwithstanding. In witness whereof &c.

A Grant of a fee or chiefe rent with homage and service.

Sect. 317.

SCiant &c. quod ego W. H. dedi, concessi, & hac præſenti charta mea confirmauimus R. M. totum reddit meum de xxx. s. homag' et liber seruitium exeuntia de vno tēto et quatuor virgatis terræ I. S. in D. cum omnibus pertiñ: Quod quidem tēntum et quatuor virgata terræ quondam fuerunt E. S. Habend' et percipiend' prædict' &c. præſat' R. W. heredib' et assignatis suis imperpetuum. Soluendo, faciendo, et reddendo eid' modo et forma sicut prædict' I. S. et eius antecessores mihi et antecessoribus meis facere, soluere, et reddere consueuerunt. Et si contingat prædict' redd' xxx. s. a retro &c. extunc bene liceat præſat' R. W. heredibus et assign' suis in prædict' &c. In cuius rei &c.

A Grant of Annuitie for ministracion of Gods service.

Sect. 318.

REx omnibus ad quos præſentes literæ peruenerint, salutem: Sciatis quod nos intuitu charitatis, dedimus et concessimus dilecto

lecto subdit nro T.S. capellan pro ministracione diuini serui' infra ecclesiam sanct' G. de G. infr dominium de W. ac ad orand' pro nobis & p. charissima consorte nra reg. exituq nro, quand' annuitat x. marcas sterl'. Habend' & percipiend' annuat' durant' vita sua de feod' firm' dnij nri vocat' N. infra com' nostrum E. p man' Vic' firmario' seu alio' occupato' eiusd' pro tempor' existen' ad testa &c. Aliquo actu, ordinatione seu statuf inde in contra' fact' non obstant'. In cuius &c.

An Annuitie or yearly fee giuen to a seruant for promotion of a marriage.

Christianis vniuersis præsens script' inspectur' siue auditoris R. M. Armiger, salut' in auctor' salut', & fidem indubiam præsent' adhibet. Sect. 319.
Cum nonnulla spes matrimonij int' R. A. famulū meum, & A. O. (annuent Deo) futuri affulget. Scitote me eundem R. (vt qui comodum & utilitatē dicti famuli mei prop' obsequium mihi in famulatu suo ingenuē & diligent' pstatū plurim' augere velim, quo commodi' int' eos viuerēt) dedisse, concessisse & hoc præsent' scripto meo confirmasse p'f. R. A. & A. quandam annuitat' &c. exeunt' de maner' &c. Habend', gaudend', &c. eisdem R. A. & A. & eorum vtriq' diuti' viuenti & assign' suis durant' vita mea p'f. R. ad festa &c. Et si & quoties contingat &c. plenarie fuerit satisfact' & p'solutum vna cum damnis & expensis suis in ea pte sustinendis. Prouiso semper qd' si dict' nuptiæ non successer', nec consummate fuerint, aut si ijdē R. A. & A. p me aut mea causa aliquo modo promot' fuer' siue obtinuerint, aut promoueri siue obtinere possint, aut eor' al' potest, aliquam annuitat' seu annualem reddē, terf, centā seu hærediūta, aut aliquam certitudinem vict', habend' eis durante vita mea, annui valor' x. li. aut maior, qd' extunc præsens script' penitus irritum erit, præmissis non obstantib'. In cuius rei testimonium &c.

A Graunt of an Annuitie out of lands.

This Indenture made &c. betwæne A. C. &c. and J. C. &c. on the one Sect. 320.
party, and W. D. on the other party, witnesseth, that the said A. C. and J. C. aswel for; and in consideration of the ful sum of one thousand pounds of &c. As also for; diuers &c. hath giuen and granted, & by these presents doth giue, and grant for; him & his heires vnto the said W. D. his executoys &c. one annuities of one hundred pounds of &c. by year, by the said A. C. his heirs &c. from thenceforth yearly to be paid to y' said W. D.

R. M. his executors, administrators, or assigns, by and during the whole terme of thre score yeres fully to be complete and ended, at the vsuall place of receipts and payments of money, scituat in the West end of the Roial exchange in L. at two equal payments in euery yere: That is to say, on the last day of M. fiftie pounds of ꝛc. and on the last day of P. fiftie pounds of like ꝛc. The first paiement thereof to begin and be made on the last day of May next ensuing the date hereof. And so from thenceforth the same annuitie to haue continuance and to be yerely paid vnto the said R. M. his heires, executors, &c. vpon the said daies, at the place aforesaid, during the said whole terme of thre score yeares fully to be complete and ended. And the said A. C. for him &c. doth covenant &c. That if and as often as it shall happen the said annuitie of one hundred pounds, or any part or parcell thereof, to be behind vnpaid by the space of eight and twentie daies, ouer or after the said last day of M. or the last day of P. ouer or after either of them: That then and so often as it shall happen during the terme aforesaid, the said A. C. his heires &c. shall forfeit and lose to the said R. M. his &c. the summe of xx. markes of ꝛc. in the name of a paine. And then and so often shall make full and true payment to the said R. M. his &c. at the place aforesaid, as well of the said twentie marks in the name of a paine, as for that part of the said annuitie of one hundred pounds wherof default shall be made, as is aforesaid, within sixe months next after such default made, on the last day of M. or last day of P. as is aforesaid. And for the considerations aforesaid, and for a good and certaine suertie & assurance to be had & made to the said R. M. his &c. of and of the said annuitie of C. l. to him & them well and truly to be paid euery yere during y^e said whole terme of xl. yeres, according to the purpout and true meaning of these presents: They the said A. C. and J. C. for them &c. doe covenant &c. that they the said A. C. and J. C. by fine or fines to be duly knowledged & leied before the Justices of the Queenes Maiesties Court of common Pleas at W. before the x. day of M. next ensuing the date of these presents, with proclamations had and made thereupon, according to the order and course of the lawes and statutes of this Realme, shall and will sufficiently and lawfully conuey and assure to H. F. & H. H. and the heires of one of them, all that the Manor and Lordship of G. with all and singular &c. scituat, lying, being, arising, happening, renewing, growing, or coming in the towne, parish, fields, or hamlets of G. or elsewhere within the said Countie of L. to y^e said Manor or Lordship of G. belonging or in any wise appertaining, or occupied, vled, demised, or leased, to or

with

with the same: or esteemed, taken, reputed, accounted or known as part, parcell, or member thereof, or of any part or parcell thereof. And all & singular other mesuages, milles, lands, tenements, meadowes, feedings, pastures, woodde, vnderwoods, rents, reuerfions, seruices, priuiledges, liberties, franchises, iurisdictiones, preheminences, and hereditaments, whatsoeuer of þe said A. C. & J. C. or either of them, in the towne, parish, fields, or hálets aforesaid, or in any of them, by such sufficient and conuenient names and qualities as shalbe requisite or meet: And with warrantie from them and their heires against al persons: Which said fine or fines so to be knowledged and leuied shalbe, And the said H. F. and H. H. and their heires shall thereupon stand and be seised of and in the said mannoz & all other the premisses & euery part thereof, to the onely vse and behoofe of the said H. F. and H. H. and their heires vpon trust and confidence neuerthelesse, & to the end and intent that thereupon a good and perfect recouerie shal & may be had of the said mannoz & other the premisses against them the said H. F. and H. H. by such persons and with such vouchers ouer, and to such vses, intents, and purposes, as hereafter in & by these presents is expressed and declared. And the sayd A. C. and J. C. for them and their heires doe farther covenant &c. That befoze the xx. day of M. next comming after the date of these presents a good and perfect recovery by writ of Entre sur disseisin in le post, according &c. as in covenants to suffer recoveries with double voucher. And it is further witnessed, declared, covenanted, condiscended, concluded, and fully agreed, by and betweene the said parties to these present: That the said recovery so to be had and suffered as aforesaid, and all other recoveries, conueiances and assurances whatsoeuer after the said tenth day of M. to be had, made, leuied, acknowledged or suffered by the said A. C. & J. C. or either of them of the premisses, or of any part thereof, by any name or names whatsoeuer, & the full execution of them and euery of them shall be, and shall be adiudged and taken to be to the vses intents, and purposes, hereafter in these presents limited, appointed, expressed & declared, and to none other vse, intet, or purpose: That is to say, vnto the vse and behoofe of the said A. C. and þe heires males of his bodie lawfully begotten: And for default of such issue, to the vse of the right heires of the said A. C. The same vses and estate so to continue onely vntill default shall be made of, or in payment of the said annuity of C. pounds, befoze by these presents granted, or of any part thereof, at the place aforesaid, vpon any the last day of M. or the last day of J. or either of them. And by the said space of

five.

sixe moneths next following, or of, or in payment of the said payne or
 penalty of twentie markes, or any part thereof as aforesaid, contrary
 to the true meaning of these presents, and from and immediatly after
 any such default in payment had and made as is last aforesayd: When
 the said recoveries, and other the assurances aforesayd shall bee, and
 shall bee adiudged and taken to the onely and proper vse and behoufe
 of the said R. D. and of his heires and assignes, for and during the
 whole terme of threescore yeares immediatly from and after such
 default of payment as is aforesayd, to bee fully complete and ended
 and to none other vse, intent or purpose. And from and after the end,
 determination or surrender of the said terme of threescore yeares, then
 to the vse and behoufe of the sayd A. C. and the heires males of his bo-
 die lawfully begotten. And for default of such issue, to the vse and be-
 houfe of the right heires of the said A. C. for ever, as if no such default
 of payment had bin: Any thing or matter whatsoever to the contrarie
 thereof in any wise notwithstanding. And the sayd A. C. and J. C.
 and either of them for their and either of their heires and assignes doe
 covenant, promise and graunt, to and with the said R. D. his heires
 executors and assignes, and every of them by these presents, that at
 the time of the said recoverie so to be had, the said H. F. and H. H. or
 the survivor of them, shall stand and be lawfully seised of the freehold
 and inheritance of the said manors and other the premises: And
 that the sayd manor or Lordship, and all & singular other the premis-
 ses in these presents mentioned with the appurtenances, and eue-
 rie part and member thereof, from and after any default of pay-
 ment by the space of sixe monethes, contrary to the tenor, forme and
 effect of these presents, of or in the said annuitie, or any part or par-
 cell thereof, shall be and remaine unto the said R. D. his heires and
 assignes, for and during the said terme of xl. yeares free and cleere, &
 freely and clerely acquitted and discharged, or otherwise from time to
 time upon reasonable request well and sufficiently sauced and kept
 harmelesse by the said A. C. his heires &c. of & from all maner of o-
 ther bargains, sales, grants, &c. The chiefe rents &c. and all lawfull
 leases &c. whereupon the old rents are or shall be reserved and shall be
 yearly payable after such default made to the said R. D. his heires
 for and during the said terme of xl. yeares onely excepted & sozeprised.
 And further the sayd A. C. and J. C. &c. that from and after such de-
 fault made, the said premises shall be and shall remaine and continue
 unto the said R. D. his executors and assignes, for and during the
 said terme of threescore yeares of the full cleere yerely value of one hun-
 dred

dzed and fiftie pounds of lawfull English money, ouer and aboue all charges and reppises. And mozeouer that the said R. P. his heires and assignes, shall and may from thencefozth during the said terme of threescore years peaceably and quietly haue, hold, & enioy all and singular the said manoz & lordship, & all other the premises befoze mentioned, and euerie part, parcell & member thereof, without any let &c. (except befoze excepted.) Provided alwaies, that if the said A. C. his heires and assignes, shall make any such default in payment as is afozesaid, so that the said R. P. his heires & assignes, by reason of the same default, shall oz may from hencefozth possesse, enioy, receiue and take all and singular the rents, reuenues, issues & profits of all and singular the premises, with the appurtenances, according to the true meaning and purpout of these presents: That then the said annuitie befoze by these presents granted, shall cease & determine. And mozeouer the said A. C. & J. C. & either of them &c. That they the said A. C. & J. C. their heirs & assigns, & all and euerie person & persons hauing, claiming, oz pretending to haue, oz which of right ought to haue, claime oz pretend to haue anie estate, right, title, interest, vse, possession, reuerfion, remainder, inheritace oz demand of, in, oz to the premises, oz any part, parcell, oz member therof, shal & will at all times, and from time to time, from and after such default in payment, as is last befoze mentioned, during the space of five years then next insuing &c. deuise and deuises whatsoeuer, be it by deed oz deeds inrolled, oz not inrolled, fine, scoffement, recouerie, release, confirmation with warrantie against all men, oz without warrantie for the further, moze better and perfect assurance vnto the said R. P. his heires and assigns for and during the said terme of 60. yeares, without any condition, as by the said R. P. his heires &c. In witness &c.

Annuitie by a Bishop.

OMnibus &c. G. P. Arch. D. Decanus & capit Ecclesie Cathed. Sect. 321.
 drall S. P. iuxta D. salut &c. Noueritis nos prelati G. Archiepiscopi
 Decani & Capit predicti ex vnanimi assensu & consensu nostris & vol-
 untate totius Capit de disse, concessisse, & hoc presentis scripti nostro con-
 firmi p nobis & succi nostris W. F. vnum annuali reddi &c. exiunt
 & exitur de omnibus mess. terr. tenementi, reddi, reuenc, seruic, de-
 cimis & omnibus alijs reuenc & emolument spixial' ipsius Archie-
 piscopi vel Archiepiscopi sui &c. Habend' &c. de omnibus pred' mess.
 &c. prafat W. & all. suis pro termi vite ipsius W. Soluend' &c. ad testa
 &c.

&c. Et si contingat &c. *ut in alijs distributionibus.* In cuius rei testim̄ tam nos p̄f. G. P. Archiep̄ sigill' n̄m̄ quam nos p̄d' Decanus & capit' sigill' n̄m̄ commune appolimus. Dat' domo n̄ra capit' &c. x. die &c.

*A Grant of an Annuitie for the releasing of a title unto land,
according to an award.*

Sect. 322. **O**Mnibus Christi &c. M. H. &c. Sciatis me p̄f. M. H. in considerac' cuiusd' lursum redditiõ & relaxatiõ mihi p̄f. M. H. & cuiusd' I. B. & vtriq; n̄m̄ p̄ T. C. & I. C. & eor' vtrumque fact' d' toto titul', stat', clasm̄, terim̄, demand' & interesse, quã vel ijd' T' & I. C. nuper habuerint vel al' eor' habuit de aut in maner' de F. cum p̄tin' in com̄ N. ac de & in oibus tenentis &c. ac in p̄formatiõ & iuxta effectum cuiusd' arbitrij p̄ H. S. & W. B. ac R. C. & B. C. inde nup' confect', dedisse, concessisse, & hac p̄sent' charta mea, p̄f. M. H. confirmalle p̄d' I. C. quand' annuitat' &c. exeunt de p̄d' &c. cum eor' p̄tin'. Habend' p̄f. I. C. exec' &c. Et si & quoties conting' p̄d' &c. *ut in alijs district' &c.*

A Grant of a pension in recompence of an appropriation.

Sect. 323. **O**Mnibus &c. D. permissione diuina Abbas Monaster' beatæ M. de M. dioc' & cuiusd' conuentus, Salutem in dom̄ sempitern̄: Vniuersit' vræ volumus esse notum, qd' cum venerabilis in Christ' p̄f' dom̄n' Reg. dei gratia Ep̄s L. de consensu capituli sui ecc' paroch. de P. dioc' & nostri patronat' nobis ac monaster' n̄ro canonicè appropriauit, & in prop̄ vsus concesserit, cum suis iuribus & p̄tin' vniuers. perpetuo tempore possidend', considerans quod dictus Ep̄us temporibus suis p̄cess. & p̄decessor' sui suis tempor' fruct' & obuentiones dict' ecc' de P. tempore vacationis eiusd' eccles. p̄ceperunt, & percipere consueuerunt a tempore cuius contrarium memoria homin' non existit, quos iam eo quod p̄d' ecclesia ratiõn' appropriatiõn' h̄ndi amplius vacare non poterit, nec dict' dom̄n' Ep̄s nec ei' success. futur' deinceps percipere non poterint nec habet, aliaque damna non modica p̄d' Ep̄s & capitul' eo p̄text' sentiri poterit occasiõn' appropriac' h̄ndi forsan in futur'. Nos abbas & cõuent' p̄ad' hoc plenius attendentes habet' circa p̄miss. & ea contingẽ deliberac' & consilio cum viris peritis, & in domo capitular' inter nos pleno communi consilio & frequẽ tractat' concurren' & omnibus requisit' solemn' in hac p̄te (ne dict' dñus Ep̄us & capitul' p̄textu dict' appropriatiõnis damnum sentiant in futur' aliqualit' aut iacturam) concessimus p̄lat' Episcopo & capitulo xl. s. legalis monetæ Angliæ nomine annuæ pen-

Pencionis de ecclesia de P. memof in recompensationem damnorum quæ per appropriationñ præd' sentire poterint, & à tempore pacificæ possessionis dict' ecclesiæ de P. per nos vel successores nostros adeptæ ad duos anni terminos, viz. ad testa P. & M. per æquales porciones capitulo supradictò, vel eius procurator qui pro tempore fuer in ecclesia Cathedrali prædict' soluend'. Ad quam quidem solutionem modis quibus præmittit fidelit' faciend' nos & successor nostros & monaster nost' prædict' imperpet oblig. Submitt' nos & successor nostros, ac ecclesias de L. & P. prædict' per eandem obligationñ iurisdic' & cohere' Domini Episc. L. & ei' official' ac Arch' L. qui pro tempore fuerint. Ut si vnquam (quæ absit) nos & successor nostri in solutionñ dict' pecuniæ loco & fmiñ statuti defecerimus seu defecerint in hac parte, possint. & quilibet eorum poterit per se imperpet compellere nos in ecclesijs de L. & P. antedictis per sententiam interd' suspensionñ & excommunicationis, ac per eorund' fructuum sequestrationem necnò per alium modum quemcunque prout melius & facilius præf. Episc' & Capit' videbitur expedire, quousque eisdem Episc' & Capitulo de dict' pecuniæ summa, loco quo præmittit, plenat fuerit satisfact', præter expens. quas obinde fecerint & præter interesse suum, pro quibus eisd' simili tenemur integre satisfacere nulla omnio remissione petenda renunc' imperpetuum pro nobis & success. nostris, ac ecclesijs de P. & L. suprad' tam ecclesiastic', quam regular' & cuiuscunque potestatis secular' exhibitionñ impeditionñ priuileg' recusac' supplicac' in integrum restitutionñ excusationñ cancellac' dilec' & excep' per nos vel successores nostros impetra' seu impofterum impetrand' omnisque iuris & fact' remed' quod nos & successores nostros, ac ecclesias de L. & P. supradict' contra præd' solutionñ & obligac' siue in principal' siue in accident' emergent' questionñ qualicunque & vndecunque tueri poterit quouis modo, & qd' præsens obligatio tunc stabit suo robore & effectu. In quorum omnium robor & testiñ sigilla nostra præsentibus sunt appensa. Dat' apud M. in domo nostra capitular' x. die M. &c.

A Grant of a Corrodie.

OMnibus &c. N. Abbas Monast. beatæ Mariæ Ebo' & eiusdem Sect. 324. loci Conuent' salutem &c. Nos vnanimi consensu & assensu nostro concessisse, & hoc præsent' scripto nostro indentat' confirmasse W. S. quoddam Corrodium ad totam vitam suam, percipiendo de nobis & successoribus nostris in domo nostra quolibet die quatuor panes meliõr pastus scilicet de pane conuent' & duos panes mediocris panis.

stus, scilicet de pan liber seruientium, duas lagenas ceruitiæ, vnam de ceruitia conuentuali, & aliam de ceruitia liber tenentiū, duoq̄ sercula carnea vel spicea secund' qd' dies exposulauerit : Et quolibet anno vnam robam pro se de secta armig' nostror' pro hyeme, & aliam pro æstate, & aliã robam pro famula sua de secta liber seruientium nostr' in hyeme, & vnam togam p æstate suo statui competent: Ac duas caractat ligni focalis, & duas caractat forni p equo suo, & vnã caractat straminis p lecto suo ad ostium dom' manlionis sue. Et si intra die' Abbathiam nrã morari voluerit, tunc volumus quod illa domus que vocat Siphons, cum salario sup ædificat & gardino eis assignat, sic illi appropriat &c.

A Grant of Safeconduct for yeares, respiting debts.

Sect. 325.

TO all true Christian people, to whom these pzesent Letters shall come, A. B. of D. and C. F. Citizens of L. send greeting in our Lord God euerlasting. Whereas G. H. in diuers summes of money to vs seuerally is indebted, which sommes of money the said G. H. is not, nor by likelihod shall be of abilitie to pay and content, vnlesse we giue or grant vnto him our fauour and respite in paiement of the same. Therefore know ye, that we the said creditozs aboue named, and eueriechone of vs moued with pitle, in consideration of the pzemisses, and of the good will and desire which the said G. H. hath to the contentation of the said dueties, hath giuen and graunted, and by these pzesents giue and graunt vnto the same G. H. by whatsoeuer name or addition that he be named or called, and so to all them which for the said G. H. to vs, or to anie of vs standen or standeth bound or charged, our sure, fræ, and whole licence, liberty, and safeconduct, as much as in vs is : So alwaies that the said G. H. and all they which for him, or with him to vs stand bounde or charged, or other that be seruants, factozs, and assignes of the said G. H. with all their goods, chattels, merchandizes, debts, dueties, and other things, in all maner of places, freely, quietly, well and peaceably at their libertie, may and shall by day and night, goe, come, abide, sojorne and dwell, passe and repasse, in, to, or from anie citie, towne, or village, or other place or places within this Realme of England, or withoat. And all the goods, wares, merchandizes, and all other things as bin aboue rehearsed, to dispose as shall like and please the same G. and all those person or persons, that with, or for him to vs, or anie of vs, stand bound & charged at all times and seasons from the day of the making hereof, vnto the end and terme of five yeares next and immediately ensuing after the day and dayes of paiement

payment specified in the specialty or specialties wherein the said C. or any other persons, for the same C. in any wise standeth bound and charged unto vs. And that we or any of vs shall in no wise pursue, arrest, attach, hurt, withhold, let, or græue, nor any other person or persons for vs, or any of vs, or in the name of vs, or of any of vs, by the authoritie, assent, will, and agreement of vs, or of any of vs, the said C. or those person or persons, or any of them, which for the same C. to vs, or any of vs, in any wise standeth bound or charged by their bodies as fugitives, nor otherwise, nor by their goods, cattels, merchandizes, or any other things of theirs, or of any of them for payment to be made to vs, or any of vs, of our said duties, nor any part or parcell of them, or for to finde to vs, or any of vs, any other or better Suerty or Suerties for contentation & paiement of the same our duties, other then we or eueriech of vs now haue and hath for the same payment of our said duties, or any other wise during the terme aforesaid, by reason or occasion of any deed, accompt, receipt, trespass, buying, selling, contract, or any other thing, matter, cause, or ground whatsoever it be, before the date of these presents, betweene vs, or any of vs, and the said C. and those persons, which with, or for the same C. to vs, or any of vs stand bound, charged, or chargeable, had, made, moouing, or depending. And if it happen within the said terme, any money or goods to be attached or arrested in the name of vs, or any of vs, or by any other person or persons in the hands of the said C. or of them, or any of them, which for him to vs, or any of vs standeth bound, or be charged, or chargeable by force of any bill or bills, plaint or plaints, against them or any of them to be leuied or attached: that then we, he, or they of vs, in the name of whom any such bill or billes, plaint or plaints, shall be made or affirmed, shall put in suerty for the said bill or billes, plaint or plaints, and so utterly dissolve and discharge the same attachment and attachments, when, and as soone as we, they, or he of vs, in the name of whom the said attachment or attachments shall be made or affirmed, shall thereto duly be required by the said C. or by them, or any of them, which for him to vs, or any of vs stand bound or charged, and euerie of them thereof we and euerie of vs shall cleerely discharge, as often as any such occasion or cause shall happen to fall, during the time aforesaid. And moreover we all the Creditors aboue specified will and graunt, and euerie of vs for his owne part willeth and granteth to the said C. by these presents, that if it happen the said C. or them, or any of them, which for him to vs, or any of vs stand bound or charged, in their owne persons, or

is the person of thē, or any of them, or in, or by the goods, chattels, or merchādisēs of them, or of any of them, at any time within the terme aforesaid, by vs, or any of vs, or by any other person or persons, by the commandement, will, procuring, authority, consent, or knowledge of vs, or of any of vs, against the tenor, forme, and effect of these our present letters of safeconduct, in any wise to be arrested, sued, impleaded, hurt, grieved, attempted, vered, or hindered, and therof after the forme abovesaid, be not deliuered, nor defended: That then the said G. and those which for him to vs, or any of vs stand bound or charged, and their heires and executoꝝ by these present shall be for ever moze quit and discharged against him, or them, of vs, by whom the said G. and those persons which for him to vs, or any of vs stand bound or charged, or any of them, shall so against the forme, tenor, and effect of these our present letters of safeconduct be attempted, vered, or hindered, & therof not released, dissolved, nor defended, according to the forme abovesaid, of al maner actions, suits, quarrels, challenges, recognisances, executions, and demands whatsoeuer they be, from the beginning of the world vnto the day of such attempting, veration, grieffe, or hindering. In witnesse &c.

A grant of libertie to do acts in ground.

Sect. 326.

THis Indenture &c. Betweene R. H. and R. G. Witnesseth, that where the said R. H. hath bargained and sold to the said R. G. and his heires for ever, two tenements &c. Now the same R. for diuers good considerations him now mouing, hath giuen, granted, and confirmed, and by these presents for him and his heires doth giue, graunt, and confirme vnto the said R. G. his heires and assignes for ever, free libertie of ingresse, egress, & regress, for them, their heires and assigns, and for their seruants, at all times necessary and conuenient, to enter into the ground and gardein plot, now in the tenure, possession, and occupation of the said R. H. to repaire and amend the part of the said two tenements next adioyning vnto the said gardein plot, either with timber woꝝk, stone woꝝke, reeding, thatching, dawning, or otherwise. And further the said R. H. for him &c. conuauanteth, &c. quietly to permit and suffer the said R. G. his heires, executoꝝ, and assignes, and all and euery of them, together with his or their woꝝkemen, at all times conuenient and needfull, to haue free ingresse, and regress, in, and to the said gardein, for the carrying and recarriage of all such timber, stufte, stone, moꝝter, clay, reed, or thatch, which

which shall be needfull at any time whensoever, for the reparations aforesaid, without the let, deniall, or interruption of any person or persons by his assent, consent, procurement, prouitie, or commandemēt. And further the said R. B. for him, his heirs, and executozs, couenanteth, and frā liberty giueth and graunteth vnto the said R. C. his heires, executozs, and assignes, that he the said R. C. his heires, executozs and assignes, shall and may, and that it shall be lawfull to and for the said R. C. his heires, executozs and assignes, to set by, and reare any ladder or ladders, stags, poles, and stages within the said gardein at all times needfull & conuenient, for the repairing of the part of the said two tenements adioiuing next the said gardein plot. And y^e said R. C. for him &c. couenanteth &c. that he the said R. C. his heires or assignes, without fraud or couin, shall within two daies next insuing the end of any such worke or reparations made and done, in, and vpon the said tenements, make clean the said gardein plot so annoyed at any time by him or his workemen in the time of his said reparations, and the soile thereof to carry away, or cause to be carried away, out and from the said gardein plot, at the only costs & charges of the soze said R. C. his heires, executozs and assignes. In witnesse whereof &c.

A Grant of a Wardship by the Queene.

REx omnibus ad quos &c. salutem. Sciatis quod nos de gratia nra speciali, ac ex certa scientia & mero motu nostris, dedimus et concessimus, ac per presentes quantum in nobis est damus & concedimus dilecto et fideli subdito nostro T. F. generoso, custodiam omnium & singulorum maneriorum, terrarum, & tenementorum, redditū, reuerē, seruicē, vis. franciplegē, libertatum, aduocatioñ, patronat ecclesie capitū Cantuariens. prioratē, feodū militē, & omnium aliorum hereditamentorū quorumcunque cum omnib⁹ suis ptiñ in A. et alibi infra terram nostrā Hiberñ, quæ nup fuerunt R. B. de D. defuncti, aut alicuius alterius siue aliquorum alioꝝ ad eius vsum seisciti vel seiscitorum, & quæ per finem post mortem ipsius R. B. ratione minoritatis E. B. filij & hæredis mascul⁹ de corpore p̄dicti R. B. exeunt, vel ratione cuiusdam actus pliamenti, vel aliquo alio modo quocunque siue ratione minoritatis dicti E. ad manus nostrā deueniē siue deueniē debuerunt, ac in manibus nostris iam existunt, aut existere debent, quouis modo in futurum ad man⁹ nras deuenient, aut deuenire debent per finem E. R. vxoris dicti R. ratione minoritatis dicti E. necnon custodiam & maritagium dicti E. absque disparagacō. Habendum & tenendū, custodiam omnium & singulorum

Sect. 3. 7.

maneriorum, terrarum, tenementorum, et ceterorum premissorum, vna cum maritagio eiusdem E. eidem T. E. executoribus et administratoribus suis, durante minoritate dicti E. et quousque idem E. ad suam plenam et legitimam ætatem peruenerit, et in manibus suis fore contigerit, et quousque legalis liberatio prædictorum maneriorum, terrarum, tenementorum, et ceterorum præmissorum facta fuerit, secundum cursum consilij terræ nostræ Hiberniæ. Reddend' inde nobis, heredibus et successoribus nostris annuatim ad Scaccarium nostrum Hiberniæ prædict' ad Festum Sancti Iohannis Baptistæ decem libr' legalis monetæ terr' nostr' prædict'. Et si contingat prædict' E. obire antequam ad suam plenam et legitimam ætatem peruenerit, et antequam idem T. F. executores vel assignati sui effectum maritagij sui accepit vel acceperunt hærede suo, vel hæredibus suis infra ætatem existente vel existentibus, tunc de vberiori nostra gratia damus & concedimus præfat' T. F. executoribus vel assignatis suis custodiam omnium terrarum, tenementorum, & cæterorum præmissorum, cum omnibus suis pertinentijs (vt prædictum est) ac custodiam & maritagium hæredis vel hæredum infra ætatem existentis vel existentium, durante minoritate huiusmodi hæred', & sic de hæredibus in hæredes, quousque alius, aut huiusmodi heres ad plenam et legitimam ætatem peruenerit, ac quousque idem T. executores seu assignati sui effectum maritagij vnus eorum accepit vel acceperunt, absque aliquo alio computo, seu aliquo alio reddite nobis, hæredibus, vel successoribus nostris reddendo, soluendo, aut faciendo. Insuper ex abundanti gratia nostra damus & concedimus eidem T. F. custodiam omnium maneriorum, terrarum, tenementorum, & cæterorum hæreditamentorum quorumcunque quæ ad manus nostras deueniunt, seu deuenire debent ratione custodiæ terrarum & tenementorum prædictorum, ac cæterorum præmissorum, vel ratione minoritatis prædict' E. Eo quod expressa mentio &c.

A Grant of a Ward by the Queene.

Sec. 328.

Regina &c. Sciatis quod nos de gratia nostra speciali, ac ex certa scientia & mero motu nostris, dedimus & concessimus, ac per præsentem damus & concedimus dilecto seruienti nostro A. B. vni Gromer' Camera' nostræ, wardum et maritagium R. R. filij et hæredis A. R. viduæ defunctæ: Nec non custodiam et gubernationem tam corporis prædicti R. quam omnium terrarum et tenementorum, pratum, pascuorum, et pastu' suorum quorumcunque, iacentium et existentium
in

in parochia de B. in Comitatu nostro S. vna cum redditu & proficuo eorundem, modo in dono et dispositione nostris existent, ratione minoris ætatis prædict' R. Habendum et tenendum wardum et maritagium prædict' R. &c. ac cætera præmissa, cum omnibus et singulis suis pertinent præfato seruienti nostro et assignatis suis, durante minore ætate prædict' R. de dono nostro, absque computo siue aliquo alio nobis vel hered' nostris pro præmissis reddendo, soluendo, vel faciendo. Eo quod expressa mentio &c. In cuius rei &c.

A Grant of the marriage of an Heire apparant.

THis Indenture made &c. Betwène T. S. and W. G. Witnesseth, Sect. 319.
 that it is couenanted, graunted, bargained, and agræd betwène the said parties, in manner and sozme following: that is to say, The said T. hath bargained and solde, and by these presents bargaineth and selleth to the said W. the marriage of G. soune and heire apparant of the said T. And if the said G. die befoze he be married by the assent of the said W. or his assignes, then the said W. shall haue the marriages of B. and A. daughters of the said T. or the same marriage of the said G. or the marriage of the said daughters, and of either of them, to be had and solemnized at such time or times, and place, and with such person, as the said W. or his assignes shall limit and assigne without disparagement. And the said W. his executoz or assignes, shall haue the guiding and keeping of the heire apparant, or heire indeede, of the said T. from the date of these presents, or as soone after as the same heire may conueniently be deliuered to the same W. or his assignes, be it male, or female, or females, till the same heire, if it be male, shall come to the age of one and twentie yeares, and if it be female, or females, till they come to the age of sixteene yeares. And by all the same time, the same W. and his assignes shall finde, and cause to be found, to the said heire or heires, meate, drinke, and cloth conuenient, for his or their degree: And also shall find them to schoule and learning conuenient for their ages, after the discretion of the said W. or his assignes, at the costs and charges of the said W. or his assignes. And the said T. shall cause such a sufficient, sure, and lawfull estate &c. to the vles and intents following. And in like manner, the said A. C. and D. C. C. and F. and their heires, after the said suretie of the said mannozs, lands, and tenenients, with their
 T 4 apparant

appurtenances to them made, shall stand seised, of, and in the same manors, lands, and tenements, with their appurtenances, to the uses and intents following: that is to say, of the said manor of T. and of all the said lands and tenements in T. to the use of the said W. M. and his assigns, from the feast of T. last past before the date of these presents, till the said G. come to the full age of 21. yeares, and after the said G. be of that age, then to the use of the said G. and of her that shall happen to be his wife, married by the assignment of the said W. M. or his assigns, and of the heires of the same G. And of the said manor of H. and of all the lands and tenements in C. which the same T. promiseth to be of the yearely value of 40. over all charges, and of the manor of P. and of all the lands and tenements in P. to the use of the said T. S. till the said G. come to the age of 18. yeares, then they to stand seised of the said manors of H. and P. and of all the said lands and tenements, with their appurtenances, in H. C. and P. to the use of the same W. M. and his assigns, till the said G. come to the age of one and twenty yerres, and after he come to that age, then to the use of the said G. and his heires for ever: The said W. M. during his interest, and the said G. and his wife, during their interests, yielding for the said manor of P. to the said T. as long as he liueth yearely foure pounds at the feasts of T. And if the said T. S. decease (as God forbid) before the said G. come to the age of eightene yerres, then they to stand seised of the said manors of H. and P. and of all the lands and tenements in H. P. and C. immediately from the death of the said T. S. to the use of the said W. M. and his assigns, till the said G. come to the age of 21. yeares, and after that age, then to the use of the said G. and of her that shall happen to be his wife, married at the assignment of the said W. M. or his assigns, and of the heires of the same G. for ever: And of the said manors of B. F. and S. and of all the said lands and tenements in B. F. and S. which Dame A. late wife of the said R. and mother to the said T. S. now holdeth for the terme of her life, as her ioynture, to the use of the same A. for terme of her life, and after her decease, to the use of the said T. S. during his life, without impeachment of waste: after his decease, to the use of the said W. M. till the said G. come to the age of one and twenty yeares, and after that the said G. shall come to the age of one and twenty yeares, then to the use of the same G. and of his heires for ever: And of the said manor of C. and of all the residue of the said manors, lands, and tenements, with their appurtenances, to the use of the said T. S. for terme of his life, without impeachment of waste, And after his decease, to the use

vse of the said **W. D.** till the said **G.** come to the said age of 21. yeeres,
 and after the same **G.** come to the age of one and twentie yeeres, then
 to the vse of the said **G.** and of his heires for euer. And if it happen the
 said **G.** to decease befoze he come to the age of 21. yeeres, then the said
W. D. and his assignes shall haue all the said manors, lands, and te-
 nements, with the appurtenances, which he should haue had til the said
G. had bin of the age of 21. yeeres, if the same **G.** so long had liued, on-
 to the time the said **B.** and **A.** and either of them come to the age of 16.
 yeeres. And if the said **G.** decease or be married by the consent and
 assent of the said **W. G.** or his assignes, or if the said **G.** be married
 by anie of their assents, and the same **G.** decease befoze carnall copu-
 lation betweene him and his wife: Then the said **W.** shall haue the
 marriages of the said **B.** and **A.** and of either of them, being heire
 apparant or heire indeede to the said **T. S.** and the said feoffees shall
 then stand seised of all the said manors, lands, and tenements, to the
 vses and intents following: that is to say, The said manors of **T.**
 and **P.** and of all the said lands and tenements in **T.** and **P.** to the
 vse of **W.** til the said daughters and either of them be of the age of six-
 teene yeeres, and they shall stand seised of the said manors of **H.** and
 of all the said lands and tenements in **H.** to the vse of **T. S.** till the
 said **B.** and **A.** his daughters, and either of them, shall come to the
 age of sixteene yeeres: And after that either of them be of that age of
 16. yeeres, then the said feoffees shall stand seised of the said manors
 of **T. P.** and **H.** and all the said lands and tenements in **T. P.** and
H. to the vse of the heires of the said **B.** and **A.** of their bodies begot-
 ten, and for lacke of such issue, then after the decease of their hus-
 bands, to the vse of the said **T. S.** and his heires for euer: And they
 shall stand seised of the said manor of **F. B.** and **S.** and of all the said
 lands and tenements in **F. B.** and **S.** to the vse of the said Dame
A. for terme of her life, And after her decease, to the vse of the said
T. S. for terme of his life, without impeachment of waste, And af-
 ter his decease, to the vse of the said **W. D.** till the same **B.** and **A.**
 shall come to the age of sixteene yeeres, and then to them, and to the
 heires of their bodies begotten, and for lacke of such heires, to the
 vse of the right heires of the said **T. S.** for euer. And of all the resi-
 due of the said manors, lands, and tenements, they shall stand seised
 to the vse of the said **D. S.** for terme of his life, without impeach-
 ment of waste, And after his decease, to the vse of the said **W. D.** and
 his executors, till the said **B.** and **A.** and either of them, shall come to
 the full age of 16. yeeres, and after they and either of them shall come
 to

to that age, then to the vse of the same B. and A. and of the heires of their bodie begotten, and so; lack of such issue, to the vse of the right heires of the said T. S. so; ener. Provided alwayes, that it shall be lawfull to the said T. S. to make a Joynture, or to assigne a Jointure in vse of the manor of G. with the appurtenances, to anie woman that shall hereafter be his wife, if he shall hap to be married, to haue to her so; terme of her life onely, or else to make a graunt of an annuitie of xx. pounds, or of a rent charge of xx. pounds, to be perceiued yerely of the same manor, to the same woman that shall be his wife, if any such hap to be, to haue to her so; terme of her life onely, the said couenants notwithstanding. And if the said G. or the said daughters, or anie of them being heire apparant or heire indeed of the said T. S. refuse to be married by the said W. P. or his assignes, and at his or their assignement: Or if the said sonne or anie of the said daughters be married at the assignement of any other person then of the said W. P. or his assignes, then the same W. P. or his assignes shall haue in recompense of such marriage 200. pounds of lawfull money, to be perceiued by the same W. P. or his assignes, as it will yearely arise of the said manors of H. T. and P. and of the said lands and tenements in H. T. and P. and G. immediatly after the same heire that so refuseth to be married by the assignement of the said W. P. or his assignes, or that shall be married by the assignement of anie other person then of the said W. P. or his assignes, shall come to the full age above limited, That is to say, If it be male, to the age of xxj. yeres, and if it be femalz, to the age of fyteene yeres. And that the said seoffees immediatly from the time that the heire come to such full age above limited, shall stand seised in the same manors, lands and tenements, to the vse of the said W. P. and his assignes, till the same W. P. or his assignes haue receiued of the issues and profits of the same manors, lands, and tenements two hundred pounds of lawfull money: And after that CC. pounds so received, they shall stand further seised to the vse that the same seoffees shall take the issues and profits of the same manors, lands, and tenements, till they haue receiued CC. markes, to be expended as be limited by the last will of the said T. S. And if he make no will thereof, then it to ec. And if the said G. B. and A. happen to decease or ever they be married, and the said T. S. haue no issue of his bodie that may be married, at the assignement of the said W. P. or his assignes: Then the said W. P. or his assignes shall haue in recompense so; such marriage, and so; such money as the said T. S. shall

haue

have of the said *W.* by his two hundred pound to be perceined, as it will yearely grow immediately after the death of the last Heire apparant, or heire indeed of the said *T. S.* of the issues and profits of the same manors of *H. T.* and *P.* and of the said lands and tenements in *H. T.* and *P.* and that the said feoffees shal stand seised of the same manors, lands, and tenements, to the same vse and intent. And in case the said *G.* decease unmarried, and the said *W. P.* marrie one of the said daughters vnto the heire apparant of the same *W. P.* and the said *T. S.* marrie againe, and haue issue male: That then the said feoffees shal stand seised of the manors of *H. P.* and *T.* and of the lands and tenements in *H. P.* and *T.* to the vse of the said *W.* and his assignes, vntill they haue receiued of the issues and profits of the same manors, lands, and tenements, for the marriage of the said sonne, 300. pounds of lawfull money: For which premises, well and truly to be performed on the part of the said *T. S.* the said *W. P.* shal pay or cause to be paid to the said *T.* 300. markes of lawfull money. In witness whereof &c.

A Graunt of Wardship and Marriage.

THis Indenture made betweene the most excellent Princeesse, and Sect. 33.0
 our most dread Soueraigne Ladie Elizabeth by the grace of God &c. of the one partie, and *G. W.* Gentleman of the other party, Witnesseth, That whereas our Soueraigne Ladie, with thadvice of the Passer and Counsell of her graces Court of Wards and Liveries, be contented and pleased, to graunt, and by these presents, doe commit and graunt vnto the said *G. W.* the custodie, Wardship, and marriage of *T. H.* her Highnesse Warde, sonne and heire of *G. H.* Gentleman deceased. And if it fortune the sayde *T. H.* to die before marriage had, or before hee come, or bee of his full age: Then the Ward and marriage of his next heire male, and so from heire male to heire male beeing within age, vntill the sayd *G. W.* his executors or assignes, haue taken the effect of the marriage of one of them, without disparagement, together with one Annuittie or yerely rent limited and appointed by the said Passer and Counsell, to be payed yerely to the said *G. W.* and his assignes, by the Duchesse Daughters Feodarie of the Countie of *C.* for the time beeing, for, and towards the education and bringing vp of the said heire, or of any his heire or heires,

heires males, hereafter happening to come to the custodie of the said G. W. or his assignes, by vertue of this present grant, not exceeding the yearly value of five pounds. And whereas also there doth not appeare at this time, that euerie part of the inheritance of the said T. H. upon the death of his said Father, is come into the hands and possession of our said Soueraigne Ladie, noz certainly in euerie parcell of the inheritance of the said heires, what ought to be in her Highnesse hands and possession, because of such dowres, feoffements and wills, as percase bin declared in the same: therfoze soz that our Soueraigne Ladie should not be deceiued in that behalfe, but that her Highnesse should haue perfect knowledge and vnderstanding of all such manors, lands, and hereditaments, which immediatly after the decease of anie person or persons, or after the yeares finished or ended, or any last will perfozmed, shall discend, reuert, remaine, or come to the said heire in possession or reuertion, and the verie best and vttermoſt true value of them by the yeare, the said G. W. hath deliuered a wꝛiting indented, hereunto annexed, in the which beene contained and specified all such manors, lands, and hereditaments, and the best and vttermoſt true value of them, which beene discended, or hereafter shall discend and come to the said heire in possession or reuertion, as is afozelsaid: All which manors, landes, and other the pzemieses in the same wꝛiting indented, bin valued to the best and vttermoſt true value of the same. And the said G. W. couenanteth and graunteth, soz him and his assignes by these pzesents, that one Auditor or Auditoꝝ, or anie other person or persons, appointed and authozized by the said Master and Counsell soz the time being, at the costs and charges of the said G. W. or his assignes, shall search, view, and value the truth of the same: Upon the which search, view, and value, if it can bee pzoued that the said manors, lands, and other the pzemieses, or anie of them, which shall or ought to discend, reuert, remaine, or come to the said heires in possession or reuertion as afozelsaid, be omitted and left out of the said wꝛiting indented, or else be found of larger and better yearly value, then in the said wꝛitings is limited: Then the said G. W. his executoꝝ, or assignes, shall content and pay vnto our said Soueraigne Ladie, as much money as the ouerplus of the yearely value of the said manors, lands, and hereditaments so vnder-valued shall amount vnto, above the yearely value limited in the same wꝛiting indented, if any such shall be found vpon the said search and view, after the rate of thꝛee yeares value, and also as much money as the said G. W. or any other to his ble shall perceiue and take of the said manors

mannors, lands, and hereditaments, so omitted, and that from the decease of the said G. H. and likewise the value of all the mannors, lands, and hereditaments, left out and omitted in the same writing indented, if any such shall be found upon the search, view, and value of the said mannors, lands, and hereditaments, being of the inheritance of the said heire, which shall happen to descend, reuert, remain, or come to him, before he come and be of his full age of one and twentie yeares. And the said G. covenanteth and graunteth for him and his assignes by these presents, that he the said G. W. and his assignes, shall not onely bying by and intertaine the said T. H. and all other his heire or heires males, hereafter happening to be the Queenes Paleties Wards, or comming to the custodie of the said G. W. or his assignes, by vertue of the said graunt, in good erudition, vertues, and decent qualities, as to the Queenes honoz in that behalfe, and the estate of her highnesse publike weale appertaineth, but also as much as in him and them lyeth, shall haue and defend all the mannors, lands, and hereditaments, of the inheritance of the said heire, from all vnlawfull intrusions, incroachments, wastes, decayes, spoyles, disorders, and expelling of tenants. And if at any time hereafter during the said graunt, any vnlawfull intrusion, incroachments, wast, decay, spoyle, disorder, or expelling the tenants be done or made vpon any part or parcell of the said inheritance, or if any evidences, muniments, or writings concerning the same inheritance, be imbeaziled, withdrawen, concealed, or misused, to the knowledge of the said G. W. or his assignes: That then the said G. W. or his assignes, forthwith after knowledge had of any such intrusion, incroachment, wast, decay, spoyle, disorder, or expelling of tenants, imbeaziling, withdrawing, or misusing, of evidences and writings, shall certifie the same to the said Master and Councell for the time being, and receiue and prosecute further order for the reformation thereof, to, and for the advancement of the Queenes highnesse interest and right, and for the preservation, safeguard, and tuition of the inheritance of the said heire. And the said G. W. covenanteth and graunteth, for him, and his assignes by these presents, that neither he the said G. W. nor his assignes, shall giue, graunt, commit, bargaine, or sell the said graunt, or the custodie of the said T. H. nor any other his heire or heires males, comming to the custodie of the said G. W. or his assignes, by vertue of the said graunt, vnto any person or persons, being next of kindred to the said heire, to whom the said inheritance may descend, ne to any other

other, having, pretending, or clayming any title or interest to the said inheritance, or any part thereof: He shall, dispose in marriage, or by any perswasion indure the said heire to marrie, where any case of disparagement, or other detriment, annoyance, or disorder may rise, contrary to the order of the Law. And the said G. W. covenanteth & granteth, for him and his assigns by these presents, that within one yeare next after the date hereof, he the said G. W. or his assignes, shall repaire to the said Master and Counsell for the time being, for the Queenes Maiesties Bill signed, or warrant, for her Highnes letters patents concerning the said graunt, and shall prosecute forth, and bring the said Letters Patents unto the Auditor generall of the said Court of Wards and Liveries to have the same inrolled, as the same Auditor may have perfect knowledge and understanding how to charge or deduct the yerely allowance for the exhibition of the said heire, committed and granted in the same letters patents at all times when need shall require. In witnesse whereof to the one part of these Indentures, remaining with the said G. W. our said Sovereigne Ladies seale of her graces Court of Wards & Liveries, with the advise of the Master and Counsell of the same Court, is affixed and set, And to thother part remaining with the Queene in her graces court, the said G. W. hath put to his Seale, and subscribed is name the day of &c. in the 37. yeare of our soueraigne Ladies most gracious raigne &c.

A grant of a Ward within age.

Sect. 331.

OMnibus &c. I. Comes O. salurem. Sciatis me prefatum Comitum, pro quadam pecuniæ summa mihi per T. M. generosum, præ manibus solut, dedisse, & per præsentem concessisse eidem T. custodiam W. B filix & hæred R. B. iam defuncti, Ac omnium terrarum, tenementorum, & hereditamentorum, quæ ad manus meas devenire poterint, ratione minoris ætatis eiusdem W. post mortem dicti R. qui de me tenuit die quo obiit per servitium Militare. Habend & tenend custodiam prædictæ, ac maritagium prædictæ W. præfat T. & assignatis suis quousque prædictæ W. ad plenam ætatem viginti unius annorum peruenierit, & quamdiu in manibus meis fore contigerit, seu remanere deberet. Et si contingat prædictæ W. obire antequam ad plenam ætatem viginti unius annorum peruenierit, hæred suo infra ætatem existentem, tunc sciatis me præfatum Comitum, pro consideratione prædictæ, dedisse, & per præsentem concessisse præfat T. custodiam eiusdem hæred, ac omnium terra-

terrarum, tenementorum, & hæreditamentorum prædict' vna cum mari-
tatio eiusdem heredis, & sic de hæred' in heredem quousque vnus eorum
ad plenam ætatem viginti vnus annorum peruenerit. In cuius rei testi-
monium &c. Dat' &c.

A Grant of an Aduowson of a Parsonage &c.

OMnibus &c. A. P. Domin' P. (aut A. B. Miles, vel armiger,) verus Sect. 332.
& indubitatus patronus Rector' ecclesiæ parochialis de N. Eborac-
cen' diocesis, salutem in Domino sempiternam, Noueritis me præfatum
A. dedisse &c. dilect' mihi C. P. & E. L. gener', coniunctim, & eorum al-
teri per se diuifim, executoribus & assignatis suis, primam & proximam
aduocationem, denationem, collationem, nominationem, præsentatio-
nem, liberumque dispositionem, prædict' Rectoriæ Ecclesiæ parochialis
de N. Volens, & hoc præfenti script' meo concedens, quod bene liceat
& licebit dict' B. & E. coniunctim, & eorum alteri per se diuifim, execu-
toribus & assignatis suis ad prædictam Ecclesiam quandocunque, quo-
modocunque, & qualitercunque, per mortem resignationem, priuatio-
nem, cessionem, permutationem, diuisionem, siue quocunque alio modo,
primo & proxim' vacari contigerit, aliquem vnum virum honestum &
literarum præsentare, ceteraque omnia quæ ad patroni munus seu officii
um spectant perficere p' huiusmodi prima, proximaque vacatione tant',
adeo plene & integre, sicut egomet ea in parte faceret si hoc præfens scrip-
tum meum fact' minime fuisset. In cuius &c. Dat' &c.

*Of an Aduowson of a Deanrie, Prouostship, or Mastership
of a Colledge.*

Rex &c. (*vt supra* 327. A.) ac tenore præfentium damus & concedi- Sect. 333.
mus dilectis subditis nostris A. B. & C. D. armiger', primam ac pxi-
mam aduocationem &c. Decanat', Preposituræ, Magistri, siue Prefectur'
Collegij nostr' de N. in co'm nostro M. Habend' &c. *vt supra*.

Of an Aduowson of a Parsonage or Vicarage.

Rex &c. salutem. Sciatis quod nos &c. dedimus & concessimus, Sect. 324.
Rac per præfentes damus & concedimus dilectis seruientibus no-
stris A. B. & C. D. Milit', primam &c. *vt supra*, Ecclesiæ parochialis,
(or

(or if it be of a Vicarage) Vicariæ perpetuæ Ecclesiæ de N. in Comit' nostro Kanc', Cantuarien' diocel. & nostri patroñ pleno iure existen', vel in iure Coronæ nostræ vel ratione Ducatus nostri Lancast', vel ex concessione A. B. hac vice tantum &c. Habend' & tenend' prædict' primam &c. præf. A. B. & C. D. coniunctim vel diuisim, aut eorum assignat', & eorū cuilibet, pro vnica & proxima vacatiōe eiusdem duntaxat: Ita qd' bene licebit eisdem A. B. & C. D. coniunctim vel diuisim, aut eorum assignat', seu eorum cuilibet autoritat' p'sentis doni & concessionis nostræ, vnum aliquem idoneum virum ad dictam Ecclesiam diocefano eiusdem, aut alteri Iudici in ea pte competenti p'sentare, cum primo & proximo p'tat' Eccl' (vt p'sertur) per mortem, resignationem, priuationē, cessionē, seu quacunque alia ratione vacare contigeret. Ac omnia alia & singula quæ circa præmissa necessaria fuerint, seu quomodo libet oportuna, peragere & implere, tam bene, libere, ac integre, quam nos ipsi perageremus, si præsens concessio nostra p'f. A. B. & C. D. facta non fuisset. In cuius &c.

Of an Aduowson of a Prebend in a Colledge.

Sec. 335.

REx &c. Sciatis nos de &c. dedisse &c. dilectis nobis T. H. & N. M. primam & proximam Aduocationem canonicatus & præbend' in Collegio nostro Oxon', vulgariter nuncupat' (i. Henrie the eighth Colledge) ac plenam & integram collationem huiusmodi canonicat' & præbendæ pro prima & proxima vocatione eiusdem tantum: Ita quod bene licebit eisdem T. H. & N. M. ac eorum vtrique coniunctim & diuisim, executoribus & assignatis suis, ac eorum vtrique, canonicatum & præbendam prædictam sic (vt præmittitur) primo & proxim' vacant' vni alicui personæ idoneæ verè & actualiter intuitu charitatis conferre. Necnon literas collationis ad hoc sufficientes & in iure validas facere, sigillare, & tradere, Decanoque & Canonicis dicti collegij nostri pro huiusmodi personæ receptione, admissionē, & installationē rescribere, cæteraque omnia circa præmissa necessaria facere & exequi pro huiusmodi prima vt præmittitur ac proxima vacat' tantum, adeo plenè &c. *vs supra.* In cuius rei &c.

A Grant of the next aduowson of a Parsonage.

Sec. 336.

OMnibus &c. Noueritis me prædictum T. G. dedisse &c. dilectis mihi in Christo I. C. & R. G. armig' & assignatis suis, primam &c. in comitatu E. Ita quod bene licebit eisdem I. & R. executoribus, administratoribus, & assignatis suis quandocunque Ecclesia &c. *vs supra* vacare

vacare contigerit aliquam aliam idoneam personam de qua sibi melius videbitur expedire, ad Rectorem predictam sic vacuam nominare & presentari quousque una aliqua persona idonea ad nominationem & presentationem eorundem I. & R. seu eorum alterius, executorum, administratorum, aut assignatorum suorum, seu alterius eorum ad eandem Rectorem cum pertinentia admittat, instituat, & inducat, &c. In cuius &c.

A Collation or donation of a Chappell.

Vniuersis Christi fidelibus &c. I. N. &c. salutem & sinceram in domino charitatem. Cum Capella libera de R. dictae dioecesis iam vacare, & ad meam donationem pleno iure spectare dignoscitur. Noueritis me per Capellam cum omnibus suis iuribus & pertinentiis uniuersis dilectum mihi in Christo R. C. clerico, viro tam probum quam literatum donasse & concessisse, ac tenore presentium ipsum R. in corporalem possessionem dictae capellae cum pertinentiis inducere. In cuius &c. Sect. 337.

A grant of an aduowson of a Parsonage in fee.

Rex &c. Sciatis quod nos ex gratia &c. dedimus &c. G. R. & R. B. aduocationem, donationem, liberam dispositionem, & ius patronatus et presentandi rectoriae & Ecclesiae parochialis de D. in comitatu S. Habendum &c. per G. R. & R. B. haereditate & assignari suis imperpetuum. In cuius &c. Sect. 338.

An appropriation of a Parsonage by the Queene.

Regina &c. Sciatis quod nos &c. dedimus &c. Decano & Capitulo Ecclesiae Cathedralis C. & beatae M. virginis Wigorniae, aduocationem &c. Rectoriae & Ecclesiae parochialis D. in Comitatu B. Habendum &c. eisdem Decano & Capitulo & successoribus suis imperpetuum. Et ulterius sciatis presentibus quod nos de &c. ac auctoritate nostrae regiae supremae & Ecclesiasticae qua nunc fungimur, pro nobis haereditate & successoribus nostris concedimus, & licentiam damus per Decanum & Capitulum et successoribus suis, quod eisdem Decano et Capitulo et successoribus sui rectoriam & Ecclesiam praedictam, quandoque per mortem, resignationem, siue deprivationem, aut aliquem alium modum quemcunque vacare contigerit, immediate in suos proprios usus tenere sibi & successoribus suis imperpetuum possint et valeant, absque molestatione aut impedimento nostro haereditum aut successorum nostrorum, et hoc absque aliqua presentatione, inductione, siue admissione alicuius incumbentis ad eandem rectoriam ex-

tunc imposteriorum fieri. Ac ulterius ex certa scientia & mero motu nostris, ac auctoritate nostra prædicta qua nunc sumus, pro nobis, hæredibus & successoribus nostris prædictam rectoriam & Ecclesiam de D. prædictam, prout extunc (ut præfertur) vacare contigerit, ac omnia & singula maneria, mesuagia, terras, tenementa, redditus, reuersiones, seruicia, glebas, decimas, oblationes, pensiones, fructus, proficua, commoditates, emolumenta, possessiones, & hæreditaienta quecumque cum eorum pertinentiis vniuersis, tam spiritualia quam temporalia eisdem rectoriæ & Ecclesiæ (sic ut præfertur) vacanti quoquo modo spectant siue pertineant, prædicti Decano & Capitulo & successoribus suis, ac dictæ Ecclesiæ suæ Cathedrali appropiamus, consolidamus, unimus & incorporamus. Habendum, tenendum, gaudendum, & conuertendum eisdem rectoriæ & Ecclesiæ de D. prædicta, ac omnia & singula præmissa eisdem rectoriæ & Ecclesiæ spectant et pertineant eisdem Decano & Capitulo & successoribus suis ut prædictum est, in proprios usus suos absque aliqua presentatione, nominatione, inductione, siue admissione alicuius incumbens, aut aliquorum incumbentium ad eandem Ecclesiam extunc imposteriorum fieri. Teste &c. Dat &c.

A Grant of a Stewardship for terme of life, with a fee for the same, and for counsaile.

Sect. 340.

OMnibus &c. T. B. salutem. Sciatis me præfat. T. dedisse, & per præsentem concessisse A. B. officium Seneschall' siue Seneschalcie omnium & singulorum dominiorum, maneriorum, & hæredamentorum meorum de R. F. & C. in Comitatu S. & custodiam siue officium tenendi Curiam, Leet, vis. franciplegiorum et singularum curiarum, vis. franciplegiorum & Leetarum dominiorum et maneriorum prædictorum et eorum cuiuslibet: Ac ipsum A. Seneschallum meum generalem in curiis meis vis. francipleg' & Leetarum infra dominia, maneria, & hæredamenta mea prædicta facio, constituo, et ordino per præsentem. Habendum, tenendum, exercendum, et occupandum officium prædictum cum pertinentiis, vna cum omnibus & singulis feodis, vadiis, regardis, proficuis, & aduantijs eidem officio spectant siue pertinentibus præfat. A. per se, vel per sufficientem deputatum suum, siue sufficientes deputatos suos pro termino vite ipsius A. Et ulterius sciatis me præfat. T. dedisse, concessisse, & hoc præsentem scripto meo confirmasse præfat. A. tam pro officio prædictum exercendum et occupandum, quam pro bono consilio suo mihi per eundem A. ante hæc tempora impenso & imposteriorum impendendum, quandam annuitatem siue annualem redditum centum solidis.

lidorum, exeuntium de et ex omnibus prædict' manerijs, et hereditamentis meis in R. F. et C. prædict', ad festa P. &c. annuatim soluend' per manus receptor', firmario', balliuorum, seu collectorum meorum præmissorum, durante vita ipsius A. Et si contingat (*ut in claus. distinctionis, & nomine pena &c.*) In cuius &c.

A Grant of a Stewardship of a Corporation to a Nobleman with a fee.

OMnibus &c. R. I. Maior Burgi de D. et Communitas eiusdem Bur- Sec. 341.
 gi salut' in domino sempitern'. Sciatis quod cum antecessores nostri de tempore in tempus per multos annos iam præteritos, respicientes res p'claras domi forisque ab illustrissimis viris, ac dominis domino G. quondam Comite S. auo, et F. nuper Comite S. nobilissimo patre præclarissimi domini G. nunc Com' S. domini F. &c. ordinis diui G. equitis aurati, Regiæque Maiestati à sacris consilijs honorificentissime pijsimeque gestis, elegerint et constituerint eosdem Comites Seneschallos siue Recordatores suos manerij siue dominijs et socæ vill' prædict', ac Cuf Letarum, visus francipleg' villæ et socæ p'dict', aliarumque rerum suarum in villa et soca p'dict'. Nos vero p'dict' nunc Maior et Communitas Burgi prædict' animis nostris recolentes et libere agnoscentes, quam pie, pacifice, iuste, et æque præfat' Comit' Burgum p'dict' hominesque eiusdem Burgi, cum omnibus manerijs, dominijs, terr', et tenent', et rebus suis per totum tempus p'dict' rexerint et gubernauerint quantaque beneficia ipsi in burg' p'dict' hominesque eiusdem sepius contulerint, prædictusque nunc Comes etiam nunc indies confert, de cuius probata fidelitate ac summa in nos pietate ac benignitate merito pluri'm confidemus. His consideratis, dedimus, concessimus, et hac p'senti charta nostra libere confirmauimus p'f. nunc Com', quem antecess. nostr' annos abhinc circiter trigint' ad hoc eligerunt et ordinauerunt, officium Seneschall' manerij, dominijs, siue socæ de D. p'dict', Ac omnium Curia' Letar', visus francipleg', ac omnium aliorum maneriorum, dominiolorum terrarum, tenement', et hereditament' nostror', et eorum cuiuslibet infra p'dict' villam, burgum, siue soca, maneria, dominia, ac cetera p'missa. Ac eund' nunc Com' Seneschall' nostr' omnium p'd' nostrorum maneriorum, dominiolorum, et socæ p'd', ac omnium Cuf Letar', visus franc' pleg', terrarum, tenementorum, et hereditamentorum nostror' p'd'. quorumcunque, et election' et ordination' p'd' iure optim' plenè approbantes et confirmantes, facimus, constituimus, ordinauimus, et declarauimus per p'sentes. Habend', tenend', gaudend', exercend', et occupand' offic' p'd' cum p'tin', vna cum o'ibus et singulis feod', p'fic', comoditatibus,

et aduantijs eidem officio spectantē siue pertineñ præfat G. nunc Com̄ S. per se, vel per sufficientem deputat, siue sufficientes deputatos suos, ad libitum suum, de tempore in tempus eligendū et substituendū, pro termino vitæ ipsius tunc Com̄, tam honorificè, liberè, & in tam amplis modo & forma, prout aliquis alius siue aliqui alij prædict' officium vnquam habuerint siue tenuerint, aut nos illud quoquo modo dare aut concedere possumus. Et vterius sciatis quod nos in consideratione præmissorum, ac pro officio prædicto exercendo & occupando, damus & concedimus pro nobis et successoribus nostris eidem nunc Com̄ & assign' suis, quandam annuitatē siue annualem redditū &c. exeunt de & ex omnib' manerijis, dominijs, terris, tenementis, et hereditamentis prædict', cum pertinentijs, ad festum Natiuitatis Domini annuatim soluendū præfat Comiti, per nos & successores nostros, seu per manus Receptorum Balliuorum & Collectorum præmissorum. Vna cum omnibus alijs feodis, proficuis, commoditatibus, potestatibus, autoritatibus, libertatibus, præhementijs, et priuilegijs, dignitatibus, et emolumentis quibuscunque officio prædicto qualitercunque, pertiñ siue spectant. Ac in tam amplis modo et forma, prout aliqui alij, seu aliquis alius officium prædictum ante hæc vnquam habuerunt vel occupauerunt, siue habuit vel occupauit, aut habere seu occupare debuit seu potuit: Ac in tam amplis modo & forma, quam idem officium ac cætera præmissa, cum pertinentijs, dari aut concedi possunt aut debeant. Et vterius conuenimus et concedimus per presentes, quod si contingat prædictam annuitatem siue annualem redditum &c. aut aliquam inde parcellam a retro fore insolūt ad aliquod festum festorum prædictorum in quo vt præfertur solui debeat durante vita præfati nunc Comitis, quod tunc et toties bene liceat et licebit eidem Comiti et assignatis suis in omnia et singula prædict' maneria, dominia, terrā, tenementa, et hereditamenta nostra, cum pertineñ, intrare et distringere, et districiones sic ibidem captas et habitas, licitè asportare, effugare, et penes se retinere donec eidem nunc Comiti & assignatis suis de prædict' annuitate siue annuali redditu, cum omnibus inde arreragijs, si quæ fuerint, plenariè sit satisfactum et persolūt. Humiliter supplicantes quatenus præf. Comes prædictum officium, annuitatē ac cætera præmissa vt testimonium nostrū in illum qualiscunque gratitudinis certissimum a nobis accipere, et nos in illius clientelam suscipere dignetur per presentes. In cuius rei testimonium has literas nostras patentes fieri, et eidem sigillum nostrum commune apponi fecimus. Dat' in Guilhalda burgi prædict' 4. die &c.

A Grant of Understewardship, or Deputation.

OMnibus &c. T. P. salutem, Cum W. F. per scriptū suum gereñ dañ Sect. 342.
 &c. constituerit & ordinauerit me pref. T. Senesc' suum dominioiū
 & maneriorum suar' de B. & S. in Com' E. ac oīum cur', vis. francipleg', &
 leetar' infra dominia & maneria præd' : Tenend', habend', occupand', &
 exercend' officium præd' per me, vel p' sufficientem deputat' meum, siue
 sufficientes deputatos meos pro termino vitæ meæ cum feodis, vadijs, re-
 gardis & proficuis eid' officio spectant', aut ab antiquo debiñ vel consuet'
 vna cum quodam annuali feodo xl. s. p' exercitatione & occupatione of-
 ficij præd' prout in scripto p'd' pleni' apparet. Sciatis me pref. T. fecisse,
 ordinasse, & per præsentēs constituisse dilect' mihi R. S. meum deputatū
 siue subseneschallum dominiorum siue maneriorum p'd' oīum & singular'
 cur' vis. francipleg' & leetar' infra dñia siue maneria prædic' : habend', te-
 nend', occupand', & exercend' idem officium hñdi deputat' seneschalli e-
 iusd' R. per se vel per sufficientem deputatum suum, seu sufficientes depu-
 tatos suos ad terminum vitæ mei p'd' T. percipiendo annuatim durante
 termin' p'd' pro officio illo exercendo & occupando omnia feoda vadia
 regarda & proficua eidē officio spectantia aut ab antiquo debiñ vel con-
 suet', vna cum prædic' annuali redd' 40. s. adeo plene, & integre, & in tam
 amplis modo & forma prout egomet nunc aut p'antea habui, percepi, v-
 sus fui, vel facere consueui. In cuius &c.

*A deputation with authoritie to execute the office of
 an Aulnageor.*

THis Indenture made &c. Betweene &c. Witnessech, that the said Sect. 343.
 R. H. hath deputed, & by these presents doth depute the said W.
 G. to minister, meddle, occupie & exercise his office of Aulnage, & seale
 of wollen Clothys, made and hereafter to be made, to be put to seale
 within the towne of C. aforesaid, C. D. and H. in the said County of
 S. and the towne of &c. in the countie of C. with their members, and
 within two miles compasse of currie of the said towne, not being in
 anie other mans lease or farme, together with the whole Shires, and
 Countries of &c. the towne of W. onely excepted & reserved. To haue,
 vse, occupie, and exercise the said office of Aulnage & sealing to the said
 W. G. his executors & assignes from the feast of &c. last past befoze the
 date thereof, vnto the end and terme of viij. yeares, from thence next
 and immediatly following, and fully to be compleat and ended, with

all the whole profits, reuenues, issues, and aduantages, that of right shall grow and be due to the said **W. G.** by reason of the said office, during the said terme without interruption, meddling or disturbance of the said **R. H.** or anie other in his name, or by his commandement: For which profits, reuenues, issues, and aduantages, to be perceiued, & taken in maner and forme afoze expzessed, the said **W. G.** couenanteth & granteth, for him, his executozs & assignes, to pay yearly during the said terme of 14. yeares, and for euerie of the same ix. l. of good and lawfull money of England, to be paid to the said **R. H.** his executozs or assignes, in the feast of **sc.** by euen portions. And in occupying and exercising the said office, during all the said terme of 14. yeares the said **W. G.** shall not do, or cause to be done any thing contrarie to any act, ordinance or statute, afoze this time made, by any Parliament, or hereafter to be made, concerning the said office, whereby the said **R. H.** his executozs or assignes, may run in any contempt, penaltie, or danger, towards our said soueraigne Lord the King, or towards any common person or persons, whereby the said **R. H.** may at anie time forfeit the said office. Moreover the said **W. G.** couenanteth & granteth, to and with the said **R. H.** that hee the said **W. G.** his executozs or assignes, at euery of the said feasts, during the said terme of 14. yeares, and for euery yeare of the same shall make true certificate & due presentment unto the said **R. H.** his executozs or assignes, of all and euerie such forfeitures of wollen clothes, as well of broads, as of narrowes, as shall come to his hands or knowledge, or to the handes or knowledge of his assignes, from time to time, when such forfeiture or forfeitures of wollen clothes shall happen to fall, during the said term of 14. yeares. And it is couenanted and agreed, betweene the said parties, that the said clothes so forfeited, shall remaine to the intent and vses hereafter insuing, that is to say: The one halfe and moitie of the said forfeiture or forfeitures, to the vse of our said Soueraigne Lord, according as it is expzessed in the kings letters patents, made to the said **R. H.** of the office afozesaid, and the other moitie and halfedell to the vse of the said parties, equally to be diuided and parted betweene them, that is to say, to the said **R. H.** his executozs or assignes the one moitie, and to the said **W. G.** the other moitie. And furthermore the said **W. G.** couenanteth for him, his executozs and assignes, to and with the said **R. H.** his executozs or assignes, that hee the said **W. G.** his executozs or assignes, nor none other maner of person or persons, in his or their name or commandement, shall from thenceforth seale any maner of cloth or clothes, now made or hereafter to be made and to be put to

seale,

scale, but onely such cloth and clothes, as now are and hereafter shall be made and clothed within the Shires, Townes and limits aboue specified, and in no other place, during the said terme of xiiij. yeares, any thing to the contrary aboue expessed notwithstanding, and for assurance of all and singular couenants, graunts, and agreements on the behalfe of the said W. his executoys and assignes well and truely in maner and forme befoze rehearied, to be obserued and kept, the foresaid W. standeth bound to the said R. H. in one obligation of C.P. bearing date the day of this Indenture. In witness &c.

A grant of a Stewardship during pleasure.

OMnibus &c. H. W. miles, Salutem. Sciatis qđ ego &c. dedi &c. Sect. dilecto mihi T. B. offic' seneschalli omnium dominiorum & maneriorum meorum in comitatu E. & H. ac ipsum T. seneschal' omnium dominiorum, & maneriorum meorum prædict' facio, ordino & constituo per præsentis: Habedum &c. offic' prædict' præfat. T. per se vel per sufficientem deputat' suum siue sufficientes deputatos suos a festo S. Michaelis Archang' vltimo prærito, durante beneplacito meo cum vad' & feod' xiiij. solidorum & iij. denariorum per annum percipiend' annuatim præf. T. de exitibus proficuis, & reuentionibus manerij mei de C. in comitatu E. præf. per manus recept' mei ibid' pro tempore existẽ ad festa &c. Mandamus insuper vniuersis & singulis firmaris, tenentibus, & occupat' meis, & eorum cuilibet ibidem quod præfat. T. & deputatis suis in hac parte de tempore in tempus assistentes sint, obedientes, & auxiliantes in omnibus prout decet. In cuius &c.

A Grant of a Bailwicke.

OMnibus &c. R. W. &c. Nouerit vniuersitas vestra me de fidelitate, Sect. 345. circumspectiõne & debito obsequio dilecti seruiensis nostri C. A. mihi in posterum impend' plenius confidentem, fecisse, ordinasse & per præsens script' meum constituisse ipsum G. ballium meum villæ & manerij siue dominiij nostri de R. in comit' H. ac collectore, & receptorem, omnium & singulorum reddit', finiũ, amerciam & extract' duarũ lætarum siue vis. franciplegiorum nostroꝝ ibid' inde, & quorumcunque aliorum proficuorũ ratione earund' lætarum siue vis. francipleg' qualitercunque emergent' siue prouenient'. Habend', tenend', exercend', & occupand' offic' præf. eidem G. per seipsum quamdiu idem G. erga me

me se bene gesserit, & fidele comportū de receptis & recipiēd nobis reddiderit, ac ea nobis soluerit & plenarię satisfecerit. Percipiendo de nobis pro vadijs suis annuis xl. s. ad festa &c. equis portionibus per manus meas proprias post comportū & plenariam solū cuiuslibet dimid' anni, ac dona, feodā, regarda & emolumenta eidem officio debita & consueta, de receptis prædict' soluend; Mandans &c.

A grant of the office of Custos rotulorum.

Secl. 346.

Regina oībus &c. Salutē. Cum per literas patentes dñi H. 8. nuper regis Angliæ patris nři pcharissimi, gereñ dat' apud W. 8. die I. añ regni sui 28. recitat' existit: Quod cum idem nuper Rex de gratia sua speciali, ex certa scientia, & mero motu suis, necnon in consideratione boni & fidelis seruitij, quod dilectus & fidelis tunc seruiens suus R. W. sibi ante tunc impendebat, & durante vita sua impendere intendebat, dederit & concesserit per literas patentes prædict' eid' R. W. officium Contrarotulatoris omnium & singulorum recognic' placitoꝝ, finiū, amerciamētoꝝ, redemptionū, manucapcionū, recognic', irrotulament' & exemplific', inquisic', breuium, process. customar' & omniū aliorū quorumcunque corā Iustic' dic' nuper regis vel locū tenenē suis, aut locum tenente suo in coñ C. & F. coram Camar' eiusdem nuper regis C. & deputat' vel locum tenenē suo. Ac etiam coram Escaetoꝝ dicti nuper regis coñ C. & Escaetoꝝ suo coñ sui F. & deputat' suo, ac etiam coram vic' p'dict' nuper Regis & deputat' eius, siue subuic' dicti nuper regis de F. deputat' suo. Necnon corā quibuscunque alijs officarijs, & ministr' eiusd' nuper Regis in Coñ p'dict', aut p aliquem, & quoscunque offic' & ministr' suos infra eoidem coñ suos & vtrumque eorundem, aut deputat' vel vniuscuiuscunque officiar' pā recipiend', agend', faciend', & exequend' tam indictis coñ & session' in coñ prædict' tenend', quam omnibus alijs temporibus anni: Necnon omnium & singulor' operum edificatiō & reparac' dic' nuper regis infra coñ prædict'. Cumque etiam idem nup Rex H. 8. per literas suas patentes prædict' dederit & concesserit eidem R. W. plenam potestatem, auctoritatem, ac mandatum suum speciale ad videndum legendum & examinand' omnia & singula recorda, rotulos, breuia, refoꝝn & muniment' quecunque coram officiar' prædict' et quolibet eorum capē, fact', capiend', faciend', seu remanē toties quoties prædict' R. W. aut eius deputat' placuer': habend', tenend', & gaudend' & exercend' officium prædict' per prædict' R. W. aut per deputat' suum vel per sufficient' deputat' suos pro termino vitæ eiusdem R. W. cum vad' & feodis eidem officio debit' & consuēt' percipiend' et persoluend'

soluend' annuatim de exitib' & reuentionibus dict' nuper regis ex dict' Comitatu C. & F. et debet per manus aliquorum aliorum receptoru, balliuorum, firmarioꝝ, præpositorum, tenentium vel occupatorum suorum com' sui C. aut F. prædict' pro tempore existẽ ad festa &c. per equales portiones, vna cum omnibus alijs feod', proficuis, commoditatibus, aduantageijs, libertat', et emolument' quibuscunque præd' officio Contrarotulatoris debet & consuet', in tam amplis modo et forma prout W.B. defunctus de alta prodit' attinet' aut attinetur prædict' in vita sua habuit, aut deputatus suus, siue deputat' sui, vel aliquis alius aut aliqui alij pro officio prædict' exercend' et occupand', habuit & percepit, habuerunt & perceperunt, prout per literas patentes præd' plenius liquet & apparet. Qui quidem R. adhuc superstes & in plena vita existit, ac de officio prædict' & cæter' præmissis ad p'sens seisisus est in dominico suo vt de libero tenemento, pro termino vitæ suæ. Sciatis quod nos de fidelitate, industria, & diligentia dilect' subditi nostri S. &c. quamplurimũ confidentes, de gratia nostra speciali, ac ex certa scientia & mero motu nostris dedimus & concessimus, ac pro nobis, hæred', & successoribus nostris per præsent'es damus & concedimus eidem I. S. officium Contrarotulator' nostri, ac hæred' & successorum nostror', & omnium et singulorum recordorum, placitor', finium, amerciametorum, redemptionũ, manucaptionum, recognitionũ, irrotulament', exemplificationũ, inquisic', process. breuium, customar' omnium alior' quorumcunque corã Iustic' nostris, ac hæred' & successorum nostror' C. & deputat' vel locum tenend' suo, ac etiam coram Escheator' nostro, ac hæred' et successor' nostrorum com' Cestriæ, & Escheator' nostro, ac hæred' et successorum nostrorum com' nostri F. et deputat' suo, ac etiam coram Vic' nostro, ac hæred' & successor' nostrorum & deputat' eius, siue subuic' com' nostri C. ac coram Vic' nostro, ac hæred' & successor' nrorũ com' nri F. et deputat' suo: Necnõ coram quibuscunque alijs Officia' et Ministr' nostris, ac hæred' et successor' nostror' in com' prædict', aut per aliquem et quoscunque officia' et ministr' nostros, ac hæred' et successorum nostrorum infra eisdem com' nostros & vtrunque eorund', aut deputat' vel vnus cuiuscunque officia' prædict' recipiend', agend', faciend', et exequend' tam in dicto comitatu & t'essioñ in com' prædict' tenend', quam omnibus alijs temporibus anni: Necnon omnium et singulorum operum, edificacionum, & reparacionum nostrarum, ac hæred', & successorum nostrorum infra comitatu prædict' Damus etiam pro nobis, hæred' & successor' nostris per p'sentes, ac ex certa scientia & mero motu nostris concedimus præfat' I. S. plenam potestatem & auctoritatem, ac mandatum nostrum speciale per præsent' ad videndum, legend', & examinand', omnia & singula record',

record, rotulos, breuia, retorn, & muniment quecuque coram officia præd, & quolibet eorum cap, fact' aut capiend, fiend seu remanent, toties quoties dict' I.S. aut eis deputat melius videbitur expedire. Ac etiam omnia & singula alia exercend & agend que ad officium contrarotulatoꝝ ptiñ, siue consuef fuerint faciend. Habend, tenend, occupand, gaudend, & exercend officium præd pfa I. S. p se, aut p deputat suum, vel per sufficient deputat suos pro termino vitæ eiusd I. S. vna cum omnibus vad & feod eidem officio debif aut consuef, aut pertiñ siue spectañ, percipiend & persoluend annuatim de exitibus et reuentionibus com nroꝝ C. & F. per manus receptor, balliuoꝝ, firmarioꝝ, ppositoꝝ, tenentiũ vel occupatoꝝ nostroꝝ, ac hered vel successor nostroꝝ pã com nroꝝ C. aut F. pro tempore existent, ad festa &c per æquales portiones, vna cum oibus alijs feod, proficuis, commoditatibus, aduantijs, libertat, iuribus præhementijs, priuilegijs, & emolument quibuscunq dict' officio contrarotulatoꝝ debif & consuef, in tã amplis modo & forma, prout R W. aut W. B. in vita sua habuef, seu eorũ alter habuit, aut deputat suos, siue deputat sui, vel aliquis alius, vel aliqui alij, in, & pro officio præd exercend et occupand habuit & pcepit, aut habuef & percepef, seu habere aut percepef debuit vel debuef villo modo: Eo qd expressa mentio &c. aliquo statuf &c. In cuius &c.

A grant of the Clerkeship of Peace.

Seã. 347.

REX &c. omnibus ad quos &c. salut. Sciatis &c. dilecto nobis T. D. de &c. officium siue occupatioñ Clerici pacis in com nostro F. ac etiam officium siue occupatioñ Cleric' coronæ nostræ omnium et singular Sessioñ pacis nræ hered & successor nroꝝ coram Iustic' ad pacem in dicto com conseruand assign: Necnon ad diuers. felonias, transgres. & alia malefacta in eodem com audiend et determinand assignat, aut p nos, hered, aut successor nostros imposte in dicto com assignand: Ac etiam coram quibuscunq Iustic' p specialẽ commissionẽ vel cõmissiones speciales nostras, hered et successor nostrorum ad Gaolas in com p dict' assignat et assignad, et prison in carcerib' eiusdem existẽ deliberand de tempore in tempus. Et ipsum T. D. clericum pacis ac dict' coronæ nostrẽ in dicto com per totum eundem com coram quibuscunq Iustic' nostris, hered & successorũ nostroꝝ p præsentẽ facim', constituimus, & ordinamus, ac deputamus: habend, occupand, & exercend officia siue occupatioñ prædict' eidem T. D. vt cler' pacis & coronæ in com prædict' per se, vel per sufficient deputat suum, siue deputat suos sufficient, pro termino vitæ eiusdem T. D. Habend, recipiend, & percipi-

percipiend', de, in, & pro officijs siue occupationibus p'd' exercend', tallia, vadia, & feoda, emoluunt, proficua & regarda, qualia alij Cleric' pacis & Cleric' Coronæ in alijs com' regni n'ri Angl', pro officijs clerici pacis & Cleric' Coronæ, siue eorund' alter' exercend', habent aut habere debent seperatim, sc'dm vim, formam, & effectum cuiusdam actus Parliam't inter alia confect', edict', & prouif. Et insuper volumus & mandam' p' presentes, q' custos Rotulor' existen' in com' p'd', duran't vita eiusd' T. his literis nostris visis, aut p' ipsum custodem siue custod' nostros in hac pte concessione, donatione, ordinatione, & deputatiõn' p'd' intellect' incontinent' deliberent & tradent, seu tradi aut deliberari faciant p'f. T. vel ei' in hac pte deputat', siue deputat' suis, o'ia & o'ime'd' record', memorand', & alia scripta, ad dict' officium siue occupatiõn' p'tinent, siue qualitercunque spectan't. Et quod p'f. Custos siue custod' p'mittat siue permittat ipsum T. ad libitum suum ad n'rum vsu(m), & interesse, ea o'ia & singula habere, custodire, retinere, & occupare, & officia siue occupationes p'd', in com' p'd' exercere & gaudere, cum fod', profic', & aduantag', in tam amplis modo & forma, sicut aliquis alius cleric' pacis aut coronæ, siue aliqui alij cleric' pacis & coronæ in alijs com' regni n'ri Angl' temporib' retroactis ad antiquo habuit & percepit, habuer' & p'ceperet, absq' alia contra'ctione p'turbatiõn', seu grauamine inde quoquo modo fiend'. Prouiso semp' quod idem T. virtute istar' literar' patent', aliter quam p' custod' offic' seu occupat' suor' p'd' nullaten' oneret' seu grauet', p' nos aut hæred' n'ros, absque aliquo compoto, aut aliquo alio p' officijs siue occupationibus p'd' nobis aut hæred' n'ris soluend' aut faciend': Et absq; sine seu feod' ad vsu(m) n'rum pro p'æmissis, seu aliquo p'æmissor' reddend', soluend' aut faciend': Eo quod expressa mentio &c. In cui' rei &c. T. R. apud Westm' x. die Martij, An' regni H. 8. nuper Regis Ang' 37. per breue de priuato Sigillo &c. Anno supradict'.

A Grant of the office of a Scribe or Register.

W. Permiss. diuina L. Episc', dilecto nobis in Christo W. salut' & benedictiõn': ob liter' scientiam & morum honestat' quib' apud nos fide dignor' testiõn' pensantes inducimur, vt te fauore beneuolo p'sequamur: Offic' igit' Scribæ & Regist. commiss. siue sequestrator' n'ri general' toti' n'ri Archidiaconac' N. cū o'ibus comoditatib', iurib', feodis, p'ficuis, & emoluunt' q'buscunq' tã d' iure quã de consuet' Scribæ siue Regist. h'ndi offic' qualiscunq' spect' & p'tin', siue debet' & debend', tibi dam' &c.

Secl. 348.

& concedimus per præsentem. Et te actorum scribam hñ di officij, ac Registri eiusdem custod' tenore præsentium præficimus & deputamus, per te, seu deputat' tuum idoneum quem adiunxeris: occupand', tenend', & habend', &c. Datum sub sigill' nostr' quod in promptu iam ad manus habemus, xij. die mensis. Nouemb. An. Dom. &c.

A Grant of the office of a Surveyorship.

Sect. 379.

Regina omnibus ad quos &c. Salutem. Sciatis quod nos de fidelitate, industria, & prouida circumspectione dilecti nobis I. T. gen' plurimum confident' de gratia &c. præf. I. T. officium particular' superuisor' terr' & ten' omnium & singulorum hono', castrorum, dominiorum, maneriorum, terr', reddit' seruic', ac omnium aliorum possessionum & hered' nr', hered', & successor' nostro' quorūcunq' in co'm nro C. ac in omnibus villis & locis quibuscunq' tam infra libertates quam extra, infra præcinct', limit', & circuit' eiusdem co'm, in superuis. ord', & gubern' cur' Scaccarij nostri modo existē, seu in posterum quoquo modo existere contingē: Et quæ nuper fuerint in superuis. ordine, & gubern' nup' Cur' Augment' reuention' Coron' Angl', adeo plene, libere, & integre, ac in tam amplis modo & forma, prout I. S. siue aliquis particular' superuisor' terr' p'd in dict' co'm C. per nomen vni' particular' superuisor' terr' nup' Cur' augmentacion' & reuention' Coron' Regine habuit, tenuit, vel gausus fuit, seu habere, tenere vel gaudē debuit, ac ipsum T. particular' superuisor' terr' & ten' præd' honorum, castrorum, dominiorum manio', terr', tenent', reddit', & seruic', ac aliorum possess. & hereditatē p'd facimus, ordinam', & constituimus p' presentes. Habend', tenend', gaudend', & exercend' officium p'dict' præf. I. T. per se, vel per sufficient' deputat' suum, siue deputat' suos sufficient' durante bene placito nostro, vna cum omnibus proficuis eidem officio quoquo modo spectan' & pertineñ seu incumbē. Et vltcrius de ampliori gratia nostra dedimus & concessimus, & per præsentem damus & concedimus eidem I. T. pro exerc' & occupac' officij prædict', quandam annuitatem siue annuale feod' &c. per annum, Ac tot ac tantas denar' summas pro expensis suis, dum idem I. vel deputat' suus in equitand', vel alit' circa negotia officium præd' tangeñ, de tempore in tempus fuerint occupat', quot & quant' per discretionem T. C. S. & B. baron' Scaccarij nostri præd' videbunt esse necessar' & sufficiē. Habend', & annuitatim percipiend', tam eandem annuitatem siue feod' &c. quam dictas denario' summas pro expensis suis circa officium p'd' vt p'sertur exponend' p'f. I. &c.

*Grants of Offices of Chamberlaine of the Exchequer, Iustice in Eyre,
Steward, Keeper of Castles, Master of the Game, &c.*

Philippus et Maria Dei gratia Rex et Regina Angl' &c. Omnibus Sect. 350:
ad quos præsentēs literæ peruenierint salutem. Cum præcharissimus pater noster præfat' Regiñ per literas suas patentes sub magno sigillo suo Angl' confect', gerēñ dat' apud &c. dederit et concesserit dilecto consanguineo suo G. Comiti S. iam defunct', ac prædilecto et fideli consanguineo et consiliario nostro F. Comiti S. ordinis nostri Gartē Militi, per nomen F. T. filij et hæred' apparentis prædict' G. officia Constabular' et Ianitoris Castrorum suorum de R. et W. ac officium Seneschalli dominij et manerij de R. dominij et manerij de M. dominij et manerij de W. Necnon officium Magistr' de ducē fera' parci dicti patris nostri de O. Ac etiam officium Magistr' de ducē fera' in chacea de M. in Marchia Walliē. Quę quidem dominia, maneria, ac cætera præmissa ad tunc fuerunt parcelli' com̄ dicti patris nostri March'. Habendum, occupandum, et exercendum omnia et singula prædict' officia præfat' Comit' et F. per se, vel per sufficient' deputat', seu sufficient' deputatos suos, durante vita ipsorum Comit' et F. et alterius eorum diutius viuentis: Percipiend' in et pro officijs illis exercend', vad', feod', profic', et commoditates eisdem officijs, et eorum cuiuslibet debi' et consue', in tam amplis modo et forma, prout aliquis alius, vel aliqui alij, in, et pro eisdem officijs, seu eorum aliquo habuit et percepit, aut habuer' vel perceper' ad festa &c. equis portionibus, per manus receptor' Com̄ March' pro tempore existēñ, prout per easdem literas patentes inter alia plenius liquet et apparet. Et cum prædict' pater noster præfat' Regine, per alias literas suas patentes sub magno sigillo suo Angl' confect', gerēñ dat' &c. dederit et concesserit præfato G. Comiti Salop', et prædilecto et fideli consanguineo et consilia' nostro F. Comit' Salop', per nomen F. T. armigeri domini T. filij señ dicti G. officium vnus Camerariorum de recept' Scaccarij dicti patris nostri, siue officium vnus Camerariorum de Scaccario eiusdem patris nostri, illud quod E. D. ad tunc defunct' nuper habuit et occupauit. Habend', tenend', gaudend', et occupand' officium prædict', vna cum constitutione et ordinatione vnus Hostiariorum de recept' prædict' cum accideret, et cum constitutionibus et ordinationibus omniū aliorum officiariorum et ministrorum eidem officio vnus Camerario' qualitercunque pertineñ siue spectāñ, eisdē Comiti et F. et eorum alteri diutius viuenti, per se, vel per sufficient' deputatum suum, siue deputat' suos sufficient', pro termino vite eorum, et eorum alterius diutius viuentis. Ac cum omnibus iuribus, emolumentis, robis, vestu', et ceteris commoditatibus, aduantijs, et pertineñ quibuscunque eidem officio quoquo modo.

modo debet et consueti siue pertinet: Percipiend' in et pro officio illo, talia vad', feod', et regard', et eisdem modo et forma, prout aliquis alius in eodem officio ante hæc habuit et percepit, absque aliquo compoto, seu aliquo alio domino patri nostro seu heredibus suis inde reddendum, soluendum, seu faciendum, prout per easdem literas patentes inter alia plenius liquet et apparet. Cuique etiam præclarissimus frater noster præfat' Reginæ Edwardus sextus nuper Rex Angliæ, per literas suas patentes sub magno sigillo suo Angliæ confect', gereñ dat' apud Westmonaster' &c. dederit et concesserit dicto prædicto et fidei consiliario suo consanguineo nostro F. Comit' Salop', officium Gardiani et capitalis Iustic', ac Iustic' sui Itinerantis, omnium et singularum forestar', parcorum, chacearum, et warrennarum suarum, cum suis pertinentijs quibuscumque ultra Trentam existentium, quæ dicto fratri nostro præfat' Reginæ in iure Coronæ suæ, aut ratione alicuius attinuer', eschaet', forisfact', perquisition', excambij, seu quocumque alio modo pertinebant aut spectabant, seu adtunc imposterum ad manus dict' fratris nostri præfat' Regiñ, hered' aut successorum suorum deuenire contigerint: Dantes et concedentes eidem Comiti plenam auctoritatem et potestatem tenore dictarum literarum patentium, ad omnia et omnimoda placita, quærelas, & causas forestarum, parcorum, chacearum, warrennarum prædict', tam de viridi grã, quam de venatione, ac de alijs causis quibuscumque infra eandem forestas, parcos, chaceas, et warrennas, eueniẽ siue emergẽ, audiend' et determinand'. Cumque etiam prædict' frater noster per easdem literas patentes dederit et concesserit eidem Comiti officium Custod' et Magistr' de duct' omnium et singularum ferarum suarum infra eandem forestas, parcos, chaceas, et warrennas, et eorum quemlibet seu quamlibet seu adtunc existẽ, et imposterum existendarum. Cumque ulterius prædict' frater noster per easdem literas patentes dederit et concesserit præfat' Comiti, omnia et singula eadem feod', regard', proficua, reuersiones, aduantage, commoditat', et emolumenta quæcumque prædict' officijs, et eorum cuilibet quoquo modo pertiñ siue spectant, habet', visitat', debet', incideñ, siue consuet', in tam amplis modo et forma &c. prout A. B. adtunc defunct', aut aliquis alius, ea siue eorum aliquod antea habuit, percepit, seu gauisus fuit, siue aliqui alij, ea seu eorum aliquod ante habuer', perceperunt, seu gauisi fuerunt. Quæ quidem officia ac cætera præmiss' in dict' literis patent' gereñ dat' dicto &c. express'. cum suis pertiñ, adtunc post mortem naturalem prædict' A. B. in manibus et dispositione dicti fratris nostri existerunt, et existere debuerunt. Habend', occupand', gaudend', et exercend' officia prædict', et eorum quodlibet, ac omnia et singula cætera præmiss', cum suis pertiñ præfat' Comit', per se, vel per sufficient' deputat' suum,

suum, siue deputat suos sufficientē durantē vitæ ipsius Comitis. Cumque insuper prædict' frater noster per easdem literas patentes dederit et concesserit eidem Comiti, pro exercitio et occupatione officii prædicti Gardiani et Iustici' dicti fratris nostri Itinerantē antedicti, et cetera præmissorum, quandam annuitatem siue annualem redditum centē librarū sterlingū. Habendū, tenendū, gaudendū, et annuatim percipiendū prædicti annuitatem siue annualem redditum præfat' Comiti durantē vita sua, de Thesauri dicti fratris nostri, heredum et successorum suorum per manus Thesauri Camerae suæ heredum et successorum suorum pro tempore existentē, aut per manus huiusmodi personæ seu aliarū personarū, cui vel quibus dict' frater noster hæred' et success. sui officium Thes. prædicti, p nomen Thes. aut per aliud quodcunque nomen illud dare & concedere voluerit, aut aliquis hæred' vel successor dicti fratris nostri dare et concedere voluerit, ad festa sancti Michaelis Archangeli, et Annuntiationis beatæ M. virginis, per æquales portiones annuatim soluend', vna cum omnibus prædicti alijs vadijs, feodis, regard', proficuis, commoditatibus, aduantijs, et emolumentis prædicti officijs et eorum cuilibet pertineñ, spectant', debent', incidē, siue consuet', in tam amplis modo et forma, prout prædict' A. B. aut aliquis alius siue aliqui alij officia prædicti, seu eorum aliquod vel aliqua habens siue occupans, habentes siue occupantes, habuit aut percipit, habuerunt aut perciperunt. Habendum, occupandum, gaudendum, et exercendum, officia prædicti et eorum quodlibet, ac omnia et singula cætera præmissa cum suis pertineñ præfat' Comiti, per se, vel per sufficientē deputat' suum pro eisdem et eorum quolibet absque compoto, seu aliquo alio inde dicto fratri nostro, hæred' vel success. suis pro præmissis, seu aliquo præmissorum dand', reddend', soluend', vel faciend'. Cumque etiam prædict' frater noster per easdem literas patentes dederit, et concesserit pro se, hered', et successoribus suis eidem Comiti, plenam potestatem et auctoritatem faciend', nominand', constituend', deputand', et assignand', de tempore in tempus durantē vita sua, omnes et singulos Subseneschallos, officia, ac clericos cum Swannimotor', ac omnes alios clericos et ministros in quibuscunque itineribus, seu cum dict' fratris nostri de statu ferat', parcos, chacearum, et warrenarū prædicti, et eorum seu earum cuiuslibet, tenend', occupand', et exercend', et eos et eorum quemlibet iuxta discretionem eiusdem Comitis amouend' et expellend', aliosque in sua vice vel in suis vicibus de tempore in tempus locand', constituend', et ponend'. Cumque etiam prædict' frater noster voluerit et concesserit quod virtute dictarū literarū pateñ, omnes huiusmodi Subsenesch. clerici, officij, et Magistri, et eorum quilibet de tempore in tempus, haberet, perciperet, et gauderet, haberent, perciperent, et gauderent, vadijs, feod', proficuis,

regardis, & aduantijs eis & eorum cuilibet, pro exercitio siue occupatione officiorum suorum, vel eorum alterius ab antiquo solutæ, debet & consuet. Cumque ulterius prædict' frater noster per easdem literas patentes, dederit & concesserit pro se, hæredibus & successoribus suis præf. Comiti, plenam & legitimam potestatem & auctoritatem, quod ipse per totam vitam suam pro certis finibus secum finiend', & ad opus dicti fratris nostri leuand', licitè, valeret & potuisset de tempore in tempus cuicumque & quibuscunque subditis dicti fratris nostri licentiam dare specialem, quod ipsi & eorum quilibet licitè facere valerent & valeret quascunque copias, omnimodè arbor' boscorum, & subboscorum dicti fratris nostri infra prædict' forestas, parcos, chaceas, & warennas, aut eorū aliquod crescentē. Necnon dictos arbores, boscos & subboscos in huiusmodi copicijs crescentē succidere, prosternere, & abinde cariare facere de tempore in tempus: Ita tamen quod succisiones, prostrationes, & abcariationes inde fierent temporibus anni congruis & oportunis, & non in mensibus vetitis, nec in exilium ferat' dicti fratris nostri ibidem moram facere & manere consuet. Ac quod copiciæ huiusmodi concluderent, prout mos est secund' assis. Forestæ dicti fratris nostri & mensur' in eadem vsitatæ. Cumque etiam dictus frater noster per easdem literas patentes concesserit eidem Comiti, quod dictæ licentiæ per eundem Comitem, modo & forma prædict' adtunc imposterum cuicumque aut quibuscunq' subditis dicti fratris nostri concedend' essent adeo efficaces & validæ in lege & tanti vigoris, prout si concess. fuissent per dictum fratrem nostrum hæred' aut succes. suos, sub magno sigillo Angliæ ext' Cancellar' suam, prout per easdem literas patentes inter alia plenius liquet & apparet. Qui quidem G. nuper Comes iam defunctus existit ut accepimus, quodque prædict' F. nuper Comes S. modo habet & tenet sibi & assign' suis, omnia & singula officia prædict'; ex donis & concessionibus prædict' patris & fratris nostror', dict' dominæ reginæ, in formâ prædict' fact' & concess. Sciatis quod nos prædicti Rex & Regina, in consideratione boni veri fidelis & acceptabilis seruitij quod prædilectus & fidelis seruiens noster G. T. Miles, dominus T. filius & hæres apparens prædicti consiliarij & consang' nostri F. Comit' Salop' nobis ante hæc multipliciter impendit, & quod indies impendere intendit, de gratia nostra speciali, ac ex certa scientia, & inero motu nostris dedimus & concessimus, ac per præsentis pro nobis hæredibus & successoribus nostris damnus et concedimus præf' G. T. Militi, domino T. dict' officia Constabular' & Ianitoris prædictorum castroꝝ nostror' de Rad. & Wig. ac dictum officium Seneschall' dicti dominij & manerij de R. ad dominij & manerij de W. dominij & manij de M. dominij &

& manerij de E. dominij & manerij de R. dominij & manerij de C. T. dominij & manerij de P. dominij & manerij de N. dominij & manerij de G. dominij & manerij de K. ac dictum officium custod' parci de W. ac officium custod' eiusdem parci: Necnon dicti Magistri de duct' ferarum dicti parci nostri de O. Ac ipsum G. T. Milit' dominum T. Constabular' & Ianitorem predict' castrorum nostror' de R. & W. ac Seneschallum dictorum dominiorum maner' & parcorum predict' vltim' specificat', & eorum cuiuslibet facimus, ordinamus, & constituimus per presentes. Habend', gaudend', occupand', & exercend', omnia & singula predicta officia Constabular' & Ianitoris predict' castrorum nostrorum, ac Seneschallum dictorum dominior', maneriorum, & parcorum predict' vltim' specificat', & eorum cuiuslibet prefat' G. T. Militi domino T. per se, vel per sufficient' deputatum suum, siue deputat' suos sufficientes, immediate post mortem dicti predicti consiliarij & consanguinei nostri F. Comit' S. post interesse eiusdem Comit' de, & in eisdem officijs predict' vltim' recitatis complet' & expirat. Et quam cito dict' officia, vel eorum aliquod per sursum redditionem, forisfactu', aut aliquo alio modo primo & proxim' vacari contigerit, pro termin' vite dicti G. T. Milit' domini T. Percipiend' annuatim, in, & pro exercitio & occupatione dicti officij vltim' specificat' sepeal' vadia, feoda, proficua, regard', commoditates, & aduantag' eisdem officijs, seu eorum alicui debet' & consuet', aut quouismodo spectan' siue pertineñ, in tam amplis modo & forma, prout predict' F. modo Comes Salop', aut aliquis alius, siue aliqui alij, in, & pro eisdem officijs, seu eorum aliquo habuit aut percepit, aut habuerunt & ceperunt, ad festa P. & sancti Michael' archangel', æquis portionibus annuatim per manus Receptor' comit' nostri March. pro tempore existent' soluend'. Ac etiam ex gratia nostra speciali, ac pro nobis, hæred', & successoribus nostris predict' Regina, danus & concedimus prefat' G. T. Militi domino T. predict' offic' vnus Camerariorum Receptorum Scaccar' nostri, siue officium Camerariorum de scaccario nostr' illud quod predict' consiliarius nostr' F. Comes Salop' modo habet, & occupat, vna cum constitutione & ordinatione vnus hostiar' recept' predict' cum acciderit, & cum constitutionibus & ordinationibus omnium aliorum officiariorum & ministrorum eidem officio vnus Camef' qualitercunque spectan' siue pertineñ. Ac ipsum G. T. Milit' dominum T. vnum Cameraf' de receptis nostr' predict', seu vnum Cameraf' de Scaccario nostro, facimus, ordinamus, & constituimus per presentes: Habend', gaudend', tenend', & occupand' officium predict' vnus Cameraf' de recept' Scaccarij nostri predict', vna cum constitu' & ordinationibus vnus hostiariorum

reriorum receptæ prædictæ: Ac cum ordinationibus & nominationibus omnium aliorum officiariorum et ministrorum eidem officio qualitercunque spectant siue pertinet præfatæ G. T. Militi domino T. per se, vel per sufficienter deputatum suum, siue deputat suos sufficientes immediate post mortem dicti prædilecti consiliarij et consanguinei nostri F. Comitris S. vel post interesse eiusdem Comitris, de, et in eodem officio complecti et expirat: vel quam cito dictum officium per sursum-redditionem, forisfacturam, aut aliquo alio modo primo & proximo vacari contigerit, pro termino vitæ suæ dicti G. T. Militi domino T. vna cum omnibus iuribus, commoditatibus, et molumentis, et proficiis, et ceteris pertinentiis quibuscunque eidem officio quoquo modo spectant siue pertinentibus debet siue consuet. Habendæ et percipiendæ annuatim, in, et pro exercitio et occupatione dicti officij omnia talia feoda et regaræ eidem officio quoquo modo incidenti, spectant siue pertinenti, in tam amplis modo et forma, prout consanguineus et consiliarius noster F. Comes S. aut aliquis alius, siue aliqui alij, in, et pro eodem officio ante hæc tempora habuerunt et perceperunt, habuit aut percepit, absque aliquo compoto, seu aliquo alio nobis, hæredæ, aut successoribus nostris prædictæ Reginæ reddendæ vel faciendæ. Ac insuper noueritis nos pro consideratione prædictæ, de gratia nostra speciali, ac ex certa scientia et mero motu nostris dedimus et concessimus, ac per præsentem pro nobis, heredæ, et successoribus nostris præfatæ Reginæ damus et concedimus præfatæ G. T. Militi domino T. officium gardiani capitalis Iusticiaræ ac Iusticæ nostri itinerantis omnium et singulorum forestarum, parcorum, chacearum, et warrennarum nostrarum, cum suis pertinentiis quibuscunque ultra Trentam existenti, quæ nobis et in iure Curie nostræ, aut ratione alicuius attinctus, escheat, forisfacturæ, perquisitionis, excambij, seu quocunque alio modo pertineti aut spectant, seu imposteriorum ad manus nostras heredæ aut successorum nostrorum dictæ Regine deuenire contigerint siue contigerit. Ac ipsum G. T. Militi dominum T. gardianum et capitalem Iusticiaræ nostrum itinerantem, omnium et singulorum forestarum, parcorum, chacearum, et warrennarum nostrarum prædictarum ultra Trentam prædictam existenti facimus ordinamus et constituimus per præsentem: dantes et concedentes eidem G. T. Militi domino T. plenam potestatem et auctoritatem tenore præsentium, ad omnia et omnimodæ placita, quærelas, et causas forestarum, parcorum, chacearum, et warrennarum prædictæ, tam de viridi granos, quam de venatione, ac de alijs causis quibuscunque infra eandem forestas, parcos, chaceas, et warrennas nostras euenient siue emergenti, audiendæ et determinandæ. Damus etiam ac per præsentem

pro

pro consideratione prædicta, pro nobis, hæred, & successoribus nostris præfatæ Reginz, concedimus præfato G. T. Militi domino T. prædict' offic' custod' et Magistri de duct' omnium et singular' ferar' nostrarum infra prædict' forest', parcos, chaceas, & warrennas vltra Trentam prædictam, et in eorum quemlibet & quamlibet existen, & impost' existend. Ac ipsum G. T. Militem dominum T. custod' & Magistrum de duct' omnium & singularum ferarum nostrarum infra eadem forestas, parcos, chaceas, & warrennas, et infra eorum quemlibet seu quamlibet, existen & impost' existend facimus, ordinamus, & constituimus per presentes: Habend, gaudend, exercend, & occupand prædictum officium gardiani et capitalis Iusticiar' itinerant' omnium & singulorum forestarum, parcorum, chaccarum, & warrennarum prædictarum vltra Trentam prædictam. Necnon prædict' officium custod' & Magistri de duct' omnium et singularum ferarum nostrarum infra eadem forestas, parcos, chaceas, & warrennas prædict', & eorum quodlibet, cum omnibus iuribus, proficuis, commoditatibus, & aduantijs quibuscunque eidem officijs & eorum vtrique, vel alicui, modo spectan, petinen, inciden, vel incumben, immeditate post mortem dicti prædilecti Consiliarij & consanguinei nr'i F. comit' S. aut post interesse eiusdem comit', de, & in eisdem officijs vltim' recitat, complet, & expirat, vel quam cito eadem prædict' seperalia officia vltim' specificat, vel eorum aliquod vel aliqua, per sursum redditionem, vel forisfact' seu quocunque alio modo primo & proxim' vacari contigerint vel contigerit præfato G. M. Militi domino T. per se, vel per sufficient' deputat' suum, siue deputat' suos sufficient', ad terminum et pro termino vitæ naturalis ipsius G. T. Militis domini T. Et vlt'ius sciatis quod nos de ampliori gratia, ac ex certa scientia & mero motu nostris dedimus & concessimus, ac per presentes pro nobis, hæred, & successoribus nostris præfat' Reginz, damus & concedimus præfato G. T. Militi domino T. pro exercitio & occupatione dictorum officiorum gardiani & capitalis Iustic' nostri Itinerant' omnium & singulorum prædictorum forestarum, parcorum, chaccarū, & warrennarum vltra Trentam prædictam, Ac officij custod' & Magistri de duct' ferarum nostrar' infra eadem forestas, parcos, chaceas, & warrennas, ac ceterorum premissorum vltra Trentam p'dictam, quandā annuitatem siue annualem redditum centum librarū, legal' monēt Ang. &c. Habend, tenend & gaudend eandem annuitatem siue annualem redditum præfato G. T. Militi domino T. durante vita sua, de Thefaurario nostro, hæred & successorum nostrorum præfatæ Reginz, per manus Thefaurarij Camerae nostræ, hæred & successorum nostrorum

præfat Reginæ pro tempore existē, aut per manus custodē The-
sauri nostri, hæred, aut successorum nostrorum, aut per manus huius-
modi person, siue illarum personarum, cui vel quibus nos, hæred, aut
successores nostri præfat Reginæ officium Thesaurarij prædict' per
nomen Thesaurarij, aut per aliud quodcunque nomen illud dare & con-
cedere volumus, aut aliquis hæred vel successorum nostrorum dare &
concedere voluerit, ad festa Sancti Michael' archang. & Annunc' bea-
tæ Mariæ virginis, per equales porciones annuatim soluend : primo
termino solutionis inde incipient ad tale festum festorum prædictor
quod primo acciderit post mortem dicti C.S. aut post sursum reddi-
tionem, vel forisfacturam officiorum suorum prædict' vltime specificat,
vna cum omnibus alijs feodis, vadis, regard, proficuis, commoditatibus,
aduantijs, & emolumentis eisdem officijs, & eorum cuiuslibet pertinen-
tibus, spectan, debet, incident, siue consuet, in tam amplis modo & for-
ma, prout A. B. aut aliquis alius, siue aliqui alij eadem officia, seu e-
orum aliquod vel aliqua habens siue occupans, habentes siue occu-
pantes habuit aut percepit, habuerunt aut ceperunt pro eisdem &
eorum quolibet, absque compoto, seu aliquo alio inde nobis, hæred
seu successoribus nostris, dan, reddend, soluend, seu faciend. Et
vterius, damus & concedimus pro nobis, hæred, & successoribus
nostris præfat Reginæ per presentes præfato G. T. Militi domino T.
plenam potestatem & auctoritatem faciend, nominand, constitu-
end, deputand, & assignand, de tempore in tempus durante vita
sua, omnes & singulos Subseneschallos, Officiarios, ac Clericos cum
Swanimotorum attachiamen, ac omnes alios Clericos & ministros in
quibuscunque itineribus seu cum nostris de statu ferarum, parcorum,
chaccarum, & warrennarum prædict' & eorum & earum cuiuslibet, te-
nend occupand, & exercend, & eorum quemlibet, iuxta discretionem,
eiusdem G. T. Militis domini T. amouend & expellend, aliosque in
sua vice, vel in suis vicibus de tempore in tempus locand, constituend,
& ponend. Volumus etiam & concedimus, quod virtute harum li-
terarum nostrarum, patentium, omnes huiusmodi Subseneschalli, Cle-
rici, Officiarij, & Magistri, & eorum quilibet de tempore in tempus,
habeat, percipiat, & gaudeat, habeant, percipiant, & gaudeant vadijs,
feodis, proficuis, regardis, & aduantijs eis, & eorum cuiuslibet, pro
exercitio siue occupatione officiorum suorum, vel eorum alicuius ab
antiquo solut & consuet. Ac etiam sciatis quod nos de vberiori gratia
nostra dedimus & concessimus ac per presentes pro nobis, hæred
& successoribus nostris præfat Reginæ, damus & concedimus præ-
fato G. T. Militi domino T. plenam & legitimam potestatem &
auctho-

authoritatem, quod ipse per totam vitam suam pro certis finibus secum fiend̄, & ad opus nostrum leuand̄, licite valeat & possit de tempore in tempus cuiuscunque & quibuscunque subditis nostris licentiam dare speciale, quod ipsi & eorum quilibet licite facere valeant & valeat, quascunque copicias, omnimeñ arbor̄, boscor̄, & subboscor̄ nostror̄ infra prædict̄ forestas, parcos, chaceas, & warrennas, aut infra eor̄ aliquod crescent̄: Necnon dict̄ arbores, boscos, & subboscos in huiusmodi copicijs crescent̄ succidere, posternere, & abinde cariari facere de tempore in tempus. Ita tamen quod succisiones, prostrationes, & abcariationes inde fiant temporibus anni congruis & opportunis, & non in mensibus vetitis, nec in exilium ferarum nostrarum ibidem moram facere, & manere consuet̄: Ad quod copiciæ huiusmodi concludant̄, prout mos est secund̄ Assisam Forestæ nostræ & mensur̄ in eadem visitat̄. Concessimus etiam per præsentem eidem G. T. Militi domino T. quod dictæ licentiæ per eundem G. T. Militem dominum T. modo & for̄m prædict̄ impostertum cuiuscunque aut quibuscunque subditis nostris concedend̄, sint adeo efficaces & validæ in lege, & tanti vigoris, prout si concessæ essent per nos, hæred̄, & successores nostros sub magn̄ sigillo Angliæ extra Cancellariam nostram. Præcipimus etiam & damus per præsentem, vniuersis & singulis Archiepiscopis, Episcopis, Ducibus, Comitibus, Baronibus, Iusticiarijs, Militibus, Vicecomitibus, Forestarijs, Viridarijs, Regardatoribus, Agistor̄, woodward̄, & omnibus alijs Officiarijs & fidelibus nostris, tam infra libertates quam extra, tenore præsentium firmiter in mandatis, quod eidem G. T. Militi domino T. aut deputato siue deputedis, suis in omnibus & singulis præmissis faciend̄ & exequend̄ attendentes, assistentes, consulentes, & auxiliantes sint in omnibus prout decet. Eo quod expressa mentio de vero valore annuo, aut de certitudine præmissorum siue eor̄ alicuius, aut de alijs donis siue concessionibus per nos, vel per aliquem progenitor̄ nostrorum dictæ Reginæ præfat̄ G. T. Militi dominum T. ante hæc tempora fact̄ in præsentibus minime fact̄ existit, aut aliquo statu, actu, ordinatione, prouisione, siue restrictione inde in contrarium fact̄, edit̄, ordinat̄, siue prouisis, aut aliquo alia re, causa, vel materia quacunque in aliquo non obstante. In cuius rei testimonium has literas nostras fieri fecimus patentes. Testibus nobis ipsis apud Westmonasterium &c.

*A Grant of the Earle Marshalls office and honour,
with an annuities.*

Sect. 351.

Elizabeth Dei gratia Angliæ &c. Omnibus ad quos præsentēs literarū pervenerint, salutem. Inspecimus irrotulamentum quarundam literarū patentium, gerēn dat̄ apud Westmonasterium secundo die Ianuarij, anno regni nostri xv. præcharissimo consanguineo & Conciliar̄ nostro G. Comiti Salop̄ fact̄, & in Rotulis Cancellar̄ nostr̄ irrotulat̄, in quo continetur ut sequitur. Regina omnibus ad quos &c. Sciatis quos nos bona laudibil̄ & acceptabilia servitia & obsequia quę præcharissimus consanguineus & Conciliar̄ nostr̄ G. Comes S. nobis ante hæc tempor̄ multipliciter & diuersi modo impendit, indesque impendere non desistit intimo merito contemplantēs, de gratia nostra speciali, & ex certa scientia & mero motu nostris dedimus & concessimus, ac per præsentēs pro nobis, hæred̄, & successoribus nostris, damus & concedimus eidem Comiti S. officium Comit̄ Marischall' Anglię: Ac ipsum comitem Salop̄ comitem Marischall' Anglię, creamus, ordinamus, & constituimus per præsentēs, Et ei nomen, stylum, titulum, statum, auctoritatem, & honorem comitis Marischall' Angl̄, vna cum omnibus & singulis suis officijs commoditatibus, emolumentis, præheminē, nominationibus, officijs & alijs suis pertinentijs quibuscunque, tam in curijs nostris quam alibi, eidem officio comitis Marischall' Anglię qualitercunque spectant̄, siue de jure ab antiquo pertinent̄, per præsentēs damus & concedimus: Ac in eodem officio, ac cæteris præmissis eidem officio (ut præmittitur) pertinent̄ ipsum comitem Salop̄ inuestimus & corroboramus, in tam amplis modo, potestate, & auctoritate, prout T. Dux. Norff. nuper de alta prodicione attainct̄, per quam attainctus prædictum officium & dispositio eiusd̄ ad manus nostras devenit, & in manibus nr̄is jam existit: Ac in tam amplis modo, potestate, & auctoritate, prout Dux T. Norff. dum vixit, avus dicti nuper Ducis, aut E. nuper Dux Somers. aut I. M. quondam Dux Norff. vel aliquis alius comes Marischallus Anglię ante hæc tempora officium illud habens siue exercens, habuit siue exercuit. Habend̄, tenend̄, exercend̄, & occupandum prædictum officium, ac omnia & singula auctoritat̄, jurisdictiones, commoditates, & cætera præmissa quecunque eidem officio qualitercunque pertinentiã, siue de jure spectant̄, eidem comiti Salop̄ pro termino vitæ suæ, per se, vel per sufficient̄ deputatum suum, aut per sufficientes deputatos suos, absque cōpoto
vel

vel aliquo alio nobis, hæredibus, vel successoribus nostris pro officio prædicto et ceteris præmissis, seu eorum aliquo quouis modo reddend, soluend, vel faciend. Damus etiam ac per præsentēs pro nobis, hæred, et successoribus nostris concedimus præfat Comiti Salop, quod ipse et quilibet deputatus suus ratione dicti officij, habeat, gerat, et deferat, tam in præsentia nostra, hæredum, & successorum nostrorum, quam in absentia nostra, hæredum & successorum nostrorum, quendam baculum aureum ad verumque finem de nigro annulat, & cum signo armorum nostrorum, & hæredum & successorum nostrorum, in superiore sine dicti baculi, & cum signo armorum dicti Comitis Salopiæ in inferiori sine eiusdem baculi sculpē & ornat, licitè & impunè, absque impetitione nostra, hæredum & successorum nostrorum, vel Iusticiariorum aut Officiariorum, seu aliorum ministrorum nostrorum quorumcunque hæredum vel successorum nostrorum. Et quod idem Comes Salop, vt Comes Marischallus Angliæ iuxta nominis sui decentiam hac præsentī charta nostræ confirmationis possit honorificentius se habere, dedimus & concessimus, ac per præsentēs pro nobis, hæredibus, & successoribus nostris damus & concedimus, ac hac præsentī charta nostræ confirmationis præfat Comiti Salop, pro statu Comitis Marischall' Angl' manutenend quendam annualē redditum viginti librarum. Habend, & annuatim percipiend dict' annual' reddit' xx. lib' præfat Comiti Salop, pro termino vitæ suæ prædict' de exitibus, proficuis, & reuentionibus Hanaperij Cancellar' nostræ, hæredum & successorum nostrorum, proueniē siue cresceñ, per manus custod' siue Clerici eiusdem Hanaperij, aut aliorum occupatorum, receptorum, siue perceptorum proficuatorum, & exituum eiusdem Hanaperij pro tempore existēñ, ad festum sancti Michaelis Archangeli, & Paschæ, per æquales portiones soluend absque compoto, seu aliquo alio onere nobis, hæredibus, successoribus nostris pro præmissis, vel aliquo præmissorū, quouis modo reddend, soluend, vel faciend: Eo quod expressa &c. In cuius rei &c. Teste Reg. apud Westmoñ &c. per breue de priuatio sigillo. Nos autem tenorem irrotulamentū literarum pateñ prædictarū, ad requisitiōñ præfat G. comitis Salop duximus exemplificand per præsentēs. In cuius rei &c. Teste me ipsa apud Westmoñ quinto die M. anno regni nostri xxxiiij.

A Grant for life without impeachment of waste.

SCiatīs &c. quod ego T. G. de N. Generosus, pro certis bonis Sect. 352
& rationalibus causis & considerationibus me specialiter di-

mouentibus dedi, concessi, et p hanc chartam meam indentat confirmavi B.S. viduæ totum illud capitale mesuagium meum, cum pertinentijs, in T. iuxta N. in Comitatu N. Habend &c. p̄dict' &c. præfato B.S. et assignatis suis, pro termino vitæ ipsi' B. ad solum opus et vsum eiusdem B. &c. pro termino vitæ suæ, absque impetitione alicuius vasti. Ita quod immediate post mortem eiusdem B. p̄dict' mesuagium &c. integrè reuertant mihi p̄fāt T.G. et hæred' meis imperpetuum. Tenend' de capitalib' dñis feodi &c. In cuius rei &c.

A Graunt of a Mesuage for life.

Sec̄t. 353.

SCiant præsentēs et futuri, quod ego Walterus H. de Waitam &c. R. &c. vnum mesuagium cum curtillagio et crofto adiacent' &c. Habend' p̄dict' mesuag' &c. præfāt R. ad termin' vitæ suæ, de me, et hæred' meis, absque impetitione vasti. Reddend' inde annuatim mihi et hæred' meis vnam Rosam rubeam (si petatur) ad festum S. Ioh. Bapt. &c. Et faciendo sectam Curie meæ de W. de tribus septimanis in tres, pro omnibus alijs seruitijs, exactionibus, et demand', toties quoties dict' Curia mea teneri contigerit. Et post decessum prædict' R. tunc p̄dict' mesuag' &c. (vt supra.) Et ego vero præfāt W. et hæred' mei p̄dict' mesuag. cum curtillagio &c. præfāt R. ad termin' vitæ suæ per serui' superius dicta et expressa, contra omnes gentes warrantizab. tuebimur, et defendemus per præsentēs. In cuius rei &c.

The Collation of a Free Chappell.

Sec̄t. 354.

REx &c. (vt supra 327.) liberam Capellam sancti S. apud L. in Comitatu Linc', Habend' &c. præf. A.B. durante vita ipsius, cum omnibus suis iuribus et pertiñ vniuersis &c. In cuius rei &c.

A Graunt for lines.

Sec̄t. 355.

THis Indenture &c. Betwixt J. C. & F. C. & A. his Wife, Witnesseth, That the said J. in accomplishment of a covenant & graunt contained in a paire of Indentures, bearing date &c. made betwixt R. C. on the one party, and the same J. C. on the other partie, Hath demised and graunted, and by these presents doth demise and graunt vnto the said F. and A. all that the manor of F. with the appurtenances, in the said Countie; and all and singular his lands, tenements, and hereditaments, with the appurtenances, in F. & B. in the said Countie, The
villeines

villeines regardant to the said mannoꝝ, and all and singular the boon-
 dayes and woꝝkes of the tenants and farmers there, foꝝ the cariage of
 coales, alwaies foꝝezysed, excepted, & reserued vnto the said J. C. his
 heires & assignes. To haue and to hold the said mannoꝝ of F. and all
 and singular other the pꝛemisses (except befoze excepted) to the said
 F. and A. foꝝ and during the naturall liues of the said F. and A. and
 the longer liuer of them. Ycelding and paying therefoze verely during
 the naturall life of the said J. C. vnto the said J. C. and his assignes,
 xx. l. of lawfull English money, at the feast of ꝛc. And if it happen
 the said verely rent, oꝝ any part thereof, to be behind & not paid by the
 space of xl. daies after either of the said feasts, in which it ought to be
 paid, & the same being lawfully demanded: That then & from thence-
 foꝝth it shall be lawfull foꝝ the said J. C. and his assignes to enter into
 the pꝛemisses, and not onely to distraine foꝝ the said rent, & euery part
 thereof, so being arrere & vnpaid, but also foꝝ the summe of v. li. of
 lawfull English money in nomine poenæ, which they the said F. & A.
 granteth to pay to the said J. C. and his assignes, so often as the same
 verely rent of xx. li. oꝝ any part thereof so shall be arrere & not paid by
 the space of foꝝty daies after the feast oꝝ feasts, at which it ought to be
 paid. And the said F. & A. do couenant foꝝ them ꝛc. that y^e said F. & A.
 and the longer liuer of them, shall during the said terme of their liues,
 and the longer liuer of them, vphold, repaire, & maintaine the pꝛemisses
 in all maner of charges. And also shall vphold, repaire, & maintaine the
 banke & sea-dike, in such maner & foꝝme, as the said J. C. his heirs and
 assignes ought to haue done, if these presents had neuer bin had oꝝ
 made. In witnesse &c.

*The Kings collation of a Prebend made causa
 permutationis.*

HENRICUS &c. Sciatis quod cum A. B. Rector Ecclesie parochialis de Sect. 356.
 W. N. diocesis, et C. D. Canonicus in Ecclesia Cathedrali sancti P.
 L. diocesis, ad Præbendam pbenđ de H. in eadē Ecclesia, intendē (vt asse-
 runt) beneficia sua pđ ad inuicim permutare: Nos pbenđam pđictam ad
 nostram donationem spectantem ratione temporalium Episcopat^o Lon-
 dinensis in manu nostra in p̄sentē existentium, præfat^o A. ex causa hñodi
 permutationis, dedimus et concessimus, ac per p̄sentes damus et concedi-
 mus &c. Habendum &c.

A Grant of a Parsonage by the King in pure almes.

Sect. 357.

Rex &c. (*ut supra* 327.) dilectis nobis in Xpo Decan & Canonicis libere Capellæ nostræ Reg. S. Georg' infra Castrum nostrum de W. aduocatione & patronat' Vicar' Ecclesiæ de N. in Coen H. Habend' &c. præfat' Decan, Canonicis, et successoribus suis imperpetuum, in puram & perpetuam elemosinam, absque aliquo impedimento, impetitione, perturbatione, molestatione, inquietatione, seu grauamine nostræ, seu hered' nostrorum, Iustic', Etchactof, Vicecoen, Coroñ, aut aliorum balliuorum, seu ministrorum nostrorum, vel hered' nostræ quorumcunque absque apporto, firm, compoto, vel ratiocinio, aut alio proficuo quocunque nobis vel hered' nostris inde reddend', soluend', seu faciendo: Statu' de terris & teneñtis ad manum mortuam non ponendis ædito, aut aliquo statuto de possessionibus alienigen' fact', ædito, siue p'uiso, in contrar' non obstante. Et eo qd' expressa mentio de vero valore annuo, aut de certitudine p'missorum, seu alicuius eorundem, aut de alijs donis siue concessionibus præf. Canonicis, vel p'decessoribus suis, per nos, vel p'genitor' nostros ante hæc tempora factis, in p'sentib' minimè fact' existit: Aut aliquo statuto, actu, ordinatione, vsu, constitutione, restrictione, siue prouisione, q'di' fact', prouisis, seu ordinatis, aut aliqua alia re, causa, vel materia quacunque in contrarium non obstante. In cuius rei &c.

A Grant of a Prebend void by promotion.

Sect. 358.

Rex &c. ac intuitu charitatis, dedisse &c. dilect' scholari nostro I. L. Canonic' in Ecclesia nostræ Cathedral' Sarum, & p'bendam de H. in eodem, modo per promotionem dilecti nobis in Christo R. T. dudum, ac vltimi Incumbentis eorundem, ad Episcop. Æ N. vacantem, & ad nostræ donationem ratione ac in iure prærogatiuæ nostræ Regiæ spectant. Habend' & tenend' Canonicatum & p'bend' p'dict', præf. I. ad termin' vitæ ipsius I. vna cum omnibus & omnimodis iuribus, p'hemencijs, & pertiñ vniuersis. In cuius &c.

A Grant of a Warren.

Sect. 359.

Rex &c. (*ut supra* 327.) dilecto ac fideli nostro T. M. Mili', quod riple & hered' sui imperpetuum habeant liberam Warrennam in omnibus dominicis terr' suis de N. in Coen E. dum tamen terr' illæ non sint infra metas forestæ nostræ, ita quod nullus intret terras illas ad fugandum

gandum in eis, vel aliquid capiendū quæ ad warrennam pertineat, sine licentia & voluntate ipsius E. vel hæredū suorū, sub forisfactura nobis decem librarum. Quare volumus & firmiter præcipimus pro nobis & heredib⁹ nostris, quod ipse & heredes sui imperpetuum habeant liberā warrennā in oībus dominicis terris suis de N. p̄dict', dum tamen terr' ill' non sint infra metas forestæ nostr' : Ita quod nullus intret in terras illas ad fugandum in eis, vel aliquid capiendū qđ ad warrennam p̄tineat, sine licentia et voluntatē ipsius T. & hæredū suorū, sub forisfactur' nobis x. libras, sicut præd' est. His testibus &c.

The grant of a Prebend in a Colledge.

Henicus &c. Dilectis nobis I. O. Decano collegij n̄ri Oxoniensis Sect. 360.
vulgaliter nuncupati (King Henrie the eight's Colledge) ac eju-
dem Collegij canonicis, salutem. Sciatis &c. (vt supra 327.) dilect' Ca-
pellano nostro I. B. sac' Theologiæ professori, canonicatum siue p̄ben-
dam in Collegio n̄ro p̄dicto, modo per mortem I. H. vltimi incumben-
tis ibidem vacantem, atq; ad donationē nostram pleno jure attinentem.
Habend' &c. vna cum hospicio quod idem I. H. ratione dicti canonica-
tus siue præbend' nuper possidebat. Vobis igitur conjunctim & diuisim
commitimus et stricte mandamus quatenus p̄f. I. B. ad dictum canonica-
tum siue p̄bendam, statim (his literis n̄ris inspectis) admittatis, necnon e-
undē in realem & corporalē possessionē dicti canonicatus siue præbend'
juriumq; & p̄tīn suorū vniuersorū inducatis, p̄ut decet. In cuius &c.

A graunt of a Faire.

Rex &c. Sciatis quod nos ob singularem affectionē & intimam di- Sect. 361.
lectionem, quas penes Reuerendissimum in Christo patrem I.
Archiepiscopum Cantuariē Cancellarium nostrum gerimus & ha-
bemus de gratia &c. concessimus, & hac presenti charta nostra confir-
mauimus pro nobis & hered' nostris p̄f. Archiepiscopo quod ipse &
successores sui in perpetuum habeant vnā feriam siue nundinas apud
villam suam de S. in coū K. in quodam loco in communia villæ præd'
vocat le Uine, Ecclesiæ Christi Cantuariensi p̄tīn, singulis an̄n per
tres dies duratur, viz. in vigilia, in die, & crastīn translationis Sancti
N. viz. nono die Maij, cum omnib⁹ libertatib⁹ & liberis consuetudini-
bus ad hujusmodi feriam siue nundinas p̄tinent, dum tamen ferie
siue nundīn ill' non sint ad nocumēt vicinar' feriar' siue nundinarum
Quare

Quare volumus &c. *ut supra* 359. quod prædict' Archiepiscopus & successores sui imperpetuum habeant & teneant feriam siue nundinas prædict' apud prædict' villam de S. in prædict' loco communi villæ prædict' vocat' le bing, singulis anñ per tres dies duratur, videlicet, in vigilia, in die, & in crastino translationis sancti N. diæt' nono die Maij, cum omnibus libertatibus & liberis consuetudinibus, ad huiusmodi feriam siue nundinas pertinentibus, dum tamen feriæ siue nundinæ illæ non sint ad nocumentum vicinæ feriæ siue nundinarum sicut prædictū est. His testibus &c.

*A case to a spirituall person, with dispensation of
the Statute 21. H. 8.*

Sec. 362.

Rex &c. Sciatis quod nos &c. R. F. clerico, maneria, dominia, & tenementa nostra de N. &c. Ac omnia & singula ædificia, domos, gardina, terras, tenementa, prata, pascua, pasturas, boscos subboscos ac redditus & seruicia omnium & singulorū tenentū, tam liberorum quam natiuorū, ac tenentium per copias Rotulorum curiæ, & cæterorum tenentium customariorū, & tenentium ad terminum vitæ, vel ad terminos annorū, ac omnes & singulos redditus & firmas super quibuscunque dimissionibus, concessionibus, siue traditionibus de præmissis, vel eorum aliquibus factis quouis modo reseruatos. Et insuper reuerfiones, sæoda Militū, wardas, maritag', curias, letas, visus francipl', & omnia quæ ad visum francipleg' pertinent, fines, amerciamentū, exitus, proficua, warrenas, aquas, piscarias, libertates, franchesias, commoditates, emolumenta, & hæreditamenta nostra quæcunque cum suis pertinentijs diæt' manerij, dominijs, et tenement' de N. &c. et eorum cuilibet, siue eorū alicui pertineñ siue spectant, parcell' aut parcell' eorundem, aut eorū alicuius existeñ, aut fore reputat'. Et ulterius &c. Rectoriam nostr' Ecclesiæ parochial' de N. &c. Habend' & tenend' omnia & singula prædict' maneria &c. præfato R. & assignatis suis, pro termino & ad terminum vitæ ipsius R. Tenendum de nobis &c. per &c. pro omnibus seruicijs, redditibus, & demandis, quibuscunque &c. Ac insuper de gratia nostra prædict', volumus, & per præfatos pro nobis hæred', & successoribus nostris licentiam, facultatemque specialem, præfati R. damus & concedimus, quod idem R. & assignati eius, omnia, & singula prædict' maneria &c. & cætera præmissa cum suis pertinentijs, virtute & vigore harum literarū patentium habere, gaudere & tenere possint & valeant pro termino vitæ ipsius R. erga nos, hæredes & successor' nostros: quodam statuto in anno vicesimo primo regni nostri ædito

ædito, spirituales seu ecclesiasticas personas concernente atq; spectante : per quod quidem statutum ordinatum et stabilitum existit inter alia, qđ null' spiritualis seu ecclesiastica persona secularis vel regularis cuiuscunq; gradus existit, deinceps ad firmam recipere possit sibi vel alicui personæ vel aliquibus personis ad eius vsum, ex dimissione seu concessione nostra aut alicuius siue aliquarum aliarum personarum per literas patentes, indenturas, scripta, verba, vel quocunque alio modo, aliqua maneria, terras, tenementa, seu alia hereditamenta ad terminum vitæ, annorum, vel ad voluntatem, sub poena in eodem actu expressa, non obstante : Ac quod idem R. et assignati sui, omnia et singula maneria prædict', fundos, terras, tenementa, ceteraque præmiss'. vniuersa habere, tenere, et occupare possit et valeat pro termin' vitæ ipsius R. absque aliquibus primis fructibus pro præmissis, seu aliqua inde parcell' nobis hæred', vel successoribus nostris pro eisdem reddendis seu faciendis : aliquo statuto &c. *vt supra 357.*

*The gift of a Stewardship and Constable, and
Master of a Forest.*

REx &c. Sciatis quod nos considerantes fidelitatem et industriam Sect. 363.
 prædilecti et fidelis consanguinei nostri R. &c. ex gratia &c. concessimus præfato G. officia Seneschalli siue Seneschalcie Honoris nostri de N. in Comitatu D. et S. Necnon castri, villæ, dominij, et manerij noui Castri super Tinam, dominiorum et maneriorum de W. & A. ac omnium aliorum castrorum, dominiorum, maneriorum, terrarum, et tenementorum nostrorum in eisdem Comitatu, cum pertinentijs, parcell' Ducatus nostri Lanc': ac eundem G. Seneschallum omnium officiorum prædict' per presentes ordinauimus, fecimus, et constituimus. Ac etiam concessimus eidem G. officium Constabularij castri nostri de T. M. et P. magistrum Forestarum chaceæ nostr' de R. ac Balliuum nouæ libertatis nostræ in Comitatu prædict'. Necnon Magistrum de ductu ferarum omnium forestarum, chacearum, parcorum, boscorum, et warrennarum in Comitatu prædict'. Ac etiam concessimus eidem G. plenam auctoritatem et potestatem ad faciendum nominandum et assignandum de tempore in tempus, omnes et omnimodos forestarios et custodes dictarum forestarum, ferarum, chacearum, parcorum, et warrennarum : Ac insuper dedimus et concessimus eidem G. officium Magistri capitalis Seneschalli Honoris prædict', ac cæterorum præmissorum omnium cum pertiñ. Habend', occupand', et exercend', omnia prædicta officia et eorum quælibet vna cum auctoritate et potestate prædict' præfat' G. per se vel per suos suffi-

sufficientes deputatos aut deputatum suum, pro termino vitæ ipsius G. percipiendū annuatim, in, & pro officijs prædict' & eorum quolibet centum libr' &c. vna cum feodo & vadio ab antiquo debito & consueto, tam eisdem officijs & eorum cuiilibet, quam omnibus alijs officijs occupand', per officia fiend' & nominand' per præfat' C. auctoritate & potestate supradict', & de exitibus, proficuis, & reuentionibus Honoris prædict', & ceterorum premissorum, & eorum cuiuslibet proueniend' siue crescent', per manus finarior', tenentium, receptor', seu alior' officiar' & occupator' eiusdem pro tempore existent', ad &c. vna cum omnibus & omnimodis alijs feodis, proficuis, commoditatibus, libertatibus, & emolumentis quibuscunque officijs prædict' & eorum cuiilibet qualiter cunque pertiñ, in tam amplis modo & forma, prout aliqui alij, siue aliquis alius officia prædict', seu eorum aliquod ante hec tempora habuerunt siue habuit, occupauerunt vel occupauit, ac in eisdem & in eorum quolibet perceperunt siue percipere debuerunt vel debuit. Eo quod expressa mentio de vero annuo valore &c. *As you see above Sect. 357.*

A grant of a Stewardship and Surueyorship.

Sect. 346.

PRenobilis G. Comes S. dominus Talbot, dominus Furnyual, Verdon, & Strange de Blackmere, dominus Liffroft &c. Omnibus ad quos hoc præsens scriptum peruenerit, salutem. Sciatis me præfat' Comitem, tam pro sincero amore et beneuolentia qua iamdudum affect' sum erga W. W. de R. in Comitatu Ebor' generos. de cuius prouida circumspeditione, pia sedulitate, ac singulari in hac parte prudentia merito plurimū confido, quam pro summa illius tum in me, tum in illustrissimum G. nuper Comitem S. preclarissimum patrem meum obseruantia fide studio officio & pietate, ex mera & spontanea voluntate mea dedisse & per presentes concessisse eid' W. W. officium Seneschall' siue Seneschalciam omnium & singul' domin', maner', & hæreditament' meor' quorumcunque in sepeial' comitatibus E. D. N. H. & B. & custodi' siue officium tenendi omnes et omnimodas Cur' baron', letar', vis. franc' pleg', dominior' & manerior' prædict', et eor' cuiuslibet ac gubernationem & supervisionem eorundem. Ac ipsum W. W. generalem ac capital' Seneschall' ac superiorem meum omnium curiar', dñiorum, manerior', et hæreditamentor' meor' prædict', facio, constituo, et ordino per presentes. Habend', tenend', gaudend', exercend', et occupand' officia prædict' cum pertiñ, vna cum omnibus et singulis feod', vadijs, regardis, proficuis, preheminat'ijs, et aduātagijs eid' officijs spectant' siue pūñ præfat' W. W. p se, vel p sufficientē deputat' suum, siue sufficientes deputat' suos, vel p sufficientē depu-

deputatum siue deputatos deputati siue deputator^{um} suorum pro quorum factis mihi respondere veit, a dat^{is} present^{ibus} durante &c. Mando inluper vniuersis & singulis balliuis, prepositis, firmarijs, tenentibus, & occupatoribus meis premissor^{um} & eor^{um} cuilibet, quod p^{ro}f. W.W. & deputatis suis p^{re}dictis in hac parte de tempore in tempus assistentes sint, obediens, & auxiliantes in oibus prout decet durans termino p^{re}dicti. In cuius rei testimonium huic present^{ibus} scripto meo sigillum meum appolui. Dat^{is} 23. die Decembris regni domini nostre Elizabeth. dei gratia, Angliæ, Franc^{ie} & Hibern^{ie} Reginæ fidei defensoris &c. tricesimo tertio, 1592.

A Grant of an Ideot or Lunatike.

REX &c. Sciatis quod cum T.P. filius & heres H. P. nuper de F. in comitat^u F. fatuus & Ideot^{us} existit à natiuitate sua, & ea ratione sui ipsius, ac terr^{arum}, tenementor^{um}, bonorum, & catallo^{rum} suorum regimine vacat & caret, prout coram nobis per testimonium fide dignorum probat^{us} existit. Nos vero ex &c. volentes eidem T. de vitæ necessarijs & corporis suis custod^{iam} secur^{am} providere, Dedimus & concessimus, ac per p^{re}sentes damus & concedimus dilecto nobis in Christo H. I. militi pro corpore nostro custodiam ipsius T. ac omnium terrar^{um} & tenementor^{um} reddituum & seruitiorum cum pertinentijs, quæ nuper fuerunt p^{re}dicti H. P. & que tam per finem post mortem eiusdem H. quam ratione fatuitatis & Ideotatis dicti T. ad manus nostras deuenierunt, seu deuenire debuerunt aut debent. Habend^{am}, gaudend^{am}, tenend^{am}, & occupand^{am}, custodiam corporis dicti T. ac omnium maneriorum, terrarum, tenementorum, & aliorum p^{re}missorum &c. p^{re}dicti H. I. hæred^{em} & assignat^{is} suis pro termⁱⁿo vitæ natural^{is} dicti T. P. absque aliquo compoto seu aliquo alio nobis vel hæred^{em} nostris inde reddend^{am} vel faciend^{am}. Prouiso semper quod dict^{us} H. I. hæred^{em} & assignati sui de exitibus manerior^{um}, terrarum, tenentorum, & cæterorum p^{re}missor^{um}, inueniat p^{ro} dict^{is} T. victualia, & omnia vitæ suæ necessaria, prout decet in tali casu, & quod terra & ten^{ta} &c. p^{re}dicta manuteneant sine vasto vel destructione. Eo quod expressa mentio de vero annuo valore &c. *ut supra* 357.

A Grant of the office of one of the Auditors of the Exchequer.

REX &c. *ut supra* 327. In consideratione boni & fidelis seruii^{um} quod dilect^{us} seruiens noster G. D. nobis impendit, & imposterum impendat, dedimus & concessim^{us}, ac per p^{re}sentes damus & concedim^{us}, eidem

eidem C. officium vnius Auditor Scaccarij nostri, qd' R. S. nuper habuit & occupauit, & in manibus nostris nunc existit. Habend' & tenend' prædict' officium præfat' G. quamdiu se bene gesserit in eodem, per se vel per sufficientem deputat' suum, cum feod' & vad' eidem officio ab antiquo debet' & consuetis, vna cum alijs proficuis, commoditat' & aduantageijs eidẽ officio pertinentibus siue spectant', in tam amplis modo & forma, prout H. F. aut R. S. siue aliquis alius, siue aliqui alij ante hæc tempora habuit, pcepit, habuerunt seu pceperunt. Eo qd' expressa mentio &c. *vt supra* 357

A Grant of an Auditorship.

Sect. 367.

OMnibus &c. S. Episcopus W. Sciatis nos fecisse, ordinasse, constituisse & assignasse R. R. Auditorem nostrum ad omnia & singula compos' omnium receptorum & præpositor' Balliuorum firmariorum & aliorum quorumcunq' ministroꝝ omnium & singulorum dominioꝝ, manerioꝝ, terr' & tenoꝝ nobis computabil' existent' infra regnum Angliæ, audiend' & terminand' : Nec non ad oĩa & singula quæ natura compos' exigit & requirit faciend' & exequend'. Habend', tenend', exercendum, & occupandum officium p'd' pro termino vite sue, per se vel per deputatum suum : percipiend' de nobis & successoribus nris pro prædict' officio exercend', occupand', & exequend', pro feodo suo annuatim quinque libras, & pro papiro &c. pro rotulis compositoꝝ superscrib. decem solidos de exit', proficuis & reuent' dominiorum, maneriorum, terrar', & tenoꝝ nostrorum prædict' per manus recept', balliuoꝝ, præpositorum & firmariorum nostrorum pro tempore existent'. Et etiam damus & concedimus per præfentes præf. R. R. seu ei' in hac parte deputat' qui in hñdi officio suo exercendo occupat' fuerit in eund', exequend', siue redendo, viz. quouis die decem denarios pro seipso, ac pro quolibet seruiente ipsius R. seu eius deputat' per diem decem denarios, mandantes firmiter omnibus & singulis officarijs & ministris nostris prædictis, quod &c. *vt supra* 364.

A Grant of the keeping of an Ideot with his lands &c.

Sect. 368.

THis Indenture made &c. Betweene the right honozable Sir W. C. Knight, Lord B. Lord Treasozer of England, & Master of the Queens Maiesties Court of Wards and Liveries, and R. B. esquire, Surueyoz of the same Liveries, soz & in the name and behalfe of our said soueraigne Ladie the Queen, on thone partte, and G. P. brother and

and next heire of J. P. ideot deceased on the other partie. Witnesseth
 That where our said soueraigne Ladie is agreed to grant vnto y^e said
 G. an Ouster le maine to be had, of, and in certaine lands & tenements
 holden of our said soueraigne La. the D. as of her Graces Castle of E.
 parcell of her D. of L. by fealtie & rent, which to the said G. discended
 & came in vse, possession, or reuerfion from y^e said J. P. as by other and
 heire of the said J. P. ideot, as in the said Ouster le maine moze plainly
 is contained. Yet for that our said soueraigne Ladie should not be
 deceiued, but that her Grace should haue perfect knowledge & vnder-
 standing of the true value of the said lands & tenements, and all other
 hereditaments: The said G. hath deliuered the day of the date hereof
 vnto the said W. L. B. Lord Treasurer of E. and R. B. a w^{ri}ting in
 parchment indented, hereunto annexed, wherein be contained and
 specified all the lands & tenements, and the true yearely value of the
 same, which the said G. willety, or intendeth to haue, or shall haue, out
 of the Queenes Maiesties hands, or possession, by the said Ouster le
 maine. And ouer that, the said G. P. couenanteth &c. to and with &c.
 that one Auditor, or Auditoz, by our said soueraigne Ladie to be as-
 signed, or any Auditor to the Queenes Maiesties Court of Wards
 and Liueries for the time being, shall at the costs and charges of the
 said G. and at such time as it shall please our said soueraigne Ladie,
 her heires & successozs, Kings of this Realme, to appoint by the said
 Master of her Highnesse Court of Wards & Liueries, and surueioz of
 the same Liueries for the time being, or otherwise, to search, suruey,
 and view as well the true value as the tenure & tenures of the same:
 vpon which search and view, if it can be p^{ro}ued, that any mannozs,
 lands, tenements, and other hereditaments, whereof the said G. or
 any other person or persons for him, in his name, or by his consent, ta-
 keth, or hereafter shall or may lawfully take, any aduantage, benefit,
 p^{ro}fit, or commoditie, by reason or meanes of the said Ouster le maine,
 be holden of our said soueraigne Lady by Knights seruice in chiefe,
 or otherwise in Socage in chiefe, and be of moze better and larger
 yearely value then in the same w^{ri}ting is contained: then our said
 soueraigne Ladie shall be by the said G. P. his &c. truly answered
 and satisfied, as well for the tenure, as for the yerely value of all such
 lands and tenements as shall happen to be vnder valued and omitted
 out of the same w^{ri}ting. And also for the concealement and offence
 in that behalfe, the said G. shall content and pay vnto our said soue-
 raigne Ladie, into her Graces Court of Wards & Liueries, the dou-
 ble of one yeares value of all the lands and tenements so omitted or

under-valued. And also our said soueraigne Lady shall and may perceiue and take the whole issues and profits of the lands & tenements so omitted and vnder-valued, vntill the said G. or his assignes, shall haue agreed to and with the said W. Lord B. &c. and R. B. &c. or other the masters of the Queenes Court of Wards & Liueries, and suruei- or of the same Liueries for the time being, for the said value and ouer- plus of the lands, tenements, and hereditaments so omitted or vnder- valued, and shall find sufficient suerties for the paiement thereof to the Queenes Maiesties vs. And also all such other summes of money as by the agreement of the said master of the Queenes Court of Wards and Liueries, and suruei- or of the same Liueries, shall be taxed, assign- ed, or appointed, any thing herein contained to the contrarie not- withstanding. In witnesse whereof, to the one part of these Indētures remaining to and with the said G. the said W. &c. and R. B. haue set their hands and seales: And to the other part of these Indētures remaining to the Queenes Maiesties vs in the said Court of Wards and Liueries, the said G. P. hath set his hand and scale die et anno su- pra scriptis.

Valor siue extentus annui valoris omnium et singulorum maneriorum, terrarum, tenementorum, & ceterorum hereditamentorū quorumcunque nuper I. P. fatui et Ideo defuncti, et in custodia dñæ Eliz. nunc Regi- næ ratione facultatē suæ tempore mortis suæ & quæ per siue post mortem eiusdem I. cuidam G. P. fratri et heredi suo descenderunt et descendere debent, in vsu, possessione, et reuersione. Qui quidem I. P. obiit &c. dicto G. ad tunc plene ætatis, scilicet xxj. annorum decimo nono &c. prout per inquisitionem inde captā apud N. in Comitatu N. primo die &c. plenius poterit apparere. Et modo viz. vltimo die N. anno &c. idem G. P. venit ad prosequendū suum *Duster le maine* extra manus dictæ domini Reg. de omnibus præmissis subscrip̄t secundum communes leges huius regni Angliæ.

Com' Not'. { Manerium de H. cum pertiñ, et alia terf, te-
nemente, hereditamta in H. & C. cum per-
tineñ, teneñ de Archiepiscopo Eboꝝ, vt de
manerio suo de G. in dicto Comitatu N. in } vij. li. v. s.
socagio, per fidelitatem et reddiꝝ xx. s. iij. d.
per annum ꝑ omnibus seruiijs: valent clare
per annum. }

A Grant of the tuition and gouernement of a Lunatike.

THIS Indenture made betweene the most excellent Princesse, and Sect. 369.
 our most dread soueraigne Ladie Elizabeth by the grace of God
 Queene &c. on the one partie, and W. G. gentlemā on thother party,
 Wicnessech, that where our said soueraigne Ladie, with the aduise of
 the Master and Counsel of her graces court of Marches and lueries,
 is contented & pleased to grant, & by these presents doth commit and
 grant vnto the said W. G. the custody, rule, order, and tuition of W.
 R. being a soyle naturall and Lunatike, not able to gouerne himselfe,
 his mesuages, lands, tenements, goods, noz cattels, as by an office there,
 of found at C. in the County of C. the 26. day of October in the xvij.
 yeare of our Soueraigne &c. moze at large appeareth. And whereas
 also our said Soueraigne Lady hath couenanted and granted, and by
 these presents couenanteth & granteth vnto the said W. G. aswell the
 custody, rule, order, occupation, disposition, and receipt, of all the me-
 suages, lāds, tenemētts & hereditaments, and of the rents, reuenues,
 issues and profits thereof, which the said W. R. oz any other person oz
 persons to his vse, now hath, oz ought to haue in possessiō oz reuerstiō,
 oz which by any lawfull waies oz meanes, may oz ought to come, deli-
 uerend oz grow vnto the said W. R. And also the custodie, rule, order,
 and receipt of all the goods, cattells, farms, stocks, stozes, plate, mony,
 debts, ieiwels, wares, marchandises, and other commodities and pro-
 fits whatsoeuer to the said W. R. in any wise belōging oz pertaining,
 and the vse and marchandizing of the same, to the behoofe, profit and
 cōmodity of the said W. R. and the reliefe and sustentation & finding
 of his wife, childzen, and family, if any be, and also for the preferuati-
 on, safegard and reparations of the said mesuages, lands, tenements,
 houses, farmes, household stufte, ready money, and other commodities,
 during the life of the sayd W. R. The said W. G. for the better and
 moze true administratiō, accomplishment, and perfozrmance of the
 conditions and duties by order of law incident and belonging to the
 said custodie, hath deliuered a writing indented hereunto annexed, in
 which beene containyd and specified all the mesuages, lands, tene-
 ments, rents, reuerstions, and the particular values of them, and es-
 uerie of them, and also all the farmes, stockes, wares, goods, cattells,
 money, plate, ieiwels, household stufte, implements, debts, and o-
 ther commodities, duties, and profits whatsoeuer to the said W. R.
 now

now appertaining or belonging, or which in anie wise ought of right to appertaine or belong to him: which wyting indented, the said **M. G.** covenanteth to be true, and a perfect declaration of all the mesuages, lands, tenements, rents, reuerfions, seruices, hereditaments, farmes, stocks, wares, goods, chattels, readie mony, and other the premisses, without omission of them, or any of them. And the said **M. G.** covenanteth and graunteth, for him and his assignes by these presents, that the rents, reuenues, issues profits, and increase of the said mesuages, lands, tenements, stocks, wares, goods, chattels, ready money, and other the premisses, as farre forth as the same will extend and reach, and as farre forth as shall bee needfull, requisite, and conuenient, shall daily from time to time during the said custodie be imployed, conuerted, & disposed vpon the finding and sustentation of the said **M. R.** his wife, children, and family (if any be) with honest and conuenient meat, drinke, and apparell, lodging, regards, and necessaries. And that the said **M. G.** and his assignes, so farre forth as in him and them lieth, shall honestly intreat, order, and maintaine the said **M. R.** according to his degree, estimation, substance, and possession, as to the Queenes Honor and his duetie in that behalfe doth appertaine. And the said **M. G.** covenanteth and graunteth for him and his assignes by these presents, that hee with the said rents, profits, and increase, as farre forth as the same will extend or reach, and so farre forth as the same shall be necessarie, shall make all manner of necessarie and needfull reparations, in and vpon the said messuages, lands, tenements, and other hereditaments, and in and vpon the building, in such maner and sort, as hereafter no waste, spoile, decay, or disorder be found by the default of the said **M. G.** or anie other by his meanes or procurement, and if any decay be at this time, in conuenient and reasonable time to cause the same to be amended & repaired. And the said **M. G.** covenanteth and granteth for him & his assignes by these presents, that they shall not do nor suffer to be done any strep, waste, or spoile of woods of the said messuages, lands, tenements, and hereditaments, or any part thereof, nor willingly decay anie rent or seruice belonging to the same, or expell or put out any tenant, holding anie part or parcell of the premisses, nor take any fines of them, or any of them, without the knowledge or agreement of the said Master and Counsell for the time being. And if at anie time hereafter, anie strep, waste, spoile, or disorder be done, or incroachment of land made in the preiudice of the inheritance of the said **M. R.** or his heires, that then the said **M. G.** and his assignes, as much as in him or them lieth shall

shall haue and defend the same, and so; lacke of power and sufficient authoritie so to do, shall with conuenient speed and expedition certifie the same to the said Master and Counsell for the same, and receiue and prosecute forth their order for reformation thereof, to, and for the aduancement of the Queenes Maiesties interest and right, and for the preservation, safegard, and tuition of the inheritance, right, and title of the said W. R. And the said W. C. couenanteth and graunteth for him and his assignes by these presents, that he the said W. C. or his assignes, in Trinitie terme next coming shall bring his part of these Indentures, to the Auditor generall of the Queenes Maiesties said Court of Wards and Liveries, to haue the same there inrolled, and shall make a true and perfect accompt befoze the said Auditor of the rents, reuenues, profits, and increase of the said mesuages, lands, tenements & other the premises, and shall stand to the order & direction of the said Master and counsell, as well for all maner of accompts, payments, receipts, demands, and other matters, as for the custodie, order, and disposition of as much thereof as shall be found in the accompt to remaine in his hands, aboue all reprises and deductions, so that by the said Master and counsell the same may be employed and bestowed to the most vtilitie and profite of the said W. R. and his heires, and so from time to time to make like accompt, and abide like order whensoever he by the said Master and Counsell shall bee called to the same. And the said W. C. couenanteth and granteth for him and his heires, by these presents, that he the said W. C. and his assignes, shall at all times hereafter, not only permit and suffer the said Master and counsell, or anie other by their authoritie, to suruey the estate and blage of the said mesuages, lands, tenements, and other the premises, but also pay the charges of the same suruey out of the said rents & profits, and shall from time to time performe & fulfill the direction of the said Master and Counsell, for and concerning the redresse & reformation of all disorders found vpon the said suruey. And if it fortune the said mesuages, lands, tenements, and hereditaments, or anie part of them, by any such suruey to be found of better or more yearly value or rent, then is befoze expessed in the said writing indented, or y any part of them, or anie other lands which the said W. R. ought to enioy, be omitted in the same writing indented: then the said W. C. and his assignes, shall truly accompt for the ouerplus of the rents and profits so vndervalued and omitted, and the arrearages thereof, and shall stand to, and accomplish such order and direction of the said master and counsell, for the paying, employing & bestowing of the said rents, and tharrearages

thereof, as to the said master and counsell shall seeme expedient. And the said W. G. covenanteth and granteth for him and his assignes by these presents, that neither the said W. G. or his assignes, shall give, grant, covenant, bargaine or sell the custodie of the said R. W. nor his interest in the same by vertue hereof, to anie person or persons, without the knowledge and agreement of the said master and counsell for the time being. And it is provided in the behalfe of the D. maiestie, by the said Master and Counsell, that if at anie time hereafter it fortone the said covenants, conditions, graunts or agreements, or anie clause or article before mentioned, which are to be kept on the part and behalfe of the said W. G. and his assignes, to be broken and vnkept, and not reformed within ij. moneths next after lawfull warning to him or the therof giue, that then this present grant to be void and of none effect. And immediatly vpon such default, it shalbe lawfull to the said master & counsell, not onely to sequester and take the said custodie into the D. maiesties gift, and order, and the same to commit or dispose to anie other person or persons, during the lunacie of the said W. R. but also to distraine the goods and chattels of the said W. G. and his assignes, and the same to drie, leade, and carrie away, withhold, bargaine, and sell, to the vse of the D. maiestie, vntill her highnes be fully answered and paid, for the damage sustained by breakeing of anie of the said covenants in these present Indentures contained: any thing before mentioned to the contrarie notwithstanding. In witness &c.

A Grant of the tuition of a Lunatike, his family, lands, and goods.

Sect. 370.

THis Indenture &c. vt in Sect. 369. and T. W. p. D. W. S. and G. P. Esquires of the other partie, Witnesseth, that where our soueraigne Ladie, by inquisition taken at A. in the Countie of B. the 17. day of June, in the second yeare of her noble raigne, before A. B. Schetor, of the said Countie, by vertue of the D. Maiesties writ to him directed, to inquire of T. W. Esquire, and by her highnes prerogative royall is intituled to the custodie of the said T. W. & to provide for the estate of him, his wife, children, manors, lands, tenements, and hereditaments, goods and chattels, according to the said prerogative, and the lawes and statutes of the realme in that case provided, and is contented and pleased, to graunt and to commit vnto the said T. W. p. D. W. S. and G. P. aswell the custodie, rule, order, tuition, and gouernance of the said T. W. being by the said Inquisition found to be a lunatike, & imperfect of minde and memoize, not able to governe himselfe

himself, his wife, childzen & family, manors, lands, goods, & chattels, as also the custody, rule, tuition, vse, occupation, receipt & disposition of all y^e manors, lands & hereditaments, farms, stocks, stoies, goods, chattels, money, plate, household stuffe, and other commodities & possessions whatsoeuer they be which the said T. W. now hath, or by any means may or ought lawfully to haue, to thuse, profit & commoditye of the said T. W. & his heires: To haue & to hold the same to the said T. P. W. and C. during the Quens Maiesties will and pleasure. And therefore the said T. P. W. and C. for the better performance of the covenants & conditions incident and belonging to the that haue the custody committed vnto them, haue deliuered a writing indented hereunto annexed, in the which bin contained and specified all the manors, lands, tenements & hereditaments, being of the inheritance of the said T. W. in possession and reuerſion, and also al goods & chattels of y^e said T. W. which writing indeted the said T. P. W. and C. by these presents covenant and grant to be a full & perfect declaration of al the manors, lands and hereditaments goods and chattels without omission or concealment of any part of them. And the said T. P. W. and C. covenant and graunt for them and their assigns, that the rents, reuenues, and profits and increase of the said manors, lands, and hereditaments, goods & chattels, as farre forth as the time will extend and reach, and as far forth as shall bee needfull, necessary, requisite, or conuenient, shall from time to time during y^e said custody be imployed, converted and bestowed vpon the finding and sustentation of the said T. W. his wife, childzen, & family, with honest and conuenient meate, drink, apparell, lodging, regards and necessaries: And that the said T. P. W. and C. and their assigns, so far forth as in them lieth, shall honestly intreat, order and maintain the said T. W. according to his degree, estimation, substance and possessions, in such sort, as to the R. honor and their duty in that behalfe appertaineth. And the said T. P. W. and C. doe covenant and graunt by these presents, that with the said rents, profits & increase as far forth as the same will extend, & so far forth as the same shall be necessary to the said T. P. W. & C. & their assigns, shall make all maner of needfull and necessary reparations, in, and vpon y^e said manors, lands, & other the premises, and in & vpon al the buildings, of the same, in such maner & sort, as hereafter no wast, spoile or disorder be found by the default of the said T. P. W. and C. or any other by their means or procuremēt: And if the decay be at this present, in conueniēt & reasonable time to cause y^e same to be amended & repaired.

And the said T. P. W. and G. doe couenant and graunt by these presents, that they shall not do or suffer to be done any strep, waste, or spoile of woods vpon the said mannozs, lands, and hereditaments, ne wittingly decay any rent or seruice belonging to the same, noz expell or put out any tenant or tenants, holding any part of the premises, noz take fines of them, noz cut downe any timber vpon the premises, without knowledge and agreement of the said master and counsel for the time being. And if at any time hereafter, any strep, waste, spoile, or disorder or incroachment of land be made to the pzeiudice of the inheritance of the said T. P. W. or his heirs: that then the said T. P. W. and G. as much as in them lieth, shall withstand and defend the same, and for lacke of power so to doe, shall with convenient expedition after knowledge thereof had, certifie the same vnto the said Master and counsel for the time being, and receiue & prosecute forth their order, vntil sufficient redresse be therein had, to, and for the aduancement of the Quenes Maiesties interest and right, and for the safegard of the inheritance, rights and titles of the said T. P. W. and his heires. And the said T. P. W. and G. doe couenant and grant for them and their assignes by these presents, that they the same T. P. W. and G. by themselues or their sufficient deputies, in Michaelmas Terme next comming shall bring their part of these Indentures to the Auditor general of the Ducenes Maiesties court of wards and lueries to haue the same inrolled and shall make a true and perfect accompt before the same Auditor, of the rents, reuenues, & profits, & increase of the said mannozs, lands and hereditaments, goods, & chattels, and shall stand to the order and direction of the said Master and Counsel, as well for al maner accompts, payments, receipts, demands, and other matters, as also for the custody, order, and dispositiõ of as much thereof as shall be found in the same accompt to remain, or which lawfully ought to remain in their hands, aboue all reppises and deductions, so that by thaduisie of the Master and Counsell, the same may be employed and bestowed to the most vtilitie and profit of the said T. P. W. and his heires, and so from time to time make like accompt, and abide like orders whensocuer by the same master and counsel he shall be called to the same. And the said T. P. W. and G. do couenant and graunte for them and their assignes by these presents, that they the said T. P. W. and G. and their assignes, shall at all times not onely permit and suffer the said Master and Counsell, or any other by the authorized, to suruey thestate of the said mannozs, lands, hereditaments, goods & chattels, but also pay the arrerages of the said suruey out

out of the said rents and profits, and shal from time to time perfozme and fulfil the direction of the said Pastur & Counsell, for and concerning the redzesse and refozimation of all disorders found vpon the same suruey. And if it foztune the said manors, lands and hereditaments, or any part of them, by any such suruey to be found of better & moze verely rent, then is befoze expessed in the same wryting indented, or that any part of them, or any other lads, goods, or chattels, which the said T. W. ought to inioy, be omitted in the same wryting indented: then the said T. J. W. and G. and their assigns, shal yeeld account of the ouerplus of the rents and profits so vnder- valued and omitted and of tharcerages therof, & shal stand to & accōplish such order and direction of the said Pastur and Counsel, for the payment, imploing and bestowing of the said rents and profits, and tharcerages thereof as to the said Pastur and Counsell shal be thought expedient. And the said T. J. W. and G. doe couenant and graunt, for them & their assigns by these presents, that they the said T. J. W. and G. and their assignes during the said custodie, shal from time to time cause the Courts heretofore vsed and had vpon the said manor to be verely kept, and the court rolles ingrossed, & surely laid by together, with all other evidences, recozds & wrytings, which the said T. J. W. and G. or their assignes may lawfully come by, concerning the title of the inheritance of the said T. W. so that they and euery of them may safely come to him & be deliuered vnto him, if at any time hereafter he shal happen to recouer his vnderstanding and memozy, or after his death to his heirs without concealement, imbezzling or withdrazwing of the said evidences or any part of the to the knowledge of the said T. J. W. & G. or any other by their means, knowledge, or procuremēt. And moreouer, the said T. J. W. and G. or their assigns, shal not doe or suffer to be done vnto their knowledge, any thing or act that may be to his hurt, incumbzance, and impairment of thinheritance of the said T. W. or his heires. And the said T. J. W. and G. do couenant and grant by these presents, that they shal not at any time hereafter giue, grant, commit, bargaine, and sell the custody of the said T. W. or their interest in the same by vertue hereof vnto any person or persons, without knowledge & agrēment of the said Pastur & Counsell for the time being. And the said T. J. W. and G. couentanten for them and their assignes by these presents, that if at any time hereafter during the said custody, any ward, benefice or spirituall promotiōn happen to fall void or grow vpon the same manors and other the premises, or any part of them: That then the said T. J. W. and G.

and

and their assigns, immediatly after knowledge thereof to them given shall certifie the same to the said Master and Counsell for the time being, so that they may know the Queenes Maiesties pleasure for her Highnesse gift, and confirming of the same. And it is provided on the behalfe of the Queenes Maiestie, by the said Master and Counsell, that if at any time hereafter it fortune the said covenants, conditions, or agreemets, or any clause or article before mentioned, which are to be kept on the part and behofe of the said T. P. W. and G. or their assigns, to be broken, vnkept, and not reformed within two moneths then next after lawfull warning thereof given: That then this present grant to be void & of none effect. And that immediatly vpon such default it shalbe lawfull to the said Master and Counsell, not onely to sequester and take the said custodie into the Qu. Maiesties gift and order, and the same commit & dispose to any other person or persons during the lunacie of the said T. W. but also to distraine the goods and chattels of the said T. P. W. and G. and their assigns, and the same to withhold, bargain and sell, to the vse of the Queenes Maiestie, vntill her highnesse be fully answered and paid to the value of the damage sustained by the breaking of the said covenants: any thing in this indenture contained to the contrary notwithstanding. In witness &c. *vt supra* Sect. 330.

A Grant of a Parkership.

Sect. 371.

E. N. Miles, dominus de B. Omnibus &c. Noueritis me præf. E. dedisse, & per presentes concessisse dilecto seruient meo R. C. custodiam siue officium custodiæ Parcæ mei de E. in comitat E. nec non fecisse & constituisse eundem R. parcarum meum parcæ mei prædictæ. Habendum &c. dictam custodiam siue officium per se vel per sufficientem deputatum suum pro quo mihi respondere voluerit, durante vita eiusdem R. cum vadit trium denarum per quemlibet diem annuatim durante vita sua, præcipiendæ per manus receptorum, balli, firmarum, seu alterius occupatorum cuiusdam domini siue manerij mei de E. prædictæ qui pro tempore fuerit annuatim durante vita dicti R. de redditibus & proficibus eiusdem domini siue manerij cum pertinentijs ad festa &c. per equales portiones: Ac vnam robam de festo valeatorum meorum erga festum Natalis domini, quando ego et hæredes mei liberatas huiusmodi dederimus. Et si contingat &c. *vt in alijs distinctionibus.* Distractionesque sic captæ licite asportare, abducere, fugare, et penes se retinere: quousque de vadijs prædictis et de omnibus arretragorundem siue que fuerint, sibi plenarie sit satisfactum & persolutum.

Quare

Quare Recepti, ball; firmat, ac alij occupator cuicunque domiñ siue manerij mei de E. prædicti præsent & futur mando & præcipio quod de exit, reddit, firmis & proficuis dominij siue manerij mei prædicti cum pertinentijs soluat seu solui faciat præfat R. C. aut assignatis suis dicti vad trium denar pro quolibet die ad festa p'd' equis portionibus de anno in annum, & termin in term vita prædicti R. durant. Insuper noueritis me præfat E. dedisse, & per præsent concessisse præfat R. C. pastur ad vnum equum & quinq vaceas infra parcum præd' durant vita depascend. Habend' eidem R. vita sua durante, cum liberis introitu & exit, ad fugationem & refugationem eorundum absque contradictione aliquali: Ita tamen quod idem R. C. officium prædicti bene & fideliter custodiat & exerceat per se, seu per sufficient deputatum suum exerceri faciat durante &c. de cuius facto respondebit &c. In cuius rei &c.

A Grant of the office of keeping of a Parke with fee.

OMnibus &c. Nouerit vniuersitas vestra nos intuitu boni obsequij Sect. 372. dilecti seruiantis nostri R. B. hæcenus nobis in ecclesia nostra cathedrali Noruicē fideliter impens. p præsens script concessisse eidem R. custodiam parci nostri de H. ad totam vitam ipsius R. possidend, picipiend' annuitatim de maner nostro de H. ad totam vitam ipsius R. per manus receptoris seu præpositi manerij prædicti qui pro tempore fuerit duos denarios per diem vna cum roba de festa valectorum nostrorum, erga festum Natalis Domini, quando nos & successores nostri liberae huiusmodi dederimus. Et nos præfat W. Episcop, volumus & per præsens scriptum pro nobis & successoribus nostris concedimus, quod si dictus annus reddit a retro &c. *vt in distinctionibus.* Itatamen quod idem R. officium prædicti bene & fideliter custodiat & exerceat, seu per suum deputatum exerceri faciat durante termino prædicto. In cuius rei testimonium &c. Datum apud &c. Anno Domin 1592. anno consecrat nostre decimo quarto.

A Grant for keeping of a Manor, Parke and Lodge.

Ill. Carle of D. Lord S. &c. To all Christian people to whom this Sect. 373. present writing commeth, greeting in our Lord God &c. Whereas A late Carle of D. mine auncetor, whose colin and heire I am, by his letters.

letters patents, dated X. gaue and graunted vnto J. W. the master-shippe and office of the keeping of the game of his Parke of L. in the countie of S. and of the Lodge within the same, and the Bayliewicke or BaylieShip of all his manoz of ec. And also by his said letters patents, made, constituted, graunted and ordained the said J. W. to be his officer and keeper of the said parke and lodge, to haue, occupie and enioy the said office of keeper, and Lodge, to the foresaid J. W. and to his assignes for terme of his life, by himselfe or his sufficient deputie or deputies, with all maner of fees, wages, profits, and commodities to the said office due or appertaining, in as large and ample manner, as any person or persons befoze that time had, occupied, enioyed, or perceined the same. Know yee, that J the said J. W. now Earle of D. for diuers considerations me mouing, haue giuen and graunted, and by this my present writing doe giue and grant to my welbeloued friend L. P. gentleman, the keeping of the manoz of L. and of the said Parke, and of the Deere now therein, or that hereafter at anie time shall be, immediately after the death of the said J. W. and as soone as the said office, which the aboue named J. W. doth now enioy, shall happen to bee void by the surrender of the said J. W. or by anie other lawfull waies or meanes: And the same L. P. doe ordaine, make and constitute by these presents, to be keeper of the same manoz, park, lodge and deere, whensoever it shall first happen to be boide, as is afoze rehearsed. And furthermore know ye, that J the foresaid J. W. Earle of D. do giue and grant vnto the foresaid L. P. for his exercising and occupying of the said office, the yearely fee and wages of ec. immediatly after the death of the said J. W. with all profits, fees, wages, rewards, aduantages, and commodities to the same office in anie wise due and appertaining, in as ample manner and forme, as the said J. W. or any other hauing or occupying the same office had, or euer vsed & enioyed. And also the herbage and pannage of the said parke of L. immediately after the death of the foresaid J. W. and as soone as the said office shall happen to be void by surrender of the foresaid J. W. or by anie other lawfull waies or meanes. To haue, hold, occupie, and enioy the same office of keeping of the said manoz, parke, lodge, and deere, immediately after the death of the said J. W. and as soone as the same office shall happen to be void, to the said L. P. for term of his life, by himselfe or his sufficient deputy or deputies, and to haue and to hold the said wages & yearely fee of ec. and the said herbage and pannage, together with all other commodities, profits, and aduantages appertaining to the same, immediatly after the death of the

the

of the said J. W. &c. in as large and ample manner, as the said J. W. or any other persons heretofore, had, or occupied, for terms of the life of the said T. P. the same yerely fee or wages of &c. to be paid by the hands of &c. of the issues, profits, and reuenues of the same manor of L. at two feasts of the yeare &c. by euen portions: The first payment thereof, according to the rate, to begin at the first feast of the said two feasts, next after the death of the said J. W. &c. And I doe by these presents graunt, that the payment of the said yearely fees & wages, so hereafter to be made by any of the said Receiuors, Bailifes, or other officers, shal be vnto them, & euery of them, a full and sufficient warrant & discharge in euery of their seueral accompts, for so much thereof as they, and euery, or any of them, shal so pay, as is aforesaid, according to the true meaning hereof. And if it happen the said yearely fee or wages of &c. of the feasts afoze rehearsed, at which it ought to be paid: that then it shalbe lawfull to the said J. W. in the aforesaid manor of L. to enter & distraine, and the distresses there found, to diue, carrie, & beare away, and with him to hold, keepe, and retaine, til such time as all the portion of the said yerely fee or wages of &c. so due and behind hand, be fully contented and paid, with the arrearages, if any there be. In witness &c.

A Graunt for yeares of the Herbage and Pannage of a Parke, and with Turbarie, by the Queene, vpon surrender of a former lease.

Regina omnibus ad quos &c. salutem. Cum precharis. pater noster Sect. 374.
 H. 8. nuper Rex Anglię per Literas patentes sub magno sigillo suo Anglię confectus, gerens das apud Westmon &c. anno regni sui &c. de aduisamento dilectorum ad tunc sibi R. S. Militis, et T. M. Militis Consiliariorum suorum ac generalium superuis terrarum suarum, concesserit, tradiderit, & ad firmam dimiserit dilecto ad tunc sibi R. C. in Comitatu suo C. yeoman, agistamentum et pannagium parcorum, turbarum, &c. infra forestam suam de M. in predicto Com suo C. ad tunc vel antea in tenura siue occupatione R. M. existens parcelle terre et possess. suarum Com Palantini C. pertinet. Habendum et tenendum agistamentum et pannagium predictum, ac cetera premissa cum pertinentiis pref. R. C. executoribus et assignatis suis, a festo S. Mich. Archangeli ad tunc ultimo preterito, usque ad finem et terminum viginti et unius annorum extunc proximo sequenti et plenarie complendi: Reddendum inde annuatim dicto patri nostro, heredibus et successoribus suis ad Scaccarium suum C. predictum x. li. &c. prout eidem patri nostro ad tunc respons. fuit, & triginta solidos ultra de nouo approuamento per annum ad festa &c.

&c. prout per easdem literas patentes inter alia plenius liquet et apparet. Quas quidem literas patentes et dimissionem dilectus nobis R. D. armiger, habens eorum jus, statum, titulum, et interesse R. D. de et in præmissis nobis sursum reddidit & restituit cancellandum, ea intentione, quod nos literas nostras patentes, et dimissionem nostram de eisdem præmissis eidem R. D. in forma sequent facere et concedere dignaremur: Quam quidem sursum redditionem acceptamus per præsentis. Sciatis igitur quod nos de aduisamento Thesauri nostri Angliæ, Cancellarij et Subthesauri Scaccarij nostri pro fine &c. ad receptum Scaccarij nostri ad usum nostrum per prædictum R. D. solut, tradidimus, concessimus, & ad firmam dimissimus, ac per præsentis tradimus, concedimus, et ad firmam dimittimus præfatum R. D. totum prædictum agistamentum & pannagium parcorum, turbarum, felice, crospe, & cortice, infra prædictam forestam nostram de M. in dicto comitatu nostro C. quondam in tenura siue occupatione prædicti R. M. ac parcellarum terrarum et possessionum nostrarum comitatu Palatinu C. prædictum pertinent. Habentem et tenentem agistamentum & pannagium prædictum ac cætera præmissa cum pertinentiis præfati R. D. executoribus et assignatis suis a festo S. Michaelis &c. ad finem et terminum viginti et unius annorum extunc proximo &c. Reddendum inde annuatim nobis heredem et successoribus nostris &c. ad Festum &c. ad receptum Scaccarij nostri, seu ad manus Balliuorum vel receptum præmissorum pro tempore existentem per equales portiones soluendum durante termino prædicto. Prouiso semper, quod si contingat &c. *ut in alijs distributionibus*, quod tunc & deinceps hæc præfata dimissio et concessio vacua sit ac pro nullo habeatur, aliquo in presentibus in contrarium inde non obstante, aut aliquo statuto *ut supra* 357. In cuius rei &c.

A Grant of the office of the Clerke of the Hamper.

Sect. 375.

REX &c. *ut supra* 327. dedimus &c. W. F. officium Clerici hanaperij nostri Cancellarij nostræ terræ nostræ Hiberniæ, et custodiam omnium et omnimodorum breuium, recordum, billarum, filiarum, scriptorum, & omnium aliorum recordum quorumcunque in Cancellarij nostræ prædictæ pro tempore existentem ac ipsum W. clericum hanaperij cancellarij nostræ terræ nostræ prædictæ, & custodem omnium & omnimodorum recordum, billarum, filiarum, scriptorum, & omnium aliorum recordum quorumcunque in Cancellarij prædictæ pro tempore existentem, fecimus, constituimus, & ordinauimus per presentes. Habendum &c. Accipiendum, leuandum, et annuatim recipiendum tam magnum annualia, feoda, vadia, & regalia, qualia N. W. vel aliquis alius; aut aliqui

qui alij ante hoc tempus p̄ offic' occupans siue occupantes p̄ exercitio eiusdem habuerit siue perceperit, aut habuerint siue perceperint ad festa &c. pro termino vitæ dicti W. tam de exitibus, proficuis, aduantijs, et emolumentis hanaperij nostri Cancell' nostr' terræ Hiberniæ prædic' prouenientibus siue crescentibus p̄ manus suas proprias, assignat' aut deputatorum suorum, quam de reuentionibus, subsidijs, debitis, decimis, quintodecimis, et proficuis terræ nostræ Hibern' p̄ d', Thesaur', Subthes. vel generalis receptoris terræ nostræ Hibern' p̄ d', vel eorum vices gerent' pro tempor' existent', vna cum omnibus alijs proficuis, aduantijs, commoditatibus, et regardis eisdem officijs, ac eorum vtrique pertiñ seu spectantibus, Ac in tam amplis modo et forma, p̄ut dict' N. W. aut aliquis alius in officijs illis, aut eorum altero ante hoc tempus habuit siue percepit, eo qđ expressa mentio &c. Et specialiter non obstante statuto, actu, aut ordinatiōn in quodam parlamento tenē apud villam nostram de D. in terr' nostra Hibern' p̄ d' die Lunæ prox' post festum S. Andr' Apostol' anno regni p̄ charissimi patris nostr' H. sept' nuper Regis Anglię decimo, coram E. D. P. Militi deputat' ipsius domini Regis patris nostr' terr' nostr' Hibern' p̄ d', ædit' in hæc verba: Qđ abinde et deinceps nullæ p̄son' que habent potestat' ad administrand' iusticiam in dicta terr' nostra Hiberniæ, viz. Cancellar', Thesaur', Iustic' de Banco, et de communi Banco, capitalis et secund' Baro de Scaccario nostro ibidem, Clericus siue Magister Rotulorum, ac omnes offic' computabil', non habeant de cætero aliquam auctoritat' in talibus officijs suis per literas patentes dom̄i Regis, nisi solummodo ad placitum et voluntatem domini Regis. Et si aliqua concessio nunc facta, vel in poster' fiend' alicuius vel aliquorum officiorum p̄ d' alicui persone in contrarium sit fact', quod illa concessio adiudicetur vacua et nullius vigoris in lege: aliqua alia re, causa aut materia quacunque in contrarium inde non obstante. In cuius &c. has literas nostras fieri fecimus patent'. Teste meipsa apud W. 3. die &c. anno &c.

A Grant of a Fellowship in a Hall or Colledge.

Henry &c. To our trusty and welbeloued the Master of our Colledge called the Kings Hall within our vniuersity of Cābridge, and in his absence to his Lieutenant or Deputie there, greeting: For as much as we be credibly informed, y our welbeloued subiect A. B. Scholler of our said vniuersity, is greatly desirous & minded to continue at schole for his farther increase in vertue & learning: we let you to wit, that cōcerning his vertuous intent and purpose, for his better
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Sec. 376.

exhibition in that behalfe, we haue giuen and graunted, and by these presents doe giue and graunt vnto him the roome of a Fellow, of, and within our said Colledge, if any be now boide, or else the roome of a Fellow within our said Colledge, which shall first and next fall boide within the same, by death, diuision, surrender, or otherwise: To haue and enjoy the same roome, with all manner rights, profits, emoluments, and duties thereunto belonging, to the said A. B. for terme of his life: with all benefite or benefites, pension, or annuitie, not exceeding the perely value of tenne pounds, in as ample & large maner, as any heretofore hath had and enjoyed the roome aforesaid, any act, statute, ordinance, or any thing to the contrarie hereof in any wise notwithstanding. Wherefore we will and commaund you, that according to the effect and purpourt of this our grant, ye do admit the said A. B. vnto the said roome of a Fellow accordingly. And these our letters shall be your sufficient warrant and discharge in this behalfe, Giuen &c.

A Grant of the office of Receiuor and Surruicor mish fees.

Sect. 377.

OMnibus &c. R. G. Comes L. salutem in Domino sempiternam. Sciatis me pref. Comitem dedisse &c. E. H. generoso officium Receptoris omnium exituum, proficuum, denariorum et summarum crescentium et peruenientium de omnibus manerijs, terris, et tenementis, redditibus, et hereditarijs meis quibuscunque in Corn B. &c. Ac etiam officium superuisoris omnium predictorum maneriorum, terrarum, tenementorum, et hereditamentorum meorum quorumcunque: Ac ipsum W. H. receptorem, ac superuisorem maneriorum, terrarum &c. constituisse et ordinasse, prout per presentes ordinauimus et constituimus. Habendum &c. in tam amplis modo et forma, prout aliquis alius, vel aliqui alij officijs predicti, seu eorum altero ante hæc tempora vsus fuit aut vsi fuerunt. Et vltorius sciatis me prefat C. dedisse &c. prefat W. H. pro executione et occupatione officiorum predictorum quandam annualẽ redditum xl. marcarum &c. Habendum, leuandum, &c. pro termino vitæ suæ naturalis per manus suas proprias de exitibus et proficuis predictorum maneriorum, terrarum, &c. per equales portiones. Et si contingat predicti annualẽ redditum xl. marcarum a retro fore &c. *vt in Distributionibus.*

A grant

*A Grant of an Amittie and reward out of the Hamper, Wine
out of the Kings seller, Veluet out of the Wardrope,
see Deere, with licence to hunt.*

R Ex &c. Sciatis qd' nos in consideratione boni et fidelis seruitij p di- Sect. 378.
lectum nobis in Christo N. ante hæc tēpora impensi, dedim' et con-
cessimus &c. eidem N. quandam annuitatem siue annualem redditi quin-
quaginta libr' &c. annuatim habendum de exitib', reuentionib', et profi-
cuis hanaperij nostri p tempore existent'. Habend' &c. p f. N. &c. de exi-
tibus &c. *ut supra*, ad testa &c. sup sola demonstratione harum literar' no-
strar' patentium, seu earum irrotulament' in dicto hanaperio nostro fact',
vel alibi p f. custodi p tempore existenti ostens. absque aliquo breui, vel
aliquibus breuib' seu mandatis, extra Cancell' n'ram sup eadē literas
nostras patentes psequend', ac p f. clerico aut custodi aliquali' dirigend'.
Dedimus etiam & concessimus, ac p præsentē damus & concedimus eid'
N. pro termino vitæ suæ, vnum dolum vini Vasconien', annuatim percipi-
end' durante vita sua per manus pincernæ nostri Angliæ p tempore exi-
stent' deliberand', de illo vino quod idem pincerna noster pro tempore
existens habebit & recipiet ad vsum nostrum ratione officij sui prædict'.
Necnon damus et concedimus eidem N. p termin' vitæ suæ annuatim tan-
tum serici Anglice Veluet, de serico nost' de garderoba nost', & tantum
penellam de eadem garderoba nostra annuatim percipiend' & deliberand'
p manus Magistri garderobæ nostræ p d' p tempore existent', quantum
satis erit et seruiet ad faciend' p d' N. vnam togam de serico, Anglice Vel-
uet, et penelā annuatim pro termin' vitæ suæ de illis sericis, Anglice Vel-
uet, & penulis, de quibus Magister de garderoba nost' pro tempore exi-
stens annuatim recipiet & habebit ratione officij sui p d'ict'. Ac etiam da-
mus & concedimus eidem N. annuatim durante vita sua duas damas ido-
neas, viz. vnam Anglice a Buck of season in æstate, et aliam Anglice a
Doe of season in hieme, in magno parco nostro de W. in Com' nostro de
S. annuatim capiend' & habend' tam per seipsum quam per aliquem aliū
siue aliquos per ipsum assignand', p custodes in parco nostro p tempore
existent' eidem N. deliberand'. Et volumus et concedimus q' bene liceat et
licebit p f. N. & assignat' suis durante vita sua prædict', annuatim venari
et fugare in eodem parco nost' pro p d'ict' duabus damis capiend' et inter-
ficiend', & eas abinde cariandum, asportandum, et habendum vbicun-
que placuerit ad voluntatem suam, sine impedimento nostro & hæred'
nostrorum, forestarior', parcariorum, et aliorum officiariorum et ministro-
rum nostrorum quorumcunq' durant' vita sua. Et vterius damus &

concedimus eidem N. centum libræ de dono et regardo nostris de exitibus, reuentionibus, et proficuis hanaperij nostri prædicti prouenient siue crescent, per manus prædicti Clerici ejusdem hanaperij pro tempore existent, soluendum et deliberandū indilate post ostentionē sibi harum litterarum nostrarum patentium, absque compoto seu aliquo alio inde nobis vel hæredē nostris reddendū seu solvendū pro præmissis seu aliquo præmissi. Et volumus & concedimus quod prædicti Clericus de Hanaperio nostro pro tempore existē, & prædictus Magister de garderoba nostri pro tempore existens habeant plenam allocacionem coram quibuscunq; Auditoribus & Iudicibus nostris in quibuscunq; curijs & locis super specialibus compotis suis faciendū, de exitibus, reuentionibus, & proficuis sepealibus, ratione officiorum suorum nobis emergentibus siue crescentibus, videlicet, dictus Clericus hanaperij nostri pro tempore existens, tam pro annuali solutione prædicti annuitatis siue annualis redditus 50. libræ, quam pro predicto centum libræ de regardo nostro præfat. M. vi. præmittitur per nos concess. Et prædicti Magister garderobæ nostræ prædicti pro deliberatione dicti annualis serici siue Ueluet, & penularum annuatim ad faciendum præfat. N. vnā togā penularum. Eo quod expressa mentio de vero annuo valore, aut aliqua alia certitudine præmissorum, seu eorum alicuius, aut de alijs donis siue concessionibus, per nos, aut aliquem progenitorum nostrorum præfat. N. ante hæc tempora factis in præsentibus minimè facta existit: aut aliquo statuto, &c. *ut supra* 357.

*A Graunt of the office of the Pipe in
reuerfon.*

Secl. 379.

Rex &c. Cum præclarus pater noster H. nuper Rex Angliæ septimus per litteras suas patentes, quarum datū est apud Westmonasterium 15. die M. anno regni sui xxiiij. ordinauerit, deputauerit, & constituerit dilecti sibi T. B. ingrossator magni Rotuli in Scaccario suo, siue clericum Pipe ejusdem Scaccarij, ac eidem T. officium ingrossatoris magni Rotuli sui, siue Clerici Pipe in Scaccario suo prædicti dederit & concesserit. Habendū & occupandū eidem T. B. per se, vel per sufficientem deputatum suum, siue deputatos suos sufficientes pro termino vitæ suæ: Percipiendū inde pro officio illo exercendū, feodū, vadium, regardum, liberatam, victum, & proficua, eidem officio quoquo modo debita, consueta, siue spectant, in tam amplis modo & forma, prout aliquis alius dictum officium ante hæc tempora occupans & exercens habuit & per-

& percepit, in & p̄o executione eiusdem officij: Soluend̄ eidem T. de tempore in tempus annuatim limitand̄, percipiend̄, & assignand̄, ad terminos in dicto Scaccario suo ab antiquo limitat̄, super sola demonstratione literarum dicti patris nostri, siue earundem irrotulamenti, in dicto Scaccario suo facti & ostensi, absque aliquo breui aut breuib̄s, siue mandato extra Cancellariam dicti patris nostri super eisdem literis prosequend̄, aut Theaur̄ & Baroñ de Scaccario suo aliquatenus dirigend̄, vna cum omnibus & omnimodis alijs proficijs, commoditatibus, aduantijs, & emolumentis, dicto officio qualitercunque debitis, consuet̄, siue spectantibus, prout in eisdem literis plenius continetur. Sciat̄ quod nos ob certas grandes causas nos & Concilium nostrum mouentes, & in consideratione boni & acceptabilis seruitij, tam dicto præclarissimo patri nostro Henrico nuper Regi Angl̄ septimo, ac dom̄n̄ E. nuper Regi Angliæ quarto Auo nostro, quam nobis per dilectum seruientem nostrum W. P. vnum Clericorum in officio priuari sigilli nostri multipliciter impens̄. & impostero impendend̄, de gratia nostra speciali ordinauimus, deputauimus, & constituimus præfat̄ W. P. ingrossatorem magni Rotuli in Scaccario nostro, siue Clericum Pipæ eiusdem Scaccarij: ac eidem W. officium ingrossatoris magni Rotuli, siue Clerici Pipæ in Scaccario nostro prædict̄ damus & concedimus per præsent̄. Habend̄ & occupand̄ officium prædictum eidem W. per se, vel per sufficientem deputatam suam, siue deputatos suos sufficientes, pro termino vitæ suæ immediate post decessum ipsius T. aut per restitutionem literarum patentium dicti patris nostri eidem T. inde factarum, aut per resumptionem, forisfacturam, vel deprivationem, seu aliquam aliam causam vel materiam quamcunque idem officium vacat̄, seu ad manus nostras, aut donationem, dispositionem, seu concessionem nostram deuenire, accider̄, seu pertinere contigerit: Et percipiend̄ p̄o officio illo exercendo, feod̄, vadium, regat̄, liberatam, victum, & proficua eiusdem officio quoquo modo debis̄, consuet̄, siue spectant̄, in tam amplis modo & forma, prout idem T. B. aut aliquis alius dictum officium præante occupans habuit & percepit, in, & pro exercitio & occupatione eiusdem officij: Soluend̄ eidem W. de tempore in tempus annuatim limitand̄, percipiend̄, & assign̄ ad terminos in dicto Scaccario nostro ab antiquo limitat̄, super sola demonstratione præsentium literarum, siue earundem irrotulament̄ in dicto Scaccario facti & ostensi, absque aliquo breui aut breuib̄s, seu mandato extra Cancellariam nostram super eisdem literis nostris

prosequendū, aut Theſaur̄ & Baronibus de dicto Scaccario nostro aliqua-
tenus dirigendo, vna cum omnibus & omnimodis alijs proficuis, com-
moditatibus, aduantijs, et emolumentis dicto officio qualitercunque
debitis consueſt siue ſpectant̄. Eo qđ expreſſa mentio de vero valore an-
nuo, aut quouis alio valore officij, vadioꝝ, feodoꝝ, p̄ficuoꝝ, commoditat̄,
& liberaſt p̄d̄ in literis noſtris p̄d̄ fact̄ minime exiſtit, aut eo qđ p̄d̄ T. B.
ad tunc ſuperſtes exiſtit, aut aliquo ſtatuto &c. *vt ſupra* 357.

A Manumiffion of a bondwoman, or grant of libertie.

Sec̄t. 380.

VNiuerſis & ſingulis Chriſti fidelibus præſentes literas inſpecturis
T. R. Miles dominus S. & M. Comitiffa R. vxor &c. Cum I. B. a-
lias dictus I. B. natiuus noſter, filius R. B. alias dict̄ R. B. natiui noſtri, ſpe-
ctantis ſiue appendentis manerio noſtro de P. in Corū C. in villenagio
procreatus fuerat, ac eſt pro tali & vt talis communiter dictus, tentus, ha-
bitus, & reputatus palam, publice, & priuate: Noueritis nos T. R. &c.
certis de cauſis veris & legitimis, nos & animos noſtros in ea parte mo-
uentibus, pro nobis & hæredibus noſtris imperpetuum manumiffiſſe, li-
beraſſe, & ab omni iugo ſeruitutis & villenagij exonerat̄ prout p̄ præ-
ſentes noſtras literas patentes manumiffimus, liberaſſimus, & exonerat̄
p̄dict̄ I. B. cum tota ſequela ſua procreata & procreanda, bonis & ca-
tallis, terris, & tenementis ſuis perquiſitis, ſiue impoſterum perquirendis
quibuſcunque. Sciatis etiam nos præſat̄ T. & M. remiſiſſe, relaxaſſe, ac
omnino pro nobis, heredibus, & executoribus noſtris imperpetuum qui-
eſſe clamaſſe, ſicut per præſentes noſtras literas relaxamus, remiſſe, & quiet̄
clamaſſimus eiſdem I. B. alias dict̄ I. B. hæred̄ ſuis, & tot̄ ſequelæ ſuæ,
omnes & omnimodas actiones reales & personales, ſectas, quærelas, ſer-
uitia, calumnias, tranſgreſſa, debita, & demanda quecunque, que verſus
eundem I. B. alias dictum I. B. vel aliquos hæred̄ ſeu ſequelarum ſuarum,
aut eorum aliquem habemus, habuimus, ſeu quouifmodo habere poterim-
us, aut hæred̄ noſtri habere poterint in futurum, ratione ſeruitu-
tis & villenagij prædict̄, vel aliqua quacunque de cauſa ab origine
mundi, vſque in diem confectionis præſentium. Ita videlicet quod
nec nos prædict̄ T. dominus S. M. Comitiffa R. nec alter noſtr̄,
nec hæredes noſtri, nec aliquis alius per nos, pro nobis, ſeu nomine
noſtr̄, aut alterius noſtrum, aliquam actionem, ius, titulum, clameuſi,
interelle, ſeu demand̄, villenagij vel ſeruitutis per breue domini
Regis, ſeu aliquo modo quocunque verſus dictum I. B. alias dict̄
I. B.

I.B. aut sequelam suam procreat seu procreand, bon aut catalla, terr aut tenementa seu perquisita, vel in posterum perquirend de cæter exiget, clamare seu vindicare poterimus, poterit aut vnquam poterint in futurum, sed, totaliter simus in perpetuum exinde penitus auersi per presentes. Et nos vero pdicti T. S. & M. & hæred nostri pfa I. B. alias dictum I. B. cum tot sequela sua procreat seu procreanda liberos erga gentem omnem warrantizabimus in perpetuum per presentes. In cuius &c.

An other forme of Manumission in English.

TO all Christian people, to whom these presents commeth; **A.** Sect. 381.
 Carle R. Lord S. and of R. sendeth greeting in &c. We it knowen vnto all people, that whereas we by the information of diuers persons haue made title and claime to one J. T. of L. in þ County of P. and to one W. T. brother to the same J. T. of S. in the Countie of R. & all their issues of their bodies comming to be villedins, and bound vnto vs, and appendant to our manoz of J. in the Countie afozesaid. And soasmuch as we find neither pzoofe noz sufficient groud where by we may vnderstand that the said J. and W. oz any of their issue should be villedines oz bound vnto vs, but by euident pzoofe in sundry wise bzought and shewed to vs, we rather vnderstand the contrary to be true: therefore we being desirous to let all doubtfull matter apart, & willing also the said J. and W. to be no further grieued oz molested wzongfully without sufficient cause, and that they may from henceforth liue in suerty of the same, haue remised, released &c. *vt supra in the former Manumission of a bond-man.*

Attornement.

The forme of indorsing or entring of Attornement of tenants.

ANd because lands and tenements and such things as naturally lie Sect. 382.
 in graunt, cannot bee transferred from one to another by bare graunts of the parties, without the attornement and agreement of others, it is meete somewhat to discourse of Attornement. An Attornement therefore is the agreement of the tenants of the land, which is when the seigniorie, rent, reuersions or remainder is graunted vnto him to whom the same is graunted. And euery Attorne-

ment is either actuall, or in law : An actuall Attornement is the expresse consent of the tenant to such grant in any such deed by some ouert or open act, as by saying, I become your tenant according to this deed : Or that he liketh well thereof, or is contented therewith, or that he attorneth tenant to the grantee according to the tenor thereof, giuing to him some money in name of Attornement &c. Littleton 551. Plowden 25. a. 344. a. Attornement in law is when the person that ought to attorne doth not by plain and expresse words, as is aforesaid, declare his consent to such a grant, but doth some other such act as in law sufficiently implieth and argueth his agreement thereunto : As if there be Lord and Tenant, and the tenant leaseth for life to a woman, the remainder in fee to another, and the woman taketh an husband, to whom the Lord granteth the seruices : Or if there be Lord and tenant who marieth a wife, and after the Lord granteth the seruices to her, and her husband accepteth the deed : Or if a lease be made for life or yeares, and after he that hath the reuersion or remainder granteth the same to his lessee, who accepteth of the deeds. These and such like be Attornments in law. Littleton. Sect. 558. 559. 560. 561. 564. &c.

Attornement for tenant for life.

Sect. 383.

Memorandum that the within named C. D. being tenant for terme of life of the said mannoz of R. and other the lands & inheritance expresse in this Indenture, did the 5. day of J. in this present moneth of June the 32. yeare of the Quænes Maies raigne that now is, attorne vnto the within named J. B. according to the effect of the grant mentioned in the said Indenture : And for prooue thereof did giue vnto him the said J. in the name of Attornement, the summe of iij. s. of vsuall English money, in the presence of these persons whose names are subscribed viz. A. B. C. D. &c.

Or thus by diuers tenants.

Memorandum that the persons whose names are vnder written, 3. die I. & añ &c. did attorne and become tenants vnto the within named C. B. and D. his wife, according to the purport of the lease within mentioned. And for prooue thereof euery one of them did giue vnto the said C. and D. one pennie in the name of Attornement.

Or thus in Latine.

Memorandū etiam quod 16. die M. anno suprad. R. S. G. H. G. C. &c. ten diuersarum parcellarum tenementorum prædictorum ex se-
peralibus

peralibus dimissionibus dict' T. W. super tenentis p̄d se p̄f. T. W. & T. S. inde attornauerunt tenent', ipsique singuli dederunt p̄f. T. W. & T. S. singulos denarios nomine attornamenti p̄d &c. in p̄sencia testium p̄dict', & aliorum, scilicet A. B. &c.

Or thus with Liuerie of seisin also.

SCiatis, q̄d possessio & seifina de terris & tenentis infra scripte, capte, & deinde deliberatae fuit infra scripte S. P. p̄ infranominatae W. S. decimo die Iunij, añ infra scripte, ad vsum infra scripte, & securd tenore huius praesentis chartae indentatae: Necnon eodē die apud M. p̄d infranominatae T. W. tenens vnus clausi, parcell' p̄missi, vocat' C. p̄ t̄mino vite sue, & vnus anni vterius p̄ eod' clauso, tam eidem S. quā intranominatae E. S. R. G. & E. M. secund' tenore huius chartae indentatae attorū & liberauit eidē S. vnū denar' legalis monetae Angl' in nomine attornae' & seifin' redditus sui, per ipsum annuatim soluend' pro eodem clauso durante termino p̄dict', in p̄sencia W. N. &c.

A deede of Attornement.

OMnibus &c. T. H. &c. Cum ego p̄d H. habeam & teneam p̄ t̄min' vite meae vnum tenentum cum suis pertin' in villa de C. voc' D. quod quidē tenentum cum suis pertin', & reuersionē inde (cū acciderit) post meum decess. T. B. p̄quisiuit de W. H. filio meo & hered' apparenti: Noueritis me p̄f. H. posuisse p̄d T. B. in plen' & pacific' possessione' & seifin' de reuersione dicti tenenti, cum omnibus suis pertin', p̄ solutionem vnus denarij argenti eidem T. B. In cuius &c. Seet. 384.

Another deede of Attornement.

OMnibus &c. H. A. &c. Cum ego p̄d H. habeam & teneam p̄ termino vite meae vnum tenementum cum &c. Cuius quidem tenementi & ceter' p̄missi. cum suis pertinens reuersione quibusdā R. S. & A. N. spectat. Ac etiam cum ego p̄d H. A. habeam & teneam pro termino vite meae vnum aliud tenement' &c. cuius tenenti & ceterorum p̄missi. reuersione p̄f. R. S. spectat. Et quia mihi p̄fat' H. ad p̄sens satis constat, q̄d p̄d R. S. p̄ secund' scripte sua seferalia, gereñ dat' &c. anno &c. bargañ, dederit, & concesserit, ac p̄ illud scriptum suum confirmauerit W. P. & A. vxor' eius, & hered' suis, reuersiones dictorum tenementorum & ceterorum p̄missorum, prout per scripte illa liquet: Noueritis me nunc praesat' H. tenentem Seet. 385.

dictorum duorum teneñtorum & ceterorum p̄missorum, cum pertiñ, vt p̄dict' est, ex mera & spontanea voluntat' meæ p̄f. W. P. & A. vxor' eius, ratione dict' concessioñ dict' reuersionis, de, & in p̄d' teneñtis & ceteris p̄missis sic p̄ me iam tent', p̄ solutionem vnius denarij attornasse, & quantum in me est, dict' donac', concessioñ, & contract' dict' reuersion' teneñtorum, ac ceterorum p̄miss. cum suis p̄tineñ in forma p̄d' fact' assensum, & consensum p̄buisse, & illa approbasse in perpetuum per p̄sentes. In cuius &c.

A Grant of lands in fee simple by the King to be holden in Capite.

Sect. 387.

REx &c. Sciatis qđ nos p̄ summa &c. legalis monetę Angl' ad manus p̄ Theaur' Cur' nostrę reuentionum Coronæ nostrę ad vltim nostrum p̄ dilect' nobis H. W. bene & fideliter p̄soluē, de gratia &c. dedimus &c. eidem H. W. totum scitum & capitale mesuag' manerij nostri de R. in R. in Coñ nostro N. nuper Monaster' de C. in eodē Coñ nostro N. modo dissolut' dudum spectant' & p̄tineñ, ac parcellam possess. inde existent', ac omnes terras dñicales manerij p̄d' : Necnon omnia mesuagia, domos, horrea, edific', hortos, pomaria, g'ardina, curtilag', terr', prata, pascua, pasturas, aquas piscarias, communias, iura, commoditates, & hereditamta nostr' quecunque cum suis pertinentijs vniuersis in R. in Coñ p̄d', ac alibi vbi cunque in eodē Coñ, dicto capitali mesuagio manij p̄d' quoquo modo spectantia vel pertineñ, cum eodem capitali mesuag' dimissa, vsitata, seu occupata existeñ, ac nup' in tenura T. H. armigeri, & modo in tenura seu occupatione dicti H. W. cum dicto capitali mesuagio existeñ, Ac etiam omnes & omnimodos boscos, de, in, & super dictis terr' & ceteris p̄missis cresceñ & existeñ. Damus etiam ac per p̄sentes pro consideratione p̄d' concedimus p̄f. H. W. aduocationem, donationem, liberam dispositionē, & ius patronatus Rectoriæ & Ecclesię parochialis de A. in dicto Coñ nostro N. Habend' &c. (*vt in p̄missis*) & cetera omnia & singula p̄missa superius expressa & specificata, cum suis pertinentijs vniuersis p̄fat' H. W. hered' & assignatis suis in perpetuum. Tenend' de nobis, hered', & successoribus nostris in capite, per seruiç' &c. Ac reddend' inde annuatim nobis, hered', & successoribus nostris xx. s. ad Curiam nostram Augmentationum reuenc' Coronæ nostr', ad festū &c. singulis annis soluend', pro omnibus redditibus, seruitijs, & demandis quibuscunque proinde nobis, hæredibus, vel successoribus nostris quoquo modo reddendis,

fol.

soluendis, vel faciendis. Et vltcrius volumus, & per præfentes concedimus præfat H. W. hæredẽ & assignatis fuis, quod nos & hæredes & fucceffores noftri in perpetuum annuatim, & de tempore in tempus exonerabimus, ac quietabimus, & indemnes conferuabimus eundem H. W. hæredes & assignatos fuos, verfus nos, hæredes & fucceffores noftros, & verfus qualcunq; alias perfonas, de omnibus & omnimodis redditibus, feodis, annuitatibus, pencionibus, & denariorum fummis quibufcunq; de præmiſſis, feu de aliquo præmiſſorum exeunt fei soluendis, vel superinde oneratis fei onerandis, præterquam de redditu & feruitio fuperius per præfentes referuatis. Volentes etiam & firmiter iniungendo præcipientes, tam Cancellario & Concilio diftæ Curia noftræ Augmentationum reuentionum Corona noftri pro tempore exiſtentibus, quam omnibus & fingulis Receptoribus, Auditoribus, & alijs officiarijs & miniſtris noftris quibufcunq; hæredẽ, & fuccefforum noftrorum, quod ipſi eorum quiſq; fuper folam demonſtrationem harum noftrarum literarum patentium, vel fuper irrotulamento earundem, abſque aliquo alio breui fei warranto à nobis, hæredẽ, vel fuccefforibus noftris quoquo modo impetrandẽ, obtinendẽ, fei profequendẽ, fuper folutione difti annui redditus xx.s. nobis, hæredẽ, & fuccefforibus noftris fuperius per præfentes vt præferatur referuatis, plenam, integram, debitamque allocationem & defalcationem, deductionem, & exonerationem manifeftam, de omnibus & omnimodis huiufmodi redditibus, feodis, annuitatibus, pencionibus, & denariõ fummis, de præmiſſis, fei de aliqua inde parcella (vt præferatur) exeunt fei soluendẽ præfato H. W. hæredẽ & assignatis fuis facient & fieri curabunt. Et hæc literæ noftræ patentes & irrotulamentũ earundem erunt annuatim, & de tempore in tempus, tam difto Cancellario & Concilio nofthro diftæ Curia noftræ Augmentationum reuentionum Corona noftræ pro tempore exiſteñ, quam omnibus Receptoribus, Auditoribus, & alijs officiarijs & miniſtris noftris, hæredum & fuccefforum noftrorum quibufcunq;, & eorum cuilibet fufficiens warrantũ & exoneratio in hac parte. Et infuper de ampliori gratia noftra damus, & per præfentes concedimus præfato H. W. omnes exitus, redditus, reuentiones, & proficua omnium & fingulorum præmiſſorum fuperius exprefforum & fpecificatorum, cum pertinentijs, à feſto Sancti Michaelis Archangeli vltimo præterito hucufque proueniẽñ fei creſceñ. Habendẽ eidẽ H. ex dono nofthro abſque compoto fei aliquo alio proinde nobis, hæredibus, vel fuccefforibus noftris quoquo modo reddendo, foluendo, vel faciendo. Et vltcrius de vberiori gratia noftra volumus, & pro nobis &c. per præfentes

concedimus præfat. H. W. quod habeat, & habebit has literas nostras patentē sub magno sigillo nostro Angliæ, debito modo factas & sigillat, absque fine seu feodo magno vel paruo proinde nobis in Hanaperio nostro seu alibi ad vsum nostrum quoquo modo reddend, soluend, vel faciend: Eo quod expressa mentio (ut supra 357.) In cuius &c.

A Grant of a Manor with the Aduocation appendant.

Scct. 387.

Rex &c. Sciatis quod nos ex gratia nostra speciali, & in consideratione veri & fidelis seruitij, quod dilectus seruiens noster A. B. nobis præstitit, & durante vita sua præstare intendit, dedimus & concessimus, ac tenore præsentium damus & concedimus præfat. A. manerium nostrum de B. cum suis membris & pertineñ in Comitatu nostro S. Necnon Rectoriam de B. in eodem Comitatu S. Ac Aduocationem Ecclesię de B. prædict, vna cum omnibus & singulis suis glebis, decimis, oblationibus, mortuar, porcionibus, pensionibus, & alijs proficuis quibuscunque eidem Rectoriæ de B. aliquo modo pertineñ siue spectantibus. Ac etiam Aduocationem & Patronatum Vicariæ de B. prædict, cum suis iuribus & pertinentijs vniuersis: Necnon omnia & singula mesuag, terras, tenementa, prata, pascua, pasturas, boscos, subboscos, redditus, reuersiones, molendina, seruitia, feoda Militum, ward, maritagia, releuia, eschaetas, communias, aquas, stagna, vastas, warrennas, libertates, franches, Curias Leñ, ac perquisit Curiar, Aduocationem & Patronatum Vicariæ de B. prædict, ac etiam omnes alias Aduocationes & Patronatus Ecclesiarum, Capellarum, Cantuariorum, ac alia iura & hereditamenta quecunque, cum suis pertineñ vniuersis in B. prædict, ac alibi vbi-
cunque prædicto Manerio, Rectoriæ, Vicariæ, seu eorum alicui spectant, siue aliquo modo pertineñ, aut quæ vt membra vel parcella eorundem Maner, Rectoriæ, Vicariæ, siue eorum alicuius habita, cognita, siue reputata fuerunt: Quod quidem Manerium de B. necnon Rector, Vicariæ, terr, tenement, & cetera omnia & singula præmissa cum eorum pertineñ, inter alia ad manus nostras deuenerunt, ac in manibus nostris iam existunt &c. de termino S. Trinitatis, anno regni nostri 29. plenè liquet. Habend &c. (ut supra in præmissis) præfat. A. B. & hered masculis de corpore suo legitime procreatis. Tenendum de nobis & hered nostris in capite, per seruiç quintę partis vnius feodi Militis pro omni seruiç, exactione, & demanda quacunque absque compoto, seu ratiocinio, siue aliquo alio nobis, heredibus, aut success. nostris pro eisdem reddendo, vel faciendo. Et vltcrius ex vberiori gratia nostra dedimus & concessimus, ac tenore præ-

praesentium damus et concedimus ꝑf. A. B. omnes et singulos exitus &c.
ut supra proxima Sect. Eo qđ expressa mentio &c. In cuius &c.

A Grant of the Patronage of a Parsonage in fee, with an assignement of a terme for yeares of the glebe and tithes.

T His Indenture made the ꝑ. day of D. in the ꝑ. of the raigue of Scot. 388.
 our Soueraigne Ladie ꝑ. betweene G. T. of ꝑ. of the one partie, And W. M. of the other partie, Witnesseth, that whereas H. T. of ꝑ. by his Indenture, bearing date ꝑ. for the considerations in the same deed mentioned, did giue, graunt, ꝑ. vnto the said G. T. his heires and assigns, all that the Aduowson, Patronage, free gift, and right of presentation, of, and to the parish church of S. in the countie of ꝑ. & all the estate, right, title, & interest of the said H. T. of, in, and to the same. To haue and to hold ꝑ. vnto the said G. T. his heires and assigns, to the onely vse and behoofe of the said G. his heires and assigns for ever. To hold ꝑ. And mozeouer where the said H. T. did by the same Indenture giue, graunt ꝑ. vnto the said G. T. his ꝑ. all his estate ꝑ. and terme of yeares, which hee then had, or right ought to haue had, of, in and to the said Rectorie, parsonage and other glebe lands of S. aforesaid, and of, in, or to all and singular the tithes of cozne, graine, hay, wooll, lambe, milke, calfe, and other tithes, both pꝑediall and personall whatsoever, yearely comming, growing, arising, renewing, accreling or increasing within the towne, fieldes, and parish of S. aforesaid, and which Rectorie, Parsonage and glebe landes, tithes and other the premisses, the said H. T. did hold and enjoy by force of a lease thereof to him made, by one L. C. then and now parson of S. aforesaid, for and during the naturall life of the said L. And whereas also in the said Indenture, one pꝑoviso was contained in effect following, that is to say, that when and as soone as the said H. T. his heires ꝑ. should haue saued harme-lesse, and fully discharged the said G. T. his heires ꝑ. and all their goods & chattels, of, and from one Obligation, in the said Indenture mentioned, wherein and whereby the said G. and H. stood jointly bound vnto one W. C. in the said Indenture likewise named, & haue fully performed the conditions of the same obligations & euery of the, that then, & at all times after whensoever the said G. his ꝑ. should & would make or cause to be made, vnto the said H. T. his heires ꝑ. such good, perfect and sufficient assurance & conueiance in law, of the
 said

said Aduowson, Patronage, free gift, and right of presentation, to the Church of S. aforesaid, as he the said H. his heires or assignes, should reasonably deuise & require. And also, that he the said G. his &c. should and would in like sort make, or cause to be made, vnto the said H. his executors &c. such good, perfect, and sufficient conueyance & assurance in the law, of the befoze mentioned lease of the foresaid Parsonage of S. with the tythes thereof, and of all other things, befoze by the said Indenture bargained and sold, as he the said H. T. his executors, or administrators, shal reasonably deuise, and require, as in & by the said recited Indenture, amongst diuers other things, moze at large it doth and may appeare. And whereas the said H. T. or his assignes, haue not saued harmelesse, or otherwise discharged the said G. T. from the obligation in the said Indenture mentioned, nor did performe the condition of the said obligation, according to the tenor, effect, & true meaning of the same condition: Now the said G. T. for good causes and considerations him specially mouing, hath giuen, granted, &c. and by these presents doth clerely, freely, and absolutely, giue, grant, &c. vnto the said T. W. his heires & assignes for euer, all that the said Aduowson, Patronage, free gift, and right of presentation, of, and to the said parish Church of S. aforesaid, in the said County of D. & all the estate, right, title, and interest of the said G. T. of, in, and to the same, and all dedes &c. concerning the saue. To haue and to hold &c. And moreover, the said G. T. for the consideration aforesaid, hath clerely & absolutely giuen, granted, &c. vnto the said T. W. his &c. all the said estate and terme of yeeres, befoze recited, and to the said Rectorie &c. To haue and to hold the said Rectorie &c. to the said T. W. his executors & assigns, for, and during all such terme, time, and interest, as are or should be yet to come, by force of the said demise & grant made to the said H. T. In witness whereof &c. Hereunto adde necessarie Couenances.

A Grant of a Manor.

Sec. 389.

Henricus &c. Sciatis quod nos &c. (et supra 386.) per A. B. & I. P. vnde factum nos fore plenarie satisfactos & contentos, eodemque A. & I. acquietamus, de gratia &c. totum illud dominium & manerium nostrum de F. cum iuribus, membris, & pertinen. vniuersis in Comitatu nostro G. nuper Monaster de W. in eodem Comitatu nostro de G. modo dissolut, dudum spectant & pertinent, ac parcell. possessionum & reuentionum eiusdem nuper Monaster dudum existen,

ac

ac omnia & singula mesuagia, molendia, toft', cottagia, curtulag', domos, edificia, struaturas, columbar', horr', pomaria, gardiñ, terras, prata, pascuas, pasturas, boscos, subboscos, reddit', reuersiones, seruic', reddit' oneris, reddit' siccus, ac redd' super quibuscunque dimissionibus et concessionibus, reseruati, annuitati, ac omnes & omnimodas decimas cuiuscunque generis seu naturæ fuerint : Necnon feodi firmas, aquas piscari, iampñ, bruer', moras, marisc', warret', moras, warrenñ, communes vias, vacuas fundos, natiuos, villanos cum eorum sequel', feod' Militum, warda, maritag', escheat', releuia, herioe', curias let', visus francipleg' quæ pertinent, seu in posterum spectare possunt aut debent, bona & catalla wauia', bona & catalla feloñ, tam de se, quam aliorum feloñ, fugitiuorum, conuict', aut quoquomodo damnatorum seu conuictorum extra cur', & alia nostra iurisdictiones, priuileg', et libertati, emolumenta, proficua, commoditati, et hæreditamenta nostra quæcunque cum eorum pertinentijs vniuersis, situati, iaceñ, & existeñ in villis et campis, parochia seu hamletis de F. in dicto comitatu nostro G. ac alibi vbicunque in eodem comitati, dictis domo & manerio pertineñ aut quoquomodo spectant, aut vt membrum, pars, vel parcell' eiusdem domus et manerij antehac habit', cogñ, accept', vsitati, reputati, demiss', seu locati existeñ, aut cum eadem domo aut manerio, occupati, seu qualitercunque vsitati : Ac omnes & singulos boscos & subboscos, & arbores nostras quascunque, de, in, vel super pdict' manerio et domo, et ceteris premissis, aut aliqua inde parcell' crescent siue existeñ : Ac totam terram, fundum, & solum eorundem boscor', subboscor', & arborum, & eorum cuiuslibet : Necnon reuersionem & reuersiones omnium & singulorum præmissorum, & cuiuslibet inde parcell', ac reddit', reuersione, ac cætera aduantiagia & proficua quæcunque, super quibuscunque dimiss', concess', præmiss', aut alicuius inde parcell' facti seu reseruati. Damus etiam pro consideratione prædict', ac ex certa scientia & mero motu nostris per præsentem concedimus præfatis A. B. & I. P. aduocationem, donationem, præsentationem, liberam dispositionem, & ius patronat' Rectorie & Ecclesie de S. in comitatu nostro R. nuper Monaster' de A. in eodem comitatu nostro B modo dissolut', dudum spectant siue pertinent. Damus etiam pro consideratione prædict', ac ex certa scientia & mero motu nostris per præsentem concedimus præfatis A. B. & I. P. omnia & singula dominia, maneria, mesuagia, terras, tenementa, prata, pascua, pasturas, boscos, subboscos, reddit', reuersiones, seruic', decimas, aduocationes, ac cætera omnia & singula præmissa superius expressa & specificata, cum pertinentijs, adeo plene, libere, integre, & cum omnibus

nibus, diſdem, huiusmodi, & conſimilibus libertat̄ & immunitatibus quibuscuſque, in tam amplis modo & forma, prout nuper Abbas dicti nuper Monafter de W. ac vltimus Abbas dicti nuper Monafter de A. aut eorum alter, aut aliquis vel aliqui prædeceſſores ſui in iuribus eorundem nuper Monafter, ſeu eorum alterius aliquo tempore ante diſſolutionem, ſive ſuſum redditionem eorundem nuper Monafter, ſeu eorum alterius, vel antequam nuper Monafter ill', ſeu eorum alterum ad manus noſtras deueuer, prædict̄ dominium, meſuagium, terras, tenement, decimas, aduocationes, ac cætera præmiſſa, aut aliquam inde parcellam habuit, tenuit, vel gauisus fuit, habuer, tenuer, vel gauisus fuerunt, ſeu habere, tenere, vel gaudere debuerunt. Et adeo plene, liber, integre, ac in tam amplis modo & forma, prout ea omnia & ſingula ad manus noſtras ratione vel prætextu alicuius chartæ, doni, conſeſſion', confirmation, ſive ſuſum redditionis per dictum nuper Abbate, & eorum nuper Conuent, dictorum nuper Monafter, ſeu eorum alter ſub ſigillis conuentualibus, aut ſub ſigillo Conuentuali eorum alterius inde nobis conſeſſarum, aut ratione vel prætextu alicuius actus Parliamenti, aut aliter quoquomodo deueniunt, ſeu deuenire debuerunt, ac in manibus noſtris iam exiſtunt, ſeu exiſtere debent vel debuerunt: Exceptis tamen ſemper nobis, hæredibus, & ſucceſſoribus noſtris omnino referuat̄ omnibus & ſingulis aduocationibus, donationibus, præſentationibus, & iuribus patronat̄ quibuscuſque dicto dominio & manerio & alteri præmiſſi, aut alicui inde parcell' quoquo modo ſpectant vel pertinentibus, præter prædict' aduocationem, donationem, præſentationem, & ius patronat̄ Rectoriæ & Eccleſiæ de S. prædict'. Quæ quidem dominium, manerium, meſuagia, terræ, & tenementa, & cætera præmiſſa modo extendunt ad clarum annualem valorem &c. Habendum; tenendum, & gaudendum prædict' dominium, manerium, meſuag', terras, tenementa, prata, paſcua, paſturas, boſcos, ſubboſcos, redditus, reuerſiones, ſeruiæ decimas, aduocationes, cur, & viſus francipleg', hæreditamenta, & cætera omnia & ſingula præmiſſa cum pertinentijs, (exceptis præexceptis) præſatis A. B. & I. P. hæredibus & assignatis ſuis imperpetuum, ad ſolum et proprium uſum ipſorum A. & I. ac hæredum & assignatorum ſuorum imperpetuum. Tener, &c. (*ut ſupra* 386.) Et vltius &c. (*ut ſupra* 386.) præſatis A & P. ac hæredibus & assignatis ſuis, quod iſdem A. & P. hæredes & assignati ſui, habeant, teneant, & gaudeant, aut habere, tenere, & gaudere valeant & poſſunt intra prædict' dominium, manerium, meſuagia, terras, tene-

tenementa, ac cætera præmissa, & infra quamlibet inde parcell', tot talia, tanta, hujusmodi, & consimil' cur, leet, visus francipleg', & omnia quæ ad cur, leet, & visus francipleg' pertinent, seu impostero spectare possint aut debent, fines, amerciament, assisas panis, vini, & seruitiæ, liberas warrennas, decimas, bona & catalla wauia, bona & catalla feloñ, tam de se, quam aliorum feloñ, fugitiuorum, vlagat', attinct' seu conuict', vvauias, extrahur, & alia jura, jurisdictiones, priuileg', libertat', franchis. proficua, commoditat', emolumenta, & hereditamenta quæcunque, quot, qualia, quanta, & quæ dict' nuper Abbas dict' Monasterij (ante illud ad manus nostras deuenit) in prædictis dominio, manerio, & cæteris præmissis, aut in aliqua inde parcell', habuit, tenuit, & gauisus fuit, habuerunt, aut tenuerunt prætextu alicuius chartæ, doni, concessionis, siue confirmationis, aut literarum patentium, per nos, seu per aliquem progenitorum nostrorum prefat' nuper Abbati & nuper Conuent' dicti nuper Monaster' de Westmonaster', aut alicui, vel aliquibus prædecessorum suorum quoquo modo fact' vel concess. aut ratione vel prætextu alicuius præscriptionis, vsus, seu consuetudinis, antehac, aut aliter quoquo modo legitimo habit' aut vsitat'. Volumus etiam pro consideratione prædicta (*ut supra* 386.) præfat' A. & I. P. hæredibus & assignatis suis, quod nos, hæredes, & successores nostri imperpetuum annuatim, & de tempore in tempus, acquietabimus, exonerabimus; & indemnes conseruabimus, tam eodem A. & P. ac hæredes & assignatos suos, quam prædicti dominium, manerium, mesuagia, terras, tenementa, & cætera omnia & singula præmissa, & quamlibet inde parcell', cum pertinentijs, vniuersis; contra nos, hæredes, & successores nostros; & versus omnem aliam personam & personas quascunque de omnibus & omnimodis corrodijs, redditibus, feodis, annuitatibus, pensionibus, porcionibus, denariorum summis quibuscunque de prædictis dominio & manerio, mesuag', terris, & tenementis, & cæteris præmissis, aut de aliqua inde parcella quoquo modo exeunt seu soluent, vel superinde onerant seu onerand', præterquam de redditu & seruitijs superius nobis & hæredibus & successoribus nostris per præsentem reseruat': Ac præterquam de omnibus & singulis redditibus, oneribus, & denariorum summis quibuscunque, quas aliquis firmarius vel firmarij præmissorum, aut alicuius inde parcell' tenetur, seu tenentur soluere, aut aliquo modo onerantur soluere, seu facere. Volumus enim & per præsentem firmiter injungend', præcipimus, tam Cancellario &c. (*ut supra* Sect. 386. *verbatim*) præfat'

præfat A. B. & I. P. ac hæredibus & assignatis suis faciunt, & de tempore in tempus fieri causabunt. Et hæ literæ nostræ &c. *ut supra Sect' 386.* Dāmus etiam pro consideratione prædictæ, ac ex certa scientia & mero motu nostris per præsentis concedimus præfat A. B. & I. P. omnia et singula redd', reuertiones, et proficua quæ cunque ad præd' dominia, maneria, mesuag', terr', tenementa, ac cætera omnia & singula præmissa, ac quamlibet inde parcell' cum eorum pertinentijs vniuersis, à festo Michael' archangelij vltim' præterit' hucusque prouenient siue crescent. Habend' eisdem A. B. & I. P. ex dono nostro, absque compoto nostro, seu aliquo proinde nobis, hæred' & successoribus nostris quoquo modo reddendo, soluend', vel faciend'. Volumus etiam pro consideratione prædictæ, ac ex certa scientia & mero motu nostris per præsentis concedimus præfat A. B. & I. P. quod &c. *ut supra 386.* Eo quod &c. *ut supra 357. Mutatis mutandis.*

A Grant of the incorporation of a Towne.

Sect. 390.

ELIZABETH &c. Archiepiscop' &c. *ut infra Sect' 391.* salutem. Sciatis &c. (*ut supra 327.*) quantum in nobis est, dilectis nobis hominibus & inhabitantibus infra villam de R. in comitatu nostro de H. quod villa illa sit villa incorporata de vno Balliuo & inhabitantibus infra villam prædictam imperpetuum. Et quod Balliuus & inhabitantes infra eandem villam sint, & esse debeant vnum corpus incorporatum, & vna Communitas perpetua, iure & nomine, ac habiles & capaces in lege, habeantque successionem perpetuam. Et quod vna persona deinceps de inhabitantibus infra villam prædict' Balliuus villæ prædictæ ad regimen eiusdem villæ fiat. Ac nos tenore præsentium W. H. nostrum fidelem seruientem, ac vnum inhabitant' infra villam prædictæ, ac assignatos suos pro termino nonaginta annorum immediate & proximo complend', Balliuum ac Balliuos villæ prædictæ nominatum, appunctuamus, & ordinamus durante teris' prædictæ: Ac postea de Regiæ nostræ potestatis plenitudine volumus, quod vna persona de inhabitantibus villæ prædictæ, ad regimen eiusdem villæ pro vno anno integro singulis annis in festo Sanct' Iohann' Baptist. in balliuum villæ prædictæ, per homines ac inhabitantes dictæ villæ eligat, ac ordinetur in perpetuum. Et quod idem Balliuus & inhabitantes per nomen Balliu' & inhabitant' intra villam de R. placitare possunt, & implacitari, in omnibus Curijs nostris; & alijs locis quibuscunque, habeantque
figillum

figillum commune ad negotia villæ prædictæ agendæ tractandum. Et vltorius ex abundantiori gratia nostræ concessimus, & licentiam dedimus ac præsentibus concedimus, & licentiam damus pro nobis & hæredibus nostris prædictæ, quod idem Ballius & Inhabitantes & successores sui imperpetuum habeant & teneant, ac habere & tenere possint vnum Mercatum singulis septimanis apud villam nostram de R. prædictæ quolibet die Sabatæ annuatim tenendæ, & vnam Feriam ibidem per vnum diem, viz. in festo Assumptionis beatæ Mariæ virginis singulis annis tenendæ duraturum, cum Curijs pedis puluerizati ibidem tenendæ, durante eisdem Mercatæ & Feria, vna cum exitibus, proficuis, et amerciamenti de hñodi Mercatu & Feria, & curijs prouenientibus, ac cum omnibus libertatibus, & liberis consuetudinibus, proficuis, & emolumentis, ad hñodi Mercatum & Feriam pertinentibus siue spectantibus. Quare volumus & firmiter præcipimus pro nobis & hæredibus nostris prædictæ, quod idem Ballius & inhabitantes infra villam de R. prædictæ imperpetuum habeant & teneant, ac habere & tenere possunt prædictæ Mercatum & Feriam apud dictam villam nostram de R. prædictæ, in forma prædictæ tenendum, cum dicta curia pedis puluerizati, vna cum omnibus exitibus, proficuis, & amerciamenti de hñodi Mercatu, Feria, & curijs prouenientibus, ac cum omnibus libertatibus, & liberis consuetudinibus, proficuis, & emolumentis ad hñodi Mercatæ & Feriam pertiñ siue spectantibus imperpetuum. His testibus &c.

A grant of a Corporation by the King.

Henicus Dei gratia &c. Omnibus ad quos præsentis literæ perueniant salutem. Inspeximus cartam dñi R. nuper Regis Angliæ, progenitoris nostræ factæ in hæc verba. Rich. dei gratia Rex Angliæ & Franciæ, et dñs Hiberniæ, Omnibus ad quos præsentis literæ perueniant, salutem. Inspeximus cartam dñi R. quondam regis Angliæ progenitoris nostri in hæc verba. Ric' de gratia Rex Angliæ, Dux Normaniæ, Aquitan, Comit' And. Archiepiscopis, Episcopis, Abbatibus, Comitibus, Baronibus, Iusticiariis, Vicecomitibus, Seneschall' Præpositis, & omnibus ministris & fidelibus suis, Salutem. Sciatis nos concessisse, & præsentis Cartæ nra confirmasse Burgensibus nostris de D. Socam suam de D. cum villa de D. Habendæ & tenendæ de nobis et hæredibus nostris per antiquam firmam quæ tunc temporis nobis reddebatur, & insuper viginti & quinque Marcas argenti cum antiqua

Sect. 397.

firma reddend' nobis annuatim, vt inde nobis respondeant ad Scaccarium nostrum. Pro hac autem concessione nostra ipsi nobis dederunt &c. Quare volumus & firmiter præcipimus, quod iidem Burgenses nostri de D. præd' Sochiam suam cum villa de D. p'd' modo habeant & teneant benè & in pace, liberè & quietè, integrè, plenariè, & honorificè, cum omnibus libertatibus, & liberis consuetudinibus ad eam pertinèti. Ita quod nullus eos super his disturbet. Testibus his H. Cantuar' Archiepo, R. Arch. Hereford', Will' de W. Osberto fil' H. Simone de P. Ric' Barre, & pluribus alijs. Dat' per manum Magistr' E. tunc agent' vices Cancell' xxij. die M apud T. anñ 5. regni nostri. Nos autem dictas concessiõ & confirmatiõ præd' progenit', ac oĩa & singula in charta sua p'd' contenta rata habentes & grata, ea pro nobis & hæred' nostris (quantum in nobis est) dilectis nobis nunc Burgensibus p'd' villæ de D. & eorum success. imperpetuum tenore præsentium concedimus & confirmamus (prout charta prædict' rationabiliter testatur) & prout iidem Burgenses & antecessores sui hñdi focam rationabiliter habere & tenere consueverunt. In cuius rei testimoñ has literas nras fieri fecimus patentes. Teste meipso apud Wellin' decimo septim' die D. anno regni nostri quinto. Inspeimus etiam quandam chartam dñi E. nuper regis Angliæ quarti, progenit' nostr' fact' in hæc verba. Edw. dei gratia, Rex Angl' & Franc', dñs Hibern' &c. (*vt supra.*) Sciatis ex parte dilectorum nobis nunc Burgensium, tenentium, residentium, & Inhabitantium villæ de D. in com' E. accepimus qualiter ipsi à tempore non modico transacto nonnullas libertates & liberas consuetudines habuer', ac eis vsi & gauisi fuerunt, præf. Burgenses, tenentes, residentes, & inhabitantes, metuentes se de & in huiusmodi libertatibus, & liberis consuetudinibus, ob defectu declarationis & expressationis earundem, & alijs occasiõibus futur' tempor' molestari, pigrauari, impediri, & perturbari, nobis humillime supplicauerunt quatenus libertates & liberas consuetudines prædict' sub verbis specialibus declaraf & expressatis eisdem Burgensibus, tenentibus, residentibus, & inhabitantibus, & eorum hered' & success. in forma subsequenti concedere, & ipsos incorporare, & personas habiles & capaces cum success. perpetua facere dignaremur. Nos supplicationi suæ in hac parte favorabiliter inclinati, de gratia nostra speciali, ac ex certa scientia & mero motu nostris, concessimus & per præsentem concedimus pro nobis & hæred' nostris, quod dicta villa de D. liber burgus sit, & quod Burgenses, tenentes, residentes, & Inhabitantes eiusdè, & eorū hered' & success. liberi Burgens. sint, & Gildam mercatoriam habeant, & eisdem libertatibus & liberis consuetudinibus gaudeant & vtant

in eodem Burgo, prout ipsi & eorum prædecessor ante hæc tempora rationabiliter visi sunt & gauisi. Et quod ipsi ex tunc sint in re & nomine vnum corpus, & vna Communitas perpetua, & quod eadem Communitas singulis annis in quodam loco certo infra Burgum prædictum, ad libitum suum eligere possunt de seipsis vnam idoneam personam in Maior, & duas alias idoneas personas in Seruientes ad clauas eiusdem villæ, infra eandem villam commorant, ad regendum & gubernandum communitatem prædictam imperpetuum. Et quod idem Maior & communitas habeant successionem perpetuam, & commune sigill' pro negotijs dictæ communitatis seruitur imperpetuum. Et similiter quod idem Maior & Communitas, & successores sui, p nomen Maioris & Communitatis Burgi de D. placitari, implacitari, ac rñdere, & responderi possint, coram nobis vel hæred' nostris, ac coram quibuscunq; Iusticiariis & Iudicibus nostris, hæredum nrorum, et aliorum quorumcunque, in quibuscunq; curijs nris, vel hered' nrorum, & in cur' aliorum quorumcunque, in, & de omnimod' actionibus, sectis, querelis, & demandis, versus eos, vel per eos aliquo modo prosequend', vel impetrand'. Et quod ipsi imperpetuum habeant et gaudeant oēs & singulas libertates, et liberas consuetudines, quibus ante hæc tempora Maior & Burgenses villæ prædictæ vsi fuerunt et gauisi, seu quibuscunq; alijs noibus centeantur. Et si hñmodi Maior infra annum post hñmodi electionem sic factam decesserit, aut pro non sana gubernatione Burgi prædicti, aut pro aliquo delicto, vel aliqua alia causa quacunque ab officio Maioratus depositus vel amotus fuerit, ad tunc communitas Burgi prædicti & successores sui aliam idoneam personam in Maiorem Burgi prædicti loco huiusmodi Maioris sic decedentis, depositi, vel amoti, pro residuo anni illius ad eundem Burgum regendum & gubernandum infra quindecim dies proximi post hñmodi decessum, depositionem, siue amotionem eligere possint & creare, & eisdem modo et forma fiat in omnibus de seruientibus ad clauas imperpetuum cum casus exigerit. Et vltius de vberiori gratia nostra concessimus, & per presentes concedimus pro nobis et hæredibus nostris præfat' Maiori & communitati, et eorum hæred' & successoribus, quod ipsi, hæredes et successor' sui habeant imperpetuum cognitionem omnimodorum placitorum de debito, transgress. conuentioem, et de omnimodis alijs causis & contractibus quibuscunq; infra eundem Burgum cōtingentem aut emergentem, tenend' coram Maiore eiusdem Burgi, qui p tempore fuerit in eodē, tam in p'sentia nra & hæred' nrorum, quam in absentia nra & hæred' nrorum imperpetuum: & quod oīa placita in Burgo prædicto emergent, siue de tenu' suis, siue de contractibus, conuentionibus, transgress. necnon de omnimod' debis,

debiť, ac alijs causis & contractibus quibuscunque, seu vadimonũ in eodem Burgo factis seu accommodatis in Guilda aula in eodem Burgo, coram Maiore eiusdem Burgi pro tempore existẽn placitentur & teneantur in perpetuum. Et insuper concessimus, & per presentes concedimus præfat Maiori & Communitati, hæredẽ & success. suis, qđ ipsi, hæredẽ, & success. sui, per seruitentes suos p̄dict' ad clauas, habeant potestatem & auctoritatem attachiandẽ quoscunque viros & mulieres minus sufficientes per corpõra sua, in quibuscunque placit' debitorũ, compotorum, transgressionum, conuentionum, detentionum cattall', & aliarum actionum p̄sonalium seu mixtarum quarumcunque infra Burgum p̄dict' qualitercunque factorum siue emergentium, quæ aliquo modo fuerint, siue moueri contigerint, coram Maiore Burgi p̄dict' pro tempore existẽn Præterea de abundantia gratia nostrĩ volumus, & p̄ presentes concedimus pro nobis hæredib' nostris, quod quilibet Burgen. Burgi p̄dict', qui extunc in Maiorem Burgi illius eligentur, Maior ibĩ extiterit vel fuerit ip̄o facto, & quamecunq; in Maiorẽ eiusdẽ Burgi sic elect' & præfectus fuerit, sit extunc Coronator nr̄i & hæredẽ nr̄õr in Burgo prædict', durante tempore quo officium Maioratus Burgi p̄dict' occupauerit. Et qđ idem Maior Burgi illius & success. sui Maiores ibidẽ hẽant in Burgo illo potestatem, iurisdictionem, auctoritã & libertatem faciend' & exercend' oĩa & singula quæ ad officium Coronat' ibidem p̄tinent faciend' & exequend', prout ceteri Coronat' nostri & hæredẽ nr̄õrũ infra Regnum nostrum Angl' habuerunt & habere contigerint in futurũ. Ita quod nullo tempore futurũ aliquis Coronator eiusdem regni nr̄i Angliæ, nisi Maior Burgi p̄dict' pro tempore existens ad aliqđ, quod ad officium Coronator' in eodem Burgo p̄tinet faciend' seu exequend', ingrediatur, nec se de aliquo in eodem Burgo colore officij hĩodi intromittat quoquo modo. Et quilibet hĩodi Burgenfis in Maiorem Burgi p̄dict' extunc eligend', immediatẽ post hĩodi electionẽ de se factam, sacramẽtum suum tam de se, & pro officio Maioratus Burgi p̄dict' pro vno anno integro, aut aliqua parte anũ vt p̄mittitur eligend', quam de & pro officio Coronat' nostri Burgi p̄dict' benẽ & fideliter faciend' infra Burgum p̄dict', coram Communitate eiusdem Burgi pro tempore existẽn præstat corporale. Ac eidem Communitati & success. suis, qđ ipsi & successores sui sacrum illud à præfat Maiore & Coronatore de tempore in tempus cum casus exigent, recipere possint, tenore præsentium licentiam dedimus specialem. Ita quod hĩodi Maior pro tempore existens, vt Maior Burgi, aut vt Coronator nostr' eiusdem Burgi ad sacrum Maioris vel Coronator' Burgi p̄dict' p̄standũ alibi quam infra eundẽ Burgũ, seu coram alijs quã coram Com-

communitate Burgi illius pro tempore existē nullo modo teneatur seu compellatur. Et ulterius de abundantia gratia nostra concessimus, & per præsentem concedimus pro nobis & hæredibus nostris præfatis Maiori & Communitati Burgi prædicti, & successoribus suis, quod idem Maior & successores sui imperpetuum habeant returna omnium breuium, mandatorum, præceptorum, et billarum nostrarum, & hæredum nostrarum, necnon omnimodā summonitionē de Scaccario nostro & hæredum nostrarum, & aliorum extractuum quorumcunque exequendā infra Burgum prædictum, tam ad sectam nostram & hæredē nostrarum, per nos vel hæredes nostros solos, seu p nos vel hæredes nostros coniunctim cum alijs personis vel alia persona, quam ad sectam alterius cuiuscunque prosequendō, omnimodas executiones breuium, mandatorum, præceptorum, billarum, summonitionum, & extractuum prædictorum: Ita quod nullus Vicecomes, Coronator, Eschaetor, Balliuis, aut alius minister noster, vel hæredum nostrarum Burgum prædictum ingrediat ad aliquod officium ibidem faciendū, nisi in defectu ipsius Maior, vel successorum suorum. Et insuper &c. (*ut supra verbatim*) & successores sui, habeant & teneant imperpetuum vnam Feriam apud dictum Burgum de D. singulis annis in vigilia, & in festo, & in crastino Annunciationis beatæ Mariæ virginis tenendā, & per eosdem tres dies duratur, cum omnibus libertatibus et liberis consuetudinibus ad huiusmodi Feriam pertinentē, nisi Feria illa sit ad nocumentum vicinarum Feriarum. Quare volumus & firmiter præcipimus pro nobis & hæredibus nostris prædicti, quod præfata Maior & Communitas et successores sui prædicti habeant & teneant Feriam prædictam apud Burgum prædictum in forma prædicta, cum omnibus libertatibus & liberis consuetudinibus ad huiusmodi Feriam pertinentē, nisi Feria illa sit ad nocumentum vicinarum Feriarum sicut prædictum est. Et præterea de gratia nostra speciali concessimus, & per præsentem concedimus præfata Maiori & Communitati & successoribus suis, quod idem Maior et successores sui sint Iusticiæ ad custodiā pacis nostræ infra Burgum prædictum conseruandā. Et quod idem Maior et successores sui prædicti habeant imperpetuum huiusmodi auctoritatem & potestatem infra eundem Burgum ad pacem nostram et hæredum nostrarum tantum conseruandā, & non aliter, prout ceteri Iusticiæ siue custodiæ pacis nostræ in hac parte in aliquo Comitatu regni nostri Angliæ in eodem Comitatu habeant et habuerunt: Quare volumus et firmiter præcipimus pro nobis et hæredē nostræ prædicti quod præfata Maior et Communitas Burgi prædicti, ac eorum hæredē et successor,

omnia & singula hujusmodi libertates, consuetudines, franchises, & pr-
 uilegia, ac omnia alia præmissa, prout superius express. est, habeant,
 teneant, & exercent, ac eis & eorum singulis plene, liberè, integrè,
 pacificè, & quietè imperpetuum gaudeant & vrantur absque impetio-
 ne, impedimento, perturbacione, molestacione, vexacione, seu grauamine
 nostri vel heredum nostrorum prædict, aut aliquorum aliorum officari-
 orum seu ministrorum nostrorum, vel hæred' nostrorum aut aliorū quo-
 rumcunque: Eo quod expressa mentio de vero valore annuo præmissio-
 rum, seu aliquo alto valore eorundeni, aut alicuius inde parcelle, aut
 de alijs donis seu concessionibus eisdem Majori & communitati & suc-
 cessoribus suis, aut Majori & Burgensibus dictæ villæ de D. & succes-
 soribus suis, aut aliquibus prædecessorum suorum & successoribus suis,
 per nos, vel per progenitores seu prædecessores nostros ante hæc tem-
 pora fact' in presentibus minime fact' existit: Aut aliquo Statuto, actu,
 ordinatione, seu prouisione in contrarium fact', ædit', ordinat', siue
 prouis. non obstant'. His testibus &c. W. & alijs xxx. die No. añ regni
 nostri septimo. Inspeximus insuper quandam Cartam domini Henrici
 nuper Regis Angliæ progenitoris nostri fact' in hæc verba. Henricus
 &c. (*vt supra*) Omnibus ad quos presentes literæ peruenerint, Salutem.
 Inspeximus literas patentes domini Rich. nuper Regis Angliæ secundi
 post conquestum factas in hæc verba. Rich. (*vt supra*) Omnibus ad quos
 præsentis literæ peruenerint, Salutem. Inspeximus Cartam domini R.
 quondam Reg. Angliæ progenitoris nostri in hæc verba. Richardus
 (*vt supra*) Salutem. Sciatis nos concessisse, & hoc præsentis Carta nostra
 confirmasse &c. (*vt supra*) Inspeximus etiam quasdam alias literas pa-
 tentes cuiusdam Petri de Manley quondam Domini de Mulgreene,
 sigillo suo armorum sigillat' similiter factas in hæc verba. Sachant
 toutes yceaur que cestes lettres verront, ou oyront, que ieo Piers
 de Manley le quint Seignior de Mulgreene, ay i clese & quite clame
 auxy bien as pouers come as riches de la Communaltie de la ville de
 D. le mauuoise custome leue de mesme la ville deuant ceur heures
 per mes auncesters, la quel nous solaynes resceiuer de tous man-
 ners Regrators de mesme la ville, s. Pestors, Wzatozsoz, Wo-
 chiers, Wschous, et Cstewes, et de tout altre manner de regrate-
 rie. Mint que ieo auantdit Piers, ne nul de mes heitres au cel
 custome auantdit nul clapme ne mettrons, En testmoignance de
 quel chose a cest letter patent ay ieo mis mon Seale, Don a D.
 Feoued p'choeine apres la quinzien de S. Michacl, an du reigne le
 Roy Ed. tierce apres le conquest quint. Nos autem Chartas & literas
 præ-

prædictas, ac omnia & singula in eisdem contenta, rat habentes & grat, ea pro nobis & hæred nostris (quantum in nobis est) acceptamus & approbamus, & dilectis nobis nunc Maiori & Burgenfibus & Communitat prædict' villæ de D. & eorum successoribus tenore præsentium ratificauimus & confirmauim⁹, prout chartæ & literæ prædict' rationabiliter testantur, & prout ijdem nunc Burgenfes franchisesijs, libertatibus, & quietancijs in literis prædict' contentis uti & gaudere debent, ipsiq; & eorum antecessores franchisesijs, libertatibus, & quietancijs huiusmodi, à tempore confectiois literarum prædictarum semper hætenus rationabiliter uti & gaudere consueuerunt. In cuius reitellimoñ has literas nostras fieri fecimus patentes. Teste meipso apud Westm⁹ 18. die M. Anñ regni nostri 23. Inspecimus preterea quandam chartam dñi H. nuper Regis Angliæ septimi patris nostri fact' in hæc verba. Henricus (*ut supra*) Sciat is &c. (*ut supra Sect. 327.*) Maiori & Communitati villæ nostræ de D. & eorum successoribus, Manerium, villam, dominium, & Socam de D. cum omnibus villis, villatis, hamletis, & membris quibuscunque, Ac omnia & singula mesuag', terr', tenementa, redditus, reuerfiones, & seruiç', mariscos, aduocationes Ecclesiarum Cantariarum et Capellarum, possessiones, & hereditamenta nostra quæcunque, infra prædict' maner', dominium, villam, & Socam de D. ac infra prædict' alias villas, villatas, & membra existen', vnà cum curijs, letis, vis. francipleg', aquis, molendinis, introitu & exitu aquarum ibidem, ferijs, mercatis, tolnetis, picagijs, stallagijs, pontagijs, passagijs, ac oibus & singulis proficuis, commoditatibus, & emolument' quibuscunque prædict' manerio, dominio, villis, villatis, & cæteris præmissis, aut eorum alicui qualitercunque pertinen' siue spectan', aut infra prædictum eorundem, vel eorum alicuius vbiçunque existen', vel ad nos, hæred', vel successores nros qualitercunque pertinen', seu nup pertinen', prout nosea omnia & singula præmissa, vel eorum aliquod habemus, seu nos, progenitores, aut prædecessores nostri aliquo tempore præterito hucusq; habuimus, vel de iure habere debuissimus : Necnon omnia & singula exitus, reuerfiones, & proficua, de prædict' Curijs, vis. francipleg', aquis, molendin', ferijs, mercatis, tolnetis, picagijs, stallagijs, pontagijs, passagijs, & cæter' præmissis, seu aliquo præmissorum, quoquo modo prouenien' siue emergen'. Habend' & tenend' prædict' Manerium, dominium, Socam, villas, villatas, & cætera præmissa cum eorum membris & pertinentijs vniuersis, à festo Paschæ vltimo præterito præf. Maiori & Communitati, ac eorum successoribus, de nobis & hæredibus nostris ad feodi firmam imperpetuum : Reddend' inde pro omnibus et singulis,

ipsorum Maioris & Communitatē, & successorum suorum, prout eis me-
 hus videbitur expedire. Et quod prædict' Maior & Communitas, &
 successores sui habeant & teneant Curiam qualibet septimana imper-
 petuum singulis septimanis, viz. quolibet die Iouis imperpetuum in
 Guildhalda prædict' villę de D. omnia & omnimod' placita, actiones, &
 querelas, tam reales quam personales & mixtas, coram Maiore prædict'
 manerij, dominij, & Socæ de D. ac ceterorum præmiss. pro tempore
 existēti, ac coram Seneschall', siue Recordator' Maior', & Communitatē
 manerij, dominij, et Socæ illorum, ac ceterorum præmissorum, vel depu-
 tato siue deputatis suis sufficientē, secundum legem et consuetudinē regni
 nostri Anglię, audiend' et terminand', per breue siue bria nra, hæred'
 vel successorum nostrorum quorumcumque, siue querelam aut quascun-
 que querelas, ac iurisdictionē & potestatem cognoscend', audiend', & ter-
 minand', coram quocumque huiusmodi Seneschall' siue Recordatore, seu
 eius deputato sufficiente, aut eius deputatis sufficientib', omnes & omni-
 mod' actiones, lectas, querelas, & demand', reales, personales, & mixtas,
 tam de omnibus et singulis terr' & tenentis infra prædict' maner', dñium, vil-
 lam, & Socam de D. aut eorū mēbris cum pertiñ, ac p̄cinct' eorundē, vel
 alicuius eorum existēti, quam de, et in oibus & omnimod' debitis, ad
 quācumque summam, aut quascunque summas se attingunt, ac de, & in
 oibus transgressionibus, debitis, detentionibus, compositis, conuentioni-
 bus, deceptionibus, contractibus, causis, & demandis, ac materijs qui-
 buscumque infra manerium siue dñium, villam, & Socam de D. ac cætera
 præmiss. seu p̄cinctū eorundem, seu alicuius eorundē emergent' siue con-
 tingent'. Et quod Curia illa sit Cur' de Recordo, quodque quilibet huiusmodi
 Seneschall' siue Recordator' pro tempore existēti, & quilibet deputat'
 cuiuscumque huiusmodi Seneschall' siue Recordatoris habeant plenam pote-
 statē & auctoritatem tenend', audiend', et terminand' placita et querelas
 illa, secundum debitā legis formam, & procedend' ad iudicium, in, & sup
 eisdem, et facere inde executiones, prout legi nostr' concinit aut consue-
 uit. Et quod ijdem Maior & Cōmunitas, & successores sui constituūt & ha-
 beant, ac constituere & hēre possint. unū aut duos seruientes ad Clauam
 infra maner', & dñium, villam, & Socam de D. prædict', ac cæter' præmiss. ad
 attend' sup Maiorem villę prædict' p̄ tempore existēti: Et ad faciend' &
 exequend' summon', districtiōn', & attach. ac alia p̄cepta Cur' prædict', tam
 p̄ corpus, quam aliter infra prædict' dominium, maner', villam, et Socam de
 D. cæter' præmiss. & p̄cinct' eorundem, virtute warranti siue præcepti, ac
 cuiuscumque p̄cellus auctoritate supradict', vel aliter infra prædict' maner',
 dominium, villam, & Socam de D. & cætera præmissa, ac p̄cinct' eorundem

dem, vel eorum alicujus, eis aut eorum alteri direct' siue dirigend'. Concedimus insuper prefat' Majori & Communitati & successoribus suis, ad eorum usum & opus propria per presentes, omnia & singula exitus, proficua, fines, amerciamenta, & alia emolumenta quecunque in Curia predicta, siue ratione Cur' illius per quamcunque causam contingen', abique compoto seu aliquo alio inde nobis, hered', vel successoribus nostris, reddend', solvend', seu faciend'. Concessimus etiam prefat' Majori & Communitati, ac successoribus suis, quod Major villæ predict' pro tempore existen', ac Seneschall' siue Recordat' eiusdem villæ pro tempore existen', ac tres Aldermanni ejusdem villæ per Major' & Seneschall', siue Recordatorem villæ illius ad hoc elect', sint Iusticiar' & Custodes pacis nostræ, hered' & successorum nostrorum infra predict' manerium, dominium, villam, & locam de D. predict', ac cætera præmissa, ac precinctum eorundem. Et quod idem Iustic', vel duo eorum, quorum prefat' Seneschall' siue Recordator pro tempore existen', semper sit vnus, plenariam habent potestatem & auctoritatem ad pacem nostram, hered' vel successor' nostrorum conseruand'. Necnon omnia ordinationes & statuta facta & fiend' pro bono pacis nostræ hered' & successor' nostror', ac quieto regimine & gubernatione populi nostri, hered' & successor' nostror', in omnibus & singulis suis articulis, infra predict' maneriũ, dominium, villam, & locam de D. predict', & cætera præmissa, & precinctum eorundem, iuxta vim, formam, & effectũ eorundem Statutorum & ordinationum custodiend' & custodiri faciend', & ad omnes illos quos contra formam & ordinationẽ Statutorum predict' venerint, aut fecerint, secundum legem terræ puniri faciend'. Et omnes illos qui aliquibus de populo nostro, vel hered' seu successor' nostror' de corpor' suis, vel de incendijs domor' suarũ minas fecer', ad sufficienẽ securitatẽ de pace & bono gestu suis erga nos & populũ nostrũ, hered' & successor' nostror' inueniend' corã eis venire, & si hñodi securitatẽ inuenire recusauer', tunc eos in prisõn' nrãm, hered' & successor' nostror' infra pã villã de D. quousque hñodi securitatẽ inuenierit, salvo custod' faciend'. Ac omnes materias, querel', defect', causas, & alia quecunque infra dicẽ maner', dñium, villã, & locam de D. & precinã' eorund' impostas perpetrat' siue contingen', adeo plenẽ & integri inquirend', audiend', & terminand', prout custodes pacis nræ, hered' & successor' nrerũ, ad pacẽ in aliquo coãm Angl' conseruand' assign', virtute ordinationũ & statutor' pã, ac l'rarũ nostrarũ pã patenc' destitui aut destituend', terminare debent & solent, seu debent, per Major' & Seneschall' siue Recordat' & hñodi tres Aldermãnos dict' villæ de D. pro tempore existen', vel duos

eorum,

eorum, quorum dict' Seneschall' siue Recordatorem pro tempore existē vnum esse volumus inquirant, & terminant, secundum legem & consuetudinem regni nostri Angliæ, & juxta formam & ordinationem Statutorum predict': Ita quod custodes pacis nostræ, hæred' vel successorum nostrorum ad hujusmodi felonias, transgressi. & malefacta in Comitatu nostrorum ad hujusmodi felonias, transgressi. & malefacta in Comitatu predicti' facti, perpetrati, fieri, siue perpetrandi, audiendi, & terminandi, assignandi vel assignandi infra prædictum manerium, dominium, villam, & Socam, seu cætera præmissa, aut precinctum predictum, ad aliquod quod ad custodes pacis nostræ, siue Iusticiam huiusmodi ibidem pertinet faciend' non ingrediantur, nec se in aliquo intromittant. Sciatis insuper, quod nos de gratia (*ut supra*) præfat' Majori & Communitati & successoribus suis predicti, quod omnia & singula breuia, præcepti, warranti, summoñ, attachiamenta, & mandata per Majorem, siue per Majorem & Communitatem, aut per Seneschallum siue Recordatorem predicti manerij, dominiij, villæ, & Socæ de D. aut eorum aliquem pro tempore existē, aut per deputatum Seneschall' siue Recordatoris manerij, villæ, & Socæ illorum pro tempore existē concedend', vel extra Curiam, siue Visus francipleg' predicti, pro aliqua materia, re, vel causa quacunque emanantia seu prosequend', aut per præfat' Custodes siue Iusticiam pacis predicti manerij, dominiij, villæ, & Socæ de D. seu eorum aliquos vel aliquem concedend', vel extra aliquam Sessionem, coram eis siue eorum aliquibus, vel aliquo tenend' pro aliqua materia, re, vel causa quacunque emanantia prosequend' vel dirigend', seu iurantes ad Clauas predictor' manerij, dominiij, villæ, & Socæ de D. pro tempore existē, seu eorum alicui, juxta, juris exigentiam dirigatur, & per eosdem seruientes ad clauas, seu eorum aliquem, juxta vim, formam, & effectum breuium, præceptor', warrantorum, & mandatorum debite exequantur & returnentur: Ita quod nullus Vicecomes Comit' nostri, heredum vel successorum nostrorum Comit' Eborum, vel aliquis alius officarius, seu ministr' nostr', hered' vel successorum nostrorum, neque aliquis alius, nisi tantummodo seruientes ad clauas, aut eorum aliquis pro tempore existē in neg. predicti' Majoris & Communitatis, & successorum suorum in nullo se intromittat, aut intromittant quoquo modo. Et quod omnia & singula hujusmodi breuia, præcepta, warranta, summoñ, attachiament', & mandata per hujusmodi seruientes ad clauas, seu eorum aliquem executi seu returnati eiusdem vigoris & effectus in lege existant, ac si etiam breuia, præcepta, warranta, summoñ, attachiament', & mandata Vicecomitibus nostris, hæredum vel successorū nostrorū predictor' Comit' Eborum pro tempore existē

existē, aut alicui alij Officiorum seu Ministrorum nostrorum, hæredum, aut successorum nostrorum direct', ac per hñodi Vicecom̄, Officia, seu Ministr', aut eorum aliquem execut' & returnat' fuissent. Concessimus etiam de vberiori gratia nostra eisdem Maiori & Communitati, ac successoribus suis, quod ipsi & successores sui habeant retornum, ac plerum retornū omnium & singulorum breuium, præceptorum, warrant', summoñ, attachiamēt, & mandatorum nostrorum, hæred' & successorum nostrorum, ac summoñ, attach. & distriktiones Scaccarij nostri, hæred' & successorum nostrorum, & executiones eorundem, infra manerium, dominium, villam, & focam de D. & cætera præmissa, at præcinctum eorundem, coram nobis, aut hæred' vel successoribus nostris, vel aliquibus Iusticiis nostris, hæredum vel successorum nostrorum, siue in Scaccario nostro, herec', vel success. nostrorum retornand', tam ad sectam nostram, hæred' & successor' nr̄, quam ad sectam alterius cuiuscunque, siue aliorum quorumcunque prosecut' vel prosequend' seu retornand': Ita quod nullus Vicecomes, aut alius Balliuus, seu minister noster, hæred' vel successorum nostrorum, manerium, dominium, villam, & Socam de D. prædict', & cætera præmissa, vel præcinct' prædict', aliquo modo ingrediatur ad hñedi breuia, præcepta, warrant', summoñ, attachiamēta, siue mandata, aut summoñ, attach. seu distriktiones Scaccarij prædict', infra manerium, dominium, villam, & Socam illam, siue præcinctum prædict' faciend', siue exequend', nisi sit in defectu ipsorum Maioris & Communitatis, & successorum suorum. Et vterius concedimus præfat' Maiori & Communitati, quod ipsi & successores sui habeant Gaolam in loco competente, infra præcinctum dicte ville de D. pro quibuscunque personis, pro quibuscunque felonijs, transgress. malefact', & alijs materijs & causis quibuscunque arrestand', siue attach', siue eidem Gaol' committend' ibidem, secundum legem nostram, saluo & secur' imprisonand' & custodiend'. Eo quod &c. (*ut supra 357.*) Et volumus & concedimus per præsentēs, quod omnia & singula præmissa fiant & liberentur præfat' Maiori & Communitat', & successoribus suis, sub magno sigillo nostr', absque sine vel feodo, siue aliquo alio inde nobis, hæred', vel successoribus nostris in Cancellari' nostra, aut in hanaperio Cancell' nostræ, seu alibi quoquo modo faciend' vel soluend'. In cuius rei testimoñ has literas fieri fecimus patentes. Teste meipso apud Westm̄ xiiij. die Ia. Anno regni nostri vicessimo. Nos autem &c. (*Verbatim ut supra.*)

A speciall

A speciall Liverie and Ouster le maine.

Sect. 392.

ELizabeth &c. Sciatis &c. & licentiam dedimus, ac per presentes concedimus, & licentiam damus pro nobis, hæred, et successoribus nostris quantum in nobis est, dilecto et fideli subdito nostro R. W. fratri & proximo hæred' M. W. armig' defuncti, (Qui quidem M. W. de nobis tenuit in Capite die quo obiit, per seruitium Militar') quocumque nomine, cognomine, siue additione nominis, idem R. W. nominat, siue nuncupat, qd' idem R. W. incontinent' absque aliqua p'patione ætatis suæ, & absque aliqua alia liberatione seu p'psecutione hereditatis suæ, vel alicuius inde parcell' extra manus nostras, hæred' vel successor' nostrorum, secundum cursum Cancellar' n'æ, vel secundum legem & cursum curiæ nostræ Wardorum et Liberac', vel legem terræ n'æ Angl', seu aliquo alio modo prosequend', in oia & singula d'nia, maneria, mesuag', terr', tenita, reuersiones, feod' firm', villas, villas, hamlet', annuitates, reddit', seruit', hundred', officia, prat', pastur', moras, mariscos, bruef', tolnef', custumar', vis. francipleg', cur', eschaet', balliuas, libertat', franches. warren', viuaf', stagna, molendina, feod' Milit', aduocationes, & patronat' Ecclesiarum, vicar', capellarū, et nominationes ad easdem : Ac in omnia et singula alia possessiones, reuentiones, & hæreditament' quæcumque, cum eorum iuribus, membris, et p'tineñ' vniuersis infra Regnum noll' Angliæ, Walliæ, aut Marchias eorundem, quæ fuerint p'd' M. W. & de quib' idem M. W. aut aliquis, vel aliqui antecessor' p'dict' R. W. cuius hæres ipse est, fuit, aut fuerunt possessionat', vel seisiñ' in d'nico suo vt de feodo, aut in feodo qualitercunque talliat', in dominico, vel aliter, diebus quibus seperatim obierunt, aut die quo eorum aliquis obiit, vel de quibus aliqua persona seisiñ' fuit, aut aliqua p'sonæ seisiñ' fuerunt coniunctim vel sepatim, ad vsum p'd' M. W. seu aliquorum antecessor' p'dict' R. W. cuius vel quorum heres ipse est, in d'nico suo vt de feodo, aut in feodo, qualitercunq; talliat' in dominico, vel aliter, ad vsum d'ict' M. W. aut aliquorum hæred' suorū, vel ad vsum aliquorum talium antecessorum, aut talis antecessoris, & hæred' talium antecessorum, aut talis antecessoris dieb' quibus seperatim obierunt, aut die quo eorum aliquis obiit. Et quæ p, siue post mortē ipsi' M. W. aut alicuius antecessoris, aut aliquorum antecessorum p'd' R. W. cuius hæres ipse est, aut aliquo alio modo ad manus n'as deuenierunt, seu deuenire debuerunt, aut deberent, aut in manibus nostris iam existunt, aut existere debent, vel debuerunt, quæ p'fat' R. W. in possessione, reuersione, vel in vsu descendere, reuertere, remanere, p'tinere, seu spectare debent, vel deberent, licitè & impunè ingredi, intrare, & seisire possit.

Ac

Ac ea omnia & singula præfat' R. W. & heredi sui, prout ipse in eisdem post mortem predict' M. W. aut aliquorum antecessorum predict' R. W. cujus vel quorum heres ipse est hereditari' extitit, in possessione, reversione, aut in usu, seiscire, habere, tenere, possidere, & gaudere possit & valeat, erga nos, heredes, & successores nostros, absque aliqua alia liberatione seu prosecutione eorundem, seu alicujus inde parcell' extra manus nostras, secundum cursum Cancellari' nostræ predictæ, aut legem terræ nostræ, seu aliquo alio modo per predictas personas, seu per earum aliquam sequend' vel impetrand'. Nolentes quod præfatus R. W. nec heredes sui, nec predict' quæcunque personæ, siue quæcunque persona, de aliquibus dominijs, manerijs, terris, tenementis, & cæteris præmissis, ad usum (ut præmittitur) seiscit, vel seiscit existens, vel existens, ratione ingressus siue occupationis & retentionis predictæ per ipsos, seu per eorum aliquem fact', aut habet, sciend' & habend', per nos, heredes, seu successores Iusticiari', Eschaetor', Vicecomit', Receptor', Balliuos, & ministros nostros, heredes, vel successorum nostrorum quoscunque molestentur, inquietent, vexentur, distringantur in aliquo, seu grauentur, nec eorum aliquis molestentur, inquietentur, vexentur, perturbentur, distringantur in aliquo, seu grauentur. Nec quod idem Iusticiari', Eschaetor', Vicecomites, Receptores, Balli, & ministri nostri, heredes vel successorum nostrorum, nec eorum aliquis in predictis dominijs, manerijs, terris, tenementis, & cætera præmissis, cum pertinens, siue aliquam inde parcell', pro nobis, seu nomine nostro se intromittant, vel eorum aliquis intromittat, Sed quod nos, heredes, & successores nostri, quoad seiscitend' & capiend' in manus nostras prædict' dominijs, maneria, terris, tenementis, & cætera præmissis, cum pertinens, siue aliquam inde parcelam, ratione alicuius nostri tituli, clamei, vel interesse, quod vel qui nobis, heredes & successoribus nostris prædict', per siue post mortem dicti M. W. vel alicuius alterius antecessoris, siue aliquorum aliorum antecessorum prædict' R. W. cuius, vel quorum ipse hæres est, aut alicuius alterius personæ, siue aliquarum aliarum personar', de aliquibus dominijs, manerijs, terris, tenementis, ad usum suprascript' seiscit, vel seiscit nuper existens, vel existens, accidit, competit, seu evenit, aut acciderit, competere, vel evenire poterit, sumus exclusi imperpetuum per præsentis. Et quod idem R. W. & heredes sui, erga nos, heredes & successores nostros pro præmissis, & qualibet inde parcell' quietæ & exoneratæ existens, & eorum quilibet quietæ & exoneratæ existens imperpetuum per præsentis. Et præterea pro nobis, heredibus & successoribus nostris concedimus per præsentis præfat' R. W. necnon prædict' quibuscunque alijs personis, & cuicunque alij personæ de aliquibus dominijs

dominijs, manerijs, terris, tenementis, & cæteris præmissis, cum pertinentijs, ad vñum superius recitat seisiñ nuper existẽ, vel existẽ, quod ipsi habeant, & quilibet eorum habeat de tẽpore in tempus, tot & talia breuia, mandata, ac warrant nostra sufficiens, Iusticiar nostris, Baronibus de Scaccario nostro, Eschaetoribus, Vicecomitibus, Receptoribus, Balliuis, & ministris quibuscunque, & eorum cuilibet dirigend, quot & qualia eis & eorum cuilibet pro exoneratione sua verlus nos, hẽred, & successores nostros in ea parte necessaria erunt & opportuna. Et vterius de vberiori gratia nostra damus & concedimus præfat R. W. necnon præd quibuscunque alijs personis, & cuicunque alij personæ de diuersis manerijs, terris, tenementis, & cæteris præmissis, cum pertinentijs, ad vsu superius recitat seisiñ, vel seisiñ existẽ, quod huiusmodi ingressus, seisiñ, possessio, perceptio, & occupatio, de, & in diuersis manerijs, terris, tenementis, & cæteris præmissis, cum pertinentijs, & qualibet inde parcell' per dict' R. W. aut per prædictum quamcunque aliam personam, aut quamcunque alias personas, de diuers. maner, terr, tenementis, & cæteris præmiss. siue aliqua inde parcell' autoritate harum concessionis & licentiæ nostrarum fact' & habiñ, fierẽ & habend, sit eis & eorum cuilibet, & hæredibus suis, ac hæred eorum cujuscunque, prout ipse in eisdem hæreditabil' vt præfertur extitit, adeo bonæ, validæ, & efficaciæ, ac tanti vigoris & effectus in lege, ac si eadem dominia, maner, terr, tenement, & cætera præmiss. cum suis pertinentijs, & qualibet inde parcell' in manus nostras debito modo cap' & seisiñ fuissent. Ac idem R. W. & quæcunque alia personæ, & quæcunque alia persona de aliquibus diuers. manerijs, terr, tenement, ad vsu vt præmittitur seisiñ, vel seisiñ existẽ, vel existẽ debitam liberationem eorundem dominiorum, maneriorum, terrarum, tenementorum, & cæterorum præmissorum, cum pertinentijs, extra manus nostras, secundum cursum Cancellar' nostræ prædict', & secundum legem terr' nostræ, ritè & debiñ prosecuñ fuissent: Ac nobis de omni eò quod ad nos in ea parte pertinet, seu pertinere possit, debet, aut deberet, satisfact' fuisset & content, aliqua negligentia, omissiõ, misprisiõ, erroř, repugnantia, contrarietate, aut aliquo alio defectu quocunque limitat, vel limitand, assignand vel assignand in aliquo non obstante: Homagio tamen & fidelitate predict' R. W. nobis in hac parte debiñ seu debẽd semper nobis saluis & reseruaf. Et vterius (vt supra) præfat R. W. omnia & singula exit, reddit, proficua, reuentiones, & emolument quæcunque omnium & singulorum predictorum dominiorum, maneriorum, terrarũ, tenementorũ, & cæterorũ præmissorũ, & cuilibet inde parcell', cum omnibus & singulis suis

suis pertineñ, à tempore quo prædict' R. W. accreuit plenam ætatem suam viginti vnus annorum hucusque & extunc prouenieñ, exeun, emergeñ, siue cresceñ, & nobis qualitercunq; debet siue spectañ. Habend, leuand, recipiend, gaudend, & retinend, omnia & singula eadem exit, reddit, proficua, reuersiones, & emolumenta eidem R. W. executoribus & assignatis suis, de dono nostro, tam per manus suas proprias, quam per manus sepecialium, nuper nunc & impostherum Eschaetor, Feodar, Superuifor, Vicecom, Receptor, Ball, & aliorum occupatorum quorumcunq; eorundem, siue alicuius inde parcell' pro tempore existent : Necnon aliorum officiariorum nostrorum quorumcunq; in sepecialibus Com, in quibus dict' dominia, maneria, terr, tenement, & cætera præmissa cum pertineñ existunt, siue aliqua inde parcell' existit, absque compoto, responso, seu aliquo alio nobis, hæred, & successoribus nostris pro præmissis, siue aliquo præmiss. reddend', soluend', seu faciend'. Et vltcrius volumus & concedimus per præsentcs, quod tam præf. R. W. quam omnes nuper nunc & impostherum Eschaetor, Feodar, Superuifor, Vicecom, Receptor, Ball, firmar & occupator de huiusmodi reuentionibus, exit, reddit, & proficuis, seu aliquo alio præmiss. à prædict' tempore quo prædict' R. W. accreuit plenam ætatem suam viginti vnus annorum, hucusque & extunc prouenieñ, exeun, emergeñ, siue cresceñ, absque compoto, responso, seu aliquo alio nobis, hæred, & successoribus nostris inde reddend, soluend, seu faciend, erga nos, hæred, & successores, & executores nostros quiet & exonerat existent, & eorum quilibet quiet & exonerat existit imperpetuum per præsentcs. Et vltcrius de vberiori gratia nostra, ac ex certa scientia & mero motu nostris, pro nobis, hæredibus, & successoribus nostris, perdonauimus, remisimus, & relaxauimus, ac per præsentcs perdonamus, remittimus, & relaxamus præfat' R. W. omnes & omnimod' intrusiones & ingress. per dictum M. W. aut per prædict' R. W. cuius hæres ipse est, aut per aliquam aliam personam, siue aliquas alias personas ad eius vsum seisit, vel seisit, de, & in prædict' dominijs, manerijs, terr, tenement, & cæteris præmissis, seu aliqua inde parcella, quæ de nobis, vel de aliquo alio tenent qualitercunq; ante p'sentem diem, habit, fact, aut perpetrat : Necnon omnes & omnimod' perquisitiones, alienationes, donationes, fines, compor, & forisfactur de prædict' dominijs, manerijs, terris, tenement, & cæteris præmissis, cum omnibus & singulis suis pertineñ, vel aliqua inde parcell', per dict' M. W. aut per prædict' R. W. aut per aliquam aliam antecessor eiusdem R. W. siue aliquas alias personas, ante mortem dicti M. W. sine licentia nostra habit, fact, aut perpetrat : Necnon omnes & omnimod' actiones, sectas, quærelas, impe-

Symb.

Bargaines and sales.

part. primæ

titiones, executiones, & demand quecunq; quas vel quæ versus p̄f. R. W. vel aliquē antecessor̄ p̄f. R. W. siue aliquas alias p̄sonas de & in p̄missis, vel eorum aliquo habuimus, habemus, seu in futur̄ habere poterimus vllō modo. Prouiso semper, qđ hæ literæ nræ patentēs, nec aliquid in eisdem contentē, aliquid se extendē ad exonerand̄ p̄f. R. W. vel aliquam aliam p̄sonam, siue aliquas alias p̄sonas, aut p̄dicta dñia, maner̄, terr̄, tenement̄, & cætera p̄missa, siue aliquā inde parcel̄l̄, de, & pro aliquo debitor̄, ratione alicuius recognition̄ siue obligatiōn̄ nobis, siue alicui p̄genitor̄ nostror̄, siue alicui alij personæ, ad vsū nostrum cognit̄ seu deliberat̄. Eo qđ expressa mentio de &c.

Per billam Cur̄ Wardor̄ & Liberac̄ &c.

Bargaines and sales:

Bargaine and sale what? and of the inrolment thereof.

Sect. 393.

VNto Grants and Contracts succeed Bargaines and sales, which be of manors, lands, tenements, hereditaunts, & other things, to transferre the proprietie therof from the bargainor to the bargainee for money: But no manors, lands, tenements, or other hereditaments, can passe, alter, or change from one to another, whereby any estate of inheritance or freehold is made, or taketh effect in any person or persons, or any vse thereof is made, by reason only of any bargain & sale thereof, except the same be made by writing indented, sealed, and inrolled in one of the Courts of Record at Westminster, or within the same Countie or Counties where the tenements so bargained do lie, before the *Custos Rotulorum*, and two Iustices of the Peace, and the Clerk of the Peace of the same Countie or Counties, or two of them at the least, whereof the Clerk of the Peace to be one, and that within six moneths after the date of such writings indented, 27. H. 8. cap. 16. And they are made as followeth.

A bargain and sale of a Mesuage and lands, &c.

Sect. 394.

THIS Indenture made &c. Betweene J. B. W. B. and P. of the one partie, and T. P. on the other partie, Winnesseth, That the said J. B. W. B. and P. for, and in consideration of 100. li. of lawful English money to the said &c. haue bargained, sold, giuen, and granted, and by these presents doe fully, cleerely, and absolutely, bargain, sell, giue, and graunt vnto the same T. P. all and all manner of those mesuages, lands, tenements, medowes, pastures, seedings, and all other here,

hereditaments whatsoeuer, being freehold, or charterhold, set, lying, and being in the townes and fields of ꝛc. or any of them, in the Countie of ꝑ. which late were the mesuages, lands, &c. of R. W. in vse, possession, right, reuerfion, or remainder. To haue and to hold the same mesuages, lands, &c. with all and singular the appurtenances ꝛc. vnto the same T. P. his heires and assigns for euer, to the only vse and behoefe of the said T. P. his heires and assigns for euer. And the said J. B. and W. B. and euery of them, do couenant ꝛc. that they the said J. B. and W. B. or one of them, now bin, or is true and rightfull owner or owners ꝛc. of all ꝛc. befoze by these presents mentioned to be bargained and sold, and that the said premises, and euery parcel therof, now be, and so shall continue, cleerly discharged and exonerated of ꝛ from all other former bargaines ꝛc. As in couenants to be discharged with reasonable exceptions. And the said R. C. J. B. ꝛc. that they the said J. B. W. B. and the suruiuoꝝ of them, and the said ꝑ. and all ꝛ euery of other person or persons, and their heires, now hauing, or which hereafter shall or may iustly clayme to haue any right, title, estate, or inheritance, in, and to the afoze bargained premises, or any parcell thereof, shall at all times, within seuen yeares next after the date hereof, doe, suffer, acknowledge, &c. As in couenants of further assurance. And the same R. C. J. B. and W. B. ꝛc. that they the said ꝛc. or one of them, their heires, executoꝝ, &c. shal deliuer, or cause ꝛc. to the said T. P. his heires ꝛc. to the vse of the said T. P. his heires and assigns, befoze the Feast of ꝛc. As in couenants to deliuer evidences. And the same R. C. and J. B. ꝛc. that if it shall fortune A. B. ꝛc. or any of them, which doe or shall stand ioyntly and seuerally bounden with the said R. C. and J. B. to the said T. P. by one wꝛiting obligatorie, bearing date ꝛc. in one hundred and fiftie pounds, indorced with condition, for the performing, fulfilling, and keeping of the couenants, graunts, articles, and agrements contained in these ꝛc. of the part of the said ꝛc. their executoꝝ ꝛc. to be performed and kept, or either of them, to depart this present life, befoze any perfect, sufficient, and conuenient assurance be made from the said ꝛc. or either of them, or any other person or persons that hereafter shall be the right heire or heires of the said W. B. or of the said J. and W. that then the said R. C. J. B. and W. B. or one of them, their heires ꝛc. of them, shall within one quarter of a yeare next after the death of any of them, the said R. C. J. B. W. B. A. B. and S. J. cause the suruiuoꝝ or suruiuoꝝ of the said obligoꝝ, together with so many other good and sufficient persons in the stead of such and so many of the said obligoꝝ as shal be then deceased,

to become jointly and severally bounden by their writing obligatorie as their deed sufficient in the Law, to the same T. P. his executors or assignes, in 150. pounds of good and lawfull money &c. indorced with such like condition in effect, according to the true meaning hereof, as is contained in the indorcement of the same former obligation: so that the same T. P. his executors or assignes, will upon the deliuerie of the same writing obligatorie, deliuer out the foresaid former Obligation to the same R. C. his executors or assignes, to be cancelled. In witnesse &c.

A Bargaine and sale of lands forfeited upon a Mortgage.

Sect. 395.

THis Indenture &c. Witnesseth, That whereas one R. B. by his deed indented, Dated &c. did giue &c. unto the said W. W. his heires and assignes, to the vse of the same W. W. his heires and assignes, (rehearsing the Lands) upon this condition, That if the said R. B. should pay, or cause to be paid to the said W. W. or his certaine Attorneys, executors, or assignes, the summe of &c. in manner and forme following: That is to say &c. at the least &c. in full payment &c. and also upon other conditions in the said deed indented, specified, and mentioned: Which said conditions for the payment of the said &c. the said R. B. hath broken, and not performed, by reason whereof the said W. W. is presently seised of the said premises, with the appurtenances, to him and his heires, without any manner of condition, for ever. Wherefore the said W. W. for the summe of &c. doth by these present Indentures plainly and fully bargain and sell unto the said R. B. his heires and assignes for ever, the lands before mortgaged &c. All such covenants to be put in this Indenture, as in the Indenture of Bargaines and Sales before in this Booke, for acts done by the vendee only. And over this, the said W. W. for him, his heires, &c. doth covenant &c. by these presents, that neither he the said W. W. or any other for him, or by his commaundement or agreement, hath received of the said R. B. or of any other person or persons, the abovesaid summe of &c. at the daies and times before remembred or appointed for the payment thereof, nor at any time or times after the same daies: Nor that the said R. B. or any other for him, hath paid, or offered to pay the said summe &c. at the daies and times aforesaid, or at any time or times after the same day of payment. And over this also, that he the said W. W. his heires, executors, or assignes, hath not made, nor, hereafter shall make, unto the said R. B. his heires or assignes,

assignes, or any of them, any acquittance, release, or discharge of the said summe of £ . or any parcell thereof, or of any condition or conditions specified in the said deed indented. In witness &c.

A Bargaine and Sale of a Manor.

THis Indenture made &c. Betweene the high and mighty Prince
 H. Duke of S. Marques Dorset, Lord &c. of the one partie, and Sect. 396.
 A. F. &c. Witnesseth, that the said D. for, and in consideration as well
 of the summe £ . to him by the said A. F. at the sealing of these pre-
 sent Indentures, well and truly satisfied, contented and paid £ . and
 also for the summe of £ . to him the said D. to be paid, in maner and
 forme hereafter in these present Indentures declared, hath given,
 granted, bargained, and sold, and by these presents £ . to the said A.
 F. all that his manor of H. with the appurtenances in the said coun-
 ty of S. and also his messuage, grange, cottages, milles £ . lands,
 tenements, meadowes, leasours, pastures, parkes, commons, waste
 grounds, surzes, heathes, marishes, woods, underwoods, waters,
 waies, fishings, rents, reuerfions, seruices, courts, profits of courts,
 leets, biewes of frankpledge, and all that to his biew of frankpledge
 doth appertaine, goods & chattels weyned and strayed, goods and chat-
 tels of felons, and fugitiue persons, fees, wards, mariages, escheats,
 reliefes, heriots, fines, amerciaments, liberties, puiuedges, and all
 other profits, commodities, emoluments, and hereditaments what-
 soeuer in H. aforesaid, and elsewhere, within the county of S. aforesaid,
 to the said manor belonging, or in anie wise appertaining, or
 accepted, reputed, or taken as part, member, or parcell of the same
 manor, in as large and ample maner and forme, as the same D. hath
 the same. And also thanowson, gift, free disposition, and right of pa-
 tronage of the Rectorie and Church of the manor of H. aforesaid. And
 also all maner deeds £ . As in sale of writings, with couenant to deli-
 uer them, *infra* 399. b. To haue and to hold the said manors, messu-
 ages, £ . And the said D. £ . that he the same D. his heires and as-
 signes, on this side, or befoze the feast of £ . shall make, or cause to be
 made £ . As in couenants of assurance. And that he the same D.
 and his heires, as well as the said A. F. and his heires and assignes £ .
 all the said manors, lands, tenements, and other the premises and
 euery part or parcell thereof, shall be cleerely exonerated £ . As in
 couenants of discharging, rents, seruices, and customes, from thence-
 forth to be paid, or going out, or from the said manors, lands, tene-
 ments, or other the premises to the Queene our Soueraigne Ladie,

oꝛ to any other person oꝛ persons, and all leases, grants, foꝛ terme of yeres, and life, oꝛ liues, oꝛ by copy of Court Roll of the said manors, and other the pꝛemisses, oꝛ any part oꝛ parcel therof heretofore made, whereupon the ancient and accustomed rents oꝛ moꝛe beene referuod yerely, onely excepted. And the same D. ꝛc. that the said manors, lands, tenements, and other the pꝛemisses bin at the day of this sealing of these pꝛesent Indentures, of the cleere yearely value of xx. l. ouer and aboue all yerely charges and repzises, and so the said yerely rent shall and may stand and continue without fraud oꝛ couin. In consideration of the which bargaine and sale, and other covenants, graunts, articles, and agreements made on the part and behalfe of the said D. well and truly to be obserued, perfoꝛmed, fulfilled & kept, according to thintent, purpoꝛt, and true meaining of these pꝛesent Indentures. The said A. f. covenanteth ꝛc. that he the said A. f. his heires and assigns, at, oꝛ befoꝛe the feast of ꝛc. next comming after the date of these pꝛesents, at the mansion house of the said D. commonly called S. in the parish of S. P. in the field, in the county of ꝛc. betwē the houres of ii. and xj. of the clocke of the forenoone of the same day, shall content and pay, oꝛ cause to be contented and paid to the said D. the sum of ꝛc. foꝛ the purchase, cleere bargaine and sale of the same manors, lands, ꝛc. and other the pꝛemisses. In witnesse &c.

A Bargaine or sale of Annuities.

Sec. 397.

THis Indenture &c. Witnesseth, that the said W. foꝛ him, his heires and executoꝛs, hath bargained and sold ꝛc. the yerely rent oꝛ Annuitie of v. l. ꝛc. going out of the manors of W. and C. And also the said W. bargaineth and selleth ꝛc. one other annuall oꝛ yearely rent oꝛ annuities of x. l. also, yerely going out of ꝛc. and all his right, title, and interest, in, and to the said severall annuities, and to either of them. To haue, hold, inioy, leuie, take, and receiue the said severall Annuities and yearely rents of v. l. and x. l. to the said R. ꝛc. at the feast of ꝛc. And furthermore the said W. covenanteth ꝛc. that he the said W. and his heires befoꝛe the feast of ꝛc. shall make a good, sure, and sufficient estate, and lawfull graunt in fee simple to the said R. and his heires and assigns, of and in the said severall annuities oꝛ yearely rents of ꝛc. discharged ꝛc. And furthermore the said W. covenanteth ꝛc. with covenants that the vendor may lawfully disstraine foꝛ the rent, and that he is seised &c. In witnesse whereof ꝛc.

A sale

A sale of a Reuerſion.

THis Indenture &c. Betweene &c. Witneſſeth, That the ſaid **R.** the **Sec. 398.**
 day of the making hereof, hath bargained &c. vnto the ſaid **B.** and
 vnto his heires for euer, all the reuerſion when it ſhall happen to come
 and fall, incontinently by and after the death of **J. G.** grandmother to
 the ſaid **R.** of, and in all thoſe lands, &c. and all his right, clatime, title,
 uſe, poſſeſſion, and intereſt, of, and in the ſame, who is tenant thereof
 for terme of her life. In witneſſe &c.

A bargain and ſale of a Reuerſion.

THis Indenture made &c. Betweene **R. B.** of **D.** in the County of **S.** **Sec. 399.**
Gentleman, & **R.** his wife of the one party, & **T. S.** of **C.** in the **C.**
 of **S.** Clothier on the other party, Witneſſeth, That the ſaid **R. B.** and
R. his wife, for the ſumme of &c. to them by the ſaid **T. S.** well & truly
 contented & paid at the enſealing hereof, whereof & wherwith the ſaid
R. B. & **R.** his wife acknowledgeth themſelues well & truly to be con-
 tented & paid, And thereof, & of every part & parcell thereof, doth clere-
 ly acquite and diſcharge the ſaid **T. S.** his heires & executoꝝ, by theſe
 preſents: haue bargained & ſold, and by theſe preſent Indentures doo
 bargain & ſell clereſly vnto the ſaid **T. S.** his heires & aſſignes, the Re-
 uerſion of all thoſe their lands & tenements, with the appurtenances,
 in **C.** afoꝛeſaid, called & knowne by y^e name of &c. thereunto belonging
 oꝛ appertaining, oꝛ with the ſame of late uſed, oꝛ to ſerme letten, be it
 moꝛe oꝛ leſſe, late in the tenure & occupation of **T. C.** and **C.** his wife,
 mother to the ſaid **R.** as in the right of the ſaid **R.** during her naturall
 life, oꝛ of their aſſignes, & now in y^e tenure of **T. S.** for terme of yeres,
 yet induring, of the leaſe & demife of the ſaid **T. C.** and **C.** Together
 with all ſach deeds, charters, euidences, eſcripts, writings, and muni-
 ments, concerning the premiſſes onely, oꝛ any part oꝛ parcell there-
 of, as now be in the poſſeſſion, cuſtodie, and keeping of the ſaid **R.**
 oꝛ in the cuſtodie oꝛ keeping of any other perſon oꝛ perſons to his ble,
 oꝛ by his deliuerie, and which he may come by, without any ſuiſe in
 the Law. And the ſame deedes, charters, euidences, eſcripts, wri-
 tings, and muniments, the ſaid **R. B.** and **R.** his wife, couenan-
 teth and graunteth by theſe preſents, to, and with the ſaid **T.** and
 his heires, to deliuer, oꝛ cauſe to be deliuered, to the ſaid **T. S.** his
 heires, executoꝝ, adminiſtratoꝝ, oꝛ aſſignes, befoꝛe the feaſt of All

Saints next comming after the date hereof. To haue and to hold the reuerſion of ꝛc. with their appurtenances, to the ſaid T. S. his heires and aſſignes, to his and their owne uſe for euer, for, or according to ſuch rate and yearely value, as the ouerplus of the ſaid lands ſo exchanged by the ſaid R. H. with the ſaid T. S. ſhall come and amount vnto, ouer and aboue the yearely value of the ſaid mannoꝝ, and other the pꝛemiſſes, exchanged by the ſaid T. S. with the ſaid R. H. according to the rate and extent of 20. yeares purchaſe. Prouided alwaies, and it is couenanted and agreed betwene the ſaid parties T. S. and R. H. by theſe pꝛeſents, that the ſaid lands, tenements, and other the pꝛemiſſes, ſhall be reaſonably and indifferently rated, extended, and valued: and that after ſuch extent, rate, and value of the pꝛemiſſes, ſo had and made, the ſaid T. S. his heires, executoꝝ, or adminiſtratoꝝ, ſhall content & pay to the ſaid R. H. his executoꝝ or aſſignes, within the ſpace of twelue moneths next after notice giuen to the ſaid T. S. his heires or executoꝝ, all ſuch ſummes of money, as the ſaid ouerplus ſhalbe valued and rated to amount vnto, in forme aforeſaid, according to 20. yeares purchaſe. And furthermore it is couenanted ꝛc. that either of the ſaid parties to theſe pꝛeſents, and the heires of either of them, ſhall at all time and times hereafter, during the ſpace of 3. yeres next enſuing the date hereof, doe and ſuffer to be done, all and euery ſuch reaſonable act or acts, the one of them to the other, as ſhalbe reaſonably deuised or adaiſed by either of the ſaid parties, the heires or aſſignes of either of them, or the learned counſel of either of them, for moꝝe better aſſurance and ſure making of the ſaid mannoꝝ ꝛc. and all other the pꝛemiſſes, with their appurtenances, exchanged betwix the ſaid parties by theſe pꝛeſents, according to the true intent & meaning hereof, be it by fine, feoffement, recouerie, deed, or deedes inrolled, releaſe, confirmation, or otherwiſe with warrantie, onely of the ſaid parties, and their heires, againſt themſelues, and their heires. In witneſſe whereof ꝛc.

A Bargaine and ſale of the Patronage of a Benefice.

Sect. 400.

THis Indenture made ꝛc. in the yeare of ꝛc. Betweene H. D. on the one partie, and H. S. on the other partie, Witneſſeth, That the ſaid H. D. for certaine conſiderations, and alſo for the ſumme of ꝛc. hath bargained & ſold, and by theſe pꝛeſents doth clearly and fully bargain and ſell vnto the ſaid H. S. all that the Aduowſon, Patronage, right of Patronage, gift, nomination, preſentation, and free diſpoſition, of, and vnto the pariſh Church of T. in the Countie of C. toge,

together with all and all manner of evidences, deedes, writings, and muniments, concerning the said Aduowson and Patronage of the Church aforesaid. To haue and to hold, the aforesaid Aduowson, and all other the premises, with the appurtenances, vnto the said H. S. his heires and assignes, to the onely vse and behoefe of the said H. S. his heires and assignes for euer. In witnesse &c.

A Bargaine and sale of Copyhold lands.

THis Indenture &c. Betweene **H. K.** widow, late the wife of **T. K.** while he liued, Citizen and Tauerneer on the one partie, and **R. B.** Serieant at the Law on the other partie. Witnesseth, That the said **H.** and **T.** haue bargained &c. to **R. B.** all the mesuages &c. whether they be freehold or copyhold, or whatlocuer tenure they be of. And the said **H.** and **T.** &c. that they shall make the said **R.** and his heires, or him, and other persons and their heires, at the nomination of the said **R.** or his heires, sure of the said mesuage &c. before y^e feast of &c. next comming, by surrender thereof into the Lords hands, to the vse of the said **R.** and his heires, to the vse of him and other persons by him to be named, & to their heires, or otherwise, at the expences, costs, and charges in the Law of the said **H.** and **T.** or one of them, their executors or assignes. And also at the like expences, as well for the Lords fine, as for other things, shall cause the Lord of the mannor for the time being, of whom the said mesuage, and all other the premises be holden, to make a sure graunt, seisin, possession, and deliuerie, of, and in all and singular the same, to the said **S.** and his heires, or to him, and other persons at his nomination, and to their heires, according to the laudable vse and custome of the same mannor heretofore v^eled. And furthermore, the said **H.** covenanteth and graunteth, that if the said **R.** or such persons at his nomination, which shall haue the said mesuages &c. and other the premises, without couin or collusion, be lawfully eicted, dispossessed, or disseised of the said mesuage &c. before the feast of Easter next comming: That then the said **R.** and his heires, shall within the space of thres moneths next after any such eiction, dispossession, or disseisin, haue as much lands and tenements of the aforesaid **H.** and **T.** which they, or either of them, haue or had in their possession, reuerision, or vse, at the election & pleasure of the said **R.** as shall amount to and be of the cleare verely value of the said mesuage &c. or of as much part thereof, as the aforesaid **R.** shall be so lawfully eicted and disseised of, or that shall not be assured to the said **R.** before the feast of Easter aboue rehearsed. To haue
and

Sec. 401.

and to hold &c. And also the said *D.* bargaineth & selleth to the said *S.* all maner of stufte, goods, habiliments, & implements, to them & either of them pertaining & belonging, being in the same mesuage, garden, houses, &c. at the day of sealing of these presents. And the said *D.* & *T.* doth grant, that they shall discharge &c. the yerely rent of &c. And that the said *R.* shall haue & take the profittes, from the feast of *S. Michael* last past &c. For which sale & bargaine of all & singular the premises, on the part of the said *D.* and *T.* to be obserued, perfozmed, & done, the said *R.* hath contented and paid &c. In witnesse &c.

A sale of a Wardship.

Sect. 402:

THis Indenture &c. Witnesseth, That where our Soueraigne Ladie, the Queenes Maestie that now is, of her speciall grace, certaine knowledge, & mere motion, by her Highnesse Letters patents, sealed with the great Scale of England, bearing date &c. did giue &c. to the said *H. S.* by the name of her Highnesse faithfull and welbeloued seruant *H. S.* Esq. the custodie of the body and mariage of *H. B.* her Highnesse ward sonne and heire to *H.* who at the day of his death did hold certain lands and tenements in *B.* of *P.* of *I. C.* our Soueraigne Ladie the Queenes highnesse ward, as of his mannoz of *B.* in the said county &c. now being in the Quæns Maesties hæds, by reason of the minoztie of the said *I. C.* by the third part of one knights fee. To haue, possesse, and inioy the custodie of the body and mariage of *H. C.* untill such time as the said *S.* his heires or assigns shall haue had, or taken the effect of the said mariage of the said *H. B.* as by the letters patèts moze plainly appeereth: The said *H. S.* now by these present Indentures, soz the sum of &c. of gmd and lawfull &c. to him by the said *C. B.* paid and truly contented &c. doth plainely and fully bargain, sell, giue, and grant vnto the said *C. B.* his executozs or assignes, the custodie and wardship of the body and mariage, without disparagement, of the said *H. B.* and also the letters patents afozesaid: To haue, inioy, and possesse the same custodie and wardship of the body and mariage of the said *H. B.* without disparagement, to the said *C. B.* his executozs, and assignes, untill such time as the said *C. B.* his executozs, administrators, and assignes, shall take or haue the effect of the mariage of the said *H. B.* in as ample and large a manner and fozme, as the said *H. S.* the custodie and wardship, or mariage hath by the said letters patents, or otherwise. And the said *C. B.* doth souenât &c. that he the said *H. S.* &c. or such other person or persons, as

as the said H. S. by his last wil and testamēt, or otherwise, shall therunto name or appoint, shal and may haue the custodie, possession, and education of the said H. K. during the minozitie of the said H. K. without anie let, impediment or disturbance of the said C. &c. or any of thē. And that hee the said H. K. his heires and assignes, shall quietly and peaceably haue, and for euer inioy all lands, tenements and hereditaments that to them doth belong, without anie let, impediment, or interruption of the said C. his executozs, administrators, or assignes, or any of them, or for by reason of anie value of marriage, or forfeiture of marriage &c. In wicnesse &c.

Of a bargain of Wheat.

THis Indenture made betwāne A. B. &c. and C. D. &c. Wicnesseth, Sect. 403. that the said A. B. hath bargained and sold, and by these presents bargaineth and selleth vnto the said C. D. 20. quarters of wheat, and 20. quarters of rie, good wheat and rie, cleane and merchantable with the best, accompting 8. bushels with the heape to euerie quarter. All which 20. quarters of wheat, and 20. quarters of rie, the said A. B. doth covenant &c. that he, his executozs or assignes, at his or their own cost and charge, shall deliuer or cause to be deliuered to the said C. D. to his executozs or assignes, franke and free, at the dwelling house of the said C. D. at L. aforesaid, befoze the feast of &c. For the bargain and sale of all which 20. quarters of wheat and 20. quarters of rie, and for the deliuerie therof, in maner and forme aforesaid, the said C. D. covenanteth &c. to pay or cause to be paid to the said A. B. his executozs or assignes, for euerie quarter of the said wheat eight shillings &c. and for euerie quarter of the said rie, sixe shillings &c. in maner and forme following: that is to say, &c. In wicnesse whereof &c.

A sale of Timber.

THis Indenture made &c. Wicnesseth, thst the said J. B. for a cer, Sect. 404. tain summe of mony to him in hand paid by the said K. S. whereof the said J. B. knowledgeth himselfe &c. hath bargained & solde, and by these presents for him, his heires, executozs and assignes, for euer doth bargain and sell 40. oaks as they stand now and grow in a certain wood called by the name of B. within the parish of D. in the said countie of S. & as the same 40. oakes and euerie of them are befoze the insealing and deliuerie of these present Indentures, signed and marked by the full assent and agrēment of the said parties. To haue and inioy:

inioy the said foztie Daks so signed and marked, with all cōmodities belonging to the same, vnto the said R. S. his executozs and assignes, from the day of the date &c. aswel the said R. his executozs and assigns and seruants, to haue free libertie of accesse, iecessse, course & recourse, at all times at their will and pleasure, to and from the said wood called B. without any let, deniall, oꝛ interruption of the said J. W. his heires oꝛ assignes, as also to hew, square, saw and barkie the same Dakes, oꝛ anie of them. And also to vse any deuise with hoꝛse, carts, and waines, and all other deuises, foꝛ the carrying away of the same foztie Dakes, & euerie of them. And also that the said R. S. his executozs & assignes, to haue free libertie vntil the feast &c. to dig pits called saw pits, with in the said wood called B. where he thinketh best, so that the same pits be filled by againe by him the said B. his executozs oꝛ assignes, with in vij. weeks after the carrying away of the said wood and trees. And that he the said R. S. his executozs oꝛ assignes, shall fence and amend the hedges and fences, in, and about the pꝛemisses, in all such places as shall be bzoken, troden downe, oꝛ other wise wasted by occasion of the pꝛemisses, at his oꝛ their charges, on this side &c. taking sufficient hedgebote vpon the same grounds foꝛ the doing of the same. Pꝛouided alwaies, that the said R. S. his executozs, assignes, oꝛ seruants, shall at no time hereafter lawfully doe any hurt oꝛ damage, either of the grasse oꝛ coꝛne, other then foꝛ the necessaric cutting, sawing, and carrying of the said wood and trees. In witnesse &c.

A sale of Wood.

ScA. 305.

THis Indenture &c. Witnesseth, that the said A. W. the day of the making hereof, hath bargained & sold, & by these present Indentures doth cleerely bargain & sell vnto the said C. all those his woods and vnderwoods, now standing and growing, in and vpon his groues oꝛ hedgegroues called D. in the parish of P. in the Countie of Essex. And the said C. doth covenant and grant by this Indenture, that hee, his executozs oꝛ assignes shall leaue standing, in, and vpon the foresaid lands called D. competent & sufficient stathels and stozers, according to the custome in the same countrey heretofore vsed. And also the said C. doth covenant and graunt by this Indenture, that he, his executozs oꝛ assignes, at their owne costes and charges, all hedges and defences belonging to the said groues and hedge-groues, well and sufficiently shall amend, restoze and repaire, when and as often as need shall require, from the day of the selling of the said woods, to the end and terme of &c. then next ensuing, foꝛ the safegard of the springs

springes growing vpon the same. And the said C. doth further couenant & graunt by these presents, that he, his executozs or assignes, shall not sell any of the said woods or vnderwoods, but in due & seasonable times of selling: that is to say, yearely betweene the feasts of S. Michael the Archangell, & the Annuntiation of our B. Ladie the Virgin, from the feast of S. Michael the Archangel next coming after the date hereof, to the end and terme of ꝛc. from thence next insuing, fully to be complete and ended. And the foresaid A. B. for his part doth couenant and grant by this Indenture, that the said C. his executozs & assignes shall haue free ingresse and regresse to and from the said woods & vnderwoods, with horse, cart, and carriage, at all times, according to his pleasure, for the selling, hewing, cutting downe, & carrying away the foresaid vnderwoods, in manner and forme afoze declared, during all the foresaid terme, without let or interruption of any person or persons. For the sale and bargaine of all which woods and vnderwoods, the said C. doth couenant and graunt by these presents, to pay or ꝛc. of which ꝛc. the said A. B. knowledgeth himselfe well and truly satisfied and paid, and thereof and of euery parcell of the same clerely doth acquite and discharge the said A. his heires and executozs by these presents. In witness &c.

A bargaine and sale of Woods.

THis Indenture &c. Witnesseth, That the said K. hath bargained and Sect. 406:
sold &c. all those his woods and vnderwoods, called and knowne by the name of &c. except the land and soyle of the said woods and vnderwoods, and also waiuers called standers of &c. onely excepted and reserued to the said K. and to his heires, executozs, and assignes. And the said T. couenanteth, that he the said T. shall sell and carrie away all the said woods and vnderwoods (except befoze excepted) within y. yeares next insuing the date of these presents, at meet and seasonable times in the yeare, so that the spring of the same woods may come and grow againe in due course. And the same T. couenanteth &c. vi supra 405. And further, the said T. couenanteth &c. that he the said T. shall acquite, discharge, and saue harmelesse the said K. his executozs, and assignes, against all men, of, and for the payment of any maner of tithe which shall happen hereafter, or rise to be due or demaunded, of, and sold, as is afozesaid. Prouided alwaies, and it is further couenanted &c. that if it happen the said T. hereafter lawfully to be interrupted &c. by any person or persons, pretending any lawfull title to the

premisses, within one yeare next ensuing the date of these presents, so that he cannot or may not lawfully take, sell, and carrie away the said wood, according to the true meaning of these presents, & of the covenants comprised within the same: That then the said A. or his executors shall allow and pay unto the said B. his executors or assigns the value of the said woods that shall happen to be lawfully taken away from the said B. after the reasonable rate and value of the said woods that so shall happen to be lawfully taken away from the said B. his executors or assigns, contrarie to the true meaning of these presents &c.

Defeasances.

A Defeasance of a rent by obtaining estate in lands.

Sect. 407.

THis Indenture &c. Betweene **M. W.** & **J. B.** Witnesseth, that where the said **J. B.** in fulfilling & performing of part of certaine covenants, specified & declared in a paire of Indentures made betwixt the said **J. B.** on the one party, & the said **M. W.** on the other party, by his deed bearing date &c. hath given & granted to the said **M. W.** an annuall or yerely rent of &c. To have & to hold the said annuall or yerely rent of &c. to the said **M. W.** his heires & assigns, for & during the life of **C. D.** with a sufficient clause of Distresse comprised in the said Grante for non-payment of the said yerely rent of &c. Neuerthelesse, it is now fully covenanted, granted, & agreed betwixt the said parties in manner & forme following: That is to say, the said **M. W.** covenanteth &c. that if the said **J. B.** at any time hereafter do obtaine and get the estate and interest of the said **C. D.** which he hath in and to the said mannoz &c. and thereof do make one sufficient estate to the said **M. W.** during the life of the said **C. D.** that then the said graunt of the said annuall rent of &c. shall from thenceforth cease, be determined, and utterly void and of none effect: any thing in the said former Indentures mentioned, or in the said Graunt of annuallie contained, to the contrarie in any wise notwithstanding. And further, the said **M. W.** covenanteth &c. that if it happen the said **M. W.** his heires, executors, administrators, or assigns, or any of them, to make default in payment of the said summe of &c. mentioned in the said former Indentures, or of any part thereof, and do not make due payment thereof at such daies and times as are mentioned in the said former Indentures: That then it shall be

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to full of Defeasance
Sect 407. 231. 232.

be lawfull to the said J. H. his heires or assignes, to retaine the said annuall or yearly rent of £c . in his or their proper hands: And the said annuittie or yearly rent shal be suspended, and not demanded nor payable, vntill such time as the said J. H. his heires &c . be fully contented, satisfied, or paid of the said entire summe of £c . and of euerie part thereof, euer and beside his costs and charges for the withholding and non-payment of the same summe of £c . anie thing in the said former Indentures, or in the said graunt of annuittie, or in these Indentures mentioned, to the contrarie thereof in anie wise notwithstanding. In witness whereof &c .

A Defeasance vpon a bargaine and sale.

THis Indenture &c . Betweene &c . Witnesseth, That where the Sect. 4c 8²
said G. by his deed indented, dated &c . for the summe of £c . hath fully bargained and sold &c . Neuerthelesse, it is now fully couenanted &c . that if the said G. his heires &c . do wel and truly content and pay againe to the said T. his executors &c . the said sum of £c . and euerie part thereof, at one whole and entire payment, befoze the feast of &c . That then it shalbe lawfull to the said G. &c his heires, vpon the repayment of the said summe of £c . to reenter into the said manoz of &c . As in couenants of reentrie. And that then and from thence forth after the repayment of the said sum of £c . the said T. and his heires shal stand and be seised of and in the said manoz &c . to thuse of the said G. and his heires: And that all estates, assurance &c conueiance thereof then had &c made to the said T. and to his heires, or to anie other person or persons, shal after the repayment of the said sum of £c . be to thuse of the said G. and of his heires for euer: anie thing in these Indentures to the contrarie in anie wise notwithstanding. And further the said G. couenanteth &c . that if it shal happen the said G. his heires &c . or anie of them, to make default of repayment of the said summe of £c . *vt supra*. That then it shalbe lawfull vnto the said T. &c his heires, to haue, hold, occupy and enjoy to him and to his heires for euer, the said manoz &c . without condition or moztgage, and without let or disturbance, or interruption of the said G. his heires &c . or of any other person or persons, by his or their procurement, assent or commaundement. And that hee the said G. and his heires, &c A. his wife, at all times hereafter the said feast of &c . vpon default of repayment of the said summe of £c . shal do, suffer, knowledge, &c cause to be suffered, done and knowledged from time to time, all &c euerie such act, deuise, thing &c things, as shalbe reasonable deuised or aduised by the said T. or his heires &c . be it by fine, seoffment,
recoy

recoverie, release with warrantie, confirmation with warrantie, or otherwise. And that the said manoz at the time of the making of the said further assurance, in maner and foyme afozesaid, shall then be discharged of all incumbzances, of what kinde, degree, or nature soeuer they be, except leases and chiefe rent &c. And furthermore, the said T. covenanteth &c. if the said G. his heires or executozs doe make default, and doe not repay againe the said summe of &c. to the said T. his &c. in maner & foyme afozesaid: that then the said G. vpon a perfect and further assurance and sure estate of the said manoz &c. had & made by the said G. and A. his wife to the said T. and to his heires, shall content & pay to the said G. his &c. the summe of &c. in full contentation & payment &c. for the said manoz &c. befoze bargained and sold to the said T. and to his heires, in maner and foyme befoze recited and declared in these presents. And fincher, the said T. covenanteth &c. that if the said G. do make default in payment of the said summe of &c. and that the said manoz then after that be duly pꝛoued vpon a lawfull and true suruey thereof had & made, to be of moze yerely value then &c. by yeare: that then the said T. his heires or executozs shall content & pay to the said G. his heires or assignes, within one yeare after the same suruey, for as much of the same manoz as vpon the said suruey shall be duly, truly, and clerely pꝛoued to be and amount in yerely value about the summe of &c. by the yeare, ouer all charges, after the rate of 20. yeres purchase. In witnesse &c.

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Mortgages.

*A Mortgage vpon condition to pay a certaine summe
at a certaine day.*

Sect. 409.

OMnibus &c. Sciatis nos præfat T. & L. pro diuersis bonisque causis & considerationibus nos specialiter mouent, vnanimi assensu et consensu nostris, dedisse &c. W. M. &c. hæredibus & assignatis suis, vnum tenementum cum ædificijs &c. Quod quidem tenementum cum ædificijs &c. nos præfat T. & L. simul cum quibusdam alijs personis, nuper habuimus nobis, hæredibus & assignatis nostris, ex dono &c. H. & P. de &c. executorum testamenti & vltimã voluntatẽ W. C. sub quadam conditione iam perimplet & performat, prout per quandam suam chartam nuper inde nobis & dict' alijs personis confect', cuius dat' &c. plenius liquet & apparet. Habend' & tenend' prædict' tenementum, ac cætera omnia præmissa cum suis pertiñ præf. W. M. hæred' &

& assign' suis ad solum op^o & vsum ipsius W. M. hæred' & assign' suorum. Sub forma tamen, & conditione sequen', viz. quod si nos p^r. I. D. & L. vxor mea, aut aliquis nostrum her', execut', administr' vel assign' nostr' solvamus seu solui faciamus præd' W. M. execut', administr' vel assign' suis, in vel apud modo domum mansional' ipsius W. M. in civit' M. v. li. legal' & c. modo & forma sequen' viz. ad festum & c. prox. futur' post datum p^rsent' xx. s. & c. in plena soluc' prædict' v. li. Quod tunc præsens status & seifina de & in præmissis in forma prædict' delibera't, & capt', vacuæ sint, nulliusque effectus neque valoris, alioquin præsens status & seifina de & in præmissis in forma prædict' delibera't & capt' firma sint & stabil', tantummodo ad opus & solum vsum prædict' W. M. hæred' & assign' suor'. Tenendum & c. Datum & c.

A fee farme in Mortgage.

OMnibus & c. Salut' & c. Cum C. W. dederit & c. gere'n dat' vltimo Sect. 410. die D. ante datum præfentium vltim' præterito, mihi præfat' I. confirmaverit omnia illa terras & c. Habend' & tenendum mihi hered' & assign' meis in perpetuum, prout' in eadem charta sua mihi inde confecta plenius continetur. Noueritis me præfat' I. dimisisse concessisse, & hoc præfentiscript' meo indentat' confirmasse prædict' C. omnia illa prædict' terras & c. Habend' sibi hered' & assignat' suis in perpetuum sub form' & conditione sequentibus, viz. quod si prædict' C. soluat & c. mihi præfat' I. attornato vel executoribus meis in & c. ad festum & c. quod extunc præsens charta indentata, & seifina inde libera't suum robur obtineant & effect' : Et si defect' fiat in solutione prædict' xx. li. contra formam prædict', extunc præsens charta indentata & seifina inde liberata sint vanæ ac pro nullo habeant, & tunc bene licebit mihi & c. In cuius rei & c.

But if there be manie dayes of paiment, then ye may procede after this foyme following : Si præd' C. soluat aut solui faciat, hæred' seu execut' sui solvant, aut solui faciant, mihi præfat' I. attornat', seu executoribus meis in & c. xx. li. & c. in forma subscripta, viz. ad festum & c. xx. s. ad festum & c. xx. s. & sic de festo in festum de anno in annum, vnum post alium continue sequentem ad quodlibet festorum prædict' viginti solidos quousque prædict' xx. li. plenariè persoluantur, extunc p^rsens charta indentata & c. Et si defect' fiat in aliqua solutione prædict' viginti librat' in parte vel in toto, contra formam præd', ex tunc & c. *vt in charta prædict'.*

Prouiso semper, quod si prædict' C. vel aliquis alius nomi'n suo allega-

uerit aliquam acquietantiam seu solutionem dictæ pecuniæ alibi fore factam quam &c. contra me p̄f. I. quod extunc idem C. vult et concedit per præsentem, quod huiusmodi acquietantia in solutione forinseca nullius sit valoris. In cuius &c.

A Mortgage.

Sec̄t. 411.

SCiant &c. quod nos W. C. W. W. & M. C. dimisimus, tradidimus, & liberauimus H. M. I. A. et W. H. omnes illas terras & ten̄ta, reddit &c. vocat B. quæ nos præd' W. C. W. W. et T. C. nuper coniunctim habuimus nobis, hæred' et assign' nostris in perpetuum, ad vsum mei præd' W. C. hæred' et assign' meor' ex dimissione, traditione, liberatione, & chartæ confirmatione I. H. Habend' et tenend' omnia p̄d' &c. sub forma et conditione sequent', viz. quod si præd' B. bene et fidelit' soluat &c. quod tunc p̄sens charta nostra indentata, & seifina sua sup eand' liberata et habita in omnibus eorum roboribus permaneant & virtutibus in perpetuum. Ec si defect' fiat &c. Ac insup noueritis nos præf. W. C. W. W. et T. C. fecisse, ordinasse, et loco nostro posuisse &c. *vt in literis attorn', ad deliberand' seifinam,* In cuius &c. Datum &c.

A Mortgage to saue harmeleffe &c.

Sec̄t. 412.

SCiant &c. quod ego T. F. señ de N. Draper dedi & concessi et hac præsentem charta mea indent' confirmaui L. W. de N. yeoman, vnum tenementum &c. Habend' &c. præf. L. W. hæred' & assign' suis ad solum opus & vsum mei dicti T. F. hæred' & assign' meorum in perpetuum. Si et quamdiu ego dict' T. F. hæred' executor' vel assign' mei soluamus seu solui fac' eidem L. W. execut' vel assign' suis xij. li. legalis monetæ Angliæ &c. modo & form' sequent', viz. ad festum omnium sanctorum quod erit in anno Dom̄ &c. iij. li. et sic deinde annuat' ad dict' festum iij. li. quousque dict' xij. li. soluantur &c. Necnon saluemus & indemnes conseruamus seu saluari et indemnes conseruari fac' prædict' L. W. hæredes, executor' et administrator' suos versus quendam W. M. de C. executores et administratores suos, ac alios quoscunque de et pro quodam scripto obligatorio, in quo prædict' L. W. ad instantiam mei prædict' T. F. simul cum me eodem T. tenetur & obligat præf. W. M. in summa xl. li. indorsat' cum conditione pro soluc' xx. li. legal' monetæ Angl', Alioquin si contingat quod ego dictus T. F. hæred', executor' vel assign' mei defecerimus in solutione prædict' xij. li. vel alicuius inde parcelle in forma prædict' soluend', vel in saluando vel indemnes conseruand' præ-

prædicti L. W. hæred, & executores suos in forma prædicta, tunc ad solum opus & usum ipsius L. W. hæred & assignatorum suorum in perpetuum. In cuius &c.

A Mortgage upon payment by the Mortgageor.

SCiant presentes &c. quod ego I. W. (ut supra 412.) confirmaui S. W. Sect. 413.
 omnia illa terræ & tenementa &c. Habendum &c. sub forma & conditione subsequenti, viz. Quod si ego prædicti I. solvam, seu solui faciam hæred vel executori mei solvant, aut solui faciant præfati S. W. aut eius certo Atturnato, hæredibus vel executoribus suis, ad festum &c. in &c. xx. li. &c. Quod extunc presens charta indentata, ac scissin inde deliberat cassata sint & van, nulliusque valoris, ac tunc bene licebit præfati I. &c. (ut in conventionibus reintractions.) Et si desit &c. (ut supra 410.) suum robur obtineant & effectum, Et tunc bene liceat præfato S. W. heredibus & assignatis suis ea habere & pacifice gaudere in perpetuum. In cuius rei testimonium vni parti huius chartæ indentatæ penes me reman. præfati S. W. sigillum suum apposuit, Alteri vero parti huius chartæ indentatæ penes præfati S. W. reman, ego prædicti I. W. sigillum meum apposui. His testibus &c. Dat &c.

An estate upon condition to finde Meat, &c.

Omnibus &c. W. P. &c. Noueritis me præfati W. dedisse, concessisse, & hoc præsentem scriptum meo indentatæ confirmasse T. N. omnia mea terræ &c. Habend &c. T. hæred & assignatis suis in perpetuum &c. sub forma & conditione sequenti, videlicet, Quod prædictus T. exhibeat, seu exhiberi faciat mihi præfati W. durante vita mea naturali victum sufficientem, ac statui meo competentem, prout idem T. ad mensam suam habet, seu habere consuevit, ac quolibet die dominico vnum denarium pro meis expensis mihi reddat, necnon quolibet anno erga festum Natalis Dni vnam togam de Russes, vnum par caligarum, duo paria calceorum, et dua Camisia statui meo competent, annuatim mihi inueniat. Et si contingat me decrepitem vel infirmum deuenire, tunc idem C. inueniet mihi vnum teruentem ad me debet modo, prout decet custodier, ac etiam quendam locum in alta Camera tenementi mei prædicti competent, vbi melius potero peruenire tam in sanitate quam in ægritudine, sin. ul. cum libero introitu &

exitu omnibus temporibus licitis ad eandem, durante vita mea mihi re-
seruand. Et si prædict' W. in exhibitione mea prædicta, seu in aliquæ præ-
missorum defecerit, aut ea facere noluerit quouil modo in futurum, quod
extunc bene licebit mihi, hæred', & assignatis meis, in omnia prædicta ter-
ras &c. (*As in Reentries*) In cuius &c.

A Mortgage for payment by the Mortgagee.

Sect. 415.

SCiant &c. qd ego E. M. &c. Dedi &c. præf. R. B. & E. vxor eius, to-
stum illud mesuagium meum &c. Habend' &c. sub conditione sequent',
viz. Quod si prædict' R. B. et E. vxor eius, hæred', seu execut' soluant, vel
vnus eorum soluat, seu solui faciat, mihi præfat' E. M. aut meo certo At-
turnato, vel executoribus meis &c. modo & forma sequent', viz. ad festum
&c. Et sic deinde annuatim soluend' ad quodlibet festum &c. extunc
proxim' & immediatè sequent' 20. li. &c. quousque summa &c. plenariè
persoluat'. Quod tunc præfens charta mea indentata, ac status et seisiñ, de, &
in præmissis liberaf, firmè sint et stabiles, ad solum opus & vsum prædictorū
R. et E. et assignatorū suorum in perpetuum. Et si contingat prædict' R. B.
et E. vxor eius, hæred', execut', vel assignatos suos defect' facere in solu-
tione &c. aut alicuius inde parcell' in forma prædict' soluend', qd tunc
præfens charta mea indentata, ac status et seisiña, de, & in præmissis liberaf,
cassè sint et vacuæ nulliusque valoris, ac tunc bene licebit mihi præfat' E.
M. &c. (*As in Reentries*) In cuius &c.

A Mortgage of Lands &c.

Sect. 416.

THIS Indenture &c. Betweene T. W. of the one partie in the &c.
and W. F. &c. on the other partie, Witnesseth, that where y' said
T. W. by his deed bearing date the 11. day of this present moneth
of Ianua. hath infeoffed W. F. of, and in the Pannoꝝ of C. with all
his rights, members, & appurtenances in the said Countie &c. and of
and in the Aduowson, gift, free disposition, and right of patronage of
the Rectory and Parish Church of C. aforesaid. To haue and to hold,
(as in the deed afoꝛe verbatim &c.) as by the same deed moꝛe plainely
may appeare. And whereas the said W. F. the day of the date here-
of hath contented and paid vnto the said T. W. the summe of &c.
which summe of &c. the said T. knowledgeth &c. thereof &c. by these
presents. It is now theretoꝛe couenanted, condiscended &c. that the
said T. W. befoꝛe the feast of Easter &c. by fine to be leuied in the
Queens Maiesties Court of her Cōmon ples at W. &c. which said
fine to be leuied in soꝛme afoꝛesaid, shall be to the vses and intents,

in these presents expressed, that is to say, to the uses of the said W. F. and his assignes, vntill the 24. day of March etc. And if the said W. F. etc. do well and truly content and pay, or cause to be etc. vnto the said T. W. his executors, the sum of one C. l. of good etc. on the said 24. of next ensuing etc. at etc. That then and from thenceforth after such payment made, the said fine to be leuied in soyme aforesaid, shall be to the onely vse of the said W. F. his heires and assignes for ever. And if default of such payment be had and made of the same summe etc. or anie parcell thereof, at the time & place before limited for the payment of the same: then and from thenceforth after such default of payment made, the said fine to be leuied in soym aforesaid, shall be and inure for ever, to the only vse of the said T. W. his heires and assignes for ever. And further that be the said T. & his heires; and all & euerie other person and persons, and their heires claiming the premises, by, or from the said T. W. shall at euerie time and times during the space of two years next after the payment made of the said sum of etc. in soym aforesaid, when and as often as they or anie of them shall be therunto reasonably required by the said W. F. etc. as in couenants of assurances. And the said T. W. further couenateth etc. to & with the said W. F. etc. that if it shall happen A. L. late wife of J. L. to recouer by due order and course of the law, against the said W. F. his heirs or assignes, the third part of the premises, for dower to her belonging after the death of the said J. L. That then he the said T. W. his heires or assignes, from the time of such recouerie had, and after notice therof to him giuen by the said W. his heires or assignes, shall content and pay yearly to the said W. his heires or assignes during the naturall life of the said A. one C. li. of good etc. in the feasts of etc. And the said T. W. couenateth etc. to & with the said W. etc. that if default of payment be had and made of the said sum of one C. l. or any etc. at the time and place before limited for the payment of the same: That then and from thenceforth all and euerie couenant etc. comprised in this present Indenture on the part of the said T. W. etc. to be obserued or performed, and all and euerie bond wherewith the said T. standeth bound for the performance of the same, or anie of them, shall be vtterly void and of none effect. And that then the said W. his heires or assignes, shall within one moneth next after such default of payment made as is aforesaid, deliuer or cause to be deliuered vnto the said T. his heires or assignes, not only the counterpart of this Indenture, sealed by the said T. and all such bonds as the said T. shall stand bound in, to the said W. for performance of the couenants comprised in the same Indenture, and the same deed of

feoffement made by the said **T.** unto the said **M. F.** but also all such deeds &c. as the said **M. F.** &c. shall befoze that time have receiued by the deliuerie of the said **T.** his heires or assignes. And that then, and from thencefozth after such default of paiement made as is afozelsaid, the said **M. F.** and his heires &c. as in covenants of assurance. In witness whereof &c.

A sale upon Condition.

Sect. 417.

T His Indenture &c. Betweene **T. J.** and **A.** his wife, and **P. P.** &c. Witnesseth, That the said **T.** and **A.** with their owne whole consent and agreement; for the summe of **£c.** hath given and granted &c. unto the said **P.** and his heires for ever, all that mesuage &c. To haue and to hold the said mesuage and other the premises with their appurtenances to the said **P. P.** his heires and assignes, to the onely vse and behoofe of the same **P. P.** his heires and assignes for ever. And the said **T. J.** covenanteth &c. that he the same **T.** and **A.** his wife, shall on this side the feast of **£c.** (as in covenants to make Estates.) & euer theles the said **P.** covenanteth &c. (as in covenants to pay Money) at the feast of **£c.** That then and from thencefozth this present bargain & sale of the said mesuage and other the premises shall be clerly frustrate, void and of none effect. And that then also he the said **P.** his heires &c. within 8. daies next after the full paiement of the said **xx. l.** in forme afozelsaid to be paid, shall assure &c. or cause to be assured, &c. to the said **T.** & his heires; to the onely vse of the said **T.** and his heires for ever, all such estate &c. of and in the said mesuage & other the premises, which he the said **P.** befoze that time shall haue had or receiued of the said **T.** his &c. the same mesuage and all other the premises then being clerly discharged of all troubles, charges & incumbrances, had, made or done by the said **P.** his heires or assignes. And if it shall fortune the said **T.** his executors or assignes, to make default of paiement of the said **xx. l.** in forme afozelsaid to be paid, or any part thereof: Then the said **T.** covenanteth &c. by these presents, that the said bargain and sale of the said mesuage and other the premises, shall stand and remaine in full strength and effect for ever. And then the said **P.** covenanteth &c. truly to content and pay, or cause to be contented and paid to the said **T.** his &c. **l.** residue of the said **xxx. l.** within one moneth next after default of paiement to be made of the said **xx. l.** or any part thereof; in forme afozelsaid to be payed, for the full and cleere purchase of the said mesuage and other the premises. And it is further covenanted, &c. that the said **T.** his heires or executors; shall not at any time hereafter

after bargain, sell, alienate, or otherwise put away the said mesuage, or other the premises, or any part thereof, to any person or persons but only to the said P. his heires & assignes: The same P. his heires and assignes, paying to the said T. his heires, executors, or assignes, for the purchase of y^e said mesuage, and other the premises, as much money at such daies, and in as bryefe time as any other person or persons will gine and pay for the same, without fraud or collusion. In witness &c.

A Mortgage of Lands.

THis Indenture &c. Witnesseth, that the said A. B. in consideration
on &c. hath bargained &c. unto the said C. D. his heires for ever,
all that mesuage &c. And also all and singular the rents, reuerfions,
and other yearely profits whatsoeuer, reserved by and upon whatsoeuer
ever leases, gifts, or grants, had, made, or granted, of y^e premises, or
any part thereof &c. And also the said J. B. for the consideration afoze,
said hath bargained &c. unto the said C. D. all his estate, right, title,
interest, possession, reuerfion, remainder, claim, & demand, to, of, and
in the said mesuage or tenement &c. And except one escript, obligati-
on, or Statute of the Staple, wherein the said A. B. standeth bound to
one E. F. in the sum of &c. And also except one Recognizance where-
in the said A. B. standeth bound to A. M. in the summe of &c. And
that the said C. D. his heirs &c. by force of these present Indentures of
bargain and sale, and of other conveyances of the premises hereafter
to be had and made, shall and may peaceably and quietly haue, hold,
&c. the said mesuage &c. and every parcel thereof, to the only proper vse
of the said C. D. Provided alwaies, and neuerthelesse the said C. D.
is contented and pleased, and for him &c. covenanteth &c. (as in Cou-
nants) that if the said A. B. his heires, executors, administrators, or as-
signes, doe well and truly content and pay &c. That then and from
thence forth, all well all conveyances and assurances made by and from
the said A. B. and H. P. and all Bonds, Obligations, Statutes, and
Recognizances, wherein and wherby the said A. B. and H. P. are by
any meanes bound to the said C. D. as also these presents, and all
assurances hereafter to be made and passed by vertue hereof, shall be
vicerly void, frustrate, and of none effect, to all intents & purposes in
the law. And that then also the said C. D. his executors, administra-
tors, or assignes, shall and will well and truly deliuer &c. (as in cou-
nants to deliuer writings) all the said conveyances and assurances un-
cancelled, & all y^e said bonds, obligations, statutes, & Recognizances,

Sect. 418.

and also the one part of these presents to be cancelled. And the said A. B. covenanteth &c. that if default be made, or, or in the payment of the said summe of C. markes in part or in all, at the day and place aforesaid contrary to the forme aforesaid appointed: That then as wel the said conuencances, bonds, obligations, estates and recognisances, as also these present Indentures, and the bargaine and sale afoze made of the said mesuage and premisses shal stand, remaine, & abide in full strength and vertue, and shal be good, effectuell, and auailable in the law, to the said C. D. his heires &c. In witnesse &c.

Sect. 419.

A Mortgage.
THis Indenture &c. Witnesseth, that the said J. C. for &c. to be well and truly paid by the said Earle, his heires, executors, administrators, or assigns, to the said J. C. his executors or assigns, in such maner & forme as hereafter in these presents shall be expressed & mentioned, hath bargained and sold, and by these presents doth fully and clerely bargaine all the said maner, &c. Provided alwaies, and the said C. for himselfe &c. doth covenant &c. that if he the said C. his &c. doe not well and truly content and pay, or cause to be well &c. to the said J. C. his &c. the summe of &c. Or if the said C. doe sell, or cut downe any wood, pull down any, or let down any buildings, or do any maner of willfull waite, in, or upon the premisses or any part thereof at any time befoze the full end and expiration of 7. whole yeares next coming after the date hereof, or if the said J. C. his &c. wel and truly content and pay, or cause to be well and truly contented and paid to the said C. his heires or assigns, the samme of &c. at any time within the space of the said 7. whole yeares next ensuing and following the date of these presents, That then, and from thenceforth &c. (as in clauses of Reentries.) And also that after any want, default, or lack of payment of any of the said payments of any of y^e said sums of mony to be paid by the said C. his heires, executors, &c. to the said J. C. his executors, administrators or assigns, in maner and forme aboue mentioned and expressed, or any maner of willfull waite to be done or suffered to be done by the said C. his heires, executors, administrators, or assigns, in and upon the premisses, or of any part thereof, or of the true payment of &c. to be paid by the said J. C. his heires, exec, administrators or assigns, to the said C. his heires, exec, administrators or assigns, in maner and forme aboue mentioned and expressed: this present bargaine and sale and all and euerie acte, deed, and thing hereafter by any meanes to be had, made, done, or suffered at any time befoze the end
 and

and the expiration of seven yerres next comming after the date hereof, soz, o2 concerning the said manoz, shall be void &c. And that then also the said Earle, his heires & assignes, and every other person & persons, shall stand and be possessed and seised, of, and in the said manoz of III. and all other the premises, in these presents bargained & sold, to, and soz the onely vse & behowe of y^e said J. C. his heires & assignes soz ever, and to & soz none other vse o2 vses, this present bargaine & sale, o2 any act, deed, o2 thing hereafter to be done, made, o2 suffered at any time, befoze the full end & determination of the said 7. yeares next ensuing after the date of these presents, to the contrary thereof in any wise notwithstanding. And also, if the said E. his heires, executozs, administrators, o2 assignes, shall not, o2 doe not well & truely pay, o2 cause to be well and truely contented & paid to the said J. C. his heires, executozs, administrators, o2 assignes, the said summe of &c. of lawfull money of England, in manner & sozme aboue mentioned & expressed, o2 do, o2 shall commit any manner of wast, in, o2 vpon the premises, befoze the full end & terme of 7. yerres next following the date hereof. Or if the said J. C. his heires &c. shall, o2 doe well and truely content and pay, o2 cause to be well and truely contented and paid to the said E. his heires, executozs, administrators, o2 assignes, the said summe of &c. of lawfull &c. in manner and sozme aboue mentioned and expressed: That then the said E. his heires, executozs, & assignes, shall doe, suffer, and acknowledge, all and every such reasonable act &c. And also it is couenanted and agreed betwixt the said parties, that he the said J. C. his heires o2 assignes, shall and may haue, hold, and quietly inioy and possesse all the said manoz of III. with the appurtenances, and all other the premises heretofore in these presents bargained and sold vnto the said J. C. his heires, and assignes, from the date of these presents vntill &c. next following the date hereof, without any let, veratiõ, trouble, sute o2 demand, had, made, o2 to be had, o2 made, by the said E. his heires o2 assignes, by vertue and colour of this present bargaine and sale. In witnesse &c.

Fee Farme.

A Feoffement in fee Farme.

SCiant &c. quod nos I. T. W. T. & I. M. dedimus, concessimus, & Sect. 420.
 Hac presentis charta nra indentata ad feodi firmam dimisimus N. H.
 de W. vnum gardinum cum pertinenã vocat M. iacẽ in N. in comit E.
 viz.

viz. &c. quod quidem gardinum simul cum alijs terris & tenementis nuper habuimus ex dono & feoffamento R. T. armigeri. Habendū & tenendū totū prædictū gardiū cum suis pertinencijs præf. N. hæredū & assignis suis in perpetuum, de capitalibus dominis feodū illius, per seruitia inde debita, & de iure consueta. Reddendo inde annuatim nobis, hæredū, & assignatis nostris nomine feodi firmæ &c. æquis portionibus, & faciendo inde sectam ad curiam manerī nostri de M. in S. bis in anno, viz. ad proximam curiam ibidē tenendū post festū &c. et ad proximam curiam ibidē tenendū post festum &c. pro omnibus alijs seruitijs, consuetudī, & demand. Et si prædicta firma a retro fuerit in parte vel in toto per quindecim dies post aliquem terminū solutionis quo ut præferrur solui debeat, Aut si prædicta secta nobis hæredibus & assignis nostris ad aliquam curiam in manerio nostro prædicta bis in anno tenendū, ut prædictum est, subtracta fuerit, tunc vult & concedit præf. N. pro se, hæredū, & assignis suis præsentibus, quod bene liceat nobis præf. I. W. & I. G. & hæredibus & assignatis nostris in &c. et penes se retinere, quousque de prædicta firma sic a retro existē, & eius arreragijs si quæ fuerint, necnon de subtracta secta prædicta nobis, hæredū, & assignatis nrīs plenariē fuerit satisfactū. Et si prædicta firma a retro fuerit in parte vel in toto per duos annos post aliquem terminum solutionis eiusdem, aut si prædicta secta nobis, hæredū, aut assignis nostris ad aliquam curiam in manerio nostro prædicta bis in anno tenendū, ut prædictū est, per duos annos subtracta fuerit, tunc vult & concedit præf. N. pro se, hæredū, & assignatis suis per præsentēs, quod bene liceat nobis &c. *As in Kētries.*

Sales:

A sale of lands, reserving Rent.

Sect. 421.

THis deed Indented &c. Witnesseth, that J. W. W. haue giuen &c. and by this my present Deed doe giue &c. to K. W. and P. his wife, of K. one mesuage &c. To haue and to hold all and singular the said mesuage &c. to the said K. & P. and to the heires &c. And for default of such issue of their two bodies betweene them lawfully begotten, the remainder of all the said mesuage &c. after the death of the said K. & P. to the heires of the bodie of the said P. lawfully begotten, and to be begotten: and for default of such issue of the bodie of the said P. lawfully begotten, the remainder of all the said mesuage &c. after the decease of the said P. to the right heires of the said K. & P. for euer. Yeelding and paying therfore yearely during all
and

and euery the said seuerall estates vnto me the said **W. W.** my heires and assignes for euer **x. l.** of lawfull English money, at the feast of **S. Andrew** the Apost. and **S. J. Wap.** by euen portions, in the now dwelling house of **tc.** And if it shall happen **tc.** with a clause of reentrie if the rent bee behind. Provided alwayes, and vpon condition following: that is to say, That if the said **R.** and **D.** or either of them, or the heires of their two bodies betweene them lawfully begotten, or anie of them, do well and truly pay, or cause to be payed to me the said **W. W.** or my certaine Attorney, mine heires, executozs, administrators, or anie of them, the iust summe of one **C. l.** of **tc.** at one whole & entire payment for the said annuall rent, mesuage **tc.** in any feast of the said feasts **tc.** hereafter following, during the space of six whole years next ensuing the date hereof, together with **b. l.** of the said rent in the same feast of **S. And.** the Apostle, or **S. J. Wap.** to be due by these presents, in the said now dwelling house of the said **W. W.** in **R.** aforesaid, paying first the said annuall rent of **x. l.** by yeare at euery of the said feasts and terms of payment, in the which, as is aforesaid, it ought to be paid each and euery yere, in maner and forme above in this present Charter limited and expressed, according to the force, effect, and true intent of this present charter. And also giuing to the said **W. W.** his **tc.** notice and warning of the payment of the said summe of **tc.** in forme above said, to be paid **x.** weeks at the least befoze the payment thereof: That then immediately after the payment of the said summe of **tc.** in manier and forme aforesaid to be paid, the said yearely rent of **x. l.** and euerie part thereof to cease, be determined, made void, extinguished, and utterly adnihilated for euer by these presents, or else the same to stand, remaine, & be in his full strength, power & vertue. In witness &c.

A Covenant not to sell, but to the Vendee.

And the said **J. B.** doth covenant **tc.** That neither he the said **J. B.** nor his heires, nor any of them at any time or times hereafter shall or will give, grant, bargain, mortgage, sell, alien, set ouer, alter, discontinue, or depart with any part of any the mesuages, lands, tenements, & hereditaments, above hereby mentioned to be bargained and sold, or whereby he the said **J.** now standeth and is seised to any person or persons, other then only to the said **J. B.** or his heires, if the said **J.** or his **tc.** will give such price and prices for the same, as shall be set downe, made and appointed by **W. W. J. G.** and **J. S.** or so many of them as shall happen to be liuing, at the time of such sale and alienation to be made, without the speciall licence of the said **J. S.** or his **tc.** first had and obtained in writing.

Secl. 422.

Gifts.

A generall Gift of goods.

Sect. 423.

OMnibus &c. Sciatis me præf. F. &c. dedisse &c. W. W. &c. omnia bonâ & catall' mea mobilia & immobilia, viua & mortua cuiuscunque generis seu spëciæ, in quorumcunque manibus, seu in quibuscunque locis existunt: Necnon totum ius meum, titul', ac ius terminor' annorum quorumcunque Habend' *vt infra* 425. b. præf. W. W. & assign' suis imperpetuum. In cuius rei &c.

A gift of goods and chattels, with couenants to find the donor necessities, and performe his will.

Sect. 424.

THis Indenture made &c. Betweene K. C. &c. on the one partie, and T. S. of &c. on the other party, Witnesseth, that the said K. C. for the considerations hereafter in these presents expessed, & for the iust and true perfozrnance of such premisses, as on the part and behalfe of the said T. his executozrs and assignes are made, to be kept to the said K. hath giuen & granted &c. to the said T. S. all his leases, farmes, and termes of yeares, chattels, implements, household-stuffe, beastes and cattell, and all other his other goods, aswell reall as personall, moueable as vnmoueaible whatsoeuer, the golde, silver, and coine, which the said K. now hath, or is owner of, And one mesuage &c. onely excepted. To haue and to hold the said leases, farmes, and termes of yeares, and all and singular the said goods and chattels, and other the premisses (except befoze excepted) to the said T. S. his executozrs and assignes, to his and their owne proper vse and vses. And the said K. doth further authozise and appoint the said T. S. to aske and demaund all such debts and summes of money as bee owing by anie person or persons to the said K. And further, to sue and impleade anie of the said persons or debtors, in the name of the said K. as shall refuse or delay the payment of the said debts or summes of money, at his will and pleasure. And after that the said T. shall receiue, obtaine, get, and recouer the said summes or debts, Then the said K. doth further giue power and authozitie to the said T. to take and keep the same to his owne vse and commoditie, without making anie account thereof to the said K. or to his executozrs or &c. And the said K. doth further promise to the said T. not to releasè or discharge anie of the said debts or summes of money so owing to him, without the



the assent and good will of the said *T.* first had and obtained : In consideration whereof the said *T. G.* for him, his, &c. doth covenant &c. That the said *T.* and his executozs, shall and will find and provide to the said *R.* during his naturall life, convenient and sufficient meat, drink, and apparell. And also one comely and decent Barloz or chamber for the said *R.* to lie in severally, with fire and candle necessarie, during his naturall life, and one person to attend upon him during the time aforesaid. And moreover, that it shall and may be lawfull for the said *R.* to make and declare his last Will & Testament of goods to the value of xl. pounds. And that the said *T.* shall and will pay and performe, in such convenient time, as by the said last Will shall be appointed, all such Legacies and bequests, as the said *R.* shall give and bequeath, so that the same doe not amount above the summe of foztie pounds. And finally the said *T.* doth promise and graunt for him, his &c. to content and pay yearely to the said *R. G.* during his naturall life, the yearely rent or summe of *£*. at two feasts in the yeare: that is to say, at the feasts of *S. Michael* tharchangell, and the Annunciation of our *Ladie*, by even portions. In witnesse &c.

A gift or grant of Goods.

THs Indenture &c. Betweene *T. W.* of the Countie of *D.* Esquier Sect. 425. on the one partie, and *J. W. T. W.* the younger, & *C. W.* sonnes of the said *T. W.* the elder, and *C. W. A. W.* and *M. W.* daughters of the said *T. W.* the elder on thother partie, Witnesseth that the said *T. W.* the elder, aswell in consideration of the naturall loue and affection which he beareth towards his childzen, and of the fatherly care which he hath of their preferment & advancement, as for divers other good causes him hereunto especially moving, hath given, granted, & confirmed, and by these presents doth, give, grant, and confirme unto the said *J. T. W.* the younger, *Ed. W. Eliz. W.* and *M. W.* their executozs, administrators, and assigns, al his goods and chattels whatsoever. Neuerthelesse, it is fully concluded, condiscended, and agreed, by & between all the said parties to these presents, in maner & forme following: that is to say, That it shall & may be lawfull to and for the said *T. W.* the elder, at all and euery time & times hereafter, during his naturall life, if he remain so long unmarried, peaceably and quietly to haue the vse, occupation, increafe, and profits, of all the said goods and chattels, without any lawfull let, suit, trouble, expulsion, or incumbrance of them the said *J. T. W.* the younger, *Ed. Eliz. A.* and *M.* their executozs or administrators, or any of them, or any other person

Symb. Pawnes and Gages. part. primæ

person and persons whatsoeuer, clayming by, from, or vnder them, or any of them: These presents, or any thing therein contained to the contrarie thereof in any wise notwithstanding. In witnesse &c.

A gift of Goods, vpon condition to finde necessaries &c.

Sect. 426.

OMnibus &c. T. I. salutem &c. Sciatis me præf. T. pro certis bonis & que considerationibus me specialiter mouent, dedisse, concessisse, & hoc presenti scripto meo confirmasse A. G. de ciuitate N. omnia bona &c. (*ut supra 422. verbatim*) Habend & tenend omnia prædicta bona & cattalla mea, vbicunque inuent fuerint, ac cætera præmissa præfat A. G. assignatis suis imperpetuum: Ita, viz. quod nec ego prædicti T. I. nec executor vel administratores mei, nec aliquis alius nomine meo, seu nomine eorum, aliquid iur, proprietat, vel clamei, de, aut in prædicti bonis & catallis, ac cæteris præmissis, nec in aliqua inde pcella de cætero exigere, clamare, vel vendicare poterimus nec debemus quouis modo in futur, sed ab omni actione iuris, clamei, & demand inde in futur habend seu vendic penitus sumus exclusi imperpetuum per præsentis, sub conditione sequent, viz. Si prædictus A. G. execut vel assignati sui inuenient, seu inueniri facient tam mihi prædicti T. I. quam cuidam M. P. viduæ matri mei prædicti T. I. sufficient & comperent victual & vestit, hospicium & cubiliam, ac omnia & singula alia nobis & nostrum cuiuslibet necessario, tam in egritudine quam in sanitate, durat vita natural tam mei dicti T. I. quam dictæ M. P. & nostrum vtriusque diutius viuent, necnon soluat seu solui faciat omnia hmodi debita mea, nominat & specificat in quadam scedula huic presenti scripto meo annex: Quod tunc præsens donatio bonorum & catallorum prædicta firma sit & stabilis, ad proprium vsum prædicti A. G. & assignatorum suorum imperpetuum, alioquin frustra sit, ac pro nullo habeatur. In cuius &c.

Pawnes and Gages.

A gage of Plate and Goods &c.

Sect. 427.

THis Indenture made &c. Witnesseth, that the said R. for the sum of &c. hath bargained, sold, giuen, and graunted, and in open Market of the Citie of P. hath deliuered, and by these presents doth fully and cleerely bargaine, sell, giue, and graunt vnto the said T. P. his executozs &c. all these parcels of Plate, & other implements here
vnder

under specified, viz. one bowle of siluer all white, one dozen of siluer spoones with knops, one little Salt of siluer all white, containing all together twentie nine ounces, one yellow Chest bound with seauen broad barres of Iron, and all and singular such peeces and parcels of wolven and linnen Cloth, and Pewter, as been remaining and closed within the said Chest, together with one Couerlet of Tapistry work, one Blanket of linsie wolfsie, and two Featherbeds, & two Woullsters stuffed with feathers. To haue and to hold the said siluer bowle, siluer salt, and the said dozen of siluer spoones, together with all & singular the said implements and stuffe, and all the pzemisses, and euerie part and parcell of the same, to the said T. M. his executozs, administrators and assignes for ever. And the said R. C. for him, his executozs &c. doth couenant and graunt by these presents, to and with the said T. M. his executozs &c. that hee the said R. at the time of the date hereof, was true, sole, and proper owner of the said parcels of Plate, and all and singular other the pzemisses, and euerie part & parcell of the same, and then had full power, and good, iust, lawfull, and perfect right, title, and interest, to bargaine, sell, giue, graunt, & deliuer, all and singular the pzemisses, and euerie part and parcell thereof, in foyme aforesaid. Provided alwaies, and it is agreed betweene the said parties &c. that if the said R. C. his executozs, administrators, or assignes, shall well and truly content and pay, or cause to be paid to the said T. M. his certaine Atturney or executozs, the summe of &c. on the least day of &c. That then this present bargaine, sale, gift, and graunt of all the pzemisses, and euerie parcel thereof, to be bitterly frustrate, void, and of none effect. And that then also the said parcels of Plate, and all other the pzemisses shall be by the said T. his executozs &c. redeliuered to the said R. his executozs, administrators, &c. at the mansion house of the said T. within the Citie of P. aforesaid: and this thing befoze recited to the contrarie in any wise notwithstanding. In witnesse whereof &c.

A Bill of Sale.

BEe it knowne vnto all men by these presents, That J. J. M. of L. Sect. 428. Gentleman, in consideration of the summe of six pounds of lawfull money of England, to me in hand, at and befoze the sealing and deliuerie hercof, by J. C. of L. Draper, well and truly payed, whereof and wherewith J. doe acknowledge my selfe fully satisfied and contented, haue bargained and sold, and in plaine and open Market within the Citie of London, haue deliuered vnto the said J. C. one gowne.

gowne of blacke russet coloured cloth, furred throughout, and laied on with a billiment lace, and one cloak of satten, garded with two yards of beluēt round about. To haue and to hold the said gowne and cloake befoze sold, and euerie part thereof, vnto the said J. C. his executozs and assignes, freely, peaceably, and quietly, as his and their own proper goods for euer, without any let or deniall of me the said J. M. mine executozs and assignes, or any of vs, and with warranties against all people for euer by these presents. Provided alwaies, that if J the said J. M. mine executozs or assignes, or any of vs, do well and truly pay, or cause to be paid vnto the said J. C. his ꝛc. that then the sale afoze said to be void & of none effect, or else to stand & abide in full strength and vertue. Sealed with my seale ꝛc. Giuen the xj. day of Feb. ꝛc.

A gage of a Chaîne of Gold.

Sect. 429.

HÆc Indentura fact' &c. inter R. W. & B. M. &c. testatur quod p̄d' R. vendidit B. quandam Cathenam auream cum vna cruce aurea sculpti, cum vno crucifixo ponderi in toto quinque vnc' appreciat ad C. li. &c. Prædictus tamen B. vult & concedit pro se & executoribus suis p̄ præsentibus, quod si prædictus R. soluat, seu solui faciat præfato B. aut suo certo attornato, seu executoribus suis, septimo die mensis Iulij proximo futuro post datum præsentium x. li. &c. quod tunc prædict' B. deliberabit seu deliberari faciet præfati R. aut suo certo attornato præd' cathenam cum cruce p̄d', absq̄ impetitione vel contractione aliqua. In cuius &c.

Leases.

A Lease for yeares of a mesuage by a Corporation.

Sect. 430.



His Indenture made the xxv. day of A. in the 24. yeare of ꝛc. Betweene W. P. Citizen and Goldsmith of L. Master of the guild or fraternitie of ꝛc. and K. C. citizens and Merchant Tailozs of L. Wardens of the said guild or fraternitie, on the one partie, and K. S. of L. Esquire, on the other partie, Witnesseth, that the said W. P. and Wardens, for them and their successozs, with the assent, will and consent of all the brethren and sisters of the said fraternitie or guild, haue graunted, demised, and to farne letten to the said K. S. by these presents, all that their mesuage or tenement and garden

adioyning with sellers, sellers, and all other appurtenances thereunto
 belonging, called A. B. set & being in Fleetstreet in the sayd parish
 of S. D. that is to wit, betwixen the tenement pertaining to the deane
 and Canons of the Kings Chappell of S. within the palace in W.
 now in the holding of J. C. on the East part, and a tenement pertai-
 ning to the said fraternity now in the tenure of T. W. on the West
 part, & the gardens pertaining to the millery or craft of Goldsmithes
 of London on the South part, and the tenements pertaining to the
 said fraternity, wherein J. D. warchandler, & J. F. gent. now dwell
 on the South part. To haue & to hold the said mesuage, or tenement
 and other the premises aboue letten with the appurtenances to the
 said R. S. his executozs or assignes, from the feast of the Annuncia-
 tion of our blessed L. the virgin last past befoze the date hereof, vnto
 the end and terme of xxx. yeares then next ensuing, and fully to be
 complete. Yeeding and paying therefoze yearely during the sayd
 terme to the sayd Pastur and Wardens, and to their successozs or as-
 signs iij. l. of good and lawfull money of England, at foure times of
 the yeare, that is to say, at the feast of the Nativity of S. John Bapt.
 S. Mich. tharchangell, the Nativity of our Lord God, & thannuncia-
 tion of our L. the Virgin by euen portions. And if it happen the
 said yearely rent of iij. l. to be behind & vnpaid in part or in all by the
 space of one moneth next after any of y^e said feasts of payment, at the
 which it ought to be payd: That then it shall be lawfull to the sayd
 Pastur and Wardens and their successozs, into the said mesuage or
 tenement and other the premises aboue letten with thappurtenan-
 ces, and euery parcell thereof to enter and distraine, and the distresses
 so there taken, lawfully to beare, lead, dzieue, and carrie away, and the
 same to withhold and keep, vntil they of the said yearely rent, and euery
 parcell thereof with tharrerages of the same (if any be) vnto them
 be fully contented, satisfied and paid. And the said R. S. for him, his
 executozs and assignes couenanteth and graunteth to & with the sayd
 Pastur and Wardens and their successozs by these presents, that he
 the said R. S. his executozs and assignes, at his and their proper costs
 and charges, the said mesuage or tenement, and other the premises
 aboue letten with the appurtenances, with the pauements and wy-
 dzraughts of the same, in and by all things well and sufficiently shall
 reparaire, sustaine, maintaine, scoure, and cleanse as often as need shall
 require during the said terme, and the same so repaired, scoured and
 clenfed, with all glasse windowes, yron dozies, lockes and keyes (as
 it is thereof and therewith now fully furnished and garnished) at the

end of the same terme shall yeeld by and leane. And that it shall be lawfull to the said Master and Wardens & their successours, at all times during the said terme at their liberty and pleasure, to come and to enter into the said mesuage or tenement, and other the premises aboue letten with thappurtenances, and every parcell thereof, there to view and search what reparation shall be needfull to be made and done: and upon such view and search had, the said R. S. for him, his executozs and assignes covenanteth and granteth to & with the said Master and Wardens and their successours by these presents, that the same R. his executozs and assigns at his and their proper costs and charges, shall during the said terme within one quarter of a yeare next after monition and knowledge to him or them giuen by the said Master & Wardens, or their successours, well and sufficiently from time to time repaire and amend, all such defaults and lacke of reparations, as there shall happen to be found. And that the same R. his executozs and assignes during the said terme, shall peaceably and quietly permit and suffer the said W. M. & all other tenants of the said fraternity dwelling thereabout, to haue, vse, & enioy all such lights, penthouses, and other easements as now be and appertain to their seueral tenements or mansions, without any stopping, darkening, empaying, breaking, hurting and diminishing, and without let, interruption or disturbance of the same R. his executozs or assignes, or of any other person or persons by his or their commaundement meanes or procurement. And that it shall not be lawfull to the sayd R. his executozs nor assignes, to bargaine, graunt, alien, let or set his lease, interest or terme, of and in the sayd mesuage or other the premises aboue letten, or any parcell thereof, to any person or persons during the said terme, but onely at will from yeare to yeare, without the consent and agreement of the sayd Master and Wardens or their successours, first had and obtained in writing vnder the common seale of the said fraternity. And the sayd Master and Wardens for them and their successours, covenant and graunt to and with the said R. S. his executozs &c. by these presents, that the same Master and Wardens & their successours at their proper costs & charges shall beare & pay all manner of quit rents, and other rents & duties if any such be due or to be due, and going out of, & for the sayd mesuage or tenements & other the premises aboue letten during the said terme, & thereof shall acquite, discharge or saue harmelesse the said R. S. his &c. In witness whereof to the one part of this Indenture remaining with the sayd Master and Wardens and their successours, the said R. S. hath put his seale: and to the

the other part of the same Indenture remaining with the same R. the said Master and Wardens haue put their common Seale of the said fraternitie. Given the day and yeare aboue wrytten.

A Lease for yeares of a house.

THis Indenture &c. Betweene **L. D.** & **A.** his wife on the one partie, **Sec. 431.**
and P. S. on the other partie, Witnesseth, That the same **L. & A.**
 the day of the making hereof, haue demised, betaken, &c. to the said **P.**
 all their mesuage or tenement, with all shops, cellars &c. to the same be-
 longing, set, lying, or being in &c. which was lately in the tenure & oc-
 cupation of **J. C.** To haue and to hold the foresaid mesuage (vt supra.)
 Yeelding and paying therefoze yerely during the said terme, to **L. & A.**
 his wife, or to either of the, their heires or assigns, iy. l. of &c. And if it
 shal happen the said yerely rent of &c. (as in Distresses.) In witnesse &c.

A Lease for yeares with exceptions.

THis Indenture &c. Betweene **L. J.** &c. Witnesseth, That the said **L.** **Sec. 432.**
J. for &c. hath demised &c. all those his mesuages, lands, &c. except,
 & alwaies reserved to the said **L. J.** one close &c. And also all maner of
 wood & timber now growing, or hereafter to grow, in & vpon the said
 premises, or any part thereof, together with frach gresse & regresse, to
 & for the said **L. J.** his executors, assignes, seruants, & workemen, to &
 from the said premises, as well with horses & carts, as otherwise, as
 well for the felling, making, & carryng away of wood & timber, as also
 for the repairing & amending of the edifices belonging to y^e premises.
 To haue and to hold as much of the said lands & tenements, & other the
 premises, as be frachhold (except befoze excepted) to y^e said **J. P.** his exe-
 cutors & assignes, from the feast of &c. for and during the terms of **xxj.**
yeres, from thence next insuing, & fully to be complete & ended. And to
 haue and to hold as much of the said premises as be coppinghold, or custo-
 marie tenure, to the said **J. P.** his &c. from yere to yere, as the same co-
 ppyhold may be letten without forfeiture, and not otherwise. Yeelding
 and paying for all & singular the premises (except befoze excepted) be-
 ing frachhold &c. and for all the residue of y^e same premises being copping-
 hold &c. And the said **J. P.** covenanteth &c. that the said **J.** his &c. shall
 yerely, & euery yere, during all the said terme, find, or cause to be found,
 one sufficient Thatcher, & his seruitoz, with sufficient meat, drinke, &
 wages, three daies in the yere, at conuenient times, for the repairing

and amending of the edifices & buildings of the said premises, the said T. J. finding straw & all other things necessary for the same iij. dayes woꝝke, and euery of them, from time to time during all the said terme. And further, that he the said J. P. his executoꝝs oꝝ assignes, at the end of the said terme of xij. yeres, shall leaue all the fences, hedges, & gates belonging to the premises, well and sufficiently made & repaired, the same J. his executoꝝs oꝝ assignes, taking in, and vpon the premises, sufficient thoznes, and other conuenient fencing stuffe, as well for the making and repairing of the said fences, hedges, and gates from time to time, during all the said terme, as also for the leauing of the fences, hedges, and gates, well and sufficiently made and repaired, as is aforesaid, at the end of his terme, by the assignment and appointment of the said T. J. his executoꝝs oꝝ assignes. Provided alwaies, that it shall be lawfull to the said J. P. his executoꝝs oꝝ assignes, from time to time, during all the said terme, to take in and vpon the premises, without any assignment, as is aforesaid, thoznes, and other fencing stuffe, for the stopping of gappes, and repairing of the said fences and hedges, so that the same fencing and stopping doe not exceede aboue a rodde at one time: any thing heretofore in these presents mentioned to the contrarie in any wise notwithstanding &c. And the said J. covenanteth &c. that it shall be lawfull to and for the said T. J. his executoꝝs, assignes, seruants, and woꝝke-folkes, to enter, come, and goe into, and from, the grounds belonging to the said premises, for the felling, making, and carrying away of all such wood and timber, as the said T. J. his executoꝝs, assignes, and seruants, shall from time to time fell and make, during all the said terme, without let oꝝ interruption of the said J. P. his executoꝝs oꝝ assignes. And that he the same J. his executoꝝs oꝝ assignes, shall not at any time, during the said terme, harry oꝝ breake by any part oꝝ parcell of the Close, lying at C. bzidge, parcell of the demised premises, without the consent & agrément of the said T. J. his executoꝝs oꝝ assignes. And that the muck oꝝ dung that shall be made by his Hozses oꝝ Peat in the time of their standing in, shall be bestowed yerely in and vpon the arable land belonging to the premises. And furthermore, that he the said J. his executoꝝs and assignes, shall and may cye and sawe any of the said arable land belonging to the said premises (except befoze excepted) ij. yeres together, during the said terme, and not aboue, and after that, let the same land lie one yere fallow. And the said J. P. covenanteth &c. that he the same J. P. his executoꝝs & assignes, shall well and sufficiently pasture & feed within the premises, to and for the said T. J.

T. J. his executors or assignes, one Gelding, & one milch Cow yearly, and euerie yeare during the said terme. And also shall freely giue and deliuer to the said **T.** J. his executors or assignes, two good and able Swine Hogs, well & able fatted at the costs and charges of the said **J.** **P.** his executors or assignes. And also one Boare good and able in like case fatted, & readie dressed, at the feast of the Patinitie &c. yearly and euerie yeare during all the said terme of &c. And also shall yearly &c. well & able fat, in and upon the pzemisses, to and for the vse of the said **T.** J. his executors or assignes; one Bullocke, being of the age of threë yeares to be killed, & yearely deliuer the same to the said **T.** J. his &c. within the seite of the pzemisses at the feast of &c. during all the said terme. In wicnesse &c.

A Lease for yeares, reseruing Barley.

T. His Indenture &c. Betweene **R. T.** of &c. and **W. A.** of &c. Wit- Sect. 433
nessech, that he the said **R.** hath demised &c. vnto the said **W. A.** ten acres of land &c. To haue and to hold &c. Ycelding and deliuering ther-
foze vnto the said **R. T.** his executors and assigns, at the late mansion
house of the said **R. T.** &c. betwene the feast of All Saints, which shal
be in the yere of our Lord God 1599. and the feast of the Purification
of our Ladie then next &c. xx. quarters of Barley of good measure, and
good Stuffe & merchantable, well cleaned, and by a lawfull bushell to
be measured, for the first yeares sarne or rent of the same terme: And
betweene the feasts of All Saints, and the Purification of our Ladie
then next & immediatly insuing xx. quarters of Barley of like cozne &
like measure, at the place afozesaid, for the second and last yeares farm
of the same terme. And if it happen the said yearely rent &c. (As in
distresses.) And the said **W. A.** covenanteth &c. to permit and suffer
the said **R.** his &c. farmers of the soldcourse of **E.** to haue such thacke
vpon the demised pzemisses with their Shcepe at seasonable and con-
uenient times, to bee accepted from Mich. till the Annunciation of
our Ladie yearely, as heretofore they haue lawfully vled within the
said Towne. And the said **R. T.** for him &c. covenanteth &c. that he the
said **R.** his executors &c. shall from time to time during the said terme
acquite, discharge or saue harmelesse the said **W.** his executors &c. and
also the demised pzemisses of all manner of outrents, taxes, subsidies,
tithe, tenthes, sarms and charges, that shall be issuing, going out, or
payable, out, of, or for the said demised pzemisses, or anie part thereof,
except the yearely rent aboue referued. And further, the said **R.** coue-
nanteth &c. that it shall and may bee lawfull vnto the same **W.** his
executors &c. by vertue hereof, to haue, hold, occupie and inioy the said

demised premises, for the yearly rent of farne above reserved peaceably and quietly without any lawfull let &c. during the said terme &c. And that the said W. A. will sufficiently make or cause to be made a true and perfect Terrar or bondarie of euerie severall parcel of &c. how the same doe lie severally, butte, and bound, and deliver the same to the said R. T. or his heirs, in the now dwelling house &c. befoze the feast &c. next ensuing. In witnesse &c.

A Covenant that rent shall cease upon Euction.

Scct. 434.

And the said J. B. for him &c. that if it happē anie of the premises by reason of any former lease, interest, or other title, to be withhelden or kept from the occupation, possession or having of W. C. his executozs or assigns, that then the rent of the same reserved to be paid shall cease to be paid, during all such time as the same shall be so kept from the said W. C. his heires, executozs & assigns, & that the same W. C. his &c. shall quietly haue, occupie and enioy the same premises so kept from him, his executozs &c. after such time as the former leases & interests shall be determined, expired & ended, for & until the full end and terme of the full rest & residue of the said xl. years then behind & not by him occupied, and for & by thonly rent afoze reserved for the same &c.

A Lease for yeares of a mesuage and lands.

Scct. 435.

This Indenture &c. Betweene Sir J. B. of &c. and G. P. &c. Witnesseth, that the said J. B. &c. hath demised &c. unto the said G. P. all that mesuage or tenement called C. & one croft called A. and xxx. acres of land thereunto belonging &c. To haue, hold &c. from the day of the date of these presents, unto the end & terme of &c. & for & during all the terme of one and twentie years then next and immediately ensuing, fully to bee complete and ended, dispunishable and without impeachment, of, or for anie maner of strepe, spoile, destruction, or wast of woods whatsoever. Yeelding and paying therfoze &c. And yeelding and doing suite at the Court of the said J. B. his heires and assigns, to be holden at the manors of A. in the Countie of B. twice euerie yeare during the said terme vpon reasonable summons, and in default of euerie such suite to bee hereafter made, shall peeld and pay to the said J. B. his heires and assigns, for the first default foure pence, the second default sixe pence, the third time twelue pence, and so for euerie such default to bee made after the aforesaid third default to bee made during the said terme, two shillings. And also yeelding and paying unto the said J. B. his heires and assigns, at

at the feast of the Nativitie of our Lord God, which shall be in every
 y^r. yeare of the said terme of 21. yeares xx. s. for and in respect of a fine
 and heriot, and for and in discharge of all other their duties, services,
 fines, heriots, and demands, other then such as bin befoze in this pre-
 sent Indenture reserved. And if it happen the said yearely rent of 4^s.
 or the sum of xx. s. reserved for and in respect of a fine and heriot, as is
 aforesaid, or the said money for sute of Court, or any part or parcell
 thereof to be behind unpaid after any of the said feasts befoze by these
 presents limited and mentioned in which the same ought to be paid,
 being lawfully demanded at the now mansion house of the premises:
 That then 4^s. (As in distresses) J. B. his heires, executors, administra-
 tors, or assigns, into the premises & demised tenements to enter and
 distrain, and the to detaine and keepe, untill they shall be satisfied and
 paid of the said rents, fines, and summes aforesaid so happening to
 be behind and unpaid, together with y^e arrearages thereof, if any such
 shall happen to be. And the said J. B. 4^s. covenanteth 4^s. that he y^e said
 J. B. at the insealing and delivrie hereof standeth, and is sole, onely
 and rightly seised of the said tenements and premises, of an estate of
 inheritance in fee simple, or in fee taile generall, with the reversion or
 remainder thereof to his owne heires for ever in his owne right, and
 to his own use without any maner of condition or other limitation of
 use which may alter, change, destroy, or discontinue the same, or any
 part thereof, by god, perfect, and sufficient conuetance and assurance
 in the law, and y^e he the said J. B. at the insealing and delivery hereof
 hath good, full, and perfect power, and lawfull authoritie to demise,
 grant, assure, and convey the said mesuage, tenements, and other the
 premises, unto the said G. P. his heires, executors, administrators,
 and assigns, according to the effect and true meaning of these pre-
 sents. And that the said J. B. his heires, executors, administrators,
 and assigns, shall and will, at all times hereafter during all the said
 terme of 21. yeares, acquite and discharge, and save harmlesse, aswel
 the said G. P. his heires, executors, administrators, and assigns, and
 all other occupiers of the premises, as all the said tenements, and
 premises, and every part thereof, of, and from all former bargaines,
 sales, leases, dowers, jointures, rents, services, rent charges, arrear-
 ages of rents, and all other charges & incumbances whatsoever, other
 then the rents, services, and summes of money in these present In-
 dentures befoze reserved and mentioned. And that the said G. P. his
 heires, executors, administrators, and assigns, and every of them
 shall and may at al times hereafter, and from time to time, during the

said terme of xxi. yeares, haue, hold, occupie, and inioy all and singular the said mesuages, lands, tenements, and other the said demised premises, and euery part and parcell thereof with the appurtenances, according to the tenor, effect, and true meaning of these presents, without any maner of lawfull let, interruption, suit, vexation, impedimēt, euiction, or trouble of the said J. B. or any other person or persons, by his or their commandement, meanes, procurement, assent, consent, occasion, or agreement, or lawfully clayming, or which shall or may hereafter lawfully claime, from, by, or vnder the said J. B. or his title &c. In witnesse &c.

A Lease of Lordships by a Deane and Canons.

Sec. 436.

THis Indenture &c. Betweene J. P. Doctor of the ciuill Law, Deane of the Colledge &c. And the Canons of the same Colledge on the one party, and A. D. on thother party, Witnesseth, that the said Deane & Canons by their whole & mutuall assēt &c. haue demised &c. vnto the said A. their mansion or dwelling place of their Manor or Lordship of T. aforesaid in the said County of W. lately called & Priorie, with all the scite & circuit of the same mansion, barnes, stables, and all houses, buildings, yards, closes, orchards, gardeins, ponds, and felwes, contained within the same scite or circuite, together with the demeanlands, meadowes, & pastures, with all and singular the appurtenances to the said mansion or dwelling place, Manor or Lordship, or to any part or parcell thereof, or to any of them belonging, or in any wise appertaining, and also all and singular their lands, tenements, meadowes, leases, pastures, commons, fishings, with all other easements, profits, and commodities, & al other their hereditaments, whatsoeuer they be, set, lying, and being within the Towne & fields of T. aforesaid: And also all those their two Villages, called &c. with all & singular their appurtenances, profits, & commodities, and with all other their mesuages, lands, tenements, meadowes, pastures, commons, easements, profits, & commodities, with all & singular rents, reuerfions, remainders, & seruices of al the tenants, aswel scēholders as tenants for yeres, or from yere to yere, copyholders, tenants at will, or otherwise, set, lying, or being, to be perceiued or taken within the townes, parishes or fields of S. &c. lately belonging & appertaining to the said late Priorie of T. aforesaid, with all & singular their appurtenances, and all that their Manor or Lordship of T. with all the demeanes of the same, & all & singular their other mesuage &c. (as nexte aboue) And also all maner of such glebe lands and tenements, tithes, oblations, fruits,

fruits, profits, and commodities whatsoever they be, to the Churches and Parsonages of **B. C. and L.** or to any of them now belonging, or in any wise appertaining, or which at any time heretofore have of right appertained or belonged to them, or to any of them: And also all and singular pensions and portions in **L. M. &c.** with all rights, profits, casualties, & commodities, as well spiritual as temporal: together with all woods, underwoods, warrens, and other liberties whatsoever they be, to the said Mannors or Lordships of **T. or C.** or to either of them belonging, or in any wise appertaining, or y^e be set, lying, or being in the townes & fields of **T. and C. &c.** aforesaid, or in, or upon any of the premises &c: Excepted and alwaies reserved vnto the said Deane and Canons, and to their successors, all such rents and fruits, pensions and portions, which be contained in a Schedule indented therof made, & to this Indenture annexed, amounting to the yearely value of **xx. li.** And also except & reserved vnto the said Deane &c. all & singular felons goods, reliefes, wards, marriages, escheates, harts, aduowsons, & patronages of Churches, in any wise to the said Lordships belonging. To haue, hold, occupy, and peaceably to possesse and inioy the said scite, Mannors, or Lordships, and all and singular the premises with their appurtenance (except befoze excepted) vnto the said **A. D. &c.** in as ample and large manner and soyme, and as much for his commoditie & profit, as ever any being Prior of **T.** aforesaid, or any other farmer, occupier, or possessor of the same, haue at any time heretofore lawfully occupied, possessed, or inioyed the premises, or any part or parcell thereof. Yeelding and paying therof yearely vnto the said Deane and Canons, and to their successors &c. And the said **A.** covenanteth &c. that he the said **A.** his executors or assigns, shall at his or their proper costes and charges, well and sufficiently repaire, sustain, & uphold the said Mannor place, and all other houses, barnes, and stables, and al maner of tenements and buyldings, now buylded: during the said terme of **xx.** or to be buylded to the said Mannor of **T. and C.** or to either of them belonging or appertaining, during y^e said terme. And also well & sufficiently keepe, scowze, & repaire all maner of hedges, ditches, and mads, of, and in the said lands of the said manors, & other the premises, during the said terme, and so being well and sufficiently repaired, in the end of the said terme shall leave and yeeld by the same. And the said Deane and Canons covenant &c. to beare and maintaine all maner of reparations of Chauncels of all such Churches as belong to any of the said Mannors, or that now be, or that hereafter shall be scituate, colided, or builded in any of the said townes,

townes, villages, or hamlets befoze mentioned, or vpon any the said lands, tenements, or other the pzemisses. And also to discharge or saue harmelesse the said A. D. his executozs and assignes of all such things as are due, by reason of composition made betweene the late Wzor of T. and the Parochians of ec. bearing date the tenth of January, An. Do. 1550. as in the same composition moze plainly is declared. And also the said A. covenanteth ec. to acquite and discharge or saue harmelesse the said Deane ec. of and for all maner of quit rents, and other charges whatsoeuer they be, due or accustomed to be paied out of the said Pannozs or Lordships, or out of either of the, or other the pzemisses, or any parcell thereof, to our soueraigne Lady the Queen, the chiefe Lord of the fee or fees thereof, or to any other person or persons whatsoeuer they be during the said terme, hauing their comencement, beginning, and being befoze the date of these presents, the tenth or tenthes out of any of the pzemisses due vnto our soueraigne Lady the Q. ouely excepted, which the said Deane and Canons and their successozs shall heare and pay, during the said terme. And moreover, the said Deane ec. by these presents doth licence and authozize the said A. and also doth covenant ec. that he the said A. his executozs or assignes, by his or their sufficient deputie or deputies, shall keepe the Courts & Lectes within the said Pannozs and Lordships, or within either of them, in the name of the said Dean, when and as often as it shall seeme good vnto the said A. his executozs or assignes, without fee or other allowance demanding of any person or persons for the same, during the said terme. And also the said A. covenanteth ec. to leuie, gather, and receiue to the vse of the said Deane and Canons, and their successozs, all such rents as be excepted and reserued out of this Indenture, & mentioned in the said Schedule indented, hereunto annexed, at such time as they shall be by the law recouered, or by any other way or meanes sufficiently or lawfully tried & proued against the said tenants or deteinozs and withholders of the said rents and dueties to be payable vnto the said Deane and Canons, which he the said A. D. may obtaine or get, without costs & charges in y law to be had or made by the said A. for the same, and for the collection thereof to demand no fee or other allowance whatsoeuer, of the said Deane and Canons vpon his accompt thereof to be made befoze the Auditozs of the said Deane and Canons & their successozs during the said terme. Also the said A. covenanteth ec. to make payment, at and within the said Colledge of the said yearely rent of ec. equally at the termes of payment befoze specified, to the hands of the Treasurer of the said Colledge

Colledge, at his owne proper costes and charges, without allowance taking for the same, during the said terme. And the said Deane and Canons, for them and their successors, doe covenant &c. that the acquittance made, sealed, and signed by the Treasurers of the said Colledge, or by either of them to the said A. or his executors, or his assigns, for the payment of the same yearely rent, or any part or parcell thereof, in maner & forme befoze mentioned, shall be a good, sure, & sufficient warrant and discharge vnto the said A. his executors & assigns, and to his or their deputie or deputies for the payment thereof. And if it happen that the said yearely rent of &c. to be behind &c. As in distresses. And if it happen the said yearely rent of &c. to be behinde vnpaid, in part or in all, after ante of those feasts of payments befoze mentioned, by the space of thzee moneths, and lawfully asked or demanded, at, or in the said mansion house of T. aforesaid, & no sufficient distresse can there be found vpon the said tenements & premises, for the same rent so behinde: That then &c. As in Recentries. And the said Deane and Canons do covenant &c. that if the said A. his executors & assigns, shall happen at anye time hereafter to be euicted or dispossessed of anye of the premises, or any part or parcel thereof, without couin or fraud on the part of the said A. his executors or assigns: That then the said rent of &c. shall be appoynted and diminished accordingly, and after such rate and poztion, as the quantitie and value of the said lands, tenements, rents, hereditaments, and other duties, parcell of the premises so euicted or taken from the possession or occupation of the said A. his executors or assigns, shall amount and arife vnto. And that it shall be lawfull vnto the said A. his executors or assigns, to default and retaine so much of his rent at euery of the said payments: This Indenture &c. notwithstanding. And further the said Deane and Canons, for them and their successors, covenant, conclude, graunt, and promise &c. As in covenants of further assurance. And the said A. covenanteth &c. to finde house, lodging, meate, stable, hay & prouender for the hoxses of the said Deane & Canons, and other coming with him or them in progresse once in the yeare, by the space of two daies and two nights, the said Deane & Canons and their successors, paying reasonably for meat onely & dzinke so prouided, during the terme aforesaid. And further the said A. covenanteth &c. that he his executors & assigns, shall at the end and terme of euery 3. yeares (during the said terme) deliuer or cause to be deliuered vnto the said Deane &c. the court Rolls well and truly ingrossed in parchment, at his and their costes and charges of such Court as shall be kept in the
 said

said manors of *T.* and *C.* during any of the said *20* years, and also at the end of every such *12* years, by the said *A.* his executors or assignes shall as neere as they can, deliuer, or cause to be deliuered to the said Deane &c. in maner befoze rehearsed, a true Terrar or bondarie of all the lands & tenements, rents & seruires, being parcell, or in any wise appertaining to the said Manors. And the said Deane and Canons do covenant &c. that they shal deliuer, or cause to be deliuered vnto the said *A.* &c. at such times as they shalbe thereunto required, one or two of their most true Terrars or bondaries, whereby the said *A.* his executors or assignes may the better come to knowledge of all the said lands, tenements, rents, and seruires appertaining to the said manors. And the said Deane & Canons, and their successors, all the said Manors &c. (As in covenants of quiet enioying and saving harmelesse.) And also where the said *A.* standeth bound vnto the said Deane and Canons, & their successors, by his deed obligatorie, bearing date with these presents, in the summe of &c. the said Deane & Canons doe covenant &c. that if the said *A.* his &c. doe well and truly obserue, performe, fulfill, and keepe, all and singular such covenants, graunts, p'p'ises, articles and agreements compysed in this Indenture, which on the part and behalfe of the said *A.* his executors, administrators, & assignes ought to be obserued, performed, fulfilled, & kept: That then the said deed obligatorie to be void and of none effect; or else to stand in his full strength and vertue. And the said Deane and Canons &c. that it shall be lawfull to the said *H.* his executors and assignes, to haue & to take, in, and vpon the said lands befoze letten, competent and sufficient firebote, cartbote, plo'wbote, and hedgebote, to be occupied and spent, in, and vpon the lands and tenements afozelsaid, at all times during the said terme. In witness &c.

A Lease for yeares in the Court of Wardes.

Sect. 447.

THis Indenture &c. (*vt supra* 330.) and *M. P.* of the other partie, Witnessech, That our said Soueraigne Lady, with the aduice of the *M.aster* & *Counsel* of her graces Court of *Wardes* & *Liueries*, for and in consideration of the summe of &c. to the Receiuor generall of the *D.* said Court of *Wardes* and *liueries*, to her highnesse vse in hand paid, is contented and pleased to graunt, and by these presents doth grant, demise, and to farme let vnto the said *M. P.* parcel of the lands and possessions late of *G. W.* deceased, in the Countie of *C.* hereafter particularly declared, viz. One tenement with the appurtenances &c. (Reciting all the lands particularly.) All which p'p'ises befoze re-
 cted

cited, in R. C. & T. amount in the whole to the cleere yerely value and rent of xij. li. iij. s. being in the hands and possession of our said Soueraigne Ladie by the minozitie of T. W. the Queenes Maiesties ward, excepted, and alwaies referued out of the said grant, all aduolsons, presentations, nominations, gifts of Churches, and spirituall promotions, woods, vnderwoods, sauing such as are befoze specially named, wards, mariages, knights fees, reliefes, fines, heriots, & mynes of mettall, stone, and coale, rising and growing in and vpon the said lands, tenements, and other the premises, with the appurtenances, or any part thereof, during the minozitie of the said heire. To haue and to hold the said lands, tenements, and other the premises, with the appurtenances (except befoze excepted) to the said W. P. and his assignes, from the death of the said H. S. during the minozitie of the said heire. Yeelding and paying therefoze yerely, during y^e said terme, to the Qu. feodarie of the said Countie of C. or to his lawfull deputie for the time being, to her Highnesse vse, the summe of x. at the feasts of x. by euen portions. And the said W. P. couenanteth x. for him and his assignes, by these presents, that he the said W. P. and his assignes, ouer and besides the said rent befoze referued, shall also consent & pay to the Receiuor general of the Q. Court of Wards & Liveries, to the vse of our Soueraigne L. or of her heires & successors, all such summes of money, which shall hereafter be found due & payable in the said Court, for the meane rates & profits of the said lands, tenements, & other the premises, with the appurtenances, vntill such time as the said lands &c. be prosecuted and had out of the hands and possession of our said Soueraigne L. or of her heires and successors, by Livery, Ouster le maine, or other wise, according to the order of the Law. And the said W. P. couenanteth x. for him and his assignes, by these presents, that he the said W. P. & his assignes, during the said terme, shall at his and their owne proper costs and charges, make, or cause to be made, all manner of necessarie and needfull reparations vpon the said lands, &c. when and as often as neede shall require, and sufficiently repaired, at the end of the said terme shal leaue the same, and shall discharge, content, & pay yerely all rents, tenths, & other charges lawfully demanded, & going out of the said lands, tenements, & other the premises, with the appurtenances. And likewise also shal frō time to time permit & suffer the said Feodarie, for the time being, to suruey the said lands, &c. as well for the knowledge of the performance of the couenants contained in this Indenture, on the behalfe of the said W. P. and his assignes, as of all wastes, incommodities, hurts, & decayes
alreadie

alreadie fallen, and which may rise and grow, to the hinderance of the said heire, or to the impairment of the Duenes right and profit, and shall at all times hereafter be contented to receiue and fulfill all such further orders which the said Master and Council shall take for the redresse of any such default found by the said suruey: So as neither the Duene, nor her Highnes said Ward, do sustaine any losse or preiudice by their negligence, for lack of their helpe, to whom the charge appertaineth. And the said W. P. covenanteth &c. for him and his assignes by these presents, that if at any time hereafter, by the suruey of the said Master & Council, or any other by the authorized, it be found, that the said lands, tenements, & other the premises, with the appurtenances, were of moze, better, & yerely value, or rent, at the time of the making hereof, then the rent befoze reserued doth amount vnto, or that any rent or profit, whereof the Du. ought to be answered, be omitted, & not truly reserued vpon this Lease: That then the said W. P. and his assignes shall content & pay yearely, during the said terme, to the said Feodaris for the time being, to her Highnes vse, at y^e feasts befoze limited for the payment of the said rent, the ouerplus found by the said suruey to be aboue the said rent &c. and shall likewise content and pay the arrerages of the same ouerplus from the beginning of the Lease and Graunt. And further, that neither he the said W. P. nor his assignes, shall doe or suffer to be done any strepe, (vc supra 369.) And it is agreed on the behalfe of the Du. by the said M. & Council, that he the said W. P. & his assignes, during the said terme, shall haue and take vpon the said lands &c. by the assignment of the said M. and Council, or any other by them authorized, sufficient house-bote, fire-bote, & cart-bote, onely to be vsed & expended in & vpon the said lands &c. And the said W. P. covenanteth &c. (vc supra 369.) And shall once in euery yere, during the said terme, bring or send to the Auditor generall of the said Court of Wards & Liveries, his acquitances, declaring payment of the rent befoze reserued, & hereafter growing vpon this lease, & also bring the same lease within one halfe yere next after the date hereof, vnto the Auditor afozesaid, to haue the same there inrolled, as the same Auditor may haue perfect knowledge and vnderstanding how to charge and allow the said rent, or other charge rising vpon this lease, at all times, when need shall require. And it is prouided on the behalfe of the Du. by the said M. and Council, that if at any time hereafter, during the said terme, it fortune the said rent (as in Reentries & distresses) vntill her Highnes be fully answered & paid, as well of the said rent, & the arrerages thereof, as of the value of the detrimēt

and damage sustained by the breaking of the said covenants, or of any clause or article before mentioned, this lease or any thing therein contained to the contrary &c. In witness &c. *ut supra* 330. b.

A Lease of a Brewhouse.

THis Indenture &c. Between A. B. and C. D. Witnesseth, that Sect. 438.
the said A. B. hath demised &c. to the said C. D. all that his brew-
house, with all and singular thappurtenances called p. set, lying & be-
ing in F. in the parish of &c. together with all maner vessels & uten-
sils to the said Brewhouse belonging, or in any manner wise appertai-
ning. viz. y. horse Mills, price &c. y. great leads, price &c. one math fat,
price &c. r. barrels, price &c. together with all maner of vessels & uten-
sils, contained in a certaine scedule hereunto annexed. To haue &c.
And the said C. D. covenanteth &c. that hee the said C. his &c. shall
well, truly and sufficiently maintaine, repaire, and sustaine the said
brewhouse, vessels, and uten-
sils &c. during the said terme. Provided al-
waies, that if any of the said vessels or uten-
sils shall need, during the
terme aforesaid, by meanes of oldnesse to be renewed: That the said
A. B. his &c. shall of his and their proper costs and charges, renew all
and every such vessels or uten-
sils to be renewed as oft as need shall re-
quire during the said terme, So that the same bee not broken or de-
stroyed by the default or negligence of the said C. or his servants. In
witness &c.

A Lease of Corne or Graine by the King.

Hec Indentura facta in dñum reg. ex vna parte, & I. C. Milit' ex al- Sect. 439.
ter' pte, Testat qd' idem dñus Rex per aduisamē consilij cur' Aug-
mentac' reuentionē Coron' suæ, tradidit, concessit, & ad firmā dimisit p̄f.
I. C. oīa illa ducent' quarteria hordei, & quadragint' quarter' frumti boni
& suavis grani, quæ firmarius seu firmarij Rectoriæ de O. & H. in com̄
L. pcel' poss. nuper Monaster' de N. in com̄ Ebor' pro & nomīn redā siue
annualis firmæ eiusd' Rector' dicto domīn Regi annuatim reddere & de-
liberare debent seu debet. Habendā, gaudend', & annuat' percipiendā hor-
deum & frumt' p̄d' p̄f. I. C. & assign' suis, a festo S. Mar' Euang. vltimo p̄te-
rito, vsq' ad finem term̄, & p̄ term̄ xxj. annor' extunc prox. sequen' & ple-
nat' complendor'. Redā inde annuat' dicit' Dño regi, hæred' & successor'
suis xl. li. xiiij. s. iij. d. legal' monet' Angl' viz. pro p̄d' CC. quarterijs hor-
dei xxx. li. & pro p̄d' xl. quarter' frumti v. li. xiiij. s. iij. d. ad festum S. Mar-
ci Euang. & S. Kath' in hiem̄, vel infra vnum mēsem post vtrumq' festū
festor' illor' ad curiam p̄d', p̄ æquales portiones soluendā durante termino
p̄dicto &c. *ut supra.*

A Lease of a Warren of Conies.

Sect. 44c.

THis Indenture &c. Witnesseth, that the said *W. B.* hath demised, &c. to the said *S. J.* and *T.* all that warren called *B. heath warren* in *H.* in the said countie, bounden as followeth, viz. from a place called *W. farme*, vnto a certaine close called *H. close* &c. vnto a certaine lodge therupon: And also the libertie of keeping, feeding, & killing of conies, of, and within the said ground called *B.* as it is befoze in these pzesents limited & bounden: And also the libertie and right which the said *W.* now hath, or of right ought to haue, to fetch home, or kill the conies straying in *A. parke* & *P. closes*, or any other grounds, lying on the south side of the becke running from west lenne afozesaid, vnto a brydge called *S. Pildzeds brydge* within the bounds of *H.* & *P.* afozesaid. To haue and to hold &c. Yeelding & paying &c. Provided alway, and it is agreed betweene the said parties by these pzesents, that the same *S. J.* & *T.* their executozs or assignes, shall not willingly suffer anie conies to bzeed within anie of the grounds where the said conies shall fortune to stray as is afozesaid, nor shall by themselves, their assignes or seruants, willingly pzeiudice or dammage any man being owner or farmer of the same grounds, by bzeaking of the fences, or digging of his or their soile, or by any other waies or meanes, as little as may be. And the said *S. J.* and *T.* covenant &c. as in covenants to repaire. And also shall leaue the said bozowes in the afozesaid ground to them demised, whole, tenantable, and not mangled or decayed. And the said *S. J.* & *T.* doe further covenant &c. that then the said *S. J.* and *T.* their executozs or assignes, shall leaue, in, and vpon the demised pzemisses, ten hundred of lining conies, at the end of the said terme, wherof the one halfe to be blacke, and the other halfe gray, or pay and recompence vnto the said *W. B.* his executozs or assignes, for euerie hundred of the said black conies that then shall be wanting liij. s. iiij. d. and for euerie hundred of gray that shall be wanting xxx. s. the same to be viewied by foure indifferent men, wherof two to be chosen by the said *W. B.* & other two by the said *S.* and the said *W. B.* to be at his choice thereof. And it is agreed between the said parties by these pzesents, that if the said *W.* doe make choice to take the money that shall be agræd vpon, in lieu & recompence of so many of the said conies as shall be wanting after the rate afozesaid: That then the said *S. J.* & *T.* their executozs or assignes, shall haue day for the payment of the same money so agreed vpon, vntill the feast of &c. any thing befoze in these pzesents mentioned or contained to the contrarie in anie wise
not,

notwithstanding. And it is further agreed betwene the said parties to these presents, that the said S. J. and T. their executors or assigns, shall at the end of the said terme leave all the traps or falls now being, or which hereafter shall be made, set, or planted, in and upon the said demised premises, and euery part thereof, well and sufficiently made and planted. In witness &c.

A Lease of fish and ponds.

THis Indenture tripartite indented &c. betwene D. W. on thone Sect. 441.
partie, and T. C. on the second party, and H. W. on the third party, Witnesseth, that the said D. W. hath demised &c. to the said T. C. & H. W. all those his 3. pooles, ponds, and dams in P. in the countie of P. wherof the one is called &c. damme, the other is called &c. and the third is called &c. and are parcell of &c. all which said poles and dams the said D. W. hath of the lease and demise of our soueraigne La. vnder her Graces Seale of &c. To haue and to hold the said three poles, ponds, and dams to the said T. C. his heires & assigns, from the feast of &c. next &c. with free entry, egress, and regress, to and from the said poles, throughout the said pastures and closes of the said H. W. at all times reasonable hereafter from time to time during the said terme. In consideration of which lease and demise so made to the said T. C. and H. W. in manner and forme aforesaid, the said T. C. and H. W. severally covenant &c. that the said D. during the said terme, if he the said D. do so long liue, shall haue the third part of the said fish that shall come, fall, rise, & grow within the said three pooles, at euery such time as the said T. C. and H. W. or any of them shall happen to let out the same three pooles, or any of them. In witness &c.

A Lease for yeares of lands and Mills.

Regina omnibus &c. Sciatis quod nos de aduisamento Cancellar' & Sect. 442.
vnius general' superuisor' ac attornat' Curie nostre augmentationi & reuenc' Coronae nostre in absentia T. M. Militis alterius general' superuisor' eiusdem Curie pro fine duodecim lib. legalis &c. ad manus Thesaur' cur' praedict' ad vsu nostrum praemanibus solut', Tradidimus, concess. & ad firmam dimissio dilecto nobis A. D. omnes illas C. ac' terr' &c. iacent' & existen' in communibus campis de C. in com' nostro E. &c. ac etiam omnia & singula vagant' & extrah. nostr' annua prouenient' & existen' infra maner' de C. praedict'. Necnon pasagium aquae nostrae de D. iuxta castrum de C. praedict' cum omnibus & singulis suis pertinen' modo vel nuper in sepeal' tenuit' siue occupationibus &c. Necnon omnia illa duo molen' nostra ac quaticae, ac vnum molendinum nostrum fullonicum cum pertinen', sicut & existen' infra dominium de C. praedict'. Ac omnia domos, Edificia,

exception

ædificia, gardiñ, aquas, aquarum cursus, gurgites, piscar, piscationes, proficua, cōmoditates, & hæreditament nōstr quęcunq̄ cum pertiñ dictis molend', siue eorum alicui quoquo modo spectant̄ et pertinent̄ aut cum eisdem molendiñ ante hæc dimiss'. locat̄, vsitat̄, seu occupat̄, existēn modo vel nuper in tenura siue occupatione &c. Quæ omnia & singula præmissa sunt parcell' possessiōn nōstr Ducatus nōstr Ebor'. Except̄ tamen semper nobis hæred', & successor' nōstr & omnino reseruat̄ omnib' bosc' & subbosc', de, in, & super præmiss'. crescēn et existēn. Habēd' et tenēd' præd' terr', molendiñ, ac cætera præmissa cum p̄inentib' (except̄ præexcept̄) p̄fat. A. D. Militi, execut' & assignat' suis, a festo &c. post dat' p̄sentium, vsque finem, terminum, et pro termino xxj. annorum extunc proximiñ sequent', & plenariè complēd'. Reddēd' annuatim nobis, hæredibus, et successoribus nostris, de, et pro præd' terris et cæteris præmissis in separalib' tenur' siue occupationibus præd' &c. vt præferē, existēn, vj. li. ac de et pro prædiēt' molendiñ et cæteris præmiss'. in tenura dict' &c. vt præferē, existēn, vj. li. legalis monetæ Angliæ ad festa &c. vel infra vnum mensem post vtrumque festum festorum illorum, ad manus Balliuorum vel Receptorum præmissorum pro tempore existēn, per æquales portiones soluēd' durante toto termino prædiēt'. Et prædiētus A. executor, administrator, et assignati sui omnia domos et ædific' præmissorum, ac omnes illas necessarias reparaciones præmissorum in omnibus, & per omnia, de tempore in tempus, toties, quoties necessar' et opportunum fuerit, bene et sufficient' supportabunt, sustinebunt, & manutenebunt, durante termino prædiēt', ac tenementa illa et præmiss'. sufficient' reparat' in fine termini prædiēt' dimittent. Et vltērius volumus, ac p̄ p̄sentes concedimus præfat. A. D. executoribus et assignatis suis quod bene licebit eis de tempore in tempus, capere, percipere, & habere competent' & sufficient' housebote, et maerein, ac hedgebote, firebote, plowbote, et cartbote, de, in, & sup' p̄d' tenē & p̄mis. crescēn ibidem & non alibi, annuatim expend' & occupand' durante term' p̄d'. Prouiso semp, qd' si contigerit p̄d' seperales reddē, aut eorum alterum a retro fore &c. quod tunc et deinceps hæc p̄sens dimis. et concess. vacua sit, ac p̄ nullo habeat: aliquo in p̄sent' in cōtra' ind' non obstāte, et aliquo statut' &c. In cui' &c.

A Lease for yeares of Charter lands as Copihold.

Sect. 443.

THis Indenture &c. Betweene J. B. and T. V. Witnessech, that where the said J. B. is seised to him and to his heires in fee simple, of, and in the manoz of W. in the said countie of P. and also of certaine meluages &c. in W. aforesaid. And where also the said J. B. at the

the speciall suit and desire of diuers of his tenants of the said manoz, is pleased and contented to demise &c. the said purchased lands to his said tenants, in the manner & nature of copyhold lands of the said manoz, as neere as may be, to the intent, that they the same tenants may better maintaine their households and familie: he the same J. B. doth by these presents demise &c. vnto the said T. H. one mesuage and forty acres of land &c. To haue and to hold the said mesuage &c. to the said T. H. his &c. vntill the end and terme of &c. then next following &c. Ycelding and paying therefoze &c. And also yearely during the said terme, seuen boone dayes: What is to say, two plow daies, three harvest daies, one hay day, one weeding day, and in like manner & fozme as the copyholders of the same manoz do and haue vsed to do for their boone daies. And oucr this also, two Hennes yerely at the feast of &c. And also tenne Egges at Easter yearely during this present Lease. And also suit to the Court of the same manoz yerely, during the said terme, as other auncient customarie tenants doe for their Copyholds of the said manoz. And the said T. H. for him, his heires, and assigns, doth covenant &c. to content and pay vnto the said J. B. his heires, executozs, administrators, and assigns, owners and possessozs of the said mannoz, at all times, and from time to time during this present lease, at every alienation, demise, or exchāge, hereafter to be made by the said T. H. his heirs, executozs, administrators, or assigns, or any of them, of the said estate, lease, or terme of yeares, or of anie parcell thereof, or of or in the premises, letten by this present Indenture, or any parcel of the same. And also at every time and times that the said T. H. his executozs, administrators, or assigns, shall die possessed of the said estate, lease, or terme of yeares, or of any part or parcell thereof, or of or in the said premises, or of any part of the same, and all and every other lawful departing by any other maner of means from the possession of the said premises, or any part thereof, two shillings &c. for every acre, in the name of a fine, and so after that rate for euerie part and parcell of the same to be alienated, exchanged, or departed lawfully withall by the said T. H. his heires, executozs, administrators, or assigns, or any of them, at anis time or times hereafter, whereof they or any of them shall die possessed during the said lease, as is afozesaid. Provided alwaies, that the said T. H. his executozs, and assigns, and euerie of them, shall and may alien the same premises, or any parcell thereof, from yeare to yeare only, and not otherwise demise or alien the same premises, or any part or parcell thereof, without any fine or summe of money to be paid to the said J. B. his heires

heires and assignes, for any such demise, grant, or lease, or alienation, from yeare to yeare onely, as is last aforesaid. And that also the said T. H. his executors, administrators, and assignes, and every of them, shall at all times, and from time to time yearely, during this present Lease, doe such suit to the Court of the Mannor, as is before remembred. And also doe and beare the reparations of the said mesuages, taken from time to time, having such timber as is or shall be growing upon the said premises, towards the same. And over that, shall beare, execute, and pay all and every thing & things for the said premises, taken by these present Indentures, ratably, and in such manner and forme, to all intents and purposes, as any of the customarie tenants & copyholders of the same manor doe or ought to doe for their customarie lands & tenements, parcell of the manor aforesaid, of the like value and quantitie. And the said T. for himselfe &c. covenanteth &c. that the said J. B. &c. shall and may inclose and keepe inclosed so much of the premises letten by these present Indentures, as at this time is not inclosed, and every parcell thereof, for all the sheepe of the said J. B. his heires and assignes, being owner or owners of the said manors, and of all and every the farmes of the said J. B. his heires or assignes, or any of them in W. aforesaid, parcell, or belonging, of, or to the said manor yerely, during this present lease, in the open time of the yeare, in as ample and large manner and forme, as the said J. B. his heires or assignes, should, might, or ought to have done, if this lease had never bin had ne made. And if it shall fortune, that the said T. H. his executors, administrators, or assignes, or any of them, at any time or times hereafter, during this present lease, willingly and advisedly to interrupt and disturbe the said J. B. &c. or any of them, or his or their farmors aforesaid, or any of them, quietly to have, use, take, and enjoy the said grounds to be inclosed for sheepe, in such manner & forme as is before declared: That then he the said T. H. for every such disturbance or interruption, as is aforesaid, shall forfeit & lose to the said J. B. his heires or assignes, Lords and owners of the said manor, such paine and summes of money, as beene hereafter expressed: that is to say, For the first interruption or disturbance as is aforesaid xv. s. for the second interruption or disturbance xviij. s. and for the third interruption g. s. and from thenceforth for everis disturbance or interruption twice double the paine and summe next before the said interruption. And if it shall fortune the said T. H. his executors &c. at any time or times hereafter, during this present Lease, to make default of payment of the said yerely rent, in forme before remembred, or of the said

said summe of money in the name of a fine oꝛ fines, oꝛ of the said paines oꝛ foꝛfeitures, in maner and soꝛme befoꝛe declared to be paid, oꝛ to bꝛeake anie couenant oꝛ grant befoꝛe remembꝛed, which on the part of the said *T. H.* his executoꝛs, adminiſtratoꝛs, oꝛ assignes, are to be performed, paid oꝛ kept: That then it shall be lawfull vnto the said *J. B.* his heires and assignes, owners and possessoꝛs of the said mannoꝛ, to enter into all and singular the said &c. As in distresses, and the same to detaine and keepe vntill the said *T. H.* the said yearly rent shall dwell and truely content and pay vnto the said *J. B.* his heires oꝛ assignes. And the said fines, paines, foꝛfeitures, and summe of money befoꝛe remembꝛed, with the arrerages of the same if anie shall be, and euerie parcell thereof, and also shall haue made a reasonable recompence and amends to the said *J. B.* his heires oꝛ assignes, of, and foꝛ the bꝛeach of anie couenant oꝛ couenants befoꝛe remembꝛed, and foꝛ anie damage by him oꝛ them sustained by reason of the same. And also as often as the said yearely rents and farmes, and the said fines, paines, foꝛfeitures, oꝛ summes of money shall be vnpaid, oꝛ anie of them, oꝛ anie couenant oꝛ couenants afoꝛesaid shall be bꝛoken during the said terme of thꝛee yeares. Prouided alwayes, that if *T. H.* his executoꝛs, adminiſtratoꝛs, oꝛ assignes, shall do, oꝛ willingly oꝛ negligently suffer to be done, any wast in the houses oꝛ buildings of the said messuages demised by these pꝛesents, and the selfe same waste shall be lawfully pꝛesented at thꝛee of the most vsuall courts of the said mannoꝛ to be there holden next after the said wast done and committed, and reasonable amerciaments and paines therefoꝛe pꝛesented and set by the homage of the said mannoꝛ foꝛ the time being, and at the Courts of the said mannoꝛ: And that if the said waste be not amended and repaired within one quarter of a yeare next ensuing the said seueral courts befoꝛe remembꝛed, and lawfull warning thereof giuen by the Waylife of the said mannoꝛ foꝛ the time being to the said *T. H.* his executoꝛs oꝛ assignes, at the said messuage: That then it shall bee lawfull to the said *J. B.* his heires and assignes, and euerie of them into the said mannoꝛ &c. As in Reentries. In witness &c.

A Lease of a Parsonage for yeares.

THis Indenture made &c. Betweene *T. R.* and *R. W.* &c. Witnesseth, That the said *R. W.* &c. hath demised &c. to the said *T. R.* &c. all that the Church, Rectorie, and Parsonage of *T.* afoꝛesaid, in the said countie of *Portk.* and the mansion oꝛ dwelling house of the same, with all other houses, edifices, and buildings, orchards, gardens,

glebe landes, and other meadowes, pastures, commons, wodes, coale, and coale-mines, rents, reuerfions, seruices, tithes, fruits, pofites, oblations, obuentions, commodities, emoluments, portions, annuities, franchises, casualties, wardes, marriages, reliefes, elcheates, heriots, wodes, bnderwodes, courts, perquisites of Courts, and aduantages, with the appurtenances to the said Church, Rectorie, or Parsonage belonging, or therewith heretofore vled, letted, or occupied, and accepted, and taken as part, parcell, or member thereof, or of anie part thereof: And the Aduowson of the Tithes of *T.* aforesaid, in the occupation of *tc.* Except onely and reserved vnto the said *R.* and his assignes, one Chamber opening into the Churchyard of *T.* aforesaid, and *tc.* with free ingresse, egress, and regresse, to and from the same. To haue and to hold all the said Church, Rectorie, or Parsonage, Mansion house, Cottages, Glebe lands and Tithes, and other the demised pzemisses, with the appurtenances (except befoze excepted) vnto the said *R.* his executozs, administrators, and assignes, from the feast of *tc.* vnto the full end and terme of thzee yeares thence next ensuing fully to bee complete and ended (if the said *R.* so long doe liue) and so from thzee yeares to thzee yeares, continually during the terme of one and twentie yeares next ensuing *tc.* of *tc.* if the said *R.* so long doeline. Yeelding and paying *tc.* And if it happen the said yearely rent of *tc.* And the said *R.* for himselfe *tc.* that hee the said *R.* his executozs, administrators, and assignes, and euerie of them, at his and their owne proper costes and charges, shall and will at all and euerie time and times hereafter during the said termes, well and sufficiently re-
 paire, maintaine, vpholde, and keepe the Chauncell of the Parish Church of *T.* aforesaid, and the said Mansion house, and all other houses now being set or buided vpon the demised pzemisses, or anie part thereof (except befoze excepted) with all manner of necessarie reparations, within reasonable and conuenient time after such reparations or amendment of the pzemisses, or of anie part thereof shall be needfull, and in the end of the said terme so sufficiently repaired and maintained to leaue the same. And the said *T.* *R.* covenanteth *tc.* that he the said *T.* his heires, executozs, administrators, and assigns, and euerie of them, at his and their only proper costs and charges, shall and will find and giue vnto the said *R.* *W.* and his assigns, sufficient grasse and pasture for one gelding, nagge, or mare, in such parts of the demeane lands of the manor of *T.* aforesaid, as horses or geldings shall go and pasture in, from the first day of May, vnto the

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the feaft of S. Martin the Bishop in winter, yerely euery yere during
 al the said termes. And to giue and deliuer vnto the said R. yerely du-
 ring the said termes, at the mansion house of the said Parsonage, fix or
 sufficient waine loads of good hay, and thre ruckes of good coale, co-
 monly called sea-coale, or Stone-coale. And that he the said T. his ex-
 ecutozs, administrators, and assignes, at his and their proper costs
 and charges, shall and will make, beare, and pay all maner of Firke
 fruits, Tenths, Subsidies, Fifteens, Sinods, Proxies, Beneuolen-
 ces, and all maner of other charges, duties, payments, fines, summes
 of money, ordinary and extraordinary, as wel for seruing of the cure of
 the said Parish, as otherwise, which now be due, or at any time here-
 after during the said termes shall be due or going out of the said church,
 rectorie, or parsonage, or payable for, or by reason of the same to anie
 person or persons during the said termes, except quarter sermons, vi-
 sitations, and seruing of the Cure of the said parish. And the said R.
 for, &c. to, and with the said T. his executozs, administrators, and as-
 signes, and euery of them, paying the rents, and performing the con-
 ditions and couenants in these presents expressed, on their parts to be
 paid and performed during all the said termes (if the said R. so long
 do liue) shall and may peaceably and quietly haue, hold, occupy, and
 inioy all the said Church, Rectorie, and Parsonage, mansion house,
 cottage, glebe lands, tithes, and all other the demised tenements and
 premises with the appurtenances (except befoze excepted) according
 to the true meaning of these presents, without any lawfull let, suite,
 trouble, euiction or expulsion of the said R. his executozs or admini-
 stratozs, or any other person or persons lawfully hauing any estate or
 interest, of, and in the said demised tenements and premises, or anie
 part thereof, by the gift or graunt of the said R. other then the said T.
 and W. W. and their assignes, of such parcells of the said premises,
 as are vnto them, or either of them graunted befoze the making here-
 of. And the said R. for himselfe, his executozs, and administrators,
 and euery of them, doth couenant and graunt &c. to and with the
 said T. &c. that he the said R. will not at any time during the said
 termes, resigne, yeeld vp, or exchange the said Benefice or Rectorie,
 or take any other Benefice with cure of soules, or be absent or non-
 resident from the same Benefice, contrary to the forme of the Sta-
 tute in that behalfe prouided, or doe procure, cause, or suffer to be
 done any other act or actes, by meanes whereof he shall or may law-
 fully be dismissed, discharged or depriued, of, & from the said benefice,
 or whereby the profits thereof shall or may be lawfully sequestred,

*remouet
 for quiet profits*

or which may or might in anie wise be prejudiciall or hurtfull to the said T. R. his executors or assignes, in the hauing and inioying of the Parsonage and premises, or any part thereof during the said terme, contrary to the true meaning hereof. And the said T. &c. that all the said glebe lands belonging to the said Rectorie shall be occupied during all the said termes so distinctly and orderly, by the same and euerie part therof, shall and may sufficiently be knowne to be the glebe lands of the said Rectories, and not to be confusedly plowed or mingled with other lands, to the dis-inheriting of the said R. W. and his successors Parsons there. And the said R. covenanteth and granteth by these presents, that he the said R. at all times conuenient, during the said termes, shall and will diligently teach and informe, in wzing, reading, and the Latin tongue, all and euerie such child, and childre of the said T. as during the termes shall for that purpose repaire vnto him the said R. in the parish Church of T. aforesaid, or in some other place for that purpose met and conuenient. And that he the said R. W. or his sufficient deputie or deputies, shall well and duly serue the cure of the said church, and minister all the Sacraments and Sacramentals to the parishioners of the same, at all times during the said terme as often as need shall require. Which said yerely rent of 10. l. &c. the said T. R. covenanteth and graunteth by these presents, to, and with the said R. truly to content and pay yearely vnto the said R. W. at &c. at the feasts and daies of payment aforesaid, or within the space of xx. daies, next and immediatly insuing the same feasts and daies of payment, for, and by all such time as the said R. W. shall continue and be Parson of the said Church of T. &c. And the said T. R. covenanteth &c. that he the same T. his executors and assignes, at their proper costs and charges during the terme, shall finde an able and sufficient Priest to serue and keepe the cure of T. being a member or Chappell of the said parsonage to find and say diuine seruice daily, and there to minister diuine Sacraments and Sacramentals to the parishioners there inhabiting during the terme aforesaid. And also it is agreed betweene the said parties &c. that the same T. R. nor his executors ne assignes, shall not sel, giue, ne grant, during the said terme, any part of the woods belonging to the said Parsonage, ne cut downe any part thereof, but onely for the necessarie housebote, hedgebote, plowbote, and firebote, to be spent onely in, vpon and about the premises. In witness whereof &c.

A Promise for a Lease of a Parsonage.

Provided neuerthelesse, and it is agreed, concluded, and graunted, betweene the said parties, and the said J. D. for him, his executozs, administrators and assignes, and euery of them doth couenant, promise, and grant, to and with the said R. S. his executozs and assignes by these presents, That it shall be lawfull, to, and for the said R. at any time during the said terme, to resigne the said Rectorie or Parsonage of B. and other the premises, at his free wil, libertie and pleasure, without breach of anie couenant in these present Indentures contained: any couenant, graunt, article, promise, clause, or sentence in the same mentioned to the contrary thereof in anie wise notwithstanding. In witness &c.

Sect. 445.

A couenant that the Leassor may enter and fallow.

Provided also, and neuerthelesse it is couenanted, granted, concluded, and fully agreed, by and betweene the said parties to these presents, And the said R. J. for himselfe, his executozs and assignes, and euery of them doth couenant, graunt, promise, and agree, to, and with the said W. W. his heirs and assignes, and euery of them by these presents, that it shall and may be lawfull, to and for the said W. W. his heirs and assignes, and euery or any of them, at all and euery time and times conuenient, within the last yeare of the said terme of xxj. yeres, to enter into and haue so much of the demised tenements and premises with the appurtenances, as in the same yeare shall be meet to be fallowed, and to eare, plow, and fallow the same, and euery or anie part thereof, according to the vsage and custome of the Countrie there in that behalfe, without any let, interruption, or disturbance of the said R. J. his executozs and assignes, or of any other person or persons by his or their, or any of their meanes, assent or procurement.

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A Lease for yeares by the Patron or Parson, confirmed by the Bishop, Deane, and Chapter.

THis Indenture made &c. Betweene T. C. of T. in the Countie of P. Pothe esquire, Patron of one estate of inheritance of the Rectorie or Parsonage and parish Church in B. in the countie of A. And W. S. clerke parson of the same Rectorie or Parsonage and parish church aforesaid of the one partie, And T. B. and R. B. of the other partie, Witnesseth, That the said Patron and Parson for &c. haue demised, graunted &c. to the said P. B. and R. B. &c. the Rectorie or Parsonage and Parish Church of B. aforesaid, and all the glebe lands ve

Sect. 447.

supra

supra in the Lease of a Parsonage. To haue and to hold the said Rectorie &c. to the said T. B. and R. B. their executors &c. Yeelding and paying thereto perely to the said Parson and his successors &c. And if it fortune the said W. S. clerke, or any of his successors Parsons there, to be disposed hereafter to keepe hospitalitie, in, and vpon the mansion house of the said Parsonage: then the said T. and R. B. for them, their executors and assignes doe couenant and graunt, to, and with the said W. S. clerke, his successors and assignes by these presents, that vpon two moneths warning therof to be given to the said T. B. and R. B. their executors and assignes, it shalbe lawfull to the said Parson and his successors, to haue and occupy the Hall and Butterie, and the Kitchin, with other houses of office expedient and necessarie for his and their hospitalitie, and stable roome for two geldings, parcel of the pmisses, with free entry, ingresse and regresse, into, and from the same, during and by all the time of his and their hospitalitie keeping there onely, and no longer: any thing herein expresse to the contrary notwithstanding. In witness &c.

The Bishops confirmation of the last Lease.

Et nos R. permissionē diuina C. & L. Episcopus diocesi. & Ordinarius Ecclesiæ parochialis de B. præd. ac Rector eiusdem nostræ C. & L. diocesi. visis & diligent' inspect' omnibus & singulis actis, factis, gestis, concessis, supraspecificat', habitaque primicus per nos in hac parte matura & diligenti examinatione, qui comperimus eadē omnia & singula ex iustis & rationalibus causis fuisse & esse fact' patrat' & concessa supranominatis T. B. & R. B. generos. ac assignatis suis ad terminum suprascriptum: Eadem omnia & singula, prout melius aut efficacius poterimus siue ualemus, 'authoritate nostr' Ordinari' & Pontifical', ad omne nostr' offic' qd̄ exinde sequi poterit, aut quoquo modo licet seu debeat, pro nobis & successoribus nostris quantum in nobis est, scienter & expresse ratificamus, approbamus & confirmamus per præsentē. In quorum omnium & singulorum fidem & testimonium, ac in maiorem eorundem corroborationem, sigillum nostrum presentibus apposuiimus. Dat' apud E. xxv. die mensis M. An̄ Dom̄ 1592. Et regni illustrissimæ in Christo principis, & dominæ nostræ Dnæ Eliz. Dei gratia &c. Reg. fidei defensor, ac in terr' Ecclesi. Angl' et Hiberiæ sup' capitis 24. Ac n̄c trans. primo.

The Deanes and Chapters confirmation thereof.

Et nos H. W. Decanus Ecclesi. Cathedral' Lich. & Capitul' eiusdem
visis

vifis & diligenter examināt & inspectis literis indentat̄ præſentibus iam annex. vna cum confirmatione domini Epifc' C. & Lich. ſup eisd', habitaque ſup eisdem deliberatione provida atque matura. Quia in hac parte conſiderand' inuenimus concessionem & ad firmam dimiſſionem Rectoꝝ in dictis literis ſpecific' ritē atque providē fore fact', idcirco ea omnia & ſingula in eisdem contenta (quantum ad nos attinet) acceptamus, approbamus, & ratificamus, eademque tenore præſentium auctoritate noſtra Capitulari &c. xxvij. die menſis Oct' Añ Doñ 1592. *vt proximo ſupra.*

A Leaſe of lands by Executors.

THis Indenture made &c. Betweene **M. P.** of the one partie, and **H. Sect. 448.**
M. and R. H. of &c. executoꝝ of the laſt will and teſtament of **R. B.** knight deceased, late Lord chiefe Juſtice of the common Place, of the other partie, Witneſſeth, that where the ſumme of xxx. l. of &c. being parcel of the late goods and chattels of the ſaid **R. B.** knight deceased, is for better ſuertie & advancement of certain of the childꝛen of the ſaid **R.** and for certain cauſes and conſiderations hereafter expreſſed, deliuered to the hands of the ſaid **T. W.** by order taken in the high court of Chancerie, by the right Hon. ſir **J. B.** Kn. lord Keeper of the great ſeale of **E.** & by the aſſent of the ſaid executoꝝ, vpon the hearing of the matter in controuerſie between **A. H.** & Dame **D. B.** his wife, late the wife of **R. B.** of thone partie, and the ſaid executoꝝ on thother partie. And where alſo the ſaid **M. P.** by his deed indented, bearing date &c. hath demised, granted, and to ſarme letten vnto one **G. T.** all that the manoz of **S.** with the members & appurtenances, ſet, lying, & being in &c. and all his meſuages, houſes, buildings, lands, tenemēts, rents, reuerſions, ſeruices, & hereditaments whatſoever with the appurtenances, ſcituatē, lying & being within ȳ pariſh of **S.** or elſewhere in the countie of **H.** To haue, hold, occupy & enioy, all the ſaid manozs &c. to the ſaid **G. T.** from the day of the date &c. vntill the end and terme of 20. yeares, then next & immediatly &c. Yeelding and paying therefoze yearely &c. Expꝛeſſing the ſumme, limiting the place and time of payment. By foꝛce whereof the ſaide **G. T.** in the ſaid &c. befoze demised hath entred, and is therof poſſeſſed accordingly. Now the ſaid **M. P.** & **T. W.** in perfoꝛmance of the ſaid order and conſideration of the ſaid ſumme of &c. to him the ſaid **T. W.** payed by the ſaid executoꝝ, befoze thiniſealing hereof as is afoꝛeſaid, which ſaid ſumme &c. alwell the ſaid **M. P.** as the ſaid **T. W.** acknowledge to be receiued of the ſaid executoꝝ, & thereof & of euerie part and parcell thereof doe acquite, diſcharge, and releaſe the ſaid executoꝝ & euerie of them, their

their &c. and assigns by these presents, haue giuen, graunted, bargained and sold, and by these presents for them and their heires, do clearly giue, grant, and sell to the said H. P. and R. H. and to their heires and assigns, all the reuerſion, remainder, right, vse and interest of the said manoz of S. and other the pzemisses. And of all lands, tenements, meadowes, pastures, woods, vnderwoods, rents, reuerſions, seruices, aduowſons, and hereditaments whatſocuer of the said P. P. within the said parish of S. and all the estate, title, vse, and interest of them the said P. and T. and each of them, of, and in all and singular the said manozs, lands, rents, and all other the pzemisses, with the appurtenances: And all the evidences, deeds, writings, and muniments concerning the pzemisses, oz anie part oz parcell thereof. To haue and to hold all the said &c. (*vi supra*) and all their evidences, dæds, writings, and muniments concerning the same, to the said H. P. and R. H. and to their heires and assigns for euermoze, to the proper, vse and beholfe of the same H. and R. his heires and assigns for euer. In witnesse &c.

A Lease for yeares, whereupon an Eiection firme may be brought, which must be deliuered vpon the lands leasèd, and commence at some day before the date thereof, which some thinke to be without the compasse of the Staunte of buying of Titles.

Sec. 449.

THis Indenture &c. Betweene G. S. on the one partie, and P. T. of the other partie, Witnesseth, That the said G. S. hath demised &c. and by these presents doth demise &c. vnto the said P. T. &c. To haue and to hold &c. vnto the said P. T. his executozs &c. from the feast of &c. last befoze the date hereof, vnto the full end and terme of &c. fully to be complete and ended. And it is the true intent & meaning of these present Indentures, & of all the said parties to the same, that neither the said P. T. oz his executozs &c. shall take anie benefit oz profit of the said tenements & pzemisses, oz anie part thereof to his own vse, by reason oz vertue of this present grant oz demise, but onely that he, shall therein haue an estate, as is afozesaid, & be there vsed as lessee, oz means to the only intent that y^e estate, right, title, possession, & interest of the said G. S. of, in & to the said tenements & pzemisses may be lawfully tried and recovered, with cōuenient expedition by writ oz writs of Eiectione firmæ, oz otherwise, at the onely costs and charges of the said G. S. his heires, executozs and assigns. And therfoze it is by these presents couenanted &c. by and betwēn the said parties, and either of them for himselfe, his heires &c. doth couenant, grant, & agree, to & with
the

the other, his heirs, executors, administrators, and assigns, and enery of them by these presents in maner & forme following: that is to say, that if, & when it shall happen the said *P. D.* his *et.* to recouer and obtaine the possession of the said demised tenements and premises, or of any part thereof, by reason or pretence of this present demise, in any action or suit thereupon to be commenced in the name of the said *P. D.* his executors, administrators, or assigns, or any of them, that within 20. daies after that the said *P. D.* or any of his executors, administrators, or assigns, shall be lawfully and actually possessed of the said tenements, & premises, or of any part thereof, by force & vertue of any such recoverie, or of any writ of Habere facias possess. or other such execution to be sued out vpon such recoverie, this present grant and demise shall cease and be vtterly frustrate, void, & of none effect, to all intents & purposes. Provided also alwaies, & vpon further condition following, viz. That if the aboue named *G.* his heirs *et.* do at any time hereafter pay or tender, or cause to be paid or tendered vnto the said *P.* his *et.* *xy.* pence of *et.* or in *et.* for the said tenements & demised premises, that then also, & thenceforth, and at all & every time & times, it shall & may be lawful to & for the said *G. S.* his heirs *et.* and enery, or any of them, into all the said tenements & demised premises, with the appurtenances, & every part thereof, to recenter, and the same to haue againe & repossesse, as in his former estate & right, and the said *P. D.* his executors *et.* and enery of them, therout vtterly to expell & amoue, as if this present grant or demise had neuer bin had ne made: any thing therein contained to the contrarie thereof in any wise notwithstanding. In witness &c.

Covenants and Conditions which may be used in Leases.

AND it is agreed &c. That if it shall happen the said houses & build- Sect. 442.
 ings to the said seite of the said manor belonging, or any of them, at any time hereafter, during the said terme of *et.* to be waiked, destroyed, or otherwise decayed by the *B.* sovraine enemies, that then for all such reparations and decayes of the same, the said *R. L.* to be clearly acquitted *et.* any covenant herein aboue rehearsed to the contrarie *et.* And the said *R.* covenanteth, that he the said *R.* shall inhabite, abide, and dwell, in, and vpon the aforesaid manors, lands, tenements, *et.* or cause an able person to inhabite and dwell, in, and vpon the said demised manor, tenements, and premises, and so occupy and manure the same during the said terme of 27. yeres *et.* And also, that neither the said *R. L.* nor *et.* shall at any time, during the said terme, do, make, or cause to be made, any waste or spoyle, in, or vpon the pre-
 misses,

misses, or any part thereof. And also, that they the said R. L. &c. and every of them, and their executors &c. shall permit and suffer the said A. &c. his heires and assignes, to keepe all and every their Courts of the said manor, at, and in such places of the said manor, as they have heretofore used to have bin kept, and to and for all and every the suiters of the said manor, and every other person and persons that shall have cause or occasion to come or resort vnto the said Courts, and every, or any of them, freely to come or go, to, and from the same, without any let, disturbance, vexation, or interruption of the said R. L. &c. his executors, &c. and every, or any of them, during &c. And the said A. &c. doth covenant &c. that he the said R. L. &c. shall and may lawfully at all times hereafter, when, and as often as need shall require, during the continuance of this present Lease, cleanse and rid any part or parcel of the said demised tenements and premises, of, and from all manner of brambles, briers, bushes, and thornes, and other shrubs, for the amending and bettering of the same tenements and demised premises, or any part thereof. And that he the said R. L. his &c. shall at all times hereafter during the continuance of &c. preserve & keepe harmlesse from damage and hurt of cattell, or other negligent spoile, all the woods and underwoods growing in or vpon &c. or any part or parcel thereof &c. And that no manner of cattell at any time or times of the yere, sauing onely betweene the first day of Nouember, and the first day of Aprill &c. And that none other cattell or beasts, but calves and hoxles only, shall be put or suffered to be in the same woods and underwoods, or any of them &c. Prouided alwaies, and vpon condition following, viz. That if the said A. his executors &c. within one whole yere befoze the end and expiration of any of the said seueral termes of thzee yeres, shall giue or cause to be giuen to the said R. his executors, administrators, or assignes, or any of them, sufficient notice or warning to depart from the said &c. at the end of the said terme of thzee yeres, wherein the said notice or warning shall happen so to be giuen. And also, at, or befoze the end and expiration of the said thzee yeres, wherein the said notice or warning shall so fortune to be giuen, shall well and truly pay, or cause to be contented and paid, vnto the said R. his executors, administrators, or assignes, for every of the said terme of 21. yeres, which at the time of his or their departure from the premises, shall be to come and vncexpired, twentie shillings of good and lawfull money of England, at, or in &c. that then this present Indenture of demise, and all graunts and covenants therein contained, made on the part of the said A. to cease, and be vtterly frustrate, void,

and

and of none effect. And that then and thencefozth it shall and may be lawfull, to, and foz the said G. T. his executozs and administratozs, and euery of them, into all and singular the said ꝛc. to reenter, and the same to haue againe and repoſſeed, as in his ꝛc. And that he the said R. his executozs noz administratozs, noz any of them, shall not, noz will not, at any time during the said terme, assigne, let, set, oꝛ graunt the said mesuage ꝛc. oꝛ any part thereof, oꝛ the occupation thereof, oꝛ of any part thereof, to any person oꝛ persons that shal inhabit, dwell, lodge, oꝛ lie therein, without the consent and licence of the said A. his heires and assignes, first had and obtained in wꝛiting, vnder his oꝛ their hands and seales. And that he the said R. his executozs oꝛ administrators, befoze the Feast of Saint Michael the Archangell next insuing the date hereof, shall and will remoue and put away all such vnder-tenants, as now be, and dwell, in any part of the said demised tenements and pꝛemises. Prouided alwaies, and vpon condition following: That is to say, that if the said R. his executozs and administrators, and euery of them, doe not well and truely, during the said terme, pay, oꝛ cause to be paid, vnto the said A. his heires, deputies, oꝛ assignes, the said yerely rent of thirty foure shillings and foure pence, at the feasts and times abouesaid, and well and truely obserue, fulfill, and keepe all the couenants in these presents contained, according vnto the true meaning hereof : That then it shall and may be lawfull, to, and foz the said A. his heires and assignes, and euery of them, into the said demised tenements & pꝛemises ꝛc. to reenter ꝛc. He the said A. doth covenant ꝛc. vpon reasonable request, at all times needefull, to assigne and deliuer, oꝛ cause to be assigned and deliuered to the said R. his executozs and assignes, within foureteene miles of the said mansion house of the said manoz of H. sufficient timber-trees foꝛ the repairing of the said mesuage & tenement. And that the said R. shall haue and enjoy from time to time, at all times hereafter, during the said terme, to him and his executozs, administrators, and assignes, in and vpon the downes, commons, walkes, heathes, and Sheepe-pastures, belonging to the mannoz of T. in the said Countie, sufficient gate, running, pasture, course, and feeding of a hundred sheepe, without any let oꝛ interruption of the said A. his heires, executozs, and assignes, farmers and occupiers of the said mannoz and pꝛemises, oꝛ of any other person oꝛ persons, by his oꝛ their consent, meanes, oꝛ procurement, with fræ liberty, ingresse, egress, and regress, into, in, and from the same grounds, with all the said sheepe, at all and euery time and times conuenient: foꝛ which pasture to be had in foꝛme afozesaid,

the

the said R. covenanteth &c. by these presents, to content and pay unto the said A. his executors &c. yerely at the feast of S. Mich. during the said terme for the pasture of every sheep to be so pastured as aforesaid foure pence &c. And that if the said R. his heirs &c. and every of them, shall not quietly and peaceably have, hold, occupie, and enjoy the said tenements and premises, with the appurtenances, during the said terme of 21. yeares, according to the true meaning of these presents: That then, within fortie daies after, the said A. his executors or assignes, shall be lawfully elected, evicted, or expelled from the said demised tenements and premises, or any part thereof, by the said J. P. his heires, executors, administrators, or assigns, or some of them, shall and will well and truly pay and allow, or cause to be payed and allowed unto the said R. his executors, administrators, or assigns, or some of them, for every whole yere of the said terme of 21. yeares, which shall be to expire or expend at the time of such eicement, eviction, or expulsion out of the premises, or any part thereof, 20. Shillings of lawfull English money, in the said mansion house of the premises, and so much money as he may then have for so many of the yeres of the said terme, as at the same time of such eviction shall be vnspent, as the same shall be deemed to be worth by two indifferent men, which shall be chosen by him the said R. and A. his executors, administrators, or assigns, having respect unto such profit, as the said R. might have by reason of the said lease. And the said G. P. doth covenant &c. that neither he the said G. P. his executors, administrators, nor assigns, nor any of them, shall not, or will at any time, during the said terme of one and twenty yeares, plow, cause, nor suffer to be plowed, the said close, called T. or any part thereof, without the consent of the said J. P. his heires or assigns, first had and obtained in writing. And that he the said G. P. his executors, administrators, and assigns, and every of them, shall and will, during the said terme, keepe, vphold, and maintaine, all houses, hedges, and fences, in, and about the said tenements and premises, and in the end of the same terme leave the same tenantable at the sight of two reasonable men, to be chosen by the said parties indifferently, to view and order the same. And that the said R. his executors, administrators, and assigns, shall and will yearely, during the said terme, pay, or cause to be paid all such money as shall be due for the winter pasture and in-lapes, due or vsed to be paid for the said close, with the appurtenances, called T. and thereof acquite or saue harmelesse, or discharge, the said A. his heires, executors, administrators, and assigns, and every of them. And the said A. &c. doth

Ad. P. A. for himselfe or his assigns
 & assigns to be laid a bestowd
 upon & laud aforesaid

repaid

covenant &c. that it shal and may from thencefozth for ever be lawfull,
 to and for the said R. his executozs and assignes of the said pzemisses
 at all times hereafter, & from time to time, to haue, and take the com-
 modities and vse of the water, at and in a certaine pond in W. afoze-
 said, commonly called W. pond, aswell for the watering of his & their
 cattell and beafts thither to be bzought, dziven o2 ledde, which at anie
 time hereafter shall be kept, remaine, o2 be, in o2 vpon the said tene-
 ments and pzemisses, as also to fetch, take, and carrie the said water,
 at and from the pond afozesaid, to be vled o2 occupied in anie place
 vpon o2 about the said demised tenements & pzemisses by anie tenant
 o2 tenants thereof, and also to haue conuenient way and free passage
 from the mansion house of the said tenement, to & from the said pond,
 for the said R. his executozs and assignes, to fetch, lead, and dzive all
 and all maner of cattell vnto the said pond, and to fetch and carrie the
 said water to be occupied, as is afozesaid, without anie lawfull let &c.
 And further the said R. L. for him &c. That if hereafter it shall happen
 the said A. his heires o2 assignes, o2 anie of them, to inclose anie par-
 cell of the pzemisses befoze by these pzesents demised to the said R. L.
 o2 anie other land o2 grounds in W. afozesaid, in o2 vpon which grounds
 & tenafts of W. afozesaid, heretofoze hath customably vled to haue com-
 mon of pasture, that then the said R. L. his executozs o2 assignes shall
 not by vertue of these pzesents from thencefozth pretend o2 claim any
 title to the said ground so to be inclosed, as is afozesaid. But shall per-
 mit and suffer the said A. his heirs o2 assignes, the same to inclose, and
 being inclosed, the same to occupie to his o2 their own vse, without let
 o2 interruption of & said R. L. his executozs, &c. during his said serme:
 So that the said grounds by the said A. hereafter to be inclosed, shall
 not exceed the quantitie o2 number of C. acres, and so that the said A.
 his heires o2 assignes, befoze such inclosure, do assign, appoint, allow
 and assure vnto the said R. L. his executozs, administrators, and as-
 signes, and euerie of them, for and in recompence of such grounds so
 to be inclosed, as much and as good other landes and grounds within
 the parish and fields of W. afozesaid, whereunto and from the which
 the said R. L. his executozs, administrators, and assignes shal and may
 haue as free and good comming and going as he now hath to and from
 such of & pzemisses befoze by these pzesents to him demised, as so shall
 be hereafter inclosed, The same other lands to be assured to the said
 R. L. his executozs, administrators, and assignes, in like maner and
 forme, and vnder like condition and couenants as hee o2 they should
 haue had o2 intoyed the lands o2 grounds so to be inclosed, if no such

inclosure were hereafter had or made, any article &c. And moreover the said A. for himselfe &c. that if in case the said A. decease before the expiration of the said terme of &c. or if the said A. at any time hereafter alien, give or grant over his whole interest and terme which he hath then or shall have, or and in the premises by vertue of this present Indenture, that then the executors or assignes of the said A. shall have, occupie or enjoy the same yearly from thenceforth during so many of the said yeares as shall bee to come of the said terme of &c. and shall yearly pay and deliver, or cause to be delivered unto the said A. L. or his assignes at &c. xij. gallons of wine sacke, good and perfect, or els r. s. of &c. at the feasts of &c. over & above the said yearly rent of &c.

A Lease for a yeare, and so from yeare to yeare during the willes of the lessor and lessee.

Sect. 451.

THis Indenture, &c. Witnesseth that the said A. B. hath demised &c. to the said C. D. To have and to hold the said mesuage &c. to the said C. D. and his assignes for the terme of one whole yeare next insuing the date hereof, and from yeare to yeare at the will and pleasure of the said A. B. and C. D. Yeelding to the said A. B. his heires and assignes yearly everie yeare that the said C. D. or his assigns shall have and occupie the said mesuage & premises by vertue of this present demise, r. s. of &c. at the feast &c.

Here may be added a clause of distress *nomine pena*, or reentrie for the rent, and such covenants as are in other leases, according to the qualitie of the estate.

A Lease at the will of the Lessor.

Sect. 452.

THis Indenture &c. Witnesseth, that the said A. B. hath demised &c. one mesuage &c. To have & to hold the said mesuage with the appurtenances to the said C. D. from the date hereof, so long as it shall please the said A. C. In witness &c.

It is needfull to have covenants that the lessee shall make reparations, and neither do nor permit any wast, because he is not therewith charged by law, but for voluntarie wast. Lint Sect. 71. & 83.

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Assigne-

Assignments:

An assignment of a Lease for yeares.

THis Indenture &c. Betweene C. D. &c. and E. F. &c. Witness- Sect. 453.
 sech, That whereas A. B. by his deed Indented sufficient in
 the Law, hath demised, graunted, and to ferme letten vnto the
 said C. D. one mesuage &c. (reciting the lands in the first Lease.)
 To haue and to hold to the said C. D. and his assignes, from the feast
 of &c. vntill the end of xxj. yeares then next ensuing, as thereby ap-
 peareth, reseruing thereby the yearely rent of &c. and with diuers
 couenants and agréments in the same Indenture contained: That
 now the said C. D. for &c. hath giuen, graunted, assigned, and set ouer
 to the said E. F. his executors, administrators, and assignes, the said
 mesuage &c. and all his estate, right, title, interest, terme of yeres, and
 demaunds, of, and in the same, and euery part thereof, together with
 the said deed indented. To haue and to hold the said mesuage, tene-
 ments, and premisses, and euery part thereof with the appurtenances
 to the said E. F. &c. during all the residue of the said terme &c.

It is requisite herein to haue Couenants of thassignors part to saue
 harmelesse of former Rents, Graunts, and charges: for the deliuerie of
 former deeds: That he is owner, in possession, and hath power to grant,
 and that thassignee may quietly inioy &c. And to make further assu-
 rance &c. And on thassignees part to pay the former Rents, and per-
 forme the former couenants &c. The like graunts may bee of Rents,
 charge, Common, and other things which he in graunt. *Mutas mu-*
standis.

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 assigner ne mesurage

An assignment of a terme during Minoritic.

THis Indenture &c. Betweene W. P. of thone party, and J. F. of Sect. 454.
 thother party, Witnesseth, that where our said Soueraigne Lady
 the Q. by her Indenture, vnder the Seale of her Court of Wardes &
 Liveries, bearing date the v. day of &c. last past, hath demised,
 & to ferme let, vnto the said W. P. one tenement with thappurtenau-
 ses, in the tenne of J. P. of the yerely value of &c. by yere &c. lying &
 being in L. in the County aforesaid, parcell of thinheritance of T. H.
 her Maiesties ward, son & next heire of G. H. deceased. To haue &c. the
 same premisses, to h̄ said W. P. & his assigns, during the minority of
 the

the said *W. D.* yeelding and paying thereto yearely to her highnesse the summe of *£c.* as by the same moze plainly appeareth amongst other things. And after the xvj. day of *£c.* last past, the said *W. P.* obtayned and had the licence of the said *Passer & Counsell* of the sayd Court of *Wards & Liveries*, to grant, bargaine, & sell his whole interest, right, and title, of, & in the premises; and euerie parcell thereof, during the minority of the said heire, vnto the said *J. F.* and his assignes, as by the indorsement of the said Lease moze at large appeareth. The sayd *W. P.* for, and in consideration of a certayne summe of money, to him the said *W. P.* before hand payed by the sayd *J. F.* whereof *£c.* hath bargained, sold, given, granted, assigned, & set ouer, & by these presents doth giue, grant, assigne, and set ouer vnto the said *J. F.* his executors or assignes, all that his right, title, interest, & terme of yeeres, of, and in the said premises with the appurtenances, together with the sayd Indenture, had or made vnder the scale of the said Court of *Wards and Liveries*. To haue & to hold the said premises with thappurtenances, & the said Indenture, to the said *J. F.* his executors & assignes, during the minority of the said *W. D.* The said *J. F.* his executors or assignes paying the yerely rent of *£c.* aforesaid, in the said lease referred, & performing, fulfilling, & obseruing all other couenants & articles, contained & expressed in the same Indentures. And the said *W. P.* for him, his *£c.* couenanted & granteth, to & with the said *J. F.* his executors, administrators, and assignes, that he the said *J. F.* his *£c.* and euery of them, shall quietly haue, occupy, & enjoy the said parcels of lands, and other the premises with thappurtenances before expressed, during the minority of the said heire. And that the same premises, & euery parcell thereof, at the time of the making of this present grant is, & shall continue during the minority of the said heire, discharged *£c.* (vt supra 67.)

An assignement of a Ward.

Sec. 455.

THis Indenture *£c.* (reciting the former Indenture till the first couenant) the custodie of *£c.* as by the same decde Indented among other couenants and agreements moze at large appeareth. Now the said *W. G.* for diuers considerations him mouing, hath granted *£c.* (vt supra) vnto the said *J. D.* aswell the said custodie, (vt supra 369: verbatim) belonging or pertaining, Together with all his right, title, and interest, which he the said *W. G.* hath by vertue of the agreement from our said soueraigne Ladie the *Q.* To haue & to hold & same vnto the said *J. D.* his executors & assignes, in as large & ample manner and forme,

fozme, as the said W. G. hath the same by fozce and vertue of the said graunt. And wheras the said W. G. together with one J. D. by their deed obligatorie &c. stand iointly bound vnto our said soueraigne Ladie &c. with condition therupon indozsed &c. that the said G. shall well and truly (vciinfra) the said J. D. doth couenant &c. that he the said J. D. his heirs &c. shall and will at all and euerie time & times, and from time to time hereafter well and truly keepe, defend, and otherwise saue harmelesse the said W. G. his &c. of and from the fozfeit and fozfe. of the said obligation, & of, and from arrests, imprisonment, suits, penalties, damages, or other fozfeitures & troubles whatsoever, which shall or may hereafter be had, made, done or suffered, in any maner of wise, by our said soueraigne Ladie the Q. by reason of the said bond, or by any other person or persons in her Matesties right, or by any reason or meanes of any couenant, condition, article, or other clause contained & specified in the said Indenture made &c. And finally the said J. D. couenanteth &c. that he the said J. D. his &c. shall and will at all time and times, and from time to time hereafter, well and truly performe, fulfill and accomplish all and singular the couenants, articles, conditions, & agreements contained & specified in the said Indenture made betweene our said soueraigne Ladie the Q. and the said W. G. according to the intent & true meaning of the same. In witness &c.

An Assignement of Statutes.

THis Indenture &c. Betweene H. F. of thone party, and C. D. of the Sect 456.
 other partie, Witnesseth, that wheras C. D. & A. B. by one statute Staple or recognisance, provided for recoverie of debts taken, recognised & sealed before C. W. knight chiefe J. of Eng. bearing date &c. are & stand bound vnto the said H. F. in &c. to be paid at a certain day now past, in the said statute or recognisance specified (as by the same more at large doth & may appeare.) And whereas also one D. H. of P. & the said C. D. are & stand bound vnto the said H. F. in the sum of &c. by statute of the Staple or recognisance provided for recovery of debts take, recognised & sealed before the said C. W. knight chief J. of Eng. bearing date the first day of &c. in the yere of &c. as by the said statute or recognisance doth also more at large appeare. And whereas the said H. F. is indebted vnto the said C. &c. And to the end the said C. F. his executors & administ. may be the more assured thereof, the said H. F. hath at this time deliuered the said two statutes or recognisances vnto the said C. and also for him &c. that the said H. F. his &c. and euerie of them shall & will at all times hereafter, and from time to time at &

vpon the costs and charges in the law of the said C. her executoꝝ, ad-
 ministratoꝝ and assigns, iustitie, perfoꝛme, maintaine, auoide, and to
 allow all such actions, plaints, acts, things, demises, processe, iudge-
 ments and executions as the said C. oꝛ her executoꝝ hath oꝛ may
 haue, oꝛ her oꝛ their learned Counsell in the law, Attorney oꝛ factoz,
 shall in the name of the said H. F. his executoꝝ oꝛ administratoꝝ,
 deuise, vse, bring, commence, attempt, affirme, oꝛ sue vpon oꝛ by rea-
 son of the said Statutes oꝛ Recognisances, oꝛ either of them, oꝛ foꝛ,
 oꝛ vpon the summes of money in the same contained, oꝛ anie part
 thereof, oꝛ foꝛ the getting oꝛ recovering of the same. So that the
 said H. F. his executoꝝ oꝛ administratoꝝ shall not at anie time here-
 after become nonsuit in any of the said actions, suits, oꝛ plaints, oꝛ
 by ante meanes willingly discontinue, miscontinue, oꝛ withdraue
 the same, and that he hath not had, noꝛ receiued the summes of mo-
 ney, noꝛ anie part noꝛ parcell thereof, and also that hee the said H. F.
 his executoꝝ oꝛ administratoꝝ, neither heretofoze hath done, vsed,
 committed, made, noꝛ assented vnto, noꝛ hereafter without the spe-
 ciall licence in wꝛiting of the said C. his executoꝝ oꝛ administratoꝝ
 shall doe, vse, commit, woꝛke, make and procure, suffer, knowledge,
 oꝛ assent vnto anie release, acquitance, discharge, graunt, couenant,
 act, thing, deuise oꝛ practise, to extinguishe, barre, release, determine,
 foꝛfeit, suspend, oꝛ auoid the said Statutes oꝛ Recognisances, oꝛ either
 of them, oꝛ the summes of money therein contained, oꝛ anie part oꝛ
 parcell thereof, oꝛ any action oꝛ actions, suits, plaints, processe, iudge-
 ments, oꝛ executions, which may, might, could, oꝛ ought to haue been
 had, vsed, oꝛ pursued foꝛ, vpon oꝛ by reason of the said Statutes oꝛ
 Recognisances, oꝛ either of them, oꝛ foꝛ, oꝛ vpon the summes therein
 contained, oꝛ anie part oꝛ parcell thereof. And further, that the said
 C. her executoꝝ oꝛ administratoꝝ shall and may haue, vse, take, per-
 ceive and enioy, to her and their vse without any accompt to be had oꝛ
 demanded against her oꝛ them in that behalfe, all and singular such
 benefites, profites, commodities and aduantages, of, foꝛ and vpon
 the said Statutes oꝛ Recognisances, and the summes therein con-
 tained, as the said H. F. his executoꝝ and administratoꝝ heretofoze
 could oꝛ might, and hereafter can, oꝛ may haue, take oꝛ enioy, of, foꝛ
 & vpon the same by any maner of waies oꝛ meanes whatsoever. And
 furthermoze that the said H. F. his executoꝝ and administratoꝝ, in
 case the said summes of money, oꝛ any of them be lawfully tendered oꝛ
 paid vnto the said H. F. his executoꝝ oꝛ administratoꝝ shall and will
 at all times hereafter vpon request reasonable to him oꝛ to them to be
 made,

made, deliuer, and pay the same ouer to the said C. his executozs oꝛ adminiſtratozs, to her oꝛ their owne pꝛoper uſe. And alſo that the ſaid H. J. his executozs and adminiſtratozs, in caſe any goods, chattels, lands, tenements, oꝛ hereditaments ſhal be pꝛiſed oꝛ extended, vpon, oꝛ by vertue of the ſaid Statutes oꝛ Recognizances, oꝛ either of them, ſhall and will at all times then after, at, and vpon the reaſonable requeſt, coſts, and charges in the law of the ſaid C. her executozs oꝛ adminiſtratozs, make all ſuch aſſurances and conueyances in the law, of, and vpon all the right, eſtate, terme, title, intereſt, pꝛoperty, and demand of the ſaid H. J. his executozs & adminiſtratozs, of, in, oꝛ to the ſame goods, chattels, lands, and tenements, as by the ſaid C. her executozs oꝛ adminiſtratozs oꝛ her oꝛ their Couñſel learned, ſhal be deuifed, aduiſed, oꝛ required. And moreover, y the ſaid H. J. his executozs & adminiſtratozs, ſhall and will at all times hereafter vpon y requeſt of the ſaid C. her executozs oꝛ adminiſtratozs, and not otherwiſe, make, ſeale, and deliuer ſuch diſcharge, oꝛ releaſe, & acquitance, of, and foꝛ the ſaid Statutes and Recognizances, oꝛ either of them, oꝛ any part of the ſummes therein contained, as the ſaid C. her executozs oꝛ adminiſtratozs, oꝛ her, oꝛ their couñſel learned ſhall deuife oꝛ require. And furthermore that the ſaid C. her executozs oꝛ adminiſtratozs ſhal and may at all times hereafter without ſuite, action, oꝛ trouble of the ſaid H. J. his executozs oꝛ adminiſtratozs, keepe and retaine the ſaid Statutes oꝛ Recognizances in her oꝛ their hands oꝛ poſſeſſion, and ſheu the ſame ſozth, at, oꝛ in any Court oꝛ Courts, there to maintaine action, oꝛ pꝛocure execution, as the caſe ſhall require, oꝛ otherwiſe at her oꝛ their pleaſure: And becauſe the ſaid C. may haue lawfull authoritie to ſeeke the benefits of the ſaid Statutes oꝛ Recognizances, accozding to the true meaning, purpoꝛt, and effect of theſe pꝛeſents aboue declared, the ſaid H. J. hath nominated, inſtituted, and appointed, and by theſe pꝛeſents doth nominate, inſtitute, and appoint, (As in letters of Attourney.)

Confirmations.

IT now appeareth partly how enery ſeueral Eſtate may be created, wherefore it ſeemeth verie meete, if ſuch Eſtates ſhall happen to be defeaſible, to ſheu how the ſame may be made good, which may be done by Confirmation or Releaſe of him which hath a better or longer

Sec. 457.

estate in the thing granted then the Tenant thereof hath: for *Confirmare* by *Littletons* minde, *Secl'* 522. is nothing else but onelic *firmum facere*, namely, to make strong and sure such an estate, as before the same Confirmation, was for some cause voidable, and yet not meereley void. Deedes of Confirmation bin made thus.

Confirmation in fee.

NOuerint vniuersi per præsentēs me A.B. ratificasse, approbasse, & confirmasse C.D. in plena & pacifica possessione & seisiñ existē, totum statum, possessionem, & interesse, quæ habeo, de & in vno mesuagio cum pertinentijs in L.&c. To haue and to hold the said mesuage &c. to the said C.D. his heires and assignes for ever: Wh̄ the heires of his bodie, or other wise, as his estates is which you would confirme, with such warranty and couenants as be in other conuynances, at the pleasure of the parties.

Also in Confirmations it is not amisse in the p̄misses of the deed, specially to recite the estate of the Tenant which must be confirmed, and also the estate of him that shall confirme, and to expresse the consideration thereof, if any such be.

A Confirmation of the office of a keeper of a Parke, Warren, Baylife, and Steward.

Henicus Dei gratia Rex Anglię &c. Omnibus &c. Sciatis quod cum dilectus consanguineus nostr̄ L.V. Comes Oxon̄, ac Margarete consors eius Comitissa Oxon̄, seisi de manijs de M & B. sibi et hæred̄ masculis de corpor̄ suo exeunt̄, reuersionē inde nobis & hæred̄ nostris spectant̄, p̄ l̄ras suas dat̄ &c. Dederunt & concesser̄, & per eandem literas confirmauerunt dilectis seruiēt̄ suis I.P. & I.D. armigeris officiū Parcarij parci sui de M. vna cum officio Balliui maneriorum de M. et B. cum custod̄ Warren̄ suarū ibidem, ac eisdē I.P. & I.D. parcarios parci p̄d̄ balliuos p̄d̄ maneriorum de M. & B. ac Seneschall' ibidem, necnon custod̄ Warren̄ suarum p̄d̄, p̄ scriptum suum p̄d̄ fecerit, ordinauerit, & constituerit. Habend̄, tenend̄, et exequend̄ dicta officia Parcarij, Balliui, Seneschall', seu custod̄ dictarum warren̄ suarum p̄d̄ I.P. et I.D. durāte vita ipsorum I. & I. ac vtriusque eorum diutius viuentis. Percipiend̄ annuatim in et per occupationem et executionē officiorum p̄dict̄ et eorum cuiuslibet, tanta & talia feoda, vadia & regar̄, proficua, et emolument̄, quanta p̄dictus I.P. pro eisdem officijs et eorum quolibet aliquo tempore

præante habuit & percepit. Reddend̄ & faciend̄ annuatim verum & fidele compositum coram auditor̄ dicti Comit̄ & Comit̄. pro tempore existē, in, & pro occupatione officij Balliui præscript̄. Cum etiam prædict̄ Comes & Comitissa per easdem l̄ras suas dederunt & concesserunt præfat̄ I. D. officium custod̄ manerij sui de M. prædict̄ Habend̄, percipiend̄, occupand̄, & exercend̄ idem officium per se, aut suum sufficientem deputat̄, durante vita eiusdem I. D. cum oībus & singulis vadijs, regardis, proficuis, & emolumentis eidem officio ab antiquo debet̄ & consuet̄, prout in eisdem literis plenius continetur. Post cuius donum & concessionē p̄d̄ I. P. obiit, & p̄d̄ I. D. cum superuixit, & tenet, occupat, & possidet officium p̄d̄ virtute concessionis prædict̄ per ius accretend̄. Sciatis nos de gratia &c. ac pro bono seruitio nobis per p̄dictum I. D. impenso & imposterum impenden̄, ratificasse, approbasse, & confirmasse præfat̄ I. D. officium p̄dict̄ pro termino vitæ eiusdem I. cum annuali feodo decem lib̄, ac cæteris regard̄, proficuis, & emolumentis p̄dictis. Ac etiam dedimus & concessimus, & per p̄sentes damus & concedimus p̄fat̄ I. D. quod si contingat p̄dict̄ Comitem & Comitissam sine hæred̄ masculo de corpore suo legitime procreat̄ obire, quod tunc p̄dict̄ I. D. habebit, tenebit, et possidebit p̄dict̄ officia & eorum quodlibet, cum prædict̄ vadijs, et decem lib̄ annuatim capier̄, vna cum cæteris vadijs, regardis, proficuis, & emolumentis eidem officio & eorū cuiuslibet spectant̄ siue p̄tinent̄. Habend̄, tenend̄, & exercend̄ p̄dict̄ officia & eorum quodlibet, per se, vel per sufficientem deputatum suum, siue deputatos suos, durante vita ipsius I. D. In cuius rei &c. Teste &c.

A Confirmation of an Annuity, with a graunt of another in allowance of Dower.

OMnibus Christi &c. R. A. de E. filius & hæres R. A. defunct̄ &c. Sciatis quod cum idem R. A. pater meus, per scriptum suum gereñ dat̄ &c. dedisset, concess. & confirmasset cuidam A. R. quandam annuat̄ siue annual̄ reddit̄ xx. lib̄, exeunt̄ de, & in toto ill̄ campo suo vocat̄ C. iacē in villa de B. in Com̄ p̄dict̄: Habend̄, percipiend̄, & leuand̄ annuatim, durante toto term̄ vitæ eiusdem A. ad festa &c. cum clausula distric̄tion̄ p̄ non solutione eiusdem reddit̄, prout in eodē scripto inter alia plenius apparet. Et cum postea idem R. A. pater meus duxit in vxorem A. R. p̄dict̄, et duran̄ sponsal̄ inter eos, idem R. A. pater obiit, & p̄d̄ A. ipsum superuixit, et iam sup̄stes in plena vita existit, ac p̄dict̄ annuali reddit̄ gaudeat, & habere debeat. Noueritis ergo me præfat̄

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præfat R. A. filium, tam ratificasse, approbasse, & hoc præ senti scripto meo confirmasse eidem Ag. A. viddux, totū statum, titulum, & interesse eiusdē, de, & in p̄dict' annual' reddit' xx. lib̄, quam dedisse, concessisse, & hoc p̄ senti scripto meo confirmasse eidē A. quandam aliam annuitatem siue annualē reddit' xxx. lib̄, exeunt tam de, & ex p̄dict' campo vocat C. quam de, & in omnib', alijs terris & tenementis meis cum percū in B. p̄dict' : Habend', gaudend', & percipiend', tam diē annual' reddit' xx. lib̄, quam p̄dict' annuitatē siue annual' reddit' xxx. lib̄ per an̄ p̄fat R. A. & assign' tuis, durante toto termin' vitæ natural' eiusdem R. A. ad festa &c. p̄ x̄quales porc' soluend', in plenam & integram allocationem & satisfact' totius dotis & iunctur' eiusdem Ag. de, & in oībus & singulis terris & tenementis, et hereditariis, tam liberis quā customarijs, quæ tunc p̄dict' R. A. patris mei. Et si contingat p̄dict' annual' reddit' &c. (As in distresses for Wents and nomine poenæ.) In cuius rei &c.

*A Confirmation by the Ordinarie and Patron of
the Parsons lease.*

Sect. 459.

TO all true Christian people to whom this present writing shall come to be scene, heard, or read, W. J. by the grace of God Bishop of L. and Ordinarie of the Rectorie and Parsonage of S. in the Countie of ꝛc. and R. herie inheritor, owner, & Patron of the said Rectorie and Parsonage of S. send greeting ꝛc. Know yee vs the said B. and P. with one assent & consent, at y' speciall and instant desire aswel of one C. as one J. clerke, Parson of S. aforesaid, to haue scene, read, examined, & perfectly vnderstood one Indenture of a Lease, bearing date ꝛc. made by the said J. vnto the said C. and to his assignes, of the Rectorie & Parsonage of S. aforesaid. And of all maner of tith cozne, hay, meadowes, glebe lands, leasures, pastures, tith hempe, flax, oblations, obventions, and al other tithes, profits and comodities whatsoever they be to the said Rectorie and Parsonage belonging & appertayning in S. ꝛ. and W. aforesaid, or elsewhere within the said county ꝛc. To haue and to hold the said Rectorie & Parsonage, tithes, and all other the premises with the appurtenances to the said C. and his assignes, from the feast of ꝛc. vntill the end & terme of ꝛc. Yeelding and paying therefoze yerely vnto the said J. and to his successors & assignes ꝛc. at the feast ꝛc. during all the said terme ꝛc. Which said Indenture of lease of the said Rectorie & Parsonage, & all other y' premises with ꝛc. to the same Rectorie & Parsonage belonging or pertaining, and al and euery thing & things, couenants, grants, and agreemēts therein containe

contained and specified, we the said J. B. and the said Patron, for his and our heires and successors by these presents do confirme, ratifie, allow & establiſh. To haue and to hold the said Parsonage, glebe lands, tithes, obligations, obventions, & all other the premises, mentioned & contained in the said Indenture of Lease to the said C. his executors and assignes, from the feast of *trinitatis* vnto the end & terme of *trinitatis*. Yeelding and paying vnto the said J. and to his successors and to their assignes the said yearly rent of *trinitatis*. at the daies and feasts in the said Indenture specified and contained, and all other payments and couenants in the said lease mentioned. In witness &c.

Surrenders.

What a Surrender is.

AN Instrument of Surrender is an instrument, testifying with apt words, that the particular tenant of landes or tenements for life or yeares, doth sufficiently consent and agree, that he which hath the next immediate remainder or reuerſion thereof, shall also haue the particular estate of the same in possession, and that he yeeldeth or giueth the same vp vnto him. For euerie Surrender ought forthwith to giue a possession of the thing surrendered, of which be diuers sorts, as followeth. Sect. 460.

A Surrender of an estate for life.

THis Indenture made *trinitatis*. Betweene G. S. of the one partie, and W. D. daughter of K. D. of thother partie, Witnesseth, that whereas the said W. D. is, and standeth seised for terme of her life, by vertue of god conuenance and assurance in the law, of and in the seuerall mesuages, lands, tenements, and hereditaments with thappurtenances, situate, lying, & being in S. in the countie of E. hereafter specified and mentioned: that is to say, of and in *trinitatis*. the mediate remainder thereof being to the said G. S. and the heires males of his body lawfully begotten, with sundrie other remainders ouer, and the remainder lastly to the right heires of the said G. S. for ever. Now the said W. D. for and in consideration of *trinitatis*. & for sundrie other good considerations her mouing, hath surrendered, granted and confirmed, & by these presents doth surrender, grant, and confirme to the said G. S. all & singular the *trinitatis*. befoze mentioned, Together with all deeds, euidences and writings whatsoeuer, which the said W. or any other to her vse, or by her deliue.

vestmentie or appointment, or the said R. D. have or hath concerning in any wise the premises, or any part thereof. To have and to hold &c. And also the said R. D. doth covenant &c. for him &c. as in covenants to discharge of incumbrances, *supra* 67. with all other necessarie covenants and conditions.

A Surrender to one in remainder.

Sec. 462.

OMnibus &c. Cum I. K. pater meus per chartam suam, feoffamenti dederit & concesserit mihi pfr. T. unum mesuagium cum suis pertinentiis in villa de B. pfr. scituatum inter tenentem R. W. ex parte Australi, & stratum Regium versus Boream. Habendam & tenendam mihi pro termino vite mee, Ita quod post decessum meum, pfr. mesuagium cum suis pertinentiis R. H. fratri meo, hæredibus & assignis suis imperpetuum remaneret. Noueritis me pfr. T. concessisse & sursum reddidisse præfat. H. fratri meo totum ius meum & statum quæ habeo pro termino vite mee in prædicto mesuagio cum suis pertinentiis: Habendum & tenendum eidem H. hæredem & assignis suis imperpetuum de capitalibus &c.

A Surrender to one in reversion.

Sec. 463.

OMnibus &c. K. R. &c. Cum quidam I. R. de N. Mercer, per chartam suam feoffamentem, gerentem daret &c. dederit mihi præfat. K. R. totum illud tenentem &c. Habendam & tenendam dicti tenentem cum suis pertinentiis mihi præfat. K. R. pro termino vite mee, Ita quod post decessum mei ipsius K. præfat. tenentem &c. pfr. I. R. & hæredem suis reuerterit, prout per dictam chartam patet manifestius. Noueritis me præfat. K. R. concessisse, & sursum reddidisse ac per præsentem concedere & sursum reddere pfr. I. R. tenentem præfat. &c. ac totum ius meum & statum quæ habeo pro termino vite mee, de, & in eodem tenentem &c. Habendam & tenendam præfat. tenentem &c. præfat. I. R. hæredem & assignis suis, ad solum opus ipsius I. R. & hæredum suorum imperpetuum, de capitalibus dominis feodi illius per seruitia inde debita, & de iure consueti per præsentem. In cuius rei &c.

A Surrender upon condition by tenant for life, to the end a reuerſie may be sued against him in reuerſion, and the estate for life preserved.

Sec. 464.

THis Indenture &c. in the xxv. yeare &c. Betweene J. F. and J. his wife, late wife of K. L. deceased, of the one partie, and C. D. on

on the other partie, Witnessech, That where the said J. F. and J. his wife, as in the right of the said J. his wife doth hold for terme of the life of the said J. his wife, diuers and sundrie lands, tenements, and hereditaments in W. F. H. and T. within the Countie of P. and being the late inheritance of the said R. D. the immediate remainder or reuerſion of all and ſingular the said lands and premisses expectant to the said C. D. and to his heires, or to the heires of his bodie lawfully begotten for euer. Now the said J. F. and J. his wife, as well for the consideration in this Indenture mentioned, as also for the perfecting of an estate or conueiance to be had and made in consideration of a marriage hereafter by Gods grace to be solemnized, betwene C. T. and J. D. daughter to the said C. D. haue graunted and surrendred, and by these presents do grant and surrender vnto the said C. D. & his heires, vpon condition hereafter in this Indenture mentioned, all and ſingular the said lands, tenements, hereditaments and premisses befoze in this Indenture mentioned, and euerie part and parcell thereof, And all such other lands, tenements & hereditaments as the said J. F. and J. his wife, as in the right of the said J. haue, or of right ought to haue therein, for the terme of the life of the said J. being the late inheritance of the said R. D. her late husband, and all the estate, right, title, and interest which they the said J. F. and J. his wife, as in the right of the said D. J. haue, or of right ought to haue, in, or to the premisses, or anie part or parcell thereof. To haue and to hold the said lands, tenements & premisses, and the state, right, title and interest of the said J. F. and the said J. his wife, in, and to the said lands, tenements, and premisses, vnto the said C. D. and his heires. Vpon condition, that if the said C. D. doe not well and truly content and pay, or cause to be wel and truly contented and paid vnto the said J. F. and J. his wife, or their assignes, the summe of 1000. l. of ec. (As in clauses of payment) That then and from thenceforth this present grant and surrender to be vtterly void and of none effect. And that from and after such default of paiement of the said sum of 1000. l. at the time and place aforesaid, it shal be lawfull to, and for the said J. F. and J. his wife, and their assignes, to enter into all the said tenements and premisses, and the same to haue again, reposseſse, and enioy, as in their former estate. And the said C. D. doth couenant and graunt, for him, his heires, executozs, and administrators, and euerie of them, to and with the said J. F. and J. his wife, that he shall permit and suffer the said J. F. and J. and their assignes, to take the rents, issues, and profits of the said landes and premisses to their owne

done use, without any accompt thereof making, vntill the feast of S. Martin &c. which shall be &c. 1594. if the said J. the wife do so long liue. In witnesse &c.

A Surrender of Leases for yeares.

Sect. 465.

TO all Christian people to whom this present writing shall come, R. A. and J. K. send grating in our Lord God everlasting. Whereas by deed indented, bearing date &c. made betweene T. W. deceased, and P. then his wife of the one party, and the said R. A. on the other party, the said W. did demise, grant, and to ferme let to the said R. A. their manoz of H. B. with their appurtenances, lying and being in H. in the said County of &c. To haue and to hold the said manoz, & other the premises, to the said R. A. his executozs &c. from the feast of S. Michaell &c. then next insuing, vntill the end and terme of xij. yeares then next &c. fully to be complete and ended, as by the said deed indented it doth plainly appeare. And where also by deed indented, bearing date &c. made betweene the said T. W. and T. S. and the said R. A. &c. the said W. and T. S. did demise, graunt, and to ferme let vnto the said R. A. all those their woods, vnderwoods, lands &c. To haue and to hold the said woods, and vnderwoods &c. buto the said R. his executozs and assignes, from the feast of &c. next insuing the date of the last recited deed indented, vntill the end and ferme of one and twentie yeares then next insuing. Except and alwaies reserved vnto the said W. T. and to their heires, all maner of timber trees, and trees like to proue timber trees, of what yeares oz growth soeuer they were, then growing, in, oz byon the premises, as by the same deed indented last recited it doth and may appeare &c. The estate and interest of the which said R. A. in the said lands, tenements, meadowes, pastures, and sardings, graunted by the said recited deeds indented, the said J. K. now hath. Know yee now, that the said R. A. and J. K. soz diuers considerations them moning, haue giuen, graunted, and surrendered, and by these presents doe giue, graunt, and surrender vnto T. W. and T. S. all their right, estate, interest, and ferme, and all the right, estate, and ferme of either of them, that they, oz either of them had, haue, oz ought to haue, of, in, oz to the said manoz of H. B. and other the premises demised, graunted, oz letten to ferme by the first recited deed indented. Except alwaies and sozpyssed to the said R. A. his executozs, administrators, and assignes, during the terme of the said last recited deed indented, all the right, title, interest, estate, and ferme, that he the said R. A. now

now hath, may haue, or ought to haue, in, and to the said woods, br
 derwoods, and other the premises demised vnto the said R.A. by the
 last recited deed indented, to be had and enioyed to the said R.A. his
 executozs, &c. according to the tenor and forme of the said last recited
 deed indented. To haue and to hold the said Manor of H.B. and o
 ther the premises by these presents, granted and surrendzed, with
 their appurtenances (except befoze excepted by these presents) vnto
 the said T.W. and T.S. their heires and assignes for ever. And the
 said R.A. and J.R. for them, and either of them, and the executozs
 and administrators of euery of them, doe covenant and grant, to, and
 with the said T.W. and T.S. and the heires, executozs or assignes of
 euery of them, that the said Manor of H. and other the premises by
 these presents granted and surrendzed (except befoze excepted) at the
 time of the making of these presents, be, and shall be for ever hereafter
 cleerely acquitted and discharged, or otherwise saued harmelesse of &c.
 As in couenants to saue harmeles. In wicnes &c.

Releases.

What a Release is.

A Release is an instrument, whereby estates, rights, titles, entries, a- Sect. 466.
 ctions, and other things bee sometimes extinguished, sometimes
 transferred, sometimes abridged, and sometimes enlarged, of which see
 these examples.

A Release made to the tenant for terme of yeares.

Omnibus &c. Cum R.W. de O. teneat me præfat I. vnum tene-
 mentum cum suis pertinẽ quod idem R. inhabitat, in &c. pro ter-
 mino annos &c. Noueritis me præfat I. remisisse, relaxasse &c. Ita quod
 nec ego, nec hæredes mei &c. Sed ab omni actione iuris, clamei &c.
 Datum &c.

A release to the tenant of the freehold.

Omnibus &c. T.R. filius & hæres C.R. armig' defuncti salutem
 in domino sempiternam. Noueritis me præfat T. remisisse, relaxaf- Sect. 467.
 se, & omnino pro me & hæred' meis imperpetuum, quietum clamasse
 per præsentis R. D. armig' in sua plena & pacifica possessione
 existent

existent, hæred' & assign' suis imperpetuum, totum ius meum, titulum, clameum, demand' & interesse, quæ vnquam habui, habeo, seu quouis modo in futur' haberi potero vel poterint hæred' mei, de, & in maner' de R. in com' K. cum omnibus terris, tenementis &c. Ita viz. quod nec ego præd' T. nec hæred' mei, nec aliquis alius per nos, pro nobis, seu nomine nostro aliquod ius, titulum, clameum, demand' seu interesse, de aut in prædict' maner' de R. cum omnibus terris, tenementis &c. neque in aliqua parte seu parcella eorundem, de cætero clamare vel vindicare poterimus nec debemus quouis modo in futur', sed ab omni actione iuris, tituli, clamei, demandi, & interesse, de, & in eisdem penitus exclusi imperpet' per presentes. Et ego verò præd' T. & heredes mei præd' maner' de R. cum &c. p'f. R. D. hæred' & assignat' suis contra me & hæred' meos, ac contra omnes & singulas al' person' siue personas legitime habent' & clam' siue exigent', seu qui imposte' legitim' habeb. clamabunt siue exigent, præmiss. cum pertin', aut aliquam inde parcellam, aut aliquid iuris, tituli, status, interesse, seu aliquid aliud, de, in, vel ex præmissis cum pertinens, aut de, in, vel ex aliqua inde parcell', de, per, vel sub me præf' T. R. vel assign' meis, warrantizabimus & imperpetuum defendemus per præsentem. In cuius rei testimonium, &c.

A Release of right or interest in lands.

Sect. 468.

OMnibus &c. A. M. vidua relict' T. M. nuper de S. in Com' N. defunct', administratrix bonor' & catellor' quæ fuerunt T. tempore mortis, suæ, salutem in dño sempiternam. Sciat' me p'f. A. pro quadam pec' summa mihi per H. M. de S. p'd' filium meum præ manibus soluta, & imposte' soluend', Remisisse, &c. *vs supra*. Ita quod nec ego &c. Sciat' insuper me præf. A. M. remisisse, relaxasse, & omnino pro me & hæred' & execut' meis imperpetuum quiet' clamasse per præsentem p'f. H. M. hæredibus & executoribus suis oēs & omnimodas actiones, sect', quærelas, debita, compota, transgressiones, detentiones & demanda quæcunque, quæ, vel quas versus ipsum H. vnquam habui, habeo, seu quouis modo in futurum habere potero virtute administrat' præd', seu aliter quocunque modo, ab origine mundi, vsque in diem confectionis presentium. In cuius rei testimonium &c.

A Release to the Vendee.

Sect. 469.

OMnibus &c. I. L. de &c. Cum C. F. de N. habuerit, & perquisierit de me, præf' I. vnum tenementum in N. in parochia beatæ Mariæ

Marix virgin, in alto vic' seu platea. Habend' & tenend' eid' C. hered' & assign' suis imperpet', prout per chartam feoffemēti p me eid' C. inde cōfect' cuius dat' &c. plenius apparet: Noueritis me p'd I. remisisse, relaxasse, et omnino pro me & her' meis imp'et' quiet' clamasse p'f. C. her' & assign' suis, totum ius meum, clameum &c. Ita viz. In cuius &c.

A Release by the Mortgagee.

OMnibus &c. Noueritis me p'f. &c. p' p'sent' remisisse, relaxasse, &c. R. Sect. 470.
W. de O. hered', et assign' suis imperpet', totū ius &c. in vno tenemēto in O. cum suis p'riū quaz nup' habui ex don' et feoffamto p'd R. in O. p' modū morgagij pro xx. li. et quas mihi iam soluit et fatistecit q'd quidem tenētū cum iuis p'riū idē R. W. in sua plena possessionē iam habet. Ita viz. q'd nec ego &c. In cuius rei &c.

A Release of all actions.

NOuerint &c. remisisse, relaxasse, & omnino p' me hær' meis imperpetuū quiet' clamasse I. H. de B. &c. omnes et omnimod' actiones tam reales quam p'sonales scilicet querel' debi' exec' transg'r et demand' quas vel quē vnquam habui, habeo, seu in futur' quouis mod' hère poterō versus p'd I. H. ratione aut causa quacunque ab origine mundi vsque in diē confectionis presentium. In cuius &c. Sect. 471.

A Release of a Quare impedit.

TO all faithfull people to whō these p'zelēts shal come, to be heard, Sect. 472.
read, or seene, J. S. of D. in the county of C. sendeth greeting in our Loz'd God euerlasting. Whereas sute & controuersie, hath heretofore bin moued and depending betweene J. S. on the one party, & the reuerend father in God W. Bishop of C. on the other party, for, and cōcerning the collation of one R. C. clerke, in & to the Church of T. in the said countie of C. for & cōcerning the which p'zelentation, one Quar' imp' was brought by thasore named J. S. against the said reuerend father W. Bish. of C. & whereas by h' mediation of the right honozable sir H. S. order hath bin taken, in & cōcerning h' p'zelentes, & al matters and things concerning the same. Now know ye, that the said J. S. in accomplishment, & according to the said order hath remised, released, and for euer quite claimed, & by these p'zelents doth fully, frēly & abfolutely, remise, release, and for euer quite claime to the said reuerend

Father in God, *W.* Bishop of *C.* and to *R. C.* and to either of them, their executozs and administratozs, as well the sayd Action of Quare impedir, & all and all manner of disturbances, causes, matters, & things concerning the Church, oꝛ aduowson of *T.* afozesaid, as all other actions, suites, quarrels, debts, trespasses, cōtrouerfies, & demands, whatsoeuer had, made, moued, stirred, oꝛ depēding, betwæne ȳ said parties, oꝛ any of them, at any time oꝛ times, befoze the date of these presents of all which actions, quarels, suites, controuerfies, & demands, afozesaid, the said *J. S.* foꝛ himselfe, & his heirs, couenanteth and granteth, to and with the said *W.* Bishop, and *R. C.* their executozs &c. and at all times hereafter, well and sufficiently to acquite, oꝛ discharge, oꝛ saue harmelesse the same Bishop, & *R. C.* the executozs and administratozs of them, & either of them by these presents, In wicnesse &c.

A Release of a Communication of Matrimonie.

Sect. 473.

THis Bill made the *x.* day of *ꝛc.* in the *ꝛc.* Whereas a Cōmunication of mariage hath heretofoze bin moued, & had, betweene *S. T.* on thone party, and *J. C.* of thother party, and that the same taketh none effect, foꝛ that the said *S. T.* cannot obtaine and get the godd will of their friends and kinsfolks, at whose hands such portion of money as to her of right appertaineth, is to be receiued, Wicnesseth, that *J.* the said *J. C.* doe hereby testifie & pꝛoteſt vnto the world, aswell foꝛ mine owne discharge as his, that no dishonell noꝛ vnlawful act, hath at any time bin committed betweene vs noꝛ any contract of matrimony had oꝛ made at all betwixt vs, but that euerie of vs may lawfully at our wilis & pleasure marry ellwhere by God & mans lawes. In wicnesse &c.

A Release of an appeale.

Sect. 474.

THis Indenture *ꝛc.* Betweene *H. H.* of *ꝛc.* and *R. C.* of *ꝛc.* Wicnesseth, that where *R. C.* standeth indicted & appealed, of and foꝛ the death and killing *R. H.* and thereupon diuers suits and pꝛoces are depending and haue beene awarded against the said *R. C.* Now the said *H. H.* doth remit, remise, and clerely and absolutely foꝛ him and his heires releale to the said *R. C.* all appeales, suits and demands, and other actions whatsoever: And further the said *H. H.* doth couenant &c. that where the said *H. H.* hath commenced an appeale against the sayd *R. C.* and others; of and foꝛ the death of the said *R. H.* his brother deceased: That neyther hee the sayde *H. H.* noꝛ *W. H.* and *R. H.*

H. noz any of them, noz any other for them, o2 in their names, noz by their meanes, aduise, knowledge, assent o2 procurement of any of them, shall from hencefo2th prosecute o2 follow the said Appeale, o2 any proces thereupon depending against the said R. And for the better determining of the said Appeale against the said R. C. he the said H. H. doth covenant to make one retraxit, of, and vpon the said Appeale at any time when he shall be thereto required by the sayd R. C. o2 by any for him o2 in his name. And mozeouer the said H. H. W. H. and R. H. do covenant &c. that neither the sayd H. H. W. H. and R. H. o2 any of them, noz any their friends, kinsfolkes, o2 alics, noz any other person o2 persons for them o2 any of them, o2 by the meanes, consent, aduise, knowledge o2 procurement of. them, o2 any of them, shall doe, suffer, o2 cause to be done o2 suffered any act o2 acts, o2 thing whatsoever, for the further suing, troubling, bering, o2 indangering of the said R. C. of o2 for the death o2 killing of the sayd R. H. noz shall not giue o2 procure to be giuen any euidence, o2 other proofoe against the said R. C. for the death o2 killing of the said R. H. In consideration of which said agreemēt, conclusion, & of all & singular other the p2emises to be wel and truly obserued & kept on the part & behalf of the said H. H. W. H. & R. H. & euery of them their friends and kinsfolkes, the said R. C. doth covenant for him his heires and administrators with the said H. H. &c. to pay to cause to be paid to the said H. H. &c. expressing the summe and place of payment. In witnesse &c.

A Release betweene ioint Lessees.

VNto all Chzistian people to whō this present writing shall come, J. D. R. B. and H. C. &c. sendeth greeting: Whereas the collegiat Church of the blessed virgin of Southwell in the county of P. by their Indenture of lease bearing date &c. did amongst other things, demise, grant and to farne let vnto H. C. deceased, all that their manoz o2 lordship of R. in the county of P. with the scite & circuit of the same manoz, & al & singular their other lands, tenements &c. in the said county of P. being part, parcell o2 member of the said collegiat Church of S. o2 reputed, taken o2 knowen to be any part, parcell o2 mēber of the same, o2 of the said manoz o2 lordship, o2 any of thē, o2 any part o2 parcell therof, with all & singular their appurtenāces, vnto the said H. C. his executors, & assignes, for the term & space of &c. as by the said Indenture of lease moze at large it appeareth. By force wherof the

Sec. 475.

said H. C. was lawfully possessed of the said Mannor of L. and premises accordingly. And so being thereof possessed made his last will and Testament in writing, and thereof did constitute & make G. C. of K. and E. C. then wife of the said H. C. his executors, and after died. After whose death the administration of all the goods and cattels of the said H. C. was committed to the said G. C. and E. C. according to the Ecclesiasticall lawes of this Realme, by force whereof the said G. and E. were thereof lawfully possessed, and the same had and enjoyed. And they so being thereof possessed by their Indenture bearing date &c. did giue, graunt, assigne, and set ouer vnto the said J. D. K. W. P. C. and J. P. of &c. all their whole estate, interest, and terme of yeres then to come, of and in the said mannozs, lordships, lands, tenements and premises with the appurtenances (the role Mine excepted) together with the said Indenture of lease made to the said J. D. K. W. &c. at large appeareth. The intent & true meaning in which said Indenture made by the said G. & E. as is aforesaid; was meant and intended that the said J. D. K. W. P. C. and J. P. and euery of them should haue and inioy seuerally their Farmeholdes or Tenements in their seuerall tenures and occupations. And that the residue of the said Mannor and premises should be divided amongst them. Now therefore know yee vs the said J. D. K. W. and P. C. for the accomplishing and fulfilling of the true meaning and intent of the sayd conuoyance made by the said G. and E. as is aforesaid, to haue remised and released, and by these presents doe cleerely remise and release vnto the said J. P. his executors and assignes all our estate, right, title, terme of yeares and demand which we haue or of right ought to haue of, in, or to all that one tenement &c. now in the tenure or occupation of the said J. P. and of, and in all other lands and hereditaments which be assigned and appointed and set forth to him. And we the said J. D. K. W. & P. C. do couenant and grant for vs our executors, administrators and assignes, and for the executors, administrators, and assignes of euery of vs, to and with the said J. P. his executors, administrators and assignes, That we the said J. D. K. W. and P. C. our executors, administrators and assignes, shall from time to time at all times hereafter when and as often as we or any of vs shall be thereunto required by the said J. P. his executors, administrators or assignes during the said terme of yeares; doe, execute, and make or cause &c. all and euery such further act and acts, thing, things, and assurance as shall be reasonably and necessarily demanded or aduised by the said J. P. or his executors or assignes, or by his

and their Counsell learned in the law, for the further and better assurance, suerty and sure making of one estate and interest, of and in &c. now in the occupation &c. unto the said J. P. his executozs and assignes. In witness &c.

A Release made by the feoffees to one of them.

OMnibus &c. Nouer nos præfat N. & S. per præsentem remisisse, relaxasse, & omnino pro nobis & hered nostris imperpet quiet clamasse I. S. de O. hæred & assign suis, tot ius nostr &c. quæ aliquis nrum habet, seu haberi potest, in omnib⁹ illis terris & tenentis quæ nuper habuim⁹ simul cum p^{re} I. in villa & in campis de I. in com⁹ Oxon, ex concess. & feoffam⁹ do⁹ I. B. Capellani. & N. D. de I. præd', in quorum quidem terr⁹ & tenentis idem I. S. iam existit in plena possess. Ita viz. quod nec nos præfat &c. In cuius &c. Sect. 476.

A Release in performance of an award.

OMnibus &c. A. B. & C. D. salutem. Sciatis quod cum diuersæ lites Sect. 477.
motæ fuer inter nos præfat A. B. & C. D. ex parte vna, & quendam T. P. ex parte altera, de & super ius, titulum, interesse, & possess. omnium & singulor⁹ mesuagior⁹ &c. quæ fuer in tenura & possess. E. F. super quæ nos præf. A. B. & C. D. ad specialem instantiam & requisitionem amicor⁹ nostror⁹ comprimis. & ex vnamini assensu nostr⁹ submis. nos ipsos in arbitrium ordinat⁹ & iudicium quorundam E. G. & W. F. armig⁹ tam de & super iure, & titulo dictor⁹ mesuag⁹ &c. quam de & super omnib⁹ actionib⁹ p^{er}sonalib⁹ & realib⁹ antehac in nos motis & habit⁹ super præmissis seu eor⁹ aliquam parcellam concernent seu tangent, Sciatis nos præf. A. B. & C. D. in complement cuiusd⁹ arbitrij, ordinationis seu iudic⁹ præd⁹ p^{er} præf. arbitrat⁹ ante datum præsent⁹ ex communi assensu nro fact⁹, & in script⁹ indent⁹ nobis tradit⁹, prout tenemur, remisisse, relaxasse &c. *ut supra.*

A release of amerçiements.

BE it knowne unto all men &c. that J. G. L. of &c. Farmer of the Sect. 478.
profits of the Court of the manor of R. in &c. haue demised, released, and quite claimed, & by these presents doe remise &c. unto W. S. of R. in &c. all and all maner of fines, forfeitures and amerçiements, afferred vpon the said W. S. at any Courts, Leets, or Court barons

of the mannoz of K. afozesaid, holden within the said manoz at anie time oz times befoze the date hereof In witnes &c.

A Release of the peace.

Sect. 479. **M**emorandum quod tertio die Nouemb. anno regni Domini nostri Eliz. decim tertio &c. venit coram me W. M. apud G. in com p d, vno Iustic' dictæ Domini Regni ad pacem conseruand in com præd I. C. & pacem quam habet versus I. C. in com prædict' penitus remisit, & relaxauit &c. *vt supra.*

A Release from the recoverors in a writ of Entre.

Sect. 480. **O**mibus &c. W. M. & I. B. salutem in domino sempiternam, cum nos p f. W. & I. nuper recuperauimus coram Iustic' Domini reginæ de communibus placit' apud Westmonast' per breue di' domine Reg. de ingressu in le post' versus F. F. viduam & I. F. vnum M. f. &c. cum pertiñ in C. in com N. prout int' placita irrotulãt coram I. D. Milite & socijs suis Iusticiã di' domini Regni in termino Sancti H. anno regni eiusdem domini Regni Ros Cli. plenius liquet & apparet. Et pro eo quod recuperatio prædict' habiãt fuit ad solum & propriũ opus & vlt' ipsorum F. & I. F. & hæred' ipsius I. Ideo in consideratione inde Sciatis nos præf. W. M. & I. B. remisisse, relaxasse &c. as in a generall release. In cuius &c.

A release of Errors.

Sect. 481. **O**mibus Christi fidelibus ad &c. salutem, Sciatis me præf. G. B. pro &c. remisisse, relaxasse, & omñ pro me & hæred' meis imperpetuũ quiete clam præfãt F. R. & hæred' suis totum ill' annualem redditum meum vij. s. ac omnes alios redd' quoscunq' exeunt, de terr', tenementis & hæreditamentis in B. &c. Ac insuper sciatis me præfatum G. B. remisisse &c. præfato F. R. totum ius, titulum, statum, interesse & demand' quæ habeo aut clamare potes aut poterint hæred' mei de & in præd' terr', tenementis & hæreditamentis in C. &c. Ac etiam omnes action' & breuia de errore, & erroribus & omnes errores quoscunque quos ego &c. aut hæredes mei habere aut prosequi potui seu possumus versus præf. F. R. aut assign' suos. In cuius rei &c.

A Release generall.

NOuerint vniuersi per presentes me V.B. Militem, remisisse, relax- Sect. 482.
 asse, & omnino pro me, hered̄, executoribus, et assignatis meis in p-
 petuum quiet̄ clam̄ T.H.&c. omnes & omnimodas actiones, transgressi-
 ones, sectas, querelas, debīt, debāt, executiones, & demand̄ quecunque
 quæ habeo, habui, seu quouis modo in futurum habere poterō, ab origine
 mundi vsque datum p̄sentium. In cuius &c.

Acquitances,

*An acquitance for the redemption of lands
 mortgaged.*

BE it knowne vnto all men by these presents, that J.J.L. of L. Sect. 483.
 Gent. haue receiued and had this present day at the font stone in
 the Cathed̄rall church of S. Paul in L. betweene the howers of
 one and foure of the clocke, at after noone of the same day, of W.
 G. of S. in the countie of E. yeoman xl. li. for the redemption and in
 full satisfaction of all & singular those lands and tenements with the
 appurtenances in the parish of S. and P. in the said countie of E. cal-
 led P. & D. contained & specified in a paire of Indentures of counat̄,
 bearing date the xvi. day of J. in the xxx. yeare &c. made betweene the
 said W. G. on the one partie, and me the said J. L. on the other party,
 of, for, and concerning the bargaine and sale of all & singular the said
 lands & tenements condicionally, as by the same Indentures thereof
 made moze at large doth appeare. Of which xl. li. in full payment and
 contentation as is abouesaid receiued, I the said J. L. acknowledge
 my selfe well & truly contented, satisfied, and paid, and therefore, and
 of euery parcell therof I clerely acquite and discharge the said W. G.
 his heires and executozs by these presents. In witnesse, &c.

An acquitance of an Annuitie.

NOuerint &c. me I. K. &c. recepisse, &c. de H. R. per manus I. D. fir- Sect. 484.
 marij manerij de R. x. li. in parte solutionis cuiusdam annuitatis xx.
 li. mihi ad terminum vitæ meę per dictum H. concess. Percipiend̄ an-
 nuatim ad terminos duos, viz. ad festa N. & M. æquis portionibus, de
 quibus x. lib̄ fateor me content̄ & solutum, & ipsum H. hæred̄ & exe-
 cutores suos inde in perpetuum esse quiet̄ per p̄sentes. In cuius &c.

An acquittance made upon the receipt of an exhibition graunted to one of the Innes of the Court by a Duke.

Se^{ct}. 485.

THis bill made in the *ꝛc.* Witnessech, that *J. C. H.* haue receiued of *R. H.* receiuer generall to the high and mightie Prince *T.* Duke of *B.* five Markes Sterling, in full contentation and payment of my *ſ*ix, due to me at the feast of *S. Michaell* last past befoze the date hereof, foꝛ one whole yeare: which yerely see the said Dukes grace of his gracious goodnesse and beneuolence hath giuen and granted vnto me the said *C.* towards my yearely exhibition in the Innes of Court. In witnesse whereof *I* the said *C. H.* haue wꝛitten this bill with my awn *ꝛc.* (Or otherwise) haue put to my hand *ꝛc.*

*An acquittance of a Rent by a Baylife 20. die Iunij,
Anno &c.*

Se^{ct}. 486.

Reciued of *T. H.* of *ꝛc.* foꝛ his halfe yeares rent due to be payd at the Annunciation *ꝛc.* last past, foꝛ Campnes land in *L. ꝛc.* in the Countie of *ꝛc.* the day and yeare first aboue wꝛitten *xx.* shillings.

An acquittance of the farme of a Benefice.

Se^{ct}. 487.

Be it knownc vnto all men by these pꝛesents, that *J. C. T.* Parson of *H.* in the county of *Essex*, haue receiued and had the day of the making hereof, of *J. A. lxx.* pounds Sterling, foꝛ the halfe yeares farme of my said Parsonage, to me due at the feast of *S. Mich.* the archangell last past befoze the date hereof. In witnesse &c.

An acquittance of a rent charge.

Se^{ct}. 488.

This bill *ꝛc.* Witnessech, that *J. R. C.* haue receiued and had on the day of the date hereof, of *T. S.* of *h* Inner Temple of *L.* the sum of *liij.* poind of lawful mony *ꝛc.* due to me the said *R. C.* as in the right of *R.* my wife, at the Annunciatiō of the blessed virgin *Mary* last past, being the moiety of a rent charge of *ꝛc.* by the yeare granted to the said *R.* foꝛ terme of her life, out of the farm of *B.* of which said sum of *4. l.* *ꝛc.* of *ꝛc.* so by me receiued, *I* the said *R.* doe acknowledge my self and the said *R.* my wife, fully satisfied, contented, and paid, and of the said summe of *liij. l.* and of euery part thereof do acquite and discharge the said *T. S.* his heires and assignes by these pꝛesents. In witnesse &c.

Acquittance of Money received to pay to another.

THis Bill &c. Witnesseth, that J. T. S. of ec. haue receiued and had Sect. 489.
 on y day of the making hereof, of T. B. of D. in the county of W.
 Esquire, by the hands of ec. the sum of ec. to be paiued and disbursed by
 me the said T. S. for the said T. B. in such sort as the same was ap-
 pointed by the said T. B. to be paiued and disbursed. In witnesse &c.

Acquittance of a recompence of Dower.

THis Bill &c. Witnesseth, that J. D. B. ec. haue receiued and had on Sect. 490.
 the day of the date hereof of G. H. of ec. the sum of ec. due and pai-
 able to me the said D. B. in the right of my wife at the feast of S. Mic.
 ec. after the date hereof, for the halfe yeares rent to her the said J. due
 and payable in recompence of her dower, between the said G. and the
 said J. of which said sum of ec. so by me receiued, I the said D. B. doe
 acknowledge my selfe fully satisfied and paiued, and thereof, and of e-
 uery part thereof doe cleerly acquite, discharge, and eronerate the
 said G. H. his heirs, executozs, and administratozs, and euery of them
 by these presents. In witnesse &c.

An acquitanc of part of a debt.

BE it knowne vnto all men ec. that J. A. B. of K. in the Countie ec. Sect. 491.
 haue receiued and had the day of the making hereof of R. W. of
 C. in the said County yeoman, sixe pounds ec. due to me on the feast
 day of ec. last past befoze the date of these presents, in part of payment
 of a greater sum contained and specified in a certaine writing Oblit-
 gatory, wherein the said R. W. with others stand bound vnto me: Of
 which sixe pounds ec. (As aboue.)

Acquittance for creation money of an Earle.

NOuerint vniuersi per præsentēs me G. Comitem S. Administrā bo- Sect. 492.
 norum & catallorum G. nuper Comitis S. patris mei, filij & hæ-
 redē mascul' F. nuper Comitis S. recepisse & habuisse die confectionis p-
 sentium de T. C. armig. nuper Vicecomit' comit' S. xl. lib' bonæ et lega-
 lis monetæ Angliæ, de viginti lib' annuis I. nuper Comiti S. & hæred'
 suis mascul', per dominū H. nuper Regem Angliæ sextum concess'. Ha-
 bend' & annuatim percipiend' de exit', profic', et reuenc' comitat' S. per
 manus vic' eiusdē com' pro tēpor' existēt', ad festa Pas. & S. Mic. p equal'
 porc'. De quibus quidā xl. lib' pro duobus annis finit' ad festum Sancti
 Mich. arch, anñ reg. Regiñ nunc Eli. xxxij. fateor me præfat' Comitem
 fore.

fore solut, dictumque nuper Vic' inde acquietat & exonerat per presentes, sigillo meo sigillat : Dat' x. die Feb. Anno regni dictæ dominæ Eliz. &c.

An acquittance by a Vicar or Pason to the Proctor.

Sect. 493. **N**Ouerint vniuersi &c. me A. B. Vicar' Ecclesiæ parochiæ de S. recepiſſe & accepisse die confectionis presentium compos finalem & totalem W. P. procurator' vicariæ meæ pdict', de omnibus recept', exitibus, solutionibus, & liberationibus pdict' vicar' meæ spectantibus, de toto tempore quo dictus W. fuit procurator meus ibidem. Ita quod computat' computand', & allocat' allocand' ipsum W. & executor' suos de quocunque vltiori compoto ratione premisorum mihi reddend', vsque in diem dat' presentium acquieto, libero, & exonero p' presentes, Sigill' meo sigillat' &c.

An acquittance of Tenths and Subsidies paid to the Collector.

Sect. 494. **P**RESens scriptum testatur, quod ego H. H. decimarum & subsidiorum domini Reg. sup omnes psonas ecclesiasticas, & per totam Dioces. M. percipiend', collector et receptor general', sufficient' auctoritat' Episcopali fulcitus & legitim' constitut', recepi de G. W. rector' de Bridel pro decimis & subsidijis eiusdem Eccles. suæ dicto illustrissimo nostr' Regi, p' anno domini 1600. &c. ad festum Natalis Domini vltimo pteritum, debi' xvij. li. de quibus quidem pecunijs fateor me ad vsum dicti domini Regis solut, & ipsum, & Ecclesiam suam pd' penitus liberam & quietam per presentes, manu mea subscriptas &c. Anno &c.

An acquittance made by an Obligeo.

Sect. 495. **O**Mnibus &c. I. S. salutem in Domiñ sempiternam, Cum W. P. teneatur mihi prefato F. ac cuidam H. L. in decem &c. soluendis nobis, aut vni nostrum ad diuersos terminos, prout in quadam obligatione defensanc' super eand' nobis inde confect' plenius continetur. Noueritis me p'fat' I. recepisse & habuisse die confectionis presentium de p'fat' Wilhelm' viginti solidos &c. in parte solutionis p' dict' x. lib', viz. pro termino Natal' dñi proxim' futur', de quibus quidem xx. s. fateor me fore

fore solutum, dictumque W. hared & executores inde esse quiet et exonerat per presentes. In cuius &c.

A generall acquittance with a Prouiso.

THis Bill made &c. Witnesseth, that **J. H. W. &c.** have remised Sect. 496.
and released vnto **R. C. &c.** all maner of actions, suits, debts, ac-
compts, recognisances, and all & all maner of iudgements, executions
and demaunds which **J. the same H. W.** may, might, or ought to haue
against the said **R. C.** his heires or executozs, or anie matter or cause
whatsoeuer, from the beginning of the world vnto the day of the date
of these presents. Provided that this acquittance extend not to the ex-
tinguishment and determination of a certaine deed obligatorie, bea-
ring date &c. made by one **J. C.** and the said **J. S.** wherein the said **S.**
and **J. Wood** bound vnto one **J. S. B. G. A. B.** and me the said **H. W.**
in the summe of &c. In witness &c.

*A generall release or acquittance, with a speciall acquittance
therein contained.*

THis Bill made &c. Witnesseth, that **J. R. F.** have received the Sect. 497.
day of the making hereof, of **T. P.** and **M.** his wife my mother,
executrix of the last will and testament of **C. F.** deceased my father,
all such jewels, plate, hangings, household-stuffe, & all and euerie other
gifts, legacies, bequests, thing and things whatsoeuer they be, to me
the said **R. F.** in any wise due by reason of a gift or will of the said **C.**
F. of the which jewels &c. vt supra, **J. the said R. F.** do fully and cleare-
ly by this my present bill acquit and discharge the said **T. P.** and **M.**
their heires &c. And further **J. the same R. F.** by this my present Bill
doe clearely remise, release and quite claime for me, my heires, execu-
tozs, and assignes to the said **T. F.** and **M.** and euerie of them, all and
all manner of actions &c. In witness &c.

An acquittance for money due by recognisance.

THis Bill &c. Witnesseth, that **J. H. C.** have received the day of Sect. 498.
the date of these presents of **R. L.** the summe of &c. in the which he
the said **R.** standeth bound vnto me in a certaine recognisance in the
Chancerie, as by the same &c. of which said summe of &c. and of euerie
part and parcell thereof, **J. the said H.** doe confesse my selfe well and
truly contented, paid and satisfied, and therof & of euerie part & parcell
thereof do by these presents clearely acquit and discharge the said **R.**
L. his heires, executozs and administratozs for euer. In witness &c.

An

An acquittance for a Legacie.

Sect. 499.

BE it knowne &c. That we R. C. & A. my wiffe, daughter &c. haue receiued and had the day of the making hereof, of C. W. & W. P. ex-
ecutors of the testament & last will of T. R. l. s. of &c. in full paiement
of xl. s. giuen and bequeathed by the said T. R. in his said Testament,
of which said summe of xl. s. in full paiement and satisfaction of all be-
quests and legacies to me giuen in the said testament, we knowlege
our selues fully satisfied, contented &c. Sealed with &c.

An acquittance of money received in discharge of an annuities.

Sect. 500.

BE it knowne &c. that J. A. B. of &c. sole executrix of the last wil and
testament of L. C. of S. &c. late my husband, deceased, haue recei-
ued the day of the date hereof, of J. P. of G. in sh. countie of L. gent. the
sum of xl. l. of &c. for the full and cleare discharge and determination
of one annuities or yearly rent of viij. l. of currant &c. graunted by C.
A. vnto the said L. C. my late husband, to be taken and perceiued out
of the Mannor of M. in the said countie of L. as by the deed indented
therof made, bearing date the &c. which said annuities or yearly rent of
viij. l. is to be determined & extinguished vpon paiement of the sum of
xl. l. by the said J. P. his heires, executors or assigns vnto the said A. C.
his &c. as by the said deed indented made between the said L. C. of the
one party, & the said C. A. of the other party, bearing date the day and
yeare aforesaid, moze plainly it doth and may appears, Of which said
summe of xl. l. &c. In witness &c.

An acquittance, with a covenant to saue harmelesse.

Sect. 501.

BE it known &c. that J. J. G. of &c. haue receiued the day of the ma-
king hereof, of J. P. to the vse of M. W. one stone Jug couered and
footed with siluer, and gilded, and one glasse couered, footed and also
ribbed with siluer and gilded, wherof J. the said J. G. do covenant &c.
the said J. P. his executors, administrators and assigns, & euerie of
them by these presents clearely to acquite, exonerate, and discharge,
and the said J. P. his executors, administrators against the said M. W.
his heires and assigns by these presents &c. Sealed &c.

An acquittance made by an Atturney.

Sect. 502.

VNto all men &c. A. D. sendeth greeting, Know yee me the said
A. D. by vertue and authoritie of one writing, or letter of
Attur

Attorney made to me R. S. to haue had and receiued the day of the date hereof of C. W. &c. the sum &c. wherein y^e said C. did stand bound to the said R. S. by his bill Obligatory, of which sum &c. so by me receiued, I acknowledge my selfe in y^e name of the said R. truly & fully satisfied and paid, and thereof and of euery part & parcell thereof doe cleerely acquite & discharge the said C. W. his heires, executozs & administrators, and euery of them by these presents. In witness &c.

Acquittance by Substitute or Deputie.

Vnto all &c. R. K. grating: where R. S. and so recite the first letter of attorney, And where also the said A. D. by vertue of the said letter of Attorney did by his wyting vnder his hand and Seale constitute & appoint me the said R. K. his lawfull dephitic & substitute to aske &c. to the vse of the said R. S. And did giue me further authozity to deale for him in the premisses, as by the same wyting made to me by the said A. D. appeareth. By vertue and authozitie whercof now know ye me the said R. K. to haue had &c. Sect. 503.

Partition.

A Partition of lands descended.

THIS Indenture made the r. day &c. Betweene P. W. Citizen of London, and A. his wife one of the daughters and heires of W. K. late of London Mercer, and one of the sisters and heires of T. K. which was sonne & heire of the said W. K. when he liued on the one party, and J. K. widow sister of the sayd Anne, another of the daughters and heires of the said W. K. and another of the Sisters and heires of the said T. K. and S. Citizen and Mercer of London, W. W. Draper and J. B. Draper, which were of late enfeffed by the said J. of the moitie of a great tenement or messuage &c. & let & lying together in the Parish of S. B. to the vse of the said J. & her heires on the other party, Witnesseth, that it is couenated, granted, condiscended and agreed betweene the said parties, for a partition betwene them to be had and made of the inheritance of the said tenement and other the premisses in the said Parish, which descended to the said Anne and Joan in copercenarie, by and after the death of the said W. as well daughters and heires of the said W. K. as sisters and
and Sect. 504.

and heires of the aboue named T. R. in manner and foyme ensuing. First it is couenanted and granted betwene the said parties, and the said J. and her scoffes grant by these presents, that the said P. & A. in the right of the same Anne, shal haue for their part and purpartie of the aforesaid lands and tenements &c. thre dwelling tenements of the verely value of .j. pounds: In one of the which said tenements T. D. Bar boz now dwelleth and inhabiteth, containing in it selfe xl. foote of allise of square &c. And in the other tenement of the thre dwelleth one M. A. widow, and it containeth &c. And the third tenement is in the possession of A. R. &c. which said thre tenements, with the yards, kitchens, chambers, &c. in as ample & large maner and foyme as the sayd persons now dwelling haue or occupy, or they, or any other afozetime haue had or occupied, the said P. and A. as in the right of the same A. shal haue and enioy to her and her heirs, in full recompence & allowance of, and for her part, and purpartie that to her belongeth or ought to belong, of all the said meases, lands, tenements, &c. by, and after the deceale of the aforesaid W. & T. & either of them, as one of the daughters and heirs &c. And it is agreed betwene the said parties, and the said J. and her scoffes bin contented and pleased to accept and take in full recompence and allowance of, and for the part of the said J. of all the meases, lands, tenements, hereditaments and other the premises aboue reherfed, to the vse of the said J. & of her heires, one great tenement of the said thre tenements containing &c. with the appurtenances, in as ample and large maner as T. C. Gentleman now dwelling in the same or any other &c. And it is further fully agreed, couenated, & granted between the said parties by these presents, that at all times conuenient it shal be lawfull to either of them to enter into others part to them allotted, to do reparations and other behoofs necessarrie vpon the meases, lands & tenements, to them severally allotted, in amending, building, or repairing: or otherwise, of, & vpon their owne parts of the said lands, tenements &c. to them allotted & appointed by these presents. And ouer that it is agreed, couenanted, and granted betwene the said parties, that all annuall rents, and seruices due to the Lord or Lords of the see &c. shal be equally bozne betwene the sayd A. and J. and their heires and assignes, inhabitants of the same tenement &c. that is to say, either of them for their part and poztion afoze allotted &c. In witnessc &c.

An Indenture of Partition of Lands purchased.

Sect. 505.

THis Indenture &c. Witnessech, That whereas one **T. W.** and the said **T. W.** ioyntly purchased to them and their heires for euer, of one **T. P.** of &c. diuers mesuages, lands, &c. with the appurtenances situate, lying, and being in **S.** &c. And where afterwards in the life of the said **T. W.** viz. the xvj. day of **M.** &c. full and perfect diuision, seperation, and partition of all the said mesuages &c. and of all their estate in the same, was had and made by, and betweene the sayde **T. W.** and **T. W.** being both then present, at in, and vpon the sayd mesuages &c. with the appurtenances in manner and forme following, that is to say, That the sayd **T. W.** should haue and enioy to him and his heires for euer, quietly from the said **T. W.** and his heires deuided in seueralty, and not in ioynture for his full and whole moitie, part, purparty, and portion of all and singular the said mesuages, &c. and in allowance and recompence thereof, one house in **S.** in the tenure &c. with thre doles &c. one other house &c. And that the sayd **T. W.** should haue and enioy to him and his heirs for euer quietly from the sayd **T. W.** and his heires for euer, diuided in seueralty, and not in ioynture, for his full and whole moitie, part, purparty, and portion of all and singular the sayd mesuages &c. and in full allowance, satisfaction, and recompence thereof, one house &c. Neuerthelesse, for as much as some question, variance, and contention hath lately risen between the sayd parties touching and concerning the quiet occupation of some part of the premises: for the appeasing whereof, and for the extinguishment and utter auoiding of al ambiguities, doubts, variances, and contentions, which hereafter might chaunce to arise, and sure confirmation of the said partition so made as is abouesayd: And for a perfect and absolute partition and diuision to be made of such parts and portions of the said mesuages &c. as yet remain vndiuided (if any such be) it is couenanted, granted, promised and agreed, by, and betweene the sayd **T. W.** and the sayd **J.** and **A.** their heires, executors, and administrators, and euery of them by these presents in maner and forme following, that is, the sayd **J.** and **A.** for themselves, and the heires &c. of the said **J.** do couenant, grant, promise, &c. to and with the said **T. W.** his heires &c. that he the said **T. W.** his heires and assignes, and euery of them for euer, shall or may haue, hold, and quietly enioy from the said **A.** and **J.** and either of them, and the heires of the sayd **J.** for euer.

ner, diuided in feueralty & not in Jointure, for his sul and whole moiety, part, purpart, and portion of all & singular the said mesuages &c. so by them the said T. W. & T. W. iointly purchased, as is aforesaid and in full recompence & satisfaction thereof, and of euery part thereof, all & singular the said mesuages, cottages, lands & tenements with the appurtenances, & euery part thereof, aboue by these presents recited, and to be allotted, appointed, or set forth for the moiety, part, purpart, and portion of the said T. W. in, & by, the said former partition, clerely acquitted, discharged, and saued harmelesse, of, & from all maner of bargains, sales, gifts, grants, alienations, leases, mortgages, iointures, dowers, Statutes, bonds, recognisances, rents, seruices, arerages, of rents and seruices, annuities, intrusions, fines, forfeitures, issues, amerciaments, iudgements, condemnations & incumbrances whatsoeuer, &c. And the like couenants and grants on the other side, with couenants on either partie for further assurance &c.

Partition amongst foure Parceners.

Sec. 506.

THis Indenture Quadripartite made &c. Betweene H. L. and M. his wife on the first partie, C. W. & B. his wife on the second partie, P. W. and A. his wife, late wife of D. S. deceased on the third partie, and T. W. and M. his wife on the fourth partie, Witnesseth, that where the manors, lands, tenements, and hereditaments, late of K. W. as in the right of A. his wife contayned and specified in foure scedules indented annexed to these Indentures, are descended and come to the sayde P. now the wife of the sayd H. L. and B. now the wife of the said C. W. & to A. now the wife of the said P. W. & to M. now the wife of the said T. W. as daughters and heires vnto the sayd A. And whereof there hath bene partition seuerance & allotment seuerally made amongst themselues by assent of their friends, of all the sayd, manors, lands, tenements, and hereditaments betwixt the sayd H. and M. his wife C. and B. his wife, D. and A. then his wife, now wife of the said P. and T. and M. his wife according to the Lawes of this Realme, And euery of the said husbands and wiues haue thereby a fourth part of the premises, as was set downe in wwriting, as equally as might be, by them and their friends befoze the same so seuerally came to any of the said husbands & their wiues by the said partition & allotment: The cōtents of which wwriting purporting y^e seueral parts,

parti

portions, and purparties of the said parties is contained in foure scedules indented hereunto annexed. And now the said H. L. and W. his wife, C. H. and B. his wife, P. H. and A. his wife, and T. H. and W. his wife, and euerie of them for themselves and their heires, doe covenant and graunt by these presents, for the better corroboracion and confirmation of the said partition made, agreed, and assented to, in such maner and forme, as it was to, and with every the other of the said parties and their heires, to stand to, and agree to the same partition and allotment so made, and to permit and suffer the same to stand, remaine, and abide in full strength and force for ever. And that every of them and their heires, not all onely to hold themselves contented with the said partition, and such part, portion, & purparty, as to them is assigned, or come, or happened in severallty to be holden, by reason of the said partition or allotment, but also that every other of the said parties and their heirs, shall have and hold such part, portion and purparty, as to them or any of them is assigned, commen, or happened in severallty to be holden by reason of the same partition or allotment, whereof they, or any of them the day of the date hereof are seised in severallty, by reason or colour thereof. And further, the said *et. ut supra*, covenanteth and graunteth, to and with every other of them severally, their severall heires and executors, that every of the said parties his wife and heires, for whom he or any of them covenanteth by these indentures, shall as farre as in them, or any of them lieth, or shall lie, or be, and at such time and times as the law will suffer, admit, and accept, during thre yeres next insuing the date hereof, do, cause, knowledge, and suffer to be don, al and every such thing and things, act and acts, be it by fine, recouery, release, confirmation, this deed or any other to be inrolled, or other wise, as shall be reasonably advised or devised, for the full and perfect assurance of the said severall portions and purparties, to make the said partition perfect and firm, and to endure for ever, according to the due order of the law, & according to the intent & true meaning of the said parties. And furthermore, the said *et. ut supra*, severally covenant and grant, to and with every other of them, their severall heirs and assigns, that they shall or may have and enjoy their said severall portions and purparties of the premises fallen or happened by their said partitions or lot, or in their said scedules hereunto annexed contained, from time to time for ever discharged, acquitted, or saved harmlesse, of all former bargaines, sales, leases, charges and incumbances, had, made, done, or suffered by any of them, chargeable, or to be charged hereafter, or intended to be charged, or

chargeable by this covenant. And that every of the said coparceners, their husbands, and heirs, shall permit and suffer the other their heirs and assigns, to have, take, and enjoy all evidences, deeds, and writings, only concerning such manors, lands, tenements, and hereditaments, as is so allotted to any of the said coparceners in partition, and the true copies of all other evidences and writings concerning their said portions and purparties to them allotted, or any part thereof and any other lands or tenements, at the costes of the writing of such copies of them that will demand the same, the deliuey of such evidences, deedes, writings, and copies to be made within the space of two yeares next after the demand thereof. Moreover the said &c. that is to wit, every of the said parties severally for themselves & their heirs, executors, and assigns, covenanteth and granteth, to and w^{ch} everie of thother of the said parties severally, their heirs, executors, & assigns, that every of the said parties, his wife and their heires, for whom hee or any of them covenanteth by these presents, shall permit and suffer peaceably and quietly every one of the other said parties or coparceners, their heires, executors, and assigns, to have free ingresse, egressse, and regressse, way and passage, into, and from their severall portions, parts, and purparties of the premises contained in the said scedules hereunto annexed, to the which they cannot come or have passage through their owne ground to them, as aforesayd allotted, from the common way, in, by, and through such ground and part of the premises, to any other of the sayd coparceners allotted or fallen by the sayd partition, as shall most conveniently serue for the same way and passage, and as may be least hurtfull to them of the said parties, over any part of whose portion, part, or purpartie of the premises such passage or way shall be had or made. In witness whereof to the first part of these Indentures with the sayd H. L. and W. his wife remaining, the said C. W. and R. his wife, T. W. and A. his wife, and T. W. and W. his wife, have set their seales &c. to the second part of these Indentures &c.

In this Scedule indented Quadripartite, is contained and specified the part, portion, and purpartie of the manors, lands, tenements, and hereditaments late of R. H. as in the right of A. his wife, vvhich by partition, severance and allotment did fall, and were allotted to H. L. and M. his wife.

Imprimis, the kitchen and boulting house &c.

Item a close called water Cross &c. And so of everie of the sayd Coparceners.

A Partition betweene Coparceners.

This Indenture made &c. Betweene *R. G.* of &c. and *A.* his wife, Sec. 507.
 on thone party, and *C. S.* and *C.* his wife on thother party, Wit-
 nessech, that where diuers and sundry mesuages, lands, tenements,
 and hereditaments in *S.* and *T.* &c. be discended and come to the said
A. and *C.* as to the two daughters and one heire of *W. T.* their fa-
 ther deceased, since whose death the said *A.* hath taken to husband the
 aforesaid *R. G.* and the said *C.* and the said *C. S.* who haue holden
 and inoyed, and yet do hold and inioy the said mesuages, lands, tene-
 ments, and hereditaments in coparcenarie, as in the right of the said
A. and *C.* Now the said parties for diuers good causes and conside-
 rations them specially moouing, haue made partition, seperation, and
 diuision of the premises, and by these presents do make diuision, par-
 tition, and seperation of all the said lands, tenements, hereditaments
 and other the premises, in maner and form folowing. First it is coue-
 nanted, granted, concluded, and agreed between the said parties: And
 the said *C. S.* and *C.* his wife, for themselues, their heires, executozs,
 and administrators, do couenat, grant, conclude, condiscend, & agree
 to and with the said *R. G.* and *A.* and the heires of the said *A.* and his
 heires and assigns by these presents, that they the said *R.* and *A.* and
 the heires of the said *A.* shall haue, occupy, and inioy for his and their
 part, purparty, and portion, of all the said mesuages, lands, tenements
 and hereditaments in *S.* and *T.* aforesaid, one mesuage &c. and re-
 hearfe all the parcells. And also all such other mesuages &c. whatso-
 uer they be in *S.* aforesaid, which by any way or meanes are discen-
 ded and come vnto the said *A.* and *C.* from the said *W.* their father, A
 like couenant that *E. S.* and *E.* shall inioy the lands in *T.* with a coue-
 nant on either parte to make further assurance. And forasmuch as the
 lands, tenements, and hereditaments in *T.* aforesaid, set forth and
 allotted for the part, purparty, and portion of the said *C.* and her heires,
 and is to be assured vnto the said *C.* and *C.* his wife, and to the heires
 of the said *C.* according to the couenants in the Indenture, do amount
 to a moze yearely summe or rent, then the said lands, tenements, and
 hereditaments in *S.* aforesaid, set forth and allotted *vi supra.* The said
C. and *C.* his wife, for themselues, their heires, executozs, and admi-
 nistratozs in consideration thereof, doth by these presents couenant
 to pay the said *R.* and *A.* ten shillings of lawfull &c. In witness where-
 of &c.

A Partition betweene Jointtenants.

Sect. 508.

THis Indenture tripartite made &c. Betweene A. B. and C. A. of the first partie, And B. of the second party, And C. of the third party, Witnessech, that it is couenanted, granted, and agreed betweene and amongst the said parties, and euery of them for himselfe, his heires, executozs, and administratozs, by these presents doth severally couenant, grant and agree, to and with thother, his heires and executozs in maner and sozme following. First, that where the parties befoze this time haue ioyntly bought to them and to their heires of A. B. the manoz of S. &c. for the purchase whereof the said parties haue & must pay the summe of &c. Now it is couenanted, graunted, and agreed betweene the said parties, and the true intent and meaning of euerie of them is, that sozasmuch as euery of the parties aboue mentioned doth and must pay the full and whole third part of the said summe of mony aboue mentioned, that if it shal fortune (as God sozbid) any of the said parties aboue named to die befoze any partition oz seuerâce to be had oz made amongst them, shall haue, occupie, and receiue all rents, profits, and commodities of y^e said mannoz and other the pzemises, in as ample and large manner and sozme, as he oz they should haue done, if he oz they that shall so die, had liued and bin liuing. Furthermore, it is couenanted, granted, and agreed betweene and amongst the said parties, that if it be, that one oz two of the said parties shall happen to die befoze partition oz seuerance made of the pzemises: That then he oz they that shall suruiue, and his oz their heires at all time and times within thzee yeres next after the death of him oz them that shal so die, shall do and suffer to be done, al and euery such thing oz things, act oz acts, for the assurâce and sure making of the third part of the said mannoz of S. with thappurtenances, to the heirs and assignes of euery of thē, that so shall fortune to die befoze partition, as shalbe reasonably deuised oz aduised by the said heires of him oz them that shal so die, oz by his oz their learned counsell, be it by fine &c. oz otherwise, at the costs and charges in the law of euery such person oz persons that shall require any such assurance. And so other couenants as is agreed.

Partnership.

Societie or Ioynt occupying.

Sect. 509.

THis Indenture &c. Betweene A. B. and C. D. Citizens and Haberdashers of L. on the one party, and F. B. and K. J. of the same Citie Grocers on the other party, Witnessech, that wheras at the day
of

of the making hereof, it is accorded, covenanted, &c. betweene the said parties, and either of the same parties, by himselfe, for his owne part covenanteth for himselfe &c. to the other, that they and either of them shall jointly as partners occupie together, as well in buying, and selling of al maner goods, wares, and merchandizes, as by factozship, alienation, exchange, and otherwise, as well beyond the Sea, as on this side, viz. from the day of the making hereof, vnto the end and terme of five yeres then next following, and fully to be complete and ended, during which time or terme, either of the said parties shall be iust, faithfull, and true to thother in buying and selling, and otherwise, as is aforesaid. And all such lucre, profit and increase, gaine, aduantage, and winning as shall come & grow in buying and selling, any goods, wares, or Merchandizes, and otherwise, during the said terme, shall be equally parted and diuided between the said parties, viz. either of them to haue his iust and true portion or part of the gaines aforesaid, and at all times within the said terme when it shall please either of the said parties to giue admonition or warning to other, then either of them to make other a iust and true reckoning and accompt of the buying and selling of all manner wares, goods, merchandizes, and otherwise, as is aforesaid, and of the increase and aduantage that shall come and grow of the same. And also it is covenanted and agreed betweene the said parties, y if either of the said parties at any time within the said terme, happen to lose by debts, casualtie, or otherwise, any part or parcell of the occupping in buying and selling of anie goods, wares, and merchandizes, or otherwise, in maner and sozme as is aforesaid, so that it be not by negligence, colour, or fained pretence, and that immediately pzooued, that the same losse be bozne equally between either of the said parties. And also it is covenanted, concluded, and agreed between the said parties, and either of them for his owne part permitte, covenanteth, and granteth to thother, that if any of them within the said terme, which at this present time are not espoused, happen hereafter to espouse and marrie a wife: that then forthwith it shall be at the will and pleasure of the other, whether the partie so espoused or married shall any longer continue as partner, according to the tenor and sozme aboue rehearsed. And also it is agreed, that if either of the parties happen (as God defend) at any time within the said termes to die, then the executoz or administrazors of the goods and chattells of the partie so deceased, shall truly without anie couine or guile, make a iust and true accompt, and ready payment and deliuerance of all such increase and gaines, as then shall be remaining, to the liuing.

And moreover it is couenanted & agræd betwæen the said parties, that if either of them be found vntrue in his reckoning & account, contrarie to the true meaning of this present Indenture, to the value of xx.s Sterling, thē the said person so found defectiue to forfeit and pay to the other C.l. Sterling, without any delay, according to the tenor and true meaning of this present Indenture. And to all & singular couenants, promises, conditions, and paimēts aforesaid, on either part to be truly without couine or fraud obserued, performed, fulfilled and kept, in maner and forme aforesaid, either party for him, his heirs, executors, &c. bindeth himselfe to the other, in the summe of 300.l. Sterling, well and truly to be paid by these presents. In wirtnes &c.

Couenants of Partnership, or societie in trade.

Sec. 510.

THis Indenture made &c. Betweene J. W. Citizen & Clothworker of L. of thone party, and T. B. citizen and Clothworker of London on thother party, Witnelseth, that wheras the said J. W. and T. B. haue occupied together as coparceners and parting fellows in all maner of buying, bartering & bargaining, selling, and doing of, and with their severall stocks, and of, and with diuers and sundrie other goods, wares, and merchandises taken vpon their credite, and of, and with all their increase and gaines that hath risen or growne by reason of their occupying. Except a particular trade of occupying for Steele, which the said J. W. hath occupied severally by himselfe: And also except one other severall trade of retailing, which the said T. B. hath severally occupied within the shop of the dwelling house of W. in the citie of L. from the first day of J. which was in the vij. yeare of &c. vnto the first day of J. now last past. And whereas also the said J. W. and T. are now contented, condescended and agræd to occupy togither as coparceners and parting fellowes, in all the trades and occupying aforesaid, of, and with all maner of merchandises (except the said trade of occupying Steele) from y day of the date of these presents, vntill the feast of the birth of our Lord God, which shall be in the yeare of &c. Whereupon it is couenanted &c. in maner and forme following, that is to say, that hee the said J. W. and his seruants haue and hath from time to time sithence the beginning of this coparcenership, truly and honestly vsed, imploied, & occupied all maner of such trades, doings, and occupying as from time to time haue or hath come to their hands, vlags or doings, to the most profit or aduantage of this ioint-occupying, that he or they could deuise, without any maner of fraud or couine, and in such good, true, honest vsing, occupying, and employing of all manner of trades and doings, concerning this coparcenership, shall

Shall from time to time continue, vntill the said feast of ꝛc. And that the said J. W. and his seruants, shall from time to time during the said terme, at, and vpon the lawfull and reasonable request of the said T. B. his executoꝝ, and assignes; oꝝ seruants, make and declare, oꝝ cause to be made and declared vnto the said T. B. his executoꝝ, and assignes, oꝝ seruants, a true, iust, and perfect account, & reckoning in wꝛiting, of all the whole occuppings, buyings, sellings, bargainings, and doings, which the said J. W. oꝝ his seruants haue, oꝝ hereafter befoze the time of the said request, shall haue occupied, bought, sold, bargained, boꝝrowed, oꝝ exchanged, concerning this ioynt-occupping: By which account as well the names, surnames, summe, and sums of morny, and quality and qualities of wares & merchandizes, so by him oꝝ them bought, sold, bartred, boꝝrowed, oꝝ exchanged, concerning this ioynt occupping, as the true, iust, and perfect estate of their ioynt occupping, may plainly, truly and evidently appeere to the said T. B. his executoꝝ, and assignes, oꝝ seruants. And further, that all manner of cleere increase and gaines that shall rise, come, and grow, by reason of this ioynt occupping, shall be from time to time diuided betweene the said parties, part and poztion like. And further, that he the said J. W. his ꝛc. shall foꝝ his part, pay and beare all his owne pꝛoper costs and charges, of house-keeping, house rent, apparell, subsidies, & fistenes, and that towards al the same; he the said J. W. his executoꝝ, administrators, oꝝ assigns, shall not in any one yere take oꝝ spend out of their ioynt occupping, aboue the summe of 150. l. at the most. And further, that he the said J. W. his ꝛc. shall from time to time pay and beare the moiety of all such losses as shall happen by misfoꝝtune of the sea, euill debtors, oꝝ otherwise, touching oꝝ concerning the ioynt occupping. And further, that the said J. W. hath not heretofoze done, oꝝ suffered to be done, noꝝ shall at any time hereafter during his coparcenership, do, oꝝ suffer to be done, any maner of act, fact, deed, oꝝ thing, which is, shall, oꝝ may be anie maner of dammage, hurt, oꝝ losse to the stocke of the said T. B. oꝝ to their ioynt occupping; oꝝ whereby the ioynt occupping shall oꝝ may decrease, oꝝ be diminished, without the consent and agreement of the said T. B. his ꝛc. first obtained in wꝛiting. And further, if the said T. B. happen to die oꝝ depart out of this moꝝt fall woꝝld befoze the said feast of the Birth of our Lord God, which shall be ꝛc. that he the said J. W. oꝝ his assignes, within one moneth next after lawfull request to him oꝝ them to be made by the executoꝝ, administrators, oꝝ assignes of the said T. B. shall not onelie make and declare to the same executoꝝ, administrators, ꝛc. a true,

iust, and perfect accompt, and reckoning in writing, of all the estate of this ioint occupping and coparcenership, whereby the names and surnames of all and euerie debtozs and creditozs, and the quantitie of goods, wares, mony, & merchandize, then being oꝝ belonging to this ioynt occupping oꝝ coparcenership, shall and may plainly, truely, and euidently appeare to the same executozs, administratozs, oꝝ assignes, but also make a true & perfect deliuerie and assignment to the said executozs, administratozs, oꝝ assignes of the said T. B. of the moitie, oꝝ one half part of al such goods, wares, mony, merchandize, and debts, as vpon the said accompt shall appeare to be remaining oꝝ belonging to the said coparcenership, ouer and besides such debts, as the said coparceners shall then owe, oꝝ be indebted in, by reason of their ioint occupping, in as large & ample manner, as if the coparcenership had bin ended, and the said T. B. remaining alieue. And that the assignment of such debts as shall be allotted to the said executozs oꝝ administratozs of the said T. B. shall be made, conueied, and assured to the same executozs oꝝ administratozs of the same T. B. in such maner & foꝝm, and by such reasonable conueiance, as by the learned Counsell of the same executozs oꝝ administratozs of the same T. B. shall be denised, oꝝ aduised. And further, that if the said T. B. doth liue vnto the said feast of the birth of our Lord God, which shall be &c. that then the said J. W. and his seruants then being, within one moneth after lawfull request to him oꝝ them made by the said T. B. shall make and declare such like true, and perfect accompt, reckoning, and things, and to all intents and purposes, to the said T. B. oꝝ his assigns, as is aboue limited oꝝ mētioned, to be made oꝝ assigned to the executozs oꝝ administratozs of the said T. B. if he should happen to die, as is afoꝝesaid. And likewise the said T. B. foꝝ himself &c. That he the said T. B. and his seruants, haue and hath from time to time, sthence the beginning of this coparcenership, truly, & honestly bled, occupied, and imploied, all maner of such trades and doings &c. *vt supra on the part of I. W.* In witness &c.

Exchange.

A grant of Exchange.

Sect. 511

THis Indenture tripartie made &c. Betweene the right Honou-
rable Sir W. W. knight, Lord W. of the one partie, and W.
S. Esq. on the second partie, and R. G. of D. in the Countie of
C. on the thir d party, Witnesseth, That the said Sir W. W. and
W. S.

W.S. haue giuen, granted, and by these presents doe giue and grant vnto the said **R.**C. 3. acres and halfe an acre, and also 1. rod or perch of land, parcell of their mannoz of **D.**H. and **C.** in **W.** aforesaid, in one field called *ec.* betweene *ec.* To haue and to hold the said three acres and a halfe, and the said perch of land to the said **R.**C. his heires and assignes for evermore in exchange, for two pieces of land of the said **R.**C. containing like quantity of land, lying in *ec.* aforesaid, in the said **W.** whereof one peece lieth betweene *ec.* And the said **R.**C. hath giuen and grated, and by these presents doth giue and grant vnto the said **L.**W. and **W.**S. the said two peeces of land, To haue & to hold the one moiety of the said two pieces of land to the said **L.**W. his heirs and assignes for evermore: And to haue and to hold the other moiety of the said two pieces of land to the said **W.**S. his heirs and assignes for evermore in exchange, of, and for the said 3. acres and an half acre, and a rod or perch of land. Provided alwaies, and every of the said parties for them, their heires and assigns do grant and agrée by these presents, that if it fortune any of the lands befoze rehearsed to be euieted or take away, out of the possession of any of the said parties, their heires or assignes, by any person or persons, by any former right or title, so that the exchange cannot continue, or if the heires or assignes of the said **L.**W. and **W.**S. or the wife of the said **W.**S. or anie of them do disagrée to the foresaid exchange, by entry into the premises, or into any part thereof, or by any other meanes: that then and from thenceforth the said gift and grant in exchange, and of every of the parties, of the premises shall be utterly void, and of none effect. And that then it shall be lawfull to every of the said parties, their heires and assignes, after such euidition or disagrément had, to reenter into every of their said former lands, and the same to haue again and inioy in their former estate: This Indenture in any manner of wise notwithstanding. In witness whereof to the one part &c.

Granges in Exchange.

THis Indenture made &c. Betweene the right **H.**C. &c. of the Sect. 512.
 one party, and **R.**H. of **S.** in the countie of **C.** of the other party, Witnesseth, that it is couenanted, granted, concluded, & by these presents agréed between the said **H.**C. &c. and **R.**H. in maner and forme following: that is to say, the said **H.**C. hath giuen, grated, and confirmed, & by these presents doth fully & cleerly giue, grant, & confirme to the said **R.**H. and to his heirs & assignes for ever in exchange, for certaine lands, possessions, & hereditaments, late parcel of the lands and possessions of **J.**L. attainted and convicted of high treason, with all
 such

such avoidances, presentations, nominations, free disposition, & right
 of patronage of the parish church of S. aforesaid. And also al and sin-
 gular his meluages, wils, tofts, cotages, lands, tenements, medows,
 mozes, closes, pastures, commons, wasts, heaths, hedges, woods, un-
 derwoods, rents, reuerfions, seruices, and all other hereditaments, li-
 berties, perquisites, commodities, profits, and appurtenances, had,
 knowledged, accepted, reputed, or used, as part, parcell, or member of
 the same manoz of S. or in any maner of wise belonging or appertain-
 ing to the same manoz. All which said manoz, lands, tenements, and
 hereditaments, and other the premises, the said T. S. lately had to
 him, and to his heirs, of the gift and grant of sir R. A. knight deceased,
 and of D. C. gent. had and purchased to them and their heirs for euer,
 of the late king of famous memozie king H. 8. as by certaine letters
 patents thereof made to the said sir R. A. and D. C. and to their heirs,
 bearing date &c. in the 30. yeare &c. moze at large shall & may appeere.
 To haue and to hold the said lordship, manoz, meluages, mills, tofts,
 cottages, lands, tenements, meadowes, closes, pastures, commons,
 heaths, moozes, marthes, woods, underwoods, rents, &c. and all other
 the premises with their appurtenances in exchange, as is aforesaid,
 to the said R. H. his heires and assignes, to the only vse and behoofe of
 the said R. H. his heires, and assignes for euer. All which said manoz,
 meluages, lands, tenements, and other the premises, the said T. S.
 for him, his heires, and executozs, couenanteth, and granteth by these
 presents, to, and with the said R. H. his heires, executozs, and admi-
 nistratozs, to be of the clære yearely value of ten l. ouer and aboue all
 charges and reppyses, and so shall or may continue without fraud or
 couine. And also the said T. S. for him, his heires, &c. to, and with the
 said R. H. and his heires, that the said manozs, lands, tenements, and
 all other the premises, and euey parcell thereof, now be cleerely ex-
 onerated and discharged of all and euey former bargains, sales, wils,
 statutes of the Staple, statute Merchants, Recognifances, and of all
 other charges whatsoeuer they be, in any wise had or made by the said
 T. S. or by any of them, or by any other person or persons for them,
 in their right, or by the procurement of any of their lessars for term of
 yeares, whereupon the old & accustommed rents or moze bin reserved,
 and the rents and seruices from thenceforth due to the chiefe Lord &
 Lordz of the fee or fees thereof onely excepted. And also the said
 T. S. hath cleerely giuen and graunted, and by these presents doth
 giue and grant to the said R. H. and to his heires, all and singular eul-
 dences, deeds, charters, wrytings, and muniments, concerning onlie
 the

the premisses, or any parcell thereof, as now be in the hands and possession or custodie of the said T. S. or of anie other to his vse, or by his deliuerie. All and singular which said evidences, deedes, charters, wrytings and muniments, the said T. S. for him, his heires, and executozs, couenanteth and graunteth by these presents, to, and with the saide R. H. his heires, executozs, and administrators, to deliuer or cause to be deliuered to the saide R. H. his heires, executozs, or assignes, within the space of one yeare next ensuing the date hereof. In consideration of all and singular the said exchange, couenants, graunts, and agreements befoze in these presents recited and specified on the part and behalfe of the saide T. S. to be well and truely executed, perfozmed, obserued and kept, the said R. H. hath likewise giuen, graunted, and confirmed, and by these presents doth giue, graunt, and confirme to the saide T. S. and to his heires and assignes for ever in exchange, for the said mannoz of S. with the appurtenances, and all and singular the premisses befoze specified, all that his pasture and close called S. with the appurtenances, being diuided into thzee parts, and lying &c. And also those his thzee weares vpon Thames now cast downe, lying betweene J. and S. together with the water-banckes, and severall piscaries with their appurtenances, commodities and profits. To haue and to holde the said close and pasture, with the appurtenances, weares, water-banckes, and severall piscaries, with the appurtenances to the said T. S. his heires and assignes, to the onely vse and behoofe of the said T. S. his heires and assignes for ever. All which premisses last recited and giuen by the said R. H. to the said T. S. in exchange, as is afozesaid: The said R. H. for him, his heires and executozs, couenanteth and graunteth by these presents, to, and with the said T. S. his heires, executozs, and administrators, to be of the cleere yearly value of ten pounds, ouer and aboue all charges and reprises, and so shall or may continue without fraude or couine. And the saide R. H. for him, his heires and executozs, couenanteth and graunteth by these presents, that all and singular the close and pasture, weares, water-banckes, and severall piscaries, and euerie parcell thereof, now be clearely exonerated and discharged of all and euerie former bargaines, sales, Wills, Statutes of the Staple, Statutes Merchant, Recognisances, and of all other charges whatsoever they be, in any wise had or made by the said R. H. or anie other his aunccestozs, or by any such person or persons of whom the said R. H. had or purchased the same, leases for terme of yeares, whereupon
the

the old and accustomed rents or moze be reserved, and the rents and services from thenceforth due to the chiefe Lord or Lords of the see and fees thereof onely excepted. And also the said R. H. hath cleerly given and granted, and by these presents doth give and graunt to the said T. S. and to his heires, all and singular evidences, charters, deeds, writings, and muniments, concerning onely the said close and pasture, weares, water-bankes, and severall piscaries, or any parcell thereof, as now be in the hands and possession or custodie of the said R. H. or any other to his vse, or by his deliuerie. All and singular which said evidences, charters, deeds, writings, & muniments, the said R. H. for him, his heires and executozs covenanteth and granteth by these presents, to and with the said T. S. his heires, executozs, and administrators, to deliuer or cause to be deliuered to the said T. S. his heires, or assignes, within the space of twelue yeares next insuing the insealing of these presents. And furthermore the said T. S. for him, his &c. to and with the said R. H. his heires and executozs, that forasmuch as the said close and pasture, weares, and other the premises befoze mentioned in these presents, and given in exchange by the same R. H. do exceed the yearely value of the said manoz, lands, tenements, and other the premises given in exchange to the said R. H. and his heires, by the said T. S. That therefore for the equality of the said exchange, the said T. S. his heires, executozs, or assignes, shall content and pay, or cause to be contented and paid to the said R. H. his heires &c. In witness &c.

An Exchange.

Sect. 513.

SCiant præsentis & futuri, quod ego W. A. armig', dedi, concessi, & hac præsentis chartæ meæ indentata confirmavi I. S. Militi, duas partes manerij mei de O. in comitatu N. cum omnibus natiuis meis & eorum sequela, tam procreat' quam procreand', vna cum omnibus terris, teñtis, redditibus, seruitijs, liberañ, ac duobus molend' vnde vnum ventriticum & aliud aquaticum, cum sect' multuñ tam liberoñ quam natiuorum, cum pratis, pastuñ, vijs, semitis, ripañ, aquis, piscar', stagñ, viuaris, turbañ, gard', curtilag', homag', ward', maritag', communijs, boscis, subboscis, warrenñ, moris, marisc', releuijs, eschañ, cur', & sect' cur', cum vis. francipleg', cum omnibus alijs suis iuribus pertineñ, consuetud', libertat', & commoditat' quibuscunque eidem maner' spectant: Dedi etiam & concessi eidem I. R. aduocation' eccles. de G. præd' manerio spectant', necnon reuersionem tertiæ partis prædicti manerij, quam A. mater mea tenet nomine dotis suæ cum acciderit post decessum eiusdem A. Habendū & tenendū

tenend̄ præd̄ duas partes maner̄ præd̄, cum omnibus natiuis meis &c. *ut supra*, cum aduocatione ecclesiæ præd̄, ac reuersiõn̄ terræ partis maner̄ præd̄ cum acciderit præf. I. S. et hered̄ et assignatis suis imperpetuum in excambio pro manerio suo de H. in comitatu N. quod ego habeo ex dono & feoffamento prædict̄ I. S. per excambium præd̄, de capitalibus dñis fodi illius, per seruitia inde debiit̄, & de iure consuet̄, sub forma & conditione sequent̄, viz. Quod si præd̄ maner̄ de H. cum suis pertinent̄, vel aliqua inde parcell̄ imposterum de me, vel de heredibus meis, aut de meis assignat̄ iusto titulo ex antiquo tempore mot̄ vel mouend̄ per legis process̄. & iudicium in Curia dict̄ Reḡ redd̄ siue reddend̄ recuper̄, aut per statutum Stapul̄, vel Mercator̄, recognic̄, vel concessiõn̄, ante hoc tempus per possessores dict̄ manerij de H. fact̄ siue cognit̄, seu aliquo modo oneretur siue extendetur, extunc bene liceat mihi præfato W. heredibus & assignatis meis in maner̄ de O. cum omnibus natiuis &c. vna cum aduocac̄ et reuersione præd̄ reintrā et ea rehabere & retinere, ut in statu suo pristino, hac præsent̄ charta mea indentat̄ et seisiõn̄ inde deliberat̄ villo modo non obstant̄. Et ego vero præd̄ W. & heredes mei præd̄ maner̄ de O. cum omnibus natiuis &c. vna cum aduocac̄ &c. ac reuerc̄ tertiz partis cum acciderit præf. I. heredibus & assignatis suis in forma quod contra omnes homines warrant̄ & imperpetuum defendemus per præsent̄es. In cuius rei &c.

An Exchange.

THis Indenture made &c. Betweene Sir C. A. and dame M. his wife on thone party, and J. P. of &c. and W. his wife on thother partie, Witnesseth, that where the said Sir C. A. & M. stand seised of, and in the manoz of M. and of one capitall mesuage called C. and the seite and demeane of the late dissolved Monastery of C. in the county of W. and of diuers mesuages, lands, tenements, and hereditaments in C. S. A. and B. in the said county of W. And where also the said J. P. is and standeth seised, of, and in the manoz of H. and M. and of diuers other mesuages, lands, tenements and hereditaments in H. in the said countie of M. which manoz, lands &c. in the said County of W. the said Sir C. A. and J. P. are agreed halbe assured and conueied, part thereof to the said J. P. and W. & to theires of the said J. P. and another part thereof to the said J. P. and his heirs, in maner & forme, and vpon condition hereafter in these present Indentures mētione. And that likewise the said manoz of H. & M. and other the lands and tenements aboue mentioned in H. in the county of M. (except hereafter

Señt. 514.

after excepted) shalbe assured and conuiced to the said sir C. and M. in maner & forme, and vpon condition hereafter in these indentures expressed. And therefore now in accomplishment of the said agrément, and in consideration of the sum of £c. to the said sir C. by the said J. P. paid, the said sir C. A. and M. haue giuen, granted, bargained and sold, and by these present Indentures doth giue, grant, bargain, and sell to the said J. P. and W. and to the heirs of the said J. all those two closes lying nere to C. in the said county of W. aforesaid, now or late in the tenure and occupation of C. S. gentleman and al these closes or grounds parcell of the demerans of the said late dissolved Monasterie, knowne by the name or names of &c. being part of the demerans belonging to y^e said late dissolved Monasterie of C. with thappurtenances, To haue and to hold the said closes, mesuages, &c. and other the premises in the said County of W. last befoze mentioned to the said J. P. and W. and to the heirs and assignes of the said J. for ever, to thuse of the said J. P. and W. and to the heirs & assignes of the said J. P. for ever. And also the said sir C. A. and M. for the consideration aforesaid, haue giuen & granted, bargained and sold, and by these presents do giue, grant, bargain and sell to the said J. P. all that the manoz of M. with thappurtenances in the said county of W. and the said capitall mesuage called C. and the said demesnes of y^e said late dissolved menastery of C. in the said county of W. and all and singular their and either of their mesuages, lands, farmes, tenements, rents, reuerfions, services, and hereditaments with thappurtenances in C. in the said county of W. now or late in the tenure and occupation of R. G. and of J. B. or of either of them: Also al those closes, lads, woods, and grounds, medows and pastures whatsoeuer late of J. C. and F. or either of them aforesaid, called or knowne by the name or names of &c. and also all other their and either of their mesuages, cottages, milles, dove-houses, lads, tenements, meadows, pastures, feedings, woods, vnderwoods, commons, waste grounds, moozes, heaths, sheep walks, waters, pooles, fishings, rents, reuerfions, and all their courts, lates, profits, and perquisites of courts and lates, waiues, estraiues, liberties, priuiledges, iurisdictiones, prerogatiues, profits, commodities, emoluments, & hereditaments whatsoeuer, with all and singular their appurtenances in the parish of C. &c. and all their estate, right, title, interest, claime, property and demand whatsoeuer, of, in, to, or out of the said manoz & premises with &c. in the said countie of W. or of, in, to, or out of anie part or parcell thereof. And all the deeds, euidences, charters & writings, touching or concerning onely the said manoz of M.

M. and other the foresaid premises befoze in these presents mentioned
 in h̄ said county of W. or only any part or parcell thereof. To haue &
 to hold the said manor, scite, lands, tenements, hereditaments, and all
 other h̄ premises in h̄ said county of W. befoze, in, or by these presents
 giuen, graunted, bargained and sold, or mentioned to be giuen, gran-
 ted, bargained & sold to the said J. P. with all & singular their appur-
 tenances to the said J. P. his heires and assignes to the vse of the sayd
 J. P. for euer. And the said J. P. in consideration hereof, and for the
 summe of *£c. vii* (*supra ex parte I. N. mutatis mutandis*. And also his swan
 mark and all his swans, being or v̄sing in & vpon the river of D. and
 C. or in any other place within the counties of D. W. & W. or any of the,
 and all his estate, right, title, interest, claime, property and demaund
 whatsoeuer, of, in, to, or out of the said manors & premises in the sayd
 county of D. or of, in, or to any part or parcell thereof, together w̄ all &
 singular the deeds, euidences, charters, wrytings, escripts & muniments,
 touching & concerning only the premises in the said county of D. or a-
 ny part or parcel thereof (except and alwaies reserved vnto the said J.
 P. his heires &c. all h̄ capital mesuage called B. situate, lying, and be-
 ing in *£c.* together w̄th all & singular the barns, Caples, doue-houses,
 yards, curtilages, motes, waters, ponds, fishings, orchard, gardens,
 & all other easements, commons, & commodities thereunto belöging.)
 And also except and reserved to the said J. P. his heires & assignes one
 great field called the B. field, & closes, the one called *£c.* To haue and
 to hold the said manors &c. and all and singular other the premises
 w̄th *£c.* (except befoze excepted) vnto the said sir C. A. and D. & to the
 heires & assigns of the said sir C. A. for euer. Provided alwayes, and
 it is *£c.* betwene the said parties, & ech of them for them & their heires
 do covenāt & grant, to & w̄th thothers & their heires by these presents,
 that if any the said manors &c. by these presents mentioned to be gi-
 uen, &c. to the said sir C. A. & D. or either of them, shall be at any time
 or times hereafter euicted, recouerd, detained or taken away from the
 said D. C. & D. or either of them, or the heires &c. by reason of any for-
 mer title, cause, or right whatsoeuer, hauing being or beginning be-
 foze the date of *£c.* other than by reason or vertue of such rights, titles,
 causes and matters as be hereafter excepted, that then & from thence-
 forth, & so often it shall and may be lawfull, to and for the said sir C. A.
 and D. and their &c. into so much and so many acres of *£c.* parcell of
 the *£c.* mentioned to be graunted, &c. to the said J. P. as there shall be
 acres &c. so euicted, recouered, &c. into so much and so many acres of
£c. being parcell of the lands &c. of the said J. P. euicted, recouered, &c.

to reenter & to haue, take and retaine the same, and the issues & profits thereof, to haue & receiue to their own proper vse, for & vntill such time as euerie of the may lawfully enter into the mesuages, lands, woods, meddowes, pastures, and hereditaments so euicted & taken away, and occupie, vse, & enjoy the same, according to the true intent & meaning in these present Indentures contained. And that then & from thenceforth all & euerie person and persons which shal stand seised of the said lands, tenements, meddowes, pastures, woods and hereditaments, so to be reentred into, shal stand and be seised thereof, & of euerie part and parcell thereof, to thuse of the said sir C. A. and D. and of the heirs and assignes of the said sir C. to, for, & according to the purposes & intents last above mentionet. Neuertheles, it is couenanted &c. for them and euerie of them, their heirs and assignes, that neither the said sir C. A. nor D. nor the heirs nor assignes of anie of them, shal enter into the said capital mesuage called C. nor into any the gardens nor orchards belonging to the same, nor into anie the meddowes or pastures lying within the eddering wherein the said capital mesuage standeth & compassed about with the lands, vnlesse all the residue of the lands &c. before mentioned, to be bargained and sold to the said J. P. be not sufficient in value for such lands &c. as be grated, bargained or sold by the said J. P. as aforesaid, and shalbe euicted or taken away as aforesaid. Provided also, and it is further couenanted, graunted, condiscended, and agreed, by and betweene the said parties to these presents, & each of them, for them and their heires do couenant and grant, to and with the others & their heires by these presents, that if any the said lands, tenements &c. *vt supra, ex parte E. A.* And the said sir C. A. for him and his heires do couenant and graunt, to and with the said J. P. his heires and assignes by these presents, that he the said sir C. A. and his heires, shal & will from time to time, & at all times hereafter acquite, exonerate & discharge, or sufficiently saue or keepe harmelesse, as well the said J. P. his heires and assignes, & euerie of them, as also the said manor of D. and the lands, tenements and hereditaments above mentioned, to be bargained and sold to the said J. P. of, & from all, & all manner of former bargaines, &c. *vt supra* 110. whatsoeuer had, made, or done, the rents and seruices from thenceforth to be due to the chiefe Lord or Lords of the fee or fees thereof. And one bargain and sale of diuers woods, vnderwoods, and standerds, growing and being in one Parke or parcell of ground called the new D. and in and vpon one Crone called, &c. being parcell of &c. excepted and forepysed. And further the said C. A. for him and his heires doth couenant &c.

to & with the said J. P. his heires and assignes by these presents, that they the said C. & D. the heires & assignes of the said C. & all & every other person and persons, and their heires now hauing or claiming, or which at any time hereafter shall or may haue or lawfully claime to haue any maner of estate or interest of freehold or inheritace of, in & to y^e said manor, scite, demesne land, tenements & hereditaments aboue mentioned, to be bargained and sold to the said J. P. shall & will from time to time, and at all & euerie time and times hereafter during the space of five years now next ensuing, vpon reasonable request thereto be made, and at the costs & charges in the law of the said J. P. his heires and assignes, doe, make, knowledge, execute, and suffer, or cause to be done, knowledged, and executed all and euery such reasonable act & acts, thing and things, deuise and deuises whatsoeuer, for the further, better, moze perfect, and absolute assurance, suerty, sure making and conueying of the said manor, scite, demesne lands, tenements and hereditaments, and all and singular other the premisses, aboue mentioned to be bargained and sold to the said J. P. to be had and made sure to the said J. P. his heires and assignes, according to the true intent and meaning of these presents, be it by deed or deeds, inrolled or not inrolled, the Inrolment of these presents, fine, feoffment, recovery with voucher or vouchers ouer, release, confirmation, or otherwise, as by the said J. P. his heires or assignes, or by his, or their Counsell learned in the law, shall be reasonably deuised or aduised, so that the said C. A. and D. or the heires of the said C. be not compelled to trauell forth of the citie of L. or county of M. in or about the doing or knowledge of any the act or acts, thing or things aforesaid. And further that the said C. A. his &c. shall and will befoze the feast of &c. vpon reasonable request thereto be made, deliuer or cause to be deliuered, whole and vncancelled, vnto the said J. P. his heires or assignes, all such deeds, euidences, charters, writings & muniments which the said C. or anie other to his vse, or by his deliuerie, hath or haue touching or concerning the said manor of M. scite, lands, tenements, & hereditaments aboue mentioned to be bargained & sold to the said J. P. or anie part or parcell thereof. And the said J. P. for him and his heires doth couenant and grant to and with the said C. A. his heires and assignes by these presents, that he the said J. P. and his heires shall and will from time to time, and at all and euerie time and times hereafter acquite, exonerate and discharge, or sufficiently saue and keepe harmelesse aswell the said C. A. and D. and the heires and assignes of the said C. and euerie of them, as also the said manor,

messuages, lands, tenements, and hereditaments, and all and singular either the premises aboue mentioned to be bargained & sold to the said C. and H. and every part & parcell thereof, of and from all & all maner of former bargaines, as in covenants to saue harmelesse, the rents and seruices from henceforth to be due to the chiefe Lord or Lords of the fee or fees thereof, and all copyholds, customarie estates, rights, and titles by copy iustly claimed by any person or persons by copy, according to the customs of the said manors of H. & P. or either of them, excepted and forreysed, and except also one lease made to A. B. of 10. s. for the rents of 50. l. whereof there is not aboue 19. yeares to come, and also except one lease made to A. B. of 10. s. for the rent of 13. l. being not aboue 19. yeares to come. And also 10. s. And moreover the said J. P. for him and his heires doth covenant and graunt, to and with the said C. A. his heires and assigns by these presents in maner and form following, that is to say, that he the said J. P. and W. now his wife, and their heires, and all and euerie other person and persons, & their heires now haning, *ut supra* for further assurance. In witness &c.

An Exchange of lands for yeares.

Sec. 515.

THIS Indenture of exchange made 10. Betweene H. B. of C. 10. and K. P. of 10. on the one partie, Witnesseth, that the said H. B. hath demised, granted and to farme letten, and by these presents doth 10. vnto the said K. P. all these parcels of land hereafter recited, lying in D. aforesaid, that is to say, 10. To haue and to hold the said one acre and iij. roods of land 10. with thappurtenances vnto the said K. P. 10. in exchange for certaine other lands hereafter in these presents mentioned, from the feast of 10. vnto the end and terme of 10. yeares from thence next following and fully 10. without impeachment of any maner of waste or destruction to be committed or done by the said K. P. his heires 10. without any thing yeelding or paying vnto the said H. B. 10. during the said terme of 10. In consideration whereof the said K. P. hath demised, granted 10. and by these presents 10. vnto the said H. B. all those parcels of ground hereafter recited lying in C. aforesaid, viz. (naming the lands certainly) 10. To haue & to hold 10. with the appurtenances vnto the said H. B. 10. in exchange for the said land first aboue expressed from the said feast of 10. vnto the end of the said terme of 10. yeares from thence 10. without impeachment of any maner of wast or destruction to be committed or done by the said H. B. 10. without any thing yeelding and paying therfore vnto the said

said R. D. &c. during &c. And the said H. B. doth covenant and grant &c. that the same R. D. &c. shall have, occupy, and enjoy all the said lands and premises above letten by the said H. B. unto the said R. by this Indenture of exchange, by, and during all the said terme of &c. in manner & forme above recited, without let or interruption of the said H. B. his heires, executors, &c. And the said R. D. covenanteth &c. that the same H. B. &c. shall have, hold, occupy, and enjoy all the said lands and premises above letten by the said R. D. unto the said H. by this Indenture of exchange, by and during all the &c. in manner and forme above recited, without any let or interruption of the said R. D. &c. And for the performance of all covenants, grants, promises, & agreements on h^e part of the said H. B. &c. above rehearsed in this Indenture, well & truly to be observed, performed, fulfilled, and kept, according to the purport and effect of these Indentures, the same H. B. bindeth himselfe &c. unto the said R. D. his heires &c. in the summe of x. li. of lawfull &c. And for the performance of al covenants vt supra on the part of the said R. D. &c. above rehearsed in this Indenture wel and truly &c. vt supra, according to the purport &c. of this Indenture, the said &c. bindeth himselfe &c. unto the said H. B. and in the summe of &c. In witness &c.

Note that in exchange, it is convenient that the states of both parties be equall. And that for the perfecting thereof either partie actually re-enters into the lands to him thereby granted.

Letters of Attourney.

What, and how necessarie Atturneyes be.

Hitherto have wee in some sort intreated of such acts and Instru- Sect. 516.
 ments as are made and done by the parties themselves, being personally present: Now we intend to set downe such Instruments, as give authority to other as their Factors or Atturneyes to doe the like for them. And that the rather, for that mention is made before, that Liverie of seisin may be made by Proctors or Atturneyes, authorized thereunto by written Warrants. And euen as Liverie of seisin, so may many other actes and Instruments in ciuill causes be performed by Atturneyes, which seemeth very reasonable, for that that many times the parties themselves, are so hindered, either by infirmi-

tic, or by such multiplicitee of businesse and affaires in sundry places at one time, that they cannot possibly be present at all: Wherefore Atturnies be verie necessary and profitable for humane societie; which be defined such persons as by the consent, commandement, or requests of the parties, do take heed, see to, and take vpon them the charge to doe other mens businesse and affaires in their absence, according to the authoritie and trust to them committed by the owners thereof. In Instruments making and ordainting of Atturnies, which bee sometimes called Letters of Atturnie, sometimes Warrants of Atturnie, sometimes Proxies or Procurations, seeme necessarily to be considered sixe things, viz. First, the name of the partie which is to make the Instrument, and of him which is to be made Atturney. 2. The Atturnies consent to the same. 3. Against whom. 4. In what matter or cause. 5. Before what Iudge, or other person. 6. For what act or end. All which things will plainly appeare in the ensamples following.

A letter of Atturney to receiue Money.

Sec^t. 517.

THis Bill made &c. Witnesseth, that J. J. H. of Lincolnes Inne &c. haue constituted & made J. H. my seruant, my lawfull Atturney to receiue for me, and to my vse, all such summes of money as shall be due vnto me by one L. K. of H. in the &c. be it by matter of Record or otherwise. And also giuing him further authorizty in my name after the payments of the said summes, to make a good & perfect acquitace or acquitances. And I the said J. H. do grant by these presents, to allow, stand to, and to iustifie all such act & acts, thing & things, touching and concerning the receipt and making acquitances aforesaid, as my lawfull Atturney shall do, as is aforesaid. In witness whereof I haue hereunto put my hand and Seale.

A letter of Atturney by a Maior and Communitie, for their gathering of their rent and debts.

Sec^t. 518.

NOuerint vniuersi per presentes nos Maiorem & Communitatem Burgi de D. in Comitatu Eborum, pro nobis & successoribus nostris fecisse, ordinasse, constituisse, & in loco nostrum posuisse dilectos nobis in Christo W. S. & F. M. de eadem in eodem Comitatu, nostros veros & legitimos Atturnatos coniunctim & deuissim, ad petendū & exigendū, leuandū, recuperandū, & recipiendū, vicibus et nominibus nostris, & pro nobis, & ad vsum nostrum de tempore in tempus, omnes & singulas pecunia-

cuniarum summas, debiſ, arrerag', et reddiſ quoscunque nobis debiſ quacun- que de causa per aliquam siue aliquas personas infra Regnum Angl', tam modo nobis debiſ et a retro existeñ, quam imposteſ fueſ debiſ. Et in- super concedimus pro nobis et successor' nostris coniunctim & diuisim, plenam et integram potestatem et authoritatem ad arrestandum, profe- quend', implacitand', et condemnari faciend', ac executionem debiſ ob- tinend' pro nobis et successoribus nostris. Ac distriſtionem et distriſtio- nes pro redditibus et arrerag' reddend' nobis debiſ de tempore in tem- pus, capiend', imparcand', ac recuperand', ac omnia p̄d debiſ et arrerag' recipiend', ad vsum nostrum et successor' nostror'. Et debiſ acquieranc' p̄ summis sic recuperat' et recept' faciend', et nominibus nostris deliberand', ac ea omnia et singula agere, facere, et perimplere quæ circa p̄missi. ne- cessari fuerint et oport', adeo plenarie et integre, p̄ut nosmetipsi possimus siue deberemus in p̄missis facere. Ratum et gratum habens & habitur' to- tum & quicquid dicti Atturinati nostri fecerint, seu eorum alter fecerit in p̄missis virtute p̄sentium. In cuius rei testimonium huic p̄senti scripto nostro sigillum nostrum commune apposuiimus. Dat' die &c. Anno &c.

*A Letter of Atturney to ouersee Lands, receiue Rents,
and enter for non-payment thereof.*

BE it knowne to all men by these p̄sents, that **J. S. of W.** in the Sect. 5 19. Countie of **S.** yeoman, haue made, constituted, ozdained, and put in my place, my right welbeloued in God **R. W.** Gentleman, my true and lawfull Atturney, in this behalfe, to ouersee, rule, and gouerne for me, and in my name, all my lands and tenements, as well Free- hold as Copyhold, set and lying in the Towne and Parish of **C.** in the Countie of **S.** And also to receiue for me, and in my name, all the rents, issues, commodities, and p̄ofites, comming and growing of the same lands, and euery parcell thereof. And the farmozs of the same lands, for non-payment, to expell, put out, and amoue, and them to let to farme to other at his owne pleasure and discretion: giuing and graunting vnto my said Atturney my full power and authozitie, by the tenoz of these p̄sents, to doe and execute all and singular the p̄misses, as fully, wholly, and surely, as **I** the said **J. S.** might or should doe, if this my p̄sent wyting had not beene made ec. In witness &c.

A Letter of Atturney for speciall Debt.

Sect. 251.

VNto all Christian people to whom this present writing shal come, R. S. of ꝛ. sendeth greeting. Know you me the said R. S. to have constituted, & in my place set my welbeloued in Christ R. D. my true and lawfull deputie & Atturney; to aske, demand, leuie, recouer, and receiue for me & in my name, & to my vse of C. M. of ꝛ. the summe of ꝛ. of lawfull English money, which the said C. M. oweth vnto mee, & wherein he standeth bound vnto me by his Bill obligatoꝝ: Giving, and by these presents granting to my said Atturney my whole power and authority in the premises if need shall require to sue & pursue the said C. M. his executoꝝ &c. for me and in my name in any Court spirital or temporall, befoze any Iudge or Iustices, or to vse any other lawfull waies or meanes for the recovery of the said ꝛ. And also to compound, seale, & deliuer Letters of acquittance, or any other lawfull discharge for me and in my name. And moreouer to ordaine & set Atturney or Atturneys, one or moze vnder him, & at his pleasure againe to reuoke & countermand the same. And to doe, execute, perfoꝝme, & finish for me & in my name, all & singular things which shall be expedient & necessarie concerning the premises, as thzoughly & wholly as I the said R. S. might or could do, in or about the same. And whatsoeuer my said Atturney shail doe or cause to be done in the premises, I promise to allow, confirme, perfoꝝme, & establish, and thereto I bind me, my heires and executoꝝ by these presents. In witnesse &c.

A Letter of Atturney to recouer and reteine a Debt.

Sect. 252.

BE it knowne ꝛ. That whereas W. P. ꝛ. is bound vnto J. K. by one Obligation or writing obligatoꝝie, bearing date the ꝛ. in the summe of 300. pounds, to be paid to the said J. K. his executoꝝ or administrators, or some of them, with condition thereupon indorsed, as thereby appeareth, That now the said J. K. for and in consideration of a certaine summe of moncy to him the said J. K. by R. S. befoze hand paid, hath bargained & sold, & by these presents doth bargain and sell vnto the said R. S. his executoꝝ, administrators, and assignes, the said Obligation, or writing obligatoꝝie, of 300. pounds aforesaid. And also doth by these presents make, constitute, and in his place put the said R. S. his true and lawfull Atturney, in his name and place to aske, demand, leuie, recouer, and receiue of the said W. P. his heires, executoꝝ, and administrators, and euery of them, the said 300. pounds, in the said writing obligatoꝝie mentioned and expressed.

expressed. And also doth by these presents give and graunt unto the said R. S. his executors and administrators, and euerie of them, full and whole power and authoritie in the name of him the said J. K. to sue, arrest, impyison, and condempne, and cause to be sued, arrested, impyisoned, & condempned the said W. P. his heires, executors, and administrators, vpon the same writing obligatorie of 300. li. And also to procure iudgement and execution to be had and made against the said W. P. his heires, executors, and administrators for the same 300. pounds. And also, for, and in the name of him the said J. K. to release and acquite the said W. P. his heires, executors, and administrators, and euerie, or anie of them for the same 300. pounds. And release or releases, acquitance or acquitances to make, seale, and deliuer vnto them, and euerie, or any of them of the same summe of 300. pounds, and of euerie, or any part thereof. And one Attorney or more for the doing of the premises, to make, and the same at his pleasure to reuoke, and new in their place to substitute, & to do, perfozme, and execute all and singular things which shall be expedient or necessary concerning the premises, so fully, as he the said J. K. might or could do the same, being personally present at the doing thereof. And further the said J. K. doth by these presents give and grant vnto the said R. S. his executors and administrators, good and lawful authoritie to receiue, retaine, and keepe to his and their owne proper vse & behoefe of the said summe of 300. pounds, in the said Obligation mentioned, without any accompt to bee rendyed to him the said J. his executors or administrators, for the same, or any part thereof. And the said J. K. for himselfe, his executors and administrators, and euerie of them doth by these presents couenant, graunt, promise, and agree, so, and with the said R. S. his executors and administrators, and euerie of them, that he the said J. K. his executors & administrators, and euerie of them, shall and will iustifie, allow, ratifie, and perfozme all and whatsoever hee the said R. S. his heires, executors, and administrators, shall lawfully do, or cause to be done, in or about the premises. And that neither hee the said J. K. his heires, executors, nor administrators, nor any of them, will reuoke, nor make void this Letter of Attorney, nor any authoritie hereby giuen to him the said R. And that he the said J. K. hath not heretofore released, nor made void the said Obligation, nor the said summe of 300. pounds therein contained, nor any part thereof: nor hath done, nor suffered to be done, nor hereafter will doe, nor suffer, or consent to be done, any act or acts, thing or things, whereby the said summe of three hundred pounds,

in the said Obligation mentioned, may not bee recovered, obtained, and had by the said R. S. his executoꝝ, administrators, or assignes, or some of them, according vnto the true meaning hereof. And for the performace of all articles, covenants, grants, and agreements herein contained, hee the said J. R. doth by these presents bind himselfe, his heires, executoꝝ, and administrators, and euerie of them to the said R. S. his executoꝝ, and administrators, in foure hundred pounds of lawfull money ꝛc. to bee paid to the said R. S. his executoꝝ and administrators. In witness &c.

A Letter of Attourney made by Executors.

Sect. 52.

NOuerint vniuersi per præsentēs nos R. I. & M. vxor̄ meam, nuper vxor̄ T. S. (dum vixit) ac executricem Testamenti eiusdem T. assignasse, fecisse, & loco nostro constituisse dilectos nobis in Christo Iohēm C. & M. vxor̄ eius, nostr̄ fideles & legitim̄ Atturnat̄, coniunctim & diuisim, ad petend̄, leuandum, & recipiendum vice & nomine nostro, ad eorum proprium vsam, omnia & singula bona, mobilia et immobilia, hūtilimenta, & necessaria quæ præfatus T. die obitus sui habuit, & sibi pertinebant infra mesuagium siue tenementum suum in H. in Comitatu E. quod idem T. per Testamentum suum dedit & legauit præfat̄ I. C. & M. vxor̄ suæ, sorori eiusdem T. cum omnibus & omnimodis hūmodi hūtilimentis & bon̄ eidem mesuag. siue tenemento, lignis omnino except̄, & eidem mesuag. siue tenement̄ vt appropriat̄ reseruatis, quæ omnia & singula debita quæ dicto T. die eius obitus debebantur, infra Comitatum E. prædict̄, prædictus T. in dicto suo Testamento voluit & legauit præfat̄ I. C. & M. vxori eius: Dantes & concedentes præfat̄ I. & M. Atturnat̄ nostris, ac vtrique eorum, plenam & liberam tenore præsentium potestatem nostram, ob defectu diliberationis & solutionis in hac parte, sic necesse fuerit, tam omnes & singulos debitores, detentores, & eorum quemlibet, omnium bonorum hūtilimentor̄, & necessarior̄ prædict̄, ac cuiuslibet eorum parcell̄ (except̄ & reseruatis præexceptis & reseruatis) quam omnes & singulos debitores & detentores debitor̄ prædict̄, ac quemlibet eorum arrestari faciend̄, imprisonandi, & extra prisonam liberand̄: Necnon implacitand̄ et prosequend̄ in quibuscunque Curijs, & coram quibuscunque iudicibus & Iusticiar̄ quorum interest, adeo precit̄ & integr̄e, sicut lex exigit & permittit, & de receptis in hac parte, acquietanc̄ nomine nostro faciendi, sigillandi, & deliberandi, Atturnat̄ quoque vnum vel plures sub se constituendi, & profuo libito reuocandi: Cætera que oīa & singula quæ

in præmissis, & circa præmissa necessaria fuerint, seu quomodolibet opportuna faciend, exercend, & exequend, adeo integrè, prout nosmet ipsi facere possumus, si præsentibus ibid psonaliter interessemus. Ratum & gratum &c. In cuius &c.

A Letter of Atturney upon the Kings licence.

VNiuersis &c. I. P. vnus Armig' pro corpore illustriss. domini no- Sect. 523.
stri Regis &c. salutē in domino sempiternam. Cum idem dominus noster Rex, per suas gratiosas literas patentes, quarum datum est apud Westmonasterium decimo die Februarii, anno regni sui 31. in consideratione veri & fidelis seruitij, quod ego dictus I. P. eidem illustrissimū domino nostro ante hæc tempora impendi, & durante vita mea impendere intendo, concessit, & licentiam dedit mihi p̄f. I. P. qđ ego per me, aut deputatum siue deputatos meos indigenas siue alienigenas, numerum et quantitatem ducentorum doleorum Satis, Anglicè vocat̄ *Woad* de Tholosa in partibus vltimarum emere & providere, ac eadem ducenta dolea de *Woad*, in vna nau, siue diuersis nauibus, de obedientia dicti domini Regis, aut obedientia aliquorum amicorum & confederatorum suorum cariare & imponere, ac in quemcunque locum, seu quemcunque loca huius regni Anglię, vna vice, vel diuersis vicibus ibidem ad meum maximum proficuum et aduantageum importand, conducend, & inducend, vendend, & distribuend, conduci et discariari facere possem & valeam licitè & impunè: aliquo actu, statuto, restrictione, prohibitione, aut proclamatione in contrarium fact' non obstante, prout in prædictis literis patentibus inde confectis plenius continetur. Noueritis me præfat I. P. virtute & autoritate dictarum literarum patentium, fecisse, ordinasse, constituisse, & in loco meo possuisse dilectos mihi in Christo A. B. & C. D. Mercatores de H. meos veros & legitimos deputatos, factores irreuocabiles coniunctim, vice et nomine meo, ad faciendum, exqueendum, & administrandum, ad vsus, commoda, & proficua propria eorundem A. B. & C. D. omnia & singula in dictis literis patentibus contenta et specificata, viz. in tam amplis modo & forma, prout ego dictos I. P. facere potuissim, seu deberem, vigore prædictarum literarum patentium, si ibidem præsens personaliter interessim. Et deputat siue factorem vnum, siue plures sub te constituend, & ad libita sua reuocand: Quibus quidem A. B. & C. D. & eorum virique coniunctim, ego dictus I. P. do, concedo, & transporto per præsentibus, omnimodum potestatem meam & autoritatem in præmissis. Ratum et gratū habens & habiturus, totum et quicquid dicti deputat & factores mei nomine

mine meo fecerint, seu fieri procurauerint, aut eorum aliquis fecerit, seu fieri procurauerit in præmissis, & in quolibet præmissorum per præsentem. In cuius rei &c.

A Letter of Attourney to deliuer possession of Lands.

Sect. 524. **N**Ouerint vniuersi per præsentem me W.B. &c. assignasse, fecisse, et loco meo apposuisse, ac constituisse per presentes, dilectum mihi in Christi A.R. meum verum & legitimum attornat, ad intrandum pro me, vice et nomine meo, in omnia illa mesuag, terr, &c. Et post talē introitum, ad deliberand pro me, vice et nomine meo, plenam et pacificā possessionem & seisinam, et in p̄d mesuag. terr, &c. cum oibus suis pertinē I.B. aut suo certo Attornato, hæred et executoribus suis scdm vim, formam, tenorem, et effectum cuiusdam chartæ meæ per præf. W. antedict I.B. et alijs factæ, cuius dat est &c. prout per inspectionem eiusdem plenius apparebit: Cæteraque omnia et singula &c. Dat &c.

A Letter of Attourney to receive possession of Lands.

Sect. 525. **N**Ouerint &c. dilectum mihi in Xpo C.D. meum verum et legitimū attornat, ad intrand pro me, vice et nomine meo, in vnum mesuag. cum gardino et suis &c. ac plenā et pacificā possessionē et seisinā inde capiend. Et post hūdi seisinam et possessionem sic inde recept et habit, eandem ad meum propriū vlū retinend et custodiend, secundū vim, formā, et effectum cuiusdam chartæ mihi et alijs fact per E.F. generosum, vt per eandem chartā inde confectam, cuius datum est &c. manifestē liquet et apparet: Cæteraq; omnia &c.

A letter of Attourney to receive possession and costs of the Sherife.

Sect. 526. **B**E it knowne &c. That J.P.L. &c. haue constituted, ordained, and made J.F. my lawfull Attourney, for me, and in my name, to receive of the Sherife of the countie of P. or his deputie, full and peaceable possession of one mesuage or tenement with the appurtenances in G. and such money as I haue recovered for my damages and costs against A.K. widow, in an Eiectione firmæ, according to the tenor, effect, and meaning of the writ of our Soueraigne Ladie the Quēn, of Habere facias possessionem, and Fieri facias to the said Sherife directed. In witness &c. Dated &c.

A Let-

A Letter of Attorney to take possession of lands recovered.

NOuerint &c. nos H. G. et H. W. fecisse, ordinasse, et loco nostro Sect. 527.
 posuisse dilecti nobis in Christo W. P. et I. H. nostros veros et legitimos Attornat coniucent et diuisim, ad intrand' vice et nominibus nostris in maner de B. cu' p'riū, ac in quinquaginta ac' terræ, viginti acras prati, trecent' ac' pastur', quadragint' ac' bosci, et quinque libras reddit' cu' p'riū in B. S. et R. in Com' E. quæ nos p'dict' H. C. et H. W. p' breue d'ni Regis, de ingressu super disseisin' in le Post, versus I. C. armig', in Cui' dicti d'ni Regis, coram Iustic' suis apud Westm' termino S. Mich. antedict' &c. recuperauimus ad vsu' I. S. Milif' et hæred' suor', ac de, et super h'ndi introitu sic fac' plenam et pacificam possession', de et in maner', terr', et ten' p'd cum p'riū nominibus n'ris capiend' et continuand' ad vsu' p'd I. S. et hæred' suor', donec aliter inde duxerimus disponend'. Ratū et gratum hen' et habitur' tot' et quicquid dicti attornat n'ri nominibus n'ris fecer', seu eorum alter fecer' in pra'missis, prout ibidem p'æsentes personalit' interessemus. In cuius rei &c.

A Letter of Attorney to receiue possession of lands extended by a Statute Marchant.

OMnibus Christi fidelibus &c. T. B. Ciuis et Dra. L. salutem in d'no. Sect. 528.
 Cū R. E. Miles, Vic' Com' E. virtute b'ris d'ni Regis sibi inde direct' extendi fecisset vnū mes. et xx. ac' terr' cu' p'riū in D. in Com' E. quæ fuer' I. K. ad valor' xl. s. p' anū, q'd quidē mes. et xx. ac' terr' cum p'riū dictus Vic', cū ea sic extendi fecisset, se sine fecit in man' d'ni Reg. Noueritis me p'f. T. B. assignasse, fecisse, locoq; meo posuisse et constituisse dilect' seruient' meum R. B. meum verū et legitimū in hac pte attornat', ad recipiend' p' me, et in noīe meo de p'f. R. M. Vic' Com' p'd, plen' possession' et seisin', de et in p'd mes. xx. ac' terr' cu' p'riū quæ mihi de p'f. T. B. p' dict' Vic', virtute b'ris dicti d'ni Reg. sibi inde direct' liberari debent et extend'. Tenend' mihi et assign' meis vt libet ten' meū secund' tenor', vim, formā, et effectū eiusdē b'ris d'ni Regis eidē Vic' vt p'fertur direct'. Dans et concedens p'f. attornato meo plenā et sufficient' tenore p'sentium potestā meam, auctoritat' et mand' speciale, ad faciend', exercend', et exequend' p' me, et in nomine meo, de et in p'missis, et in quolibet p'missorū, omnia ea et singula quæ ego p'fatus T. B. facere possem, siue deberem, si p'æsens ibidem personaliter interessem. Ratū et gratū habens et habiturus firmum

Symb. Letters of Attorney. part. primæ

& stabile, totum & quicquid prædicti Attornatus meus nomine meo fecerit in præmissis per præsentibus. In cuius rei testimonium præsentibus sigillum meum apposui. Dat &c.

A Letter of Attorney to enter for default of payment.

Sec. 529.

OMnibus Christi fidelibus, ad quos præsens scriptum peruenit, A. P. salutem in domino sempiternam. Cum ego præf. A. in præf. dimiserim, feoffauerim, & per quandam chartam meam tripartitè confirmauerim W. C. unum tenementum, cum pertinentiis, situatè in parochia S. Ceddæ Salop, viz. inter tenementum &c. Habendum et tenendum præf. W. hæredes et assignati suis imperpetuum, sub forma et conditione sequenti, viz. Quod præf. W. hæredes vel assignati sui soluerent, aut solui facerent mihi præf. A. aut executi meis, in Ecclesia S. Ceddæ Salop, ad festum S. Mich. Arch. proximo futurum post datum chartæ præf. x. li. sterling. Et si præf. W. vel assignati sui defecisset, vel defecissent in solutione summæ præf., aut in aliqua inde parcella, ad festum solutionis superius limitatè, extunc bene liceret mihi præf. A. in præf. tenementum cum pertinentiis reintrare, et illud in pristino statu meo rehabere, præf. charta feoffamenti et dimissionis non obstante, prout in eadem charta plenius liquet. Et quia præf. W. solutionem præf. fregit. Noueritis me præf. A. occasione præmissa, attornasse, et plenam potestatem meam concessisse dilectis mihi in Christo T. M. & I. P. coniunctim et diuisim, ad reintrandum, reclamandum, et possidendum, pro me, & nomine meo, in præf. tenemento cum pertinentiis, ut in pristino statu meo, & præf. W. inde expellendum et amouendum, dictumque tenementum in manibus ipsorum T. & I. ad opus meum tenendum, donec aliter inde duxerint disponendum. Ratum et gratum habens et habiturus totum et quicquid præf. Attornatus mei fecerint nomine meo, seu eorum alter fecerit in præmissis, prout egomet facere possem si personaliter interesset. In cuius &c.

A Letter of Attorney to receive debts, sue, and make Acquittances.

Sec. 530.

BE it knowne vnto all men by these presents, that I H. D. of gr. have made, assigned, and assured, ordained, and deputed, and in my stead and place by these presents put and constituted my welbeloued friends and kinsmen R. W. and S. T. of gr. my true and lawfull Attorneys irreuerable, iointly, and either of them severally, for me, and in my name, and to my vse, to aske, leuie, recouer, and receiue all
and

4-43 vte legat q' d'ia r m 522 yci q' d'ad

and singular such debts, duties, summe and summes of money, as are
 oꝛ shall be due oꝛ owing vnto me the said H. D. by A. B. C. D. &c. oꝛ
 by any other person oꝛ persons whatsoeuer, Giuing, and by these pre-
 sents granting vnto my said Atturnies, and to either of them iointly
 and seuerally, full power and anthozitie, foꝛ me, and in my name, and
 to my onely vse to sue, arrest, implead, condemne and impzison euerie
 of my debtoꝛs afoꝛesaid. And at their, and either of their liberties and
 pleasure, such person and persons out of pzison to deliuer, oꝛ cause to
 be deliuered. And vpon the receipt of anie summe oꝛ summes of mo-
 ney, to my vse to be receiued of anie of the persons afoꝛesaid, acqui-
 tances, oꝛ other lawfull discharges foꝛ the same, foꝛ me, and in my
 Name and name, to make, seale, and deliuer as my deed oꝛ deeds. And
 one Attourney oꝛ moe vnder them, oꝛ either of them to make oꝛ substi-
 tute, and at their, oꝛ either of their free wills againe to reuoke: And
 all and euerie other thing and things, which shall be needful oꝛ neces-
 sarie to be done, in oꝛ about the pzemisses, the same to doe as fully and
 wholly, as I my selfe might doe, if I were there personally present,
 holding firme and stable all and whatsoeuer my said Atturneyes, oꝛ
 either of them shall doe, oꝛ cause to be done, in, oꝛ about the pzemisses
 by these presents. Sealed with my seale: Given the viij. day of D. in
 the 36. yeaꝛe of the raigne &c. An. Do. 1594.

A letter of Attourney to seale an Indenture and Obligation.

BE it knowne &c. That I S. C. &c. have made &c. my true & lawfull Sect. 531.
 Atturnies, iointly and seuerally, to seale and deliuer foꝛ me, and
 in my name, one Indenture made betweene &c. bearing date &c. And
 also to seale and deliuer foꝛ me &c. to the said Sir P. one Obligation,
 wherein I the said Sir C. shall stand bound to the same Sir P. in the
 summe of &c. with condition thereupon indozsed, foꝛ the performace
 of the couenants, graunts, and agreements, comprised in the said In-
 denture: Which said Indenture and Obligation after the same shall
 be so sealed and deliuered by my said Atturnies, oꝛ one of them, I the
 said Sir C. doe promise by these presents, that the same Indenture
 and Obligation, and either of them, shall be my effectuall deed and
 deeds in the law, and shall be of as good strength, foꝛce, and effect in
 the law, to all intents, constructions and purposes, to binde me, my
 heires and executoꝛs, against the said Sir P. his heires and executoꝛs,
 and against euery of them, as though I the said Sir C. had sealed and
 deliuered the said Indenture and Obligation my selfe. In witness &c.

A letter of Attourney to alien lands.

Sect. 532.

BE it knowne vnto all men by these presents, that I A. B. of D. within the County &c. haue ordained, constituted, made, and in my place put my welbeloued R. D. my true, full, and lawfull Attourney, and to the same R. haue giuen, and graunted, full power and authoritie to giue, graunt, bargaine, and sell, or by any other lawfull way or meanes, to alien, conuey, & assure, at his will, pleasure, & discretion, for me, & in my name, all that my messuage, toft, garden, or orchard, & acres of wood, & acres of heath, furzes, and r. shillings rent, with their appurtenances, in G. in the Countie of P. to any person or persons whatsoeuer, according vnto the Lawes of this Realme. To haue and to hold to the said person or persons whatsoeuer, their heires and assignes, or the heires or assignes of any one of them for ever, to the onely vse & behoofe of the said person or persons, to whom the premises shall be aliened, conueyed, and assured, as is aforesaid, to, & for the summe of 100. li. of lawfull English money, to be well and truly paid to the said Attourney by the said person or persons to whom the said lands & tenements, and other the premises, shall be aliened, conueyed, and assured, as is aforesaid, within one moneth after the said alienation of the premises made, as aforesaid, to the only vse & behoofe of me the said A. B. my executors & assignes. And further, giuing & granting to my said Attourney my full power and authoritie in the premises, to doe, execute, performe, fulfill, conclude, & finish, for me, & in my name and place, as is mentioned, all & singular thing and things whatsoeuer shall be expedient & necessarie concerning the premises, as thoroughly, wholly, & surely, as my selfe should doe, if I my selfe were there in my owne person present, ratifying & confirming by these presents, whatsoeuer my said Attourney shall do, or suffer to be done, in, and about the premises, in my behalfe, for me, and in my name. In witness &c.

A letter of Attourney generall touching land.

Sect. 533.

VNiuersis Christi fidelibus &c. P. H. de R. in Com' E. yeoman filius et hæres R. H. defuncti dum vixit de G. in Com' p'd yeoman, salutē in dño sempiternā. Noueritis me p'f. P. fecisse, ordinasse, constituiſſe, et locuto posuisse dilecti mihi in Christo T. B. meum verum et legitimū Attourn, ad psequēd, implacitād, et defendēd vice et noīe meo, et p me, in oībus et singul' cur' et placitis, ac corā quibuscunq; Iudic' et Iustic', versus omnes

omnes & singulas personas, erga quas vel quam aliqua actio, tam realis quam personalis mihi quouis modo dat ius, sectam, aut defensionem per legem, de, & pro omnibus illis terris & tenemētis meis cum suis pertinētijs vniuersis vocat W. situatis, iacentibus & existentibus in villis & campis de C. prædict', quam mihi dicto P. iure hæreditario descendebant, per & post mortem prædict' R. patris mei, & quæ in præsentia à me iniuste detinent: Nec non omnia dicta terras & tenementa cum suis pertinentijs, vice & nomine meo ad intrand', ac plenam & pacificam possessionem & seisinam, de, et in eisdem, pro me, & nomine meo capiendam: Ac omnes & singulas personas quascunque firmarios siue occupatores eorundem abinde expellend', & amouendum, & super huiusmodi possessione sic capta & habita, omnia dicta terras & tenementa cum pertinentijs ad vsum dicti T. custodiend', gubernand', occupand', & ministrand'. Dando, & per presentes concedendo prædict' Atturnat' meo, plenam et integram potestatem meam auctoritatem & mandatum speciale, prædict' personas & earum quamlibet, occasione iniustæ detentionis, custodiæ vel occupationis prædict' terrarum & tenementorum cum pertinentijs, aut alicuius inde partis seu parcell' attachiand' & arrestari faciend', ac coram Iudicibus & Iusticiarijs prædictis comparare faciend' & producend', ac versus ipsas personas, & earum quamlibet occasione prædict', omnes & singulas actiones, sectas, placita, & prosecutiones, licita, requisita & necessaria in cur' prædict' vbiunque videbitur opportunum fore, vice ac nomine meo leuand', affirmand', capiend', et atturmand', & eas vel ea secundum iuris exigentiam, cum quibuscunque inde circumstantijs interplacitand' & prosequend', ac ius & titulum meum prædict', coram præd' Iudicibus et Iusticiarijs declarand', exponend' et notificand', dictasque personas et earum quamlibet per legis vigorem arrestand', imprisonand', & condemnari faciend', ac extra prisonam deliberrand': Nec non damna & expensas in ea parte habet & habend' de ipsis personis & de earum qualibet recuperand', et recipiend'. Et de receptis et recuperatis, ac super finem &c. *As in other.*

A letter of Attourney to sue for lands and goods.

THis Bill &c. made &c. Betweene &c. Witnesseth, that whereas the Sect. 534.
said A. by his writing obligatorie, bearing date &c. hereof standeth bound to the said D. in xl. pound &c. with condition thereunto imposed, as thereby appeareth, the said D. in consideration thereof hath
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constituted &c. in her place put the said J. her true & lawfull atturney irrevocable, to demaund, sue for, recover, receiue, obtaine, and get in her name and stead, to his owne vse, without any account thereof to be made or rendered vnto the said D. his executozs or administratozs, as well all such lands, tenements & hereditaments, which she the said D. should or ought to haue for her dower or ioynture, of anie landes, tenements or hereditaments, which were the inheritance of the said W. L. except one mesuage &c. As also also all such goods & chattels as the said D. ought to haue for her part, of all the goods and chattels which were the said W. L. at the time of his death, other then such goods and chattels as she the said D. now hath receiued, and the third part of all such debts as were due to the said W. L. at the time of his death. And the said D. doth by these presents giue and graunt vnto the said J. L. her full and whole power in the premises (except befoze excepted) to arrest, sue, declare, implead, impzison and release any person & persons, for, or by reason of the same premises, or any part thereof (except befoze excepted) at the costes and charges of the said J. L. and thereof and therefore in her name to release, acquite, compound, and agree with any person or persons: And also to do, finish, and execute, all and euery other thing and things, which shal be requisite or necessarie, in or about the premises, or anie part thereof (except befoze excepted) so fully and wholly, as if shee the said D. should or might, or ought to doe, if she were personally present at the doing or executing of the same. And further, the said D. doth couenant &c. that shee the said D. shall and will allow, iustifie, affirme, perfozme, ratifie, and establish, all and euery act and acts, thing and things, which the said J. L. shal lawfully doe, or cause to be done in her name, in, or about the premises or any part thereof (except befoze excepted) according to the true meaning hereof, at the costs and charges of the said J. L. And that the said D. shall not, nor wil not at anie time hereafter reuoke or adnull this present Letter of Atturney, or the power and authoritie thereby giuen to the said J. In witnesse &c.

A letter of Atturney to sue to a Court.

Sect. 535.

PAteat vniuersis p presentes, q̄ ego R. P. attur nau, et in loco meo constitui Lmeum Attur naſ, ad lectam nomiñ meo faciend' ad cur' Decani et Capituli Ecclesie beate M. Linc' de C. iuxta tenore breuis regis, balliuis p̄d' Decani & Capituli curie suæ p̄d' inde direct': Ratum habitur' et gratum quicquid id' L. nomine meo fecerit in &c. In cuius &c. Dat' &c.

A

A Letter of substitution where the Attourney maketh a deputie vnder him.

VNiuersis &c. S.F.&c. Cum I.T.&c. per quoddam scriptū suum de Sect. 536. Atturñā fecerit, ordinauerit, constiit, & in loco suo posuerit me p̄f. S. suum verum et legiū Atturñā, ad petendum &c. vice & nomine dicti I. et ad meum propriū vsum de H. C. x. li. in quibus dictū H. per obligationem suam p̄rāf. I. teneū & obligatū, dictūque A. p̄ dictū scriptū suum de Atturñā, dederit et concesserit mihi p̄rātato S. Atturñato suo, plenam et integram potestatem suam & autoritatē in p̄rāmissis ad faciendū, agendū, p̄sequendū &c. et de recep̄t et recuperatis, et super finem et concordiam acquietandū, seu alias exoneraciones nomine dicti I. componendū, sigillandū, & deliberandū. Et atturñatos alios, vnum vel plures sub me constituendū et reuocandū, prout in eodē scriptū de atturñā inde confectū plenius continet. Nouerit me p̄f. S. vigor et autoritatē dicti scriptū de atturñā mihi si factū, ordinasse, posuisse, &c. E. N. meum verū et legitimum substitū ad petendū &c. ad vsum, commodum et proficuum dicti E. de p̄f. H. x. li. Nec non omnia alia & singula in p̄rāmissis. & circa ea necessarī, ad faciendū, exigendū, expediendū, et finiendū, adeo plene et integri, sicut ego p̄f. T. vigore antedicti scriptū atturñā facere possem seu deberem si p̄rātens personaliter adessem. Ratum et gratū &c. In cuius &c.

A reuocation of a Letter of Attourney.

VNto all Christian people to whom this present writing shal come Sect. 537. A. W. re. widow, sendeth grāting: Whereas I the said A. vpon trust and confidence which I had in C. W. my sonne, did by my letter of Atturney constitute and make the said C. my Atturney, Wayfe, Factoz, and Sollicitoz, generall, in, for, and of all and singular my goods, chattels, debts, duties, and demands, lands, tenements, and hereditaments whatsoeuer. And did giue him further authoritie and power to deale for me, as by the said writing to him made moze at large appeareth. Now know you me the said A. W. for that the said C. W. hath vsed himselfe by colour of the said authoritie to him giue, greatly both to my discomfozt and hinderance, and otherwise then my trust and confidence was in him: To haue reuoked, countermanded and made void, and by these presents do reuoke, countermand and make void the said letter of Atturney, and all the power and authoritie of the said C. W. to him giuen aswel by the said writing as by any
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other meanes whatsoever, whereby he can or may pretend to haue any kind of doing or dealing, for me or in my name touching any thing that is mine. In witnesse &c.

Warrants of Attorney.

A Warrant of Attorney to make Leases not exceeding twentie yeares.

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TO all the faithfull of Chyist to whom this present wryting indented shall come, A. B. sendeth greeting in our Lord God everlasting. Know that I the said A. B. haue ordained, constituted and appointed D. C. my true and lawfull Attorney, and by these presents doe giue vnto the said D. C. full power and authoritie for me, and in my name by wryting indented, or by severall wrytings indented, to demise, graunt, and to farme let, all those my mesuages &c. set, lying, or being in the Countie &c. or in any of them, or anie of the premises, as to the said D. C. shall seeme meet and conuenient, to such person or persons, and during such terme of yeares, so that the said lease or leases doe not exceed the number of twentie yeares, with such reservations of rents, couenants, graunts, agreements, and conditions to be contained in the said severall wrytings indented, as to the said D. C. shall be likewise thought most meet and conuenient, and also in my name to seale and deliuer as my deed, and the one part of all & euerie such wrytings indented, as to the said D. C. in my name shall bee in forme afoze rehearsed, to and for my vse with him to retaine and keep. And I the said A. B. my heires and assignes shall at all times hereafter ratifie, confirme, and allow all and euerie act and acts, thing and things which the said D. C. in my name shall doe in the premises. In witnesse &c.

A Warrant of Attorney to deliuer a lease vpon the ground.

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TO all Christian people &c. to whom &c. W. A. of H. in the countie of D. C. squire, send greeting. That whereas I the said W. haue made and sealed one wryting indented, purporting a lease to be made vnto P. S. &c. of all the tenement with the appurtenance in C. within the manoz of C. within the parish of C. in the Countie of D. And of all houses, buildings, lands, tenements, meadowes, pastures, woods, vnderwoods, commons and waits, and all other hereditaments, with the

the appurtenances to the same tenements belonging or appertaining &c. within either of the words of the lease. To have and to hold &c. as by the same writing indented, bearing date &c. more plainly doth and may appeare. Know yee now that I the said W. A. haue ordeined, made, constituted, and assigned my welbeloued W. D. my true & lawfull Attorney, to enter for me, and in my name and stead, into the fore recited premises with the appurtenances, and thereupon for me, and in my name, & stead, to deliver thone part of the said writing indented, sealed with my seale, vnto the foresaid W. S. as my very act and deed, vpon euery parcell of the premises aforesaid, in the name of y^e whole in the said writing contained, and therupon to receiue, and accept for me, and in my name, from the said W. S. the counterpaine of the writing indented to my vse, ratifying and allowing all and euery act and acts, thing and things, whatsoeuer my said Attorney shall do, or cause to be done, in, and about the premises, in as ample maner, & as fully and wholly, as though I my selfe had beene there present in my owne person. In witnesse whereof I the said W. A. to this my present writing haue put to my seale &c.

A Varrant of Attorney to deliuer and receiue V Writings.

BE it known vnto all men by these presets, that I J. L. of W. in the County of C. the elder, haue authozized, deputed, and in my place haue put my welbeloued J. D. aswell to receiue for me, in my name, one deed indented, made by H. S. of C. of all the lands and tenements which were of the inheritace of H. S. father to y^e said H. in W. A. D. C. and W. together with the possession of al the same lãds, As also to seale and deliuer for me, & in my name, one deed indented tripartite, made of al the foresaid lãds, to the foresaid H. S. with diuers remainders ouer, as in the same deed more plainly appeareth. And also to do al & euery thing and things, in and about the same, as shalbe thought expedient, as fully, and in as large manner, as though I the said J. L. were personally present. In witnesse whereof to this my present writing I haue set my seale, and subscribed my name, the day of &c. in the yeare of the raigne of our Soueraigne Lord &c.

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A Varrant of Attorney to receiue possession.

TO all Chzillian people to whom this present writing shall come, A. B. of L. in the County of M. Esquire, sendeth greeting in our Lord God euerlasting. Know yee that I the sayd A. for diuers and sundry good, sufficient, and reasonable causes me

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thereunto specially mouing, haue authozized, constituted, ordeined, & in my place put my well beloned in Christ R. P. of P. in the Countie of P. gent. my faithfull and vndoubted Attozney, to enter for me, and in my name, into the mesuage of P. and into all and singular lands, tenements, closes, meadowes, feedings, and pastures, and all other appurtenances thereunto belonging, in the Countie of P. late parcell of the possessions of the late dissolved Monasterie of W. in the said Countie of P. which I the said A. haue of the lease and demise of R. T. of T. in the said Countie of P. and the possession of all and singular the premises, to take for me, and in my name, and to my vse and behoufe: And the possession thereof taken, and had, to retein, hire, set, place, and appoint one Bayliffe or Duerseer, into, and vpon the said mesuage, & other the lands and tenements with their appurtenances aforesaid. And also all other seruants, or laborers, necessary for the sure keeping, occupying, manuring, and vsing of the premises, and euery parcell thereof, for the most auaille, commoditie, and aduantage of me the said A. ratifying, approuing, & confirming whatsoeuer my said Attourney shal doe in the premises, or any of them. And allowing al and euery act and acts, so don by the said Attourney, to be as effectuall & sufficient in law, concerning the premises, or any part thereof against me, or any other person or persons, as if I my selfe were present, and had done the same. In witnesse &c.

A Warrant of Attourney to release a Prisoner.

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TO all Christian people to whom &c. H. D. of A. in the Countie of G. gent. and R. H. of B. in the said countie yeoman, send greeting in our Lord God euerlasting. Whereas R. D. of H. in the Countie aforesaid Esquire, administrator of the goods & chattels of P. D. Knight, his father deceased, by the sufficient writing, bearing date the day of &c. hath giuen vnto vs the said H. and R. by the names of his welbeloned kinsman H. D. seruant to the right honorable Sir R. S. Knight, and his seruant R. H. his true & lawfull Attornies, and to either of vs iointly & seuerally, full power and authozitie for him, and in his name, to release, discharge, remit, and inlarge, one W. P. late of P. in the said Countie of C. Esquire, who lyeth prisoner in the Fleet, and so hath continued by the space of these &c. yeares, being committed to the same prison, by the late Lord W. then Chancellor of &c. for that the said W. P. refused to stand to the order of the said L. W. concerning a stat. merchant, knowledged before that time by the said W. vnto the said P. D. before the Maior of the Citie of C. for the

the time being: And further to doe all and singular act and acts, thing and things, whatsoeuer it were, for, and in the name and behalfe of the said R. D. either befoze the Lord Chancelor of England, or befoze any other Justice or Justices within this Realme, that may be thought conuenient, expedient, or necessarie, for the enlargement or releasement of the said W. P. as if the said R. D. had been present in person himselfe, to doe, execute, and conclude the same: allowing, ratifying, and confirming for him, his heires, executors, & administrators, whatsoeuer wee the said W. and R. should doe in the premises, absolutely without condition, to al intents and purposes, as by the same writing moze plainely doth and may appeare: Now know yee, that we the said W. D. and R. W. vpon due consideration had of all things touching or concerning the premises, haue by force of the said letter or writing of Attourney, and by vertue & authozitie of the same, for and in the name of the said R. D. released, discharged, and remitted, and by these presents doe release, discharge, and remit the said W. P. not onely of the said statute Merchant, and of all executions, suits, quarrels, debates, and demands concerning the same, and of all other debts, suits, quarrels, debates, & demands, that the said R. D. hath or may haue against the said W. P. for & concerning the said statute, but also wee the said W. D. and R. W. for and in the name of the said R. D. are contented and agreed, that the said W. P. shall be dismissed and discharged out of the prison of the said Fleete, and set at his full libertie, and not be detained there any longer, neither for or concerning the said statute, or by force of the said order or commaundement of the said late Lord W. or for any other matter or cause whatsoeuer, that is depending betweene the said R. D. and the said W. P. befoze the date of these presents. In wicnesse &c.

A Warrant of Attourney to prosecute all actions, &c.

THis Indenture &c. Betweene J. S. of D. of the one partie, and J. D. of C. of the other partie, Witnesseth, That the said J. S. hath constituted, made, and ordained, and by these presents doth constitute, ordaine, and make, the said J. D. his lawfull and generall Attourney, from hencefozth to commence, bring, sue, and prosecute for him, and in his name, all manner of actions, as well reall as personall, as well Wit, Bill, Plaint, or otherwise, in any Court or Courts of Record, Court of Requests, or in any other Court or place whatsoeuer with

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in this Realme of England, and the same actions and suits, and execution of them, to prosecute and follow, for, and in the name of the said J. S. in as large and ample manner, as the said J. S. might doe, if the same were by him in proper person commenced, sued, or taken. And further, the said J. S. by these presents doth also constitute, ordaine, and make the said J. D. his lawfull and generall Atturney, to appeare, make answer, and to defend, for him, and in his name, in all manner of actions and suites whatsoever they be, which is, or at any time hereafter shall be commenced, sued, or taken against the said J. S. by any person or persons whatsoever, and all things that the said J. D. shall doe or make as Atturney unto the said J. S. the said J. S. by these presents doth ratifie and approve the same to be his verie actual deede. And further, the said J. S. doth constitute, make, authorize, and appoint the said J. D. to be his generall Steward of all his lands, tenements, and hereditaments in the Counties of C. D. and E. or elsewhere within the Realme of England, to use and occupie the said office of generall Steward by himselfe, or by his sufficient deputies, during the pleasure of the said J. S. And the said J. S. doth also by these presents give full power and authority unto the said J. D. and such deputie and deputies as the said J. D. hereafter shall name and appoint, to receive and take, and to admit one tenant or tenants by Copie of Court Roll, according to the customes of the manors aforesaid, or any of them, and also to take and assesse any fine or fines upon Tenant or Copyholder of the said manors, lands, and tenements, or any part or parcell thereof, upon any interest, cause of forfeiture, surrender, or for the breach of any Condition, or otherwise by any unlawful way or meanes whatsoever. And what thing the said J. D. his deputie or deputies, shall doe, for, and in the name of the said J. S. in executing and doing of the premises appointed unto the office of the generall Steward, the said J. S. doth ratifie and approve the same to be his owne actual deede. And the said J. S. for him and his heires, by these presents, doth also give full power and authority unto the said J. D. from time to time hereafter, to demise, let, and let to farme, for, and in the name of the said J. S. such part and parcell of his said manors, lands, and tenements, as to the said J. D. shall seeme meete and convenient to be demised and letten to farme to any person or persons, for, and during the terme of yeares from the making of such lease and demise,

and

and not about, reseruing vpon anie such lease and demise such yearly rent, and taking such fine for the same to the vse of the said J. S. as the said J. D. shall thinke meet and conuenient to be paid and reserued for the same. And the said J. S. doth further constitute, ordaine, and make the said J. D. to be his Receiuor generall of all his lands, tenements, rents, reuerfions, profites, debts, and summes of money, whatsoever they be, or which hereafter shall or may in anie wise be due vnto the said J. S. And that the said J. D. by these presents shall haue full power and authoritie to receiue and take, to the vse of the said J. S. at the hands of all and euerie the Tenants, Farmors, Way-lives and debtors of the said J. S. all and euerie such summe or summs of money, as now is, or that hereafter by anie way or meanes shall be due to the said J. S. And the said J. S. doth further authorize the said J. D. by these presents, and to him doth giue full power and authoritie, that he the said J. D. vpon receipt of any summe or summes of money, so by him hereafter to be received, shall and may make such lawfull discharge for the same, by deede, release, or acquittance, in the name of the said J. S. or else by deliuering or cancelling of anie writing Obligatozie, or by any other wayes or meanes, as by the same J. D. from time to time shall bee thought meete and conuenient to bee had, made, and done. And whatsoever deede or deedes, release, acquittance, or other discharge, which the said J. D. shall make, seale, and deliuer for cancelling of anie writing Obligatozie, or by anie other way or meanes, as by the saide J. S. from time to time shall be thought meete and conuenient to bee had, made, or done, and whatsoever deede or deedes, release, acquittance, or other discharge, which the said J. D. shall make, seale, or deliuer, for, and in the name of the said J. S. touching, or in anie wise concerning the pmisses, the said J. S. for him, his executors and administrators, doth by these presents from time to time ratifie, approue, and confirme the same to be his lawfull act and deede. And the said J. S. dooth further authorize the said J. D. by these presents, that the said J. D. shall and may from time to time hereafter take account of all and euerie his Tenants, Farmors, Way-lives, Rent-gatherers, and other officers of the said J. S. whatsoever they bee, of, and for the rents, reuenues, and profites, or summes of money by them, or anie of them, received to the vse of the said J. S. or which they, or anie of them shall hereafter receiue to the vse of the said J. S. And that hee the said J. D. vpon euerie such

accompt so by him to be taken, or by the receipt of anie such rent, profit, or summes of mony by him to be had by the hands of the said Farmors, Baylifes, Tenants, Rent-gatherers, or other officers, to the vse of the said J. S. shall and may by vertue hereof giue vnto euerie such Farmor or Baylifes, of whom hee shall take anie such accompt, or receiue anie such rents, reuenues, profits, debts or summes of mony, allowance, for, and in the name of the said J. S. of so much, and of such part and portion of the said rents, reuenues &c. as to the said J. D. by his discretion shall be thought meete and reasonable to be giuen and allowed: And that euerie such allowance of euerie such summe or summes of money hereafter by the said J. D. to be had, made, and giuen, shall be as good and effectuall in the law, to all intents and purposes against the said J. S. his executoys and administrators, and euerie of them, as though the same allowance had bene had, made, and giuen by the said J. S. in his owne proper person. And further the said J. S. doth giue full power and authoritie vnto the said J. D. at all and euerie time and times hereafter to make payment and deliuerie, for, and in the name of the said J. S. of euerie such summe or summes of money as the said J. D. by a letter or writing, subscribed with the hand of the said J. S. shall be commanded, assigned, appointed, or required to pay or deliuer either vnto the said J. S. or to any other person or persons whatsoeuer they be. And the said J. S. doth further graunt by these presents, that when and as often as the said J. D. at anie time hereafter shall make anie payment or deliuerie out of his hands of all the said rents, receipts, and summes of money hereafter by him to be receiued to the vse of the said J. S. or any part or parcell thereof by vertue or authoritie of any such writing, or letter subscribed with the hand of the said J. S. That then the said J. D. his executoys or administrators, after such payment and deliuerie of anie such sum or summes of money, shall be thereof, and of euerie part thereof clearly discharged against the said J. S. his executoys and administrators by these presents. And further, the said J. S. for him and his heires by these presents, doth giue full power and authoritie to the said J. D. cleerely to bargain and sell all that his mannoz of S. in the Countie of L. and all other mesuages, landes, tenements and hereditaments in S. aforesaid, or elsewhere, in the said Countie of L. or anie part or parcell thereof, as the said J. D. at any time or times hereafter shall thinke meet and conuenient to be sold, and for such summe or summes of money, as the said J. D. shall thinke meete to be taken

foz the same, to the vse of the said J. S. And what bargaine, contract, or sale soeuer the said J. D. shall conclude and agree with any person or persons of the said manor, or any part or parcell thereof, the said J. S. doth giue his full consent thereunto, and the same doth ratifie, approue, and confirme by these presents. And further the said J. S. doth constitute and ordaine the said J. D. to be his Suruey or of his Manor, lands, tenements, and hereditaments whatsoeuer they be within the Realme of England, and doth giue full power & authoritie vnto the said J. D. to make such profit and commoditie of the said Manor, lands, tenements, & hereditaments, and euery part thereof, aswell in wood-sales & selling of woods & vnderwoods, in, and vpon the premisses, or any part thereof, as also by all other reasonable waies and meanes which the said J. D. shall thinke most meete and conuenient to be had, made, and done, for the profit and commoditie of the said J. S. And moreouer the said J. S. doth giue full power and authoritie vnto the said J. D. by these presents, that he the said J. D. shall and may at al time and times, and from time to time hereafter, doe or make, or cause to be done or made, for, and in the name of the said J. S. all and euery such act and thing whatsoeuer it be, which the said J. D. by any letter or writing subscribed with the hand of the said J. S. shall at any time hereafter be commaunded, required, willed, or desired, to make, or doe for the said J. S. And whatsoeuer act, deed, or thing, which the said J. D. shal at any time or times hereafter doe, make, or cause to be done, or made, for, and in the name of the said J. S. by force of any these presents, any such writing or letter, according to the effect, tenor, and true meaning of these presents, the said J. S. doth ratifie, approue, allow, & confirme the same, and euery act, thing, and deed whatsoeuer hereafter to be had, made, or done, to be his lawfull act and deed, and to be good and effectuell in the law, to all intents & purposes, to and against the said J. S. his heires, executors, and administrators, by vertue of these presents.

A Warrant of Attourney to reuoke Administration.

Pateat vniuersis per presentes, quod cum nobilis foemina domina Elizabetha relicta nuper praenobilis viri G. Comitis S. nuper Comitis Marechalli Angliae defuncti, administr omniu & singulorum bonorum, iurium, & creditor & catalloꝝ, quae fuer dicti nuper praenobilis viri tempore mortis suae, infra iurisdictionem Reuerendissimi in Christo patris

patris & domini I. prouidentia diuina E. Archiepi A. primatis & Metropolitanis existent, ipsi prefat dominæ E. auctoritate dicti domini patris de facto committi, ipsamque administratricem eorundem bonorum & cæterorum præmissorum ordinari & constitui, procurauerit & obtinuerit: Nunc ego G. Comes S. filius & hæres dicti nuper præ nobilis viri patris mei defuncti, dilectos mihi in Christo I. S. I. B. W. F. & E. F. notarios publicos almæ curiæ Consist' E. procuratores generales meos, certos, legitimos, & indubitâ actores, factores, procuratores negotiorumque meorum gestores & nuncios speciales ac generales ad infrascript, nomino, ordino, facio, & constituo per præsentis: Dans & concedens eisdem procuratoribus meis coniunctim & eorum cuilibet p se diuisim & in solidâ, Ita quod non sit melior condic' occupan, nec deterior subsequen, sed quod vnus eorum inceperit id eorum aliquis per se libere prosequi valeat pariter & finire, potestatem generalem & mandat speciale pro me, ac vice, loco & nomine meis, coram venerabilibus Magistro I. B. legum doctore, et M. S. artium magistro, tam almæ curiæ prærog. Archiepiscopi E. custodibus, magistris, siue Commissarijs, quâ etiam Scaccarij dicti reuerendissimi patris Commissaris, seu eorum altero, vel eorum seu alterius eorum surrogato siue deputato, aut alio iudice in hac parte competet quocunque comparend & interessend, meque à personali comparatione in ea parte excusandi, ac causam & causas absentia mee huiusmodi allegand, proponend, probandi, dictamque administr & literas desup fact & obtent, potestatemque quamcunque dictæ dominæ Eliz. in ea parte quomodolibet concessam & commissam renouari, cassari, & ad omni iuris & facti effect, annullari, ipsamque admiñ omni & singul' boni iur & creditor, & catallor nondum administr (quæ fuerunt dicti nuper patris mei defuncti tempore mortis suæ infra prouinciam E. existent) ipsamque et testament siue vltimam voluntatem suam qualitercunque tangent & concernent, mihi prefat G. constit, vnâ cû dicto testament siue vltima voluntate annex: ac in complement illius testamenti, ac iuxta formam, effectû, & intentionem eiusdem disponend decerni & committi, petendi, requirendi, et obtinend, iuramentumque tam de fideli administr eorund bonorum, iurium, creditor, & catallorum omnium & singulorum quatenus ad manus nostras peruenerint, siue peruenire poterint, quâ de fideli et pleno inuentar, veroque pleno et fideli compos, calculo, siue ratiocinio de eadem administr mea, ac bonis & cæteris præmissis p loco & tempore congruis et opportunis reddend & exhibend pro me, ac in animam meam præstand & subeund, ipsamque inuentarium & compos prædict exhibend & reddend; ac me ab vteriori compos, calculo, siue ratio-

ratiocinij in ea parte redditione finaliter dimitti absolui & liberari petendi, beneficium insuper absolutionis à quibuscunque suspens', excommunic' siue interdictionis s'nijs latis seu fiend' mihi impend' petend' & obtinend'. Quodecunque etiam iurament' licitum et honestum in animam meam quoties & quando opus fuerit subeund' & præstand', Et generalia omnia & singula alia faciend', exequend', procurand' & expediend' que in præmissis aut circa ea necessaria fuerint seu quomodolibet opportuna, etiam si mandāt de se magis exigant speciale quam superius est expressum. Promitto que meratum gratum & firmum perpetuo habiturum totum & quicquid dicti pcuratores mei coniunctim vel diuisim in præmissis seu eorum aliquo fecerit aut fecerint sub hypotheca & obligatiōn omnium & singulor' bonor' meorum, & cautionem in ea parte expono p' presentes. In cuius rei testimonium (quia meum non est autenticum) ideo sigillum capituli Ecclesiæ Collegiatæ beatæ M. de S. in Coñ M. quo ad causas vtuntur, præsentibus apponi pcuravi. Et nos capitulum antedict' ad petitionē partis dicti p' nobilis viri domini G. Comitis S. constituent', sigillum nostrum p'dict' præsentibus apponi fecimus. Dat' &c.

*Administration granted by the Archbishop of Canterbury
upon renuntiation, the intestate having goods
in diuers Diocesses.*

I Ohañ prouidentia diuina Cant' Archiep' totius Angl' prim' et Metro- Sect. 545.
poliē dilect' nobis in Christo p' nobil' viro domiñ G. com' moderno S:
filio natural' & legitim' dñi G. nup Comit' S. & com' Marefchalli Angl'
p'clariq; ordinis Garterij Milit' def. Salut'. Cum idē dñus G. def. habens
dum vixit & mortis suæ tempor' bona iura siue credita in diuisis diocesib.
siue Iurisdictionibus, suū dum egit in humanis, ritē et legitimē condiderit
testament' suū in se continens vltim' voluntatē, in quo siue qua E. T. et H. T.
armig' filios suos naturales et legitimos nominauerit, ordinauerit, fecerit,
& constituerit executores. Qui quidem executores ex certis causis animos
suos in hac parte iuste mouent oneri execuc' dict' testament' expresse re-
nunciauerunt. Cuius p'extu omnium & singulorum bonorum iurium &
creditor' antedict' def. plenaria dispositio administrationisque eorundem
Commissio, Necnon compoti, calculi siue ratiocinij administratiōn hūndi
audicio finalisq; liberat' siue dimissio ab eadē ad nos solū & in solidū & non
ad alium nobis inferiorem iudicem notorie dignoscuntur pertinere. Nos
vero

vero affectantes vt bona iura & credita dict' defuncti bene ac fideliter administrantur dictumq; testamentum perimpleatur, suumque debitum forciatur effectum, Ad administrand' igitur bona iura & credita huiusmodi iuxta tenorem & effectum testamenti supradicti præsentibus annex' ac bene & fideliter disponend' de eisdem, Necnon credita quæcunque dict' def. petend', colligend', leuand', et exigend'. Ac primo de soluend' es alienum in quo idem def. huiusmodi mort' suæ tempore extitit obligatus, deinde legata in dicto testament' præsentibus (vt præfertur) annex' contenta & specificata, quatenus bon' iur' & credita sua huiusmodi ad hoc extendant iuxta ratam eorundem, Tibi de cuius fidelitat' in hac parte confidimus de bene & fideliter administrand' eadem, Ac de pleno & fidel' inuentorio omnium & singulorum bonorum iurium & creditorum huiusmodi conficiend', Et illud in Curiam Prærogatiuæ nostræ Cant' secundo die post festum Ascens' Domini nostri proxim' futur' exhiben', Necnon de pleno & vero Compō, calculo siue ratiocinio in ea parte reddend' ad sancta Dei Euangelia in person' mri G. C. Notarij publici procurat' tui in hac parte legitim' constitut' iurat' plenam tenore præsentium committ' potestatem. Teque Administratorem omnium & singulorum bonor' iurium & creditorum huiusmodi ordinamus deputamus & constituimus per præsentibus. Datum Londōn 23. D. Anno 1560. Et nostræ translationē Ann 8.

A Letter of Attorney to exhibite a Will and Inuenterie, and take administration and accompt.

Sect. 546. **P**ateat vniuersis per presentes, qđ ego dominus G. Comes S. ac filius naturalis & legitimus domini G. nuper Comit' S. defunct' habentis dum vixit & mortis suæ tempore bon' iur' siue credita in diuersis Dioces. siue iurisdictionibus dilectos mihi in Christo I. L. T. W. E. F. C. & G. C. Notarios publicos almæ Cuf Cant' de Arch' Lond' procuratores generales meos veros certos legitimos & indubitatos procuratores actores factores negotiorumque meorum gestores et nuncios speciales ordino facio et constituo per presentes, Doque & concedo eisdem procuratoribus meis coniunct' et eorum cuilibet per se diuisim potestatem generalem & mandat' special' pro me & nomine meo coram Cuf prærogat' Cantuar' mag' custod' siue commissario eiusdem surrogato aut alio Iudice in hac parte competenti quocunq; comparendi meq; a psonali comparatione executi

sandi, ac com̄ et causas absentię meę huiusmodi allegand̄ proponend̄ & proband̄, testamentumque siue vltimam voluntatem dicti def. in scrip̄ reduc̄ exhibendi, et administr̄ omnium et singulorum bonorum iur̄ et creditorum eiusdem def. vn̄a cum test̄ et vltim̄ voluntate huiusmodi annex̄ mihi committi petend̄ & obtinend̄ iuramentumque tam de fidei administrac̄ omnium & singulorum bonorum iur̄ & creditorum h̄mod̄ per me obeund̄, quam de fidel' Inuentario, Necnon plano et vero comp̄ calculo et ratiocinio omnium et singulorum bonorum iur̄ & creditorum huiusmodi per me reddend̄ & exhibend̄ pro loco & tempore congruis & opportunis in añam meam subeund̄ & prestand̄. Inuentarium etiã & compotum calculum siue ratioñ huiusmodi nomiñ meo exhibend̄ & introducend̄, ac me ab vltiori comp̄ bonorum iurium & creditor̄ huiusmodi redditione dimitti petend̄ & obtinend̄ beneficium insuper absolutionis à quibuscunque suspencionis, excommunicationis, vel interdici' s̄titijs in me qualitercunque latis mihi impend̄, petend̄, & obtinend̄, & quodcunque iuramentum de iure in ea parte requisitum in añam meam prestand̄ et subeund̄. Et general' omnia et singula alia faciend̄, exercend̄, et expediend̄ que in præmissis, aut circa ea necessaria fuerint, seu quomodolibet opportuna etiamsi mandat̄ de se magis exigant speciale, quam superius est expressum. Promittoquē me ratum, gratum, & firm̄ perpetuo habiturum totum & quicquid dicti procuratores mei fecerint, seu eorum aliquis fecerit in hac parte sub hypotheca & obligatione omnium & singulorum bonorum meorum, & in ea partē cautionem expono per præsentēs. In cuius rei testimonium sigillum exemptæ iurisdictionis prebendarij Prebend̄ de B. præsentibus apponi procuravi. Et nos prebendarius antedictus ad specialem rogatum dicti constituen̄ sigillum nostrum h̄modi præsentibus apposuimus. Dat̄ xxij. die mensis Decembris, Anno domini &c.

Licences.

A Placard or Licence for a Crossebow.

ELizabeth &c. To all maner our Officers, Ministers, and Subjects, of what estate, degree, or condition soever they be, these our letters hearing or seeing, and euerie of them, greeting. Albeit that by the authoritie of our high Court of Parliament, it is ordained and enacted, that no manner of person vpon certaine penaltie shall

Sect. 547.

shall without our special licence, vse or occupy any Crossebow within this our Realme, except he be a Lord, or that he or any other person or persons to his vse haue lands of freehold to the yearely value or extent of one hundred pounds, aboue all charges and reppises, as in the said act it is expessed moze at large: Yet we neuerthelesse, of our grace speciall for certaine causes and considerations vs mouing, haue by these presents licenced our welbeloued J. III. to occupy & exercise his crossebow at his liberty, without any penalty or forfeiture sustaining in the behalfe: the said act or any other actes heretofore made or passed to the contrary notwithstanding. Wherefoze we will and command you, and enery of you, to permit and suffer the same J. to vse and inioy the whole effect of this our licence, without any pour disturbance or interruption to the contrary. Prouided alwayes, that vnder colour hereof, he in no wise vse his Crossebow within our Forrest, Parkes, or Chales, to the diminishing of our Deere or game within the same, vpon penaltie of the Statute in such case pꝛouided & ordained. Given vnder our Signet the ꝛc.

An other Placard for a Crossebow.

Sec. 548.

Elizabeth &c. (*vt supra*) greeting. We let you to wit, that by these presents we haue licenced our welbeloued subiect J. not onely to occupy and exercise shooting in his Crossebow in al places from henceforth at his liberty: but also to haue, keepe, and retaine the same in his house, or else where at his libertie and pleasure, without any penaltie or forfeiture sustaining in that behalfe. Wherefoze we will and command you ꝛc.

A Licence for Apparell, and to shoote in Crossebowes and Handgunnes.

Sec. 549.

Regina &c. Sciatis quod nos de gratia nostra speciali, ac ex certa scientia et mera motu nostris, concessimus et licentiam dedimus W. B. armigero, quod ipse durante vita sua ad libitum & voluntatem suam vti, exercere, & gaudere quibuscunque vest, apparat & catheñ: Necnon sagittare in quibuscunque arcubus vocat Crossebowes, ac in bombardis vocaris Handgunnes, et eas custodire tam in domibus, et alter, sicut aliquis ligens nostr, terras et tenementa habens ad annum valorem centum librar ad terminum vit, exercere sagittare, custodire, & gaudere, licite & impunè valeat & possit, absq; aliqua foris. poena, siue

sive deperdit, & absque perturbatione, molestatione, inquietatione, impedimento seu grauamine quocunque: aliquibus statutis, prouisionibus, siue restrictionibus inde factis, & dicitur, ordinat siue prouisis non obstantibus. In cuius rei testimonium has literas nostras fieri fecimus patentes, Teste me ipsa apud Westm &c.

A licence to retaine men.

REx omnibus &c. Sciatis quod nos de gratia nostrâ speciali, ac ex certa scientia & mero motu nris dedimus & concessimus, ac p presentes Sect. 550. damus & concedim⁹ dilecti & fidelis nro T. E. Militi, vni Iusticiario nro nostro de communi banco, hanc libertatem quod ipse durante vita sua ad placitum suum de tempore in tempus legitime & impune retinere possit viginti homines quoscunque p aliquod scriptum, sacram, pmissionem, siue aliquo alio modo quocunque, et eisdem vigin⁹ hominib⁹ dare possit xx. liberatas pannelor⁹ vel signa vel Bageas, cuiusque qui de ipso habere voluerint easdem libera⁹ signa vel Bageas, siue aliqua seu aliquas ad ipsum seruiendum, licet non sint nec fuerint, nec sit nec fuerit balliu⁹ seu balliu⁹ ipsius T. E. Et etiam licet non sint nec fuerint, nec sit nec fuerit cum ipso T. E. retentus ad ipsum seruiendum in hospitio suo aut alii: & eisd⁹ vigin⁹ hominibus concedim⁹ & eos cuiuslibet auctoritatem & potestatem recipiend⁹ et vrend⁹ eisdem libera⁹ sign⁹ vel Bageas. Habend⁹, tenend⁹, & gaudend⁹ præd⁹ libertatem & auctoritatem pro termino vitæ suæ, absque impedimento, interruptione, molestatione, inquietatione, actione vel punitione nostri, aut heredum nostrorum, ac ministrorum & subditorum nostrorum quorumcunque, & absque aliquo forisfacturo seu indemnitate ipsius T. E. pro exercitio, occupatione, siue factione præmissorum: Aliquo statuti, actu, ordinatione, prouisione, siue restrictione in contrarium ante hæc temp⁹ facti, & dicitur, siue prouiso in aliquo non obstante, aut aliqua alia causa vel materia quacunque non obstante. Eo quod expressa mentio de certitudine præmissor⁹ aut de alijs donis siue concessionibus per nos præfat. T. ante hæc tempore factis in præsentibus minime fact⁹ existit, aut aliqua alia re, causa, vel materia quacunque non obstant⁹. In cuius rei testimonium est,

Per ipsum Regem & de
dato præd⁹ &c.

A Licence to weare a Cappe.

Sect. 551.

ELizabeth &c. To all manner our subiects, aswell of spirituall preheminnce and dignitie, as of tempoꝛal authorizty these our letters hearing oꝝ seing, and euerie of them, greeting. For as much we be credibly informed, that our welbeloued **T. M.** foꝝ diuers infirmities which he hath in his head, cannot conueniently without his great danger be discouered of the same: we let you to wit, that in consideration thereof, we haue by these presents licensed him to vse & weare a bonet at all times, as well in our pꝛesence as elsewhere at his libertie. We therfoꝛe will and command you & euerie of you, to permit and suffer him so to do, without any your challenges oꝝ interruptions to the contrarie. Giuen vnder our Signet at our palace at **W.** the xx. day of **M.** in the **xx.**

A Licence to be absent from the Parliament.

Sect. 552.

TRusty and welbeloued, we greet you well, and sozasmuch as wee be informed that ye by reason of your age, impotencie, and other sickness, cannot conueniently without great danger, trauell noꝝ laboꝛ to our high Court of parliament: We therfoꝛe in consideration hereof licence you by these presents to take your ease, & to be absent from our said Parliament during the continuance oꝝ pꝛozogation of the same: Any act, statute, oꝝ ordinance heretofore made to the contrarie notwithstanding. Giuen &c.

A Licence to be non-resident.

Sect. 553.

HENRICUS octauus dei gratia Angliæ, Franciæ et Hiberiæ Rex, fidei defensor, ac sub Christo in terris ecclesie Anglicanæ et Hiberiæ supremum caput, omnibus ad quos presentis literarum peruenerit Salutem, Sciant quod de gratia nostra speciali, dedimus ac concessimus ac per presentes damus & concedimus pro nobis et heredibus nostris, dilecto subdito nostro domino **W. B.** clerico vicario perpetuo vicariarum perpetuarum sue ecclesie parochialis de **G.** in Comitatu nostro **E.** Londoniensi diocesis, ut ipse liber et licite valeat post hæc quocumque tempore, et quandiu sibi placuerit se absentare à dicta vicaria perpetua, seu beneficio suo de **C.** prædicto, nec teneatur quouis modo in dicto beneficio suo corporalem facere residentiam, aut personaliter residere quamuis auctoritate vel mandatis inuicem compelli possit vel cogatur, et hoc absque prurbaratione, vexatione, molestatione, vel contradictione aliqua nostra, hereditaria, officii, seu subditorum nostrorum quorumcunque: statuto de residence clericali de

de, & super beneficijs suis in parlamento nostro tento apud Westm̄ anno regni nri xxj. aut aliquo alio statuto, actu, ordinatione, re, causa, vel materia quacunque, in contrarij edict̄ in aliquo non obstante &c. In cuius &c.

A Licence to Brew.

W Hereas **A. G.** of **M.** in the Countie of **D.** Husbandman, hath come befoze vs sir **G. F.** Knight, and **F. R.** Serieant at Law, two of the **Qu.** Maiesties Justices of Peace within the said Countie, and bound themselues in a recognisance with sufficient suerties, to belew, to sell, and keepe a common Alehouse, according to the Statute of **Wetwers**, made in the first yere of the raigne of our late soueraigne Lord and King **Edward** the first. Now know you vs the said sir **G.** and **F. R.** to haue licenced the said **A. G.** to belew, to sell, & keepe a common Alehouse, according to the said Statute. Given vnder our hands the 13. of **A.** in the 36. yere of the raigne &c. Sect. 554.

A Licence to keepe a Wine Tauerne.

T His Indenture tripartite made &c. Betweene **R. C.** of **M.** in the County of **E.** Gentleman, deputie & assignee of **C. H.** Esquire, to execute for him, & in his name, the effect of certaine authorities to him given, by certain letters patents hereafter mentioned on y^e one party, & **A. D.** Aintner of **K.** in y^e County of **P.** of the other party, Witnesseth, That whereas our said soueraigne Lady by her letters patents, dated at **H.** Court the 22. day of **April**, in the 12. yere of her Maiesties raign, amongst other things in the same letters patents expressed, hath given & granted full & free libertie, licence, power, & authoritie vnto the said **C. H.** his deputie & deputies, assignee & assignees, and every of them, that he or they, or any of them, at all & every time and times hereafter, during the life naturall of the said **C. H.** shall and may at his and their libertie and pleasure, and for such considerations & summes of money to be paid to his and their onely vse, as to him or any of them shall be thought most meet and conuenient, giue and graunt full and free libertie, licence, power, and authoritie, to such person and persons which now be, or hereafter shall be nominated, assigned, or appointed by writing tripartite indented, betweene the said **C. H.** his said deputie or deputies, assignee or assignees on the one partie, and every of the same person and persons, which now be, or hereafter shall be nominated, assigned, or appointed by the said **C. H.** his deputie or assignee, or any

any of them of the other part, whereof euerie part of the same Indentures shall bee sealed and deliuered by the said parties, And the one part thereof shall be certified and deliuered into our said Soueraigne Ladie the Queens Court of C. to keepe a Tauerne oꝝ Tauerne, oꝝ to sell and bitter, ingrosse and retaile wine and wines, by the gallon, oꝝ lesse oꝝ greater measure. And that all and euerie the said person and persons now nominated, assigned, oꝝ appointed, oꝝ which shall be nominated, assigned, oꝝ appointed, as is aforesaid, and euerie oꝝ any of them, shall and lawfully may, during the naturall life of any and euerie of the said person and persons so nominated, appointed, oꝝ assigned, oꝝ which shall bee so nominated, assigned, oꝝ appointed, buy, sell, bitter, ingrosse, and retaile by the Gallon, oꝝ lesser oꝝ greater measure, all and euerie good and wholesome wine and wines, of what nature, kinde, oꝝ name soeuer the same bee, in the Cities, Townes oꝝ places, where hee oꝝ they shall bee so assigned oꝝ appointed, as is aboue mentioned, at his and their pleasure, and at, and for what price and prices whatsoeuer, to his and their most profit and commoditie. The Statute made in the seuenth yeare of the late king Edward the sixt, oꝝ any other law, statute, proclamation, restraints, limitation of price, oꝝ other things whatsoeuer, to the contrarie in any wise notwithstanding, with the further power, licence, libertie, and authoritie of our said Soueraigne Ladie, in the saide Letters Patents expressed, set forth, and declared in euerie behalfe, and to euerie intent and purpose, and for the naturall lines of such person and persons, as shall bee licenced and authozized by the said C. H. oꝝ his said deputie, assignee, oꝝ anie of them, as by the purport, true intent, signification, and meaning of the said writing tripartite Indented shall be contained and mentioned, to bee giuen and graunted vnto them by the said C. H. oꝝ his saide deputie oꝝ deputies, assignee oꝝ assignees, by vertue, force, and authoritie of the same Letters Patents, and by the same Letters Patents more amply, fully, and at large appeareth. By authoritie and vertue of which Letters Patents the said C. H. by his writing of deputation, dated the thirde of May, in the twelfth yeare aforesaid, remaining of Record inrolled in the Court of our said Soueraigne Ladie in her Chancerie, hath constituted, ordained, and made the said R. C. his deputie and assignee, of, and for the execution of the same Letters Patents. In accomplishment and execution of which Letters Patents and deputation, and for, and in consideration of a summe of money concluded, agreed, &c. by the said R. D. to the said C. H. the said R. C. as deputie and assignee

assignee of C. H. and for, and in the name of the said C. H. by force and authoritie of the said Letters Patents, doth by these presents nominate, assigne, and appoint the said J. D. his seruants, deputies and assignees: And also by vertue of the said Letters Patents, as deputie of the said C. H. doth giue and grant full and free libertie, licence, power and authoritie vnto the said J. D. his seruants, deputies and assignees, or any of them, to haue, vse, and keepe one Tauerne or Wine-celler within the said towne, during his natural life, aswell within his mansion house, as otherwise within the said towne, and to buy, sell, vtter, ingrosse, by retaile, by the gallon, or lesse, or greater measure, all and euery good and wholesome wine and wines, of what nature, kinde, or name soeuer the same shall be, at his and their pleasure, at these pices hereafter mentioned: that is to say, French Wines, Gascoigne, Guien, Rochell, and such like, as shal not exceed the pices of 16. pence the gallon, and all other wines at two Shillings the gallon, saue onely Muscadell, which shall be at two Shillings eight pence the gallon, and not about: The said statute, or any other law, statute, proclamation, restraint, limitation of pice, or other thing whatsoever to the contrarie in any wise notwithstanding. All which libertie, licence, power, and authoritie, our said soueraigne Ladie hath promised by the said Letters Patents, for her, her heires and successors, not only, that her Iustices, Barons of the Exchequer, Sericants at Law, Attorney, and Solicitor generall, and other her learned Councell in the Laws of this Realme, shall and will at all time and times hereafter accept and allow in all and euerie Court and Courts of Record, and other places whatsoever, as a good and sufficient barre, release, and discharge against her, her heires and successors: But also the Letters Patents, or the inrollement thereof, and this Indenture tripartite being shewed forth, and certified into the saide Court of Chaucerie, shall be a sufficient warrant, to, and for the saide J. D. by himselfe, or iointly with others, hauing the like licence and dispensation from the Queene her heires and successors, to haue his or their Letters Patents vnder the great Seale of England, in more and better due forme of Lawe to bee had and made in his and their names, according to the purport and true meaning of these Presents, And also to the Lord Chauncellour, and Lord Keeper of the great Seale of England, and to euerie of them for the time being, a sufficient and immediate Warrant, to make, passe, and deliuer the same Letters

patents vnto the said J. C. vnder the great Seale of England, without bearing or paying any other charges then only such ordinary fees, for writing, examining, inrolling, and in sealing of the same, both at the Signet, priuie Seale, and great Seale, as heretofore hath bene accustomed, so there be not aboue the number of r. persons in any our Letters Patents, to whom the same shalbe made or granted, Wherefore the said J. C. being now licenced to keepe a Tauerne, and to sell Wines as aforesaid, doth most humbly require, that he may haue the Quæns Highnes Letters patents vnder the great Seale of England in due forme of Law to him to be made, rendred, and graunted, according to the purport, tenor, & effect of this present licence, and according to the true intent and meaning of the said Letters patents, befoze in these presents mentioned. In witness whereof, as well the said R. C. with the seale of the said C. H. by him deliuered, as his Seale of office in this behalfe, as the said J. C. to euery part of the said Indentures haue set their hands and seales the day and yeare abouesaid.

A Licence to purchase in Mortmaine.

Sect. 556.

REX omnibus ad quos presentes literę peruenerint &c. Sciatis quod nos de gracia nostra speciali, ac ex certa scientia & merito motu nostro, ac ob amorem quem erga dilectos nobis in Christo Prior et Conuent de R. gerimus & habemus, concessimus, ac licentiam dedimus, ac per presentes concedimus, ac licentiam damus pro nobis & hæredibus nostro quantum in nobis est, prefato Priori & Conuentui & eorum successoribus, quod ipsi & successores de tempore in tempus imposterum, quando eis melius videbitur expedire, terrę, tenementę, & redditę, cum suis pertinentijs, ad annum ualorem centum librarę ultra reprimę. & onera quęcunq; vel infra, de quacunq; psona siue de quibuscunq; psonis ea eis dare, concedere, legare, assignare, vel alienare volenti vel volentibus, licet de nobis in capite vel aliter mediate vel immediate, aut de ipso Prioratę siue domo, vel de alijs psonę vel psona teneantur, acquirere & recipere possint: Habendę & tenendę sibi & successoribus suis in domus suę augmentatiõn siue sustentatiõn. Et eidem psonę siue eisdem psonis quod ipsa vel ipsam terrę, tenentę, & redditę pã pã Priori & Conuentui & successoribus suis ad annum ualor pã vel infra, dare, concedere, legare, assignare, vel alienare possint & valeant. Ita semper quod dicti Prior & Conuent, vel successor sui infra annũ proximum post hanc perquisitionem, acquisitionem, & receptionem, terrarę & tenementorę pã, ad

ad dictum annum valorem, vel ad aliquem alium infra eundem sibi & successoribus suis ut præmittitur, facti, dent, & concedant alicui personæ siue personis, & hæredibus suis, cui vel quibus eis placuerit terræ & tenementa ipsorum Prioris & Conuentus quæ iam habent & possident in iure Prioratui predicti tanti annualis valoris existenti ultra omnia onera & repris, quanti eadem terræ & tenementa sic per ipsos Priorem & Conuentum seu successores suos ad tunc ut præmittit perquisit & recepti ultra omnia onera & repris, se attingant: Statuto de terris & tenementis ad manum mortuam non ponendis, ædito, siue aliquo alio statuto, actu, siue ordinatione inde in contrarium facti ordinati, siue promisso in aliquo non obstante. Nolentes quod predictus Prior & Conuentus vel successores sui, aut predicti personæ, aut dicta persona vel hæredes sui vel eorum aliqui per nos, vel hæredes nostros, Iusticiarios, Eschaetores, Vicecomites, Coronatores, aut alios Balliuos seu ministros nostros, seu dictorum heredum nostrorum vel successorum nostrorum quorumcunque ratione præmissorum vel eorum alicuius molestantur, inquietentur, seu grauentur, nec eorum aliquis molestetur nec in aliquo grauetur: Et hoc absque sine seu feodo magno vel paruo in hanaperio Cancellarij vel alibi, ad opus nostrum pro præmissis, vel aliquo præmissorum soluendi vel faciendi: Et absque aliqua inquisitione, siue inquisitionibus inde prætextu, vel virtute aliqua in commissioem nostrarum, heredum vel successorum nostrorum, seu alicuius breuis nostri heredum vel successorum nostrorum in dictam Cancellariam nostram heredum vel successorum nostrorum seu alibi retornandi, & absque aliquibus alijs literis nostris heredum vel successorum nostrorum patentibus in hac parte habendi, impetrandi, seu prosequendi: aliquo statuto, actu ordinatione, prouisione, restrictione, seu mandato inde in contrarium ante hæc tempora facti in presenti minimè facti existit, aut aliqua alia, re, causa, vel materia quacunque in aliquo non obstantibus. In cuius rei testimonium &c.

A Licence to sell Ale.

William and Edward, two Iustices of the Peace of our Soueraigne Ladie the Queene in the Countie of M. To all Baplis, Constables, and other the Queens Maiesties officers, greeting in our Lord God euerlasting. Know ye, that we the said W. B. and E. D. haue licenced, and by these presents doe licence G. J. of ec. to sell Ale in his house at G. aforesaid, for one whole yeare next ensuing the date hereof: And haue bound him by Recognisance with suerties to the Queenes Maiesties vse, that they shall maintaine good rule, and

Sec. 557.

not to vse any vnlawfull games oz meetings in his house, but to doe according to the statute prouided in that behalfe. In witnesse whereof we haue subscribed our names, and hereunto haue put our Seales the &c. In the 34. yeare of &c.

A Licenc to keepe an Alehouse.

Sec. 558.

T All Iustices of peace, Maiors, Shirifes, Bailiffs, and all other the R. maiesties officers & subiects to whom it may appertaine, J. W. by the suffrance of God bishop of &c. K. and P. esquires, y. Iustices of the peace of our soueraigne lady the Queenes maiestie in her highnes countie of G. sendeth greeting in our Lord God euerlasting. Know ye, that we the said Iustices, of good and credible repozt to vs made, aswell by men of worship, as by other honest persons, That J. W. of &c. is a man meete to keepe a common Alehouse in the house where he now dwelleth, haue licenced, allowed, and admitted, and by these presence do licence, allow, and admit the said J. W. to keepe a common Alehouse oz tipling house at M. aforesaid for one whole yere next insuing the date hereof, so that the said J. W. suffer not any vnlawfull games to be vsed within his said house, noz any euill rule oz order to be kept within the same during his time of the said licence, for the vsing of which licence accordingly, we do you so wit, that we haue bound the said J. W. and two other sufficient sureties in a hundred shillings a peece by Recognisance to the Queenes Maiesties vse. In witnesse &c.

A Licence to Begge.

Sec. 559.

J. T. C. and J. J. Esquires, Iustices for the conseruation of the peace of our Soueraigne Ladie the Queenes Maiestie within the Countie of &c. assigned, greeting: whereas the bearer hereof M. P. of B. in the said Countie, being a very pooze man and blind, by reason whereof hee is not able to labour, noz yet to liue of himselfe without the charitable reliefe of others, & being now resident in the said town is therefore now to be relieved. And being likewise inforzmed that the said towne is at this present charged with more pooze and impotent folkes than it is well able to relieue: Know ye therefore, that we the said Iustices haue licenced and allowed the said pooze man and his leader to go abrood to beg, gather and receiue the charitable almzs of well disposed people, inhabiting within the Hundred of &c. in the said Countie, requirring you not to molest oz trouble the said pooze man oz his leader for so doing, but desiring you rather to relieue them in their

their necessity, as to you that seeme meete. This our licence to remain in force one whole yeare next insuing the date hereof. In witnesse &c.

A Licence to begge out of the towne where he dwelleth.

TO all Constables, Bailiffs, Tythingmen, and all other the D. Sect. 560.
maiesties officers within the countie of M. greeting. Know yee, that we W. B. R. P. and T. H. esquires, three Justices of the Peace within the said county, being not only aduertised, but also of our own knowledge doe partly vnderstand, that there are moze impotent people abiding and inhabiting within the said bozough of M. then the inhabitants of the same are well able to find and relieue: In consideration whereof, for the ease of the said bozough, we haue authozized and licenced, and by these presents doe licence J. D. one of the said pooze folkes to go abroad out of the said bozough vnto G. and C. within &c. aforesaid, and there within the said parish, to aske, beg, and craue the charitable almes and deuotion of y^e well disposed persons within the same townes, from time to time towards his aid, succoz, and reliefe, so that he do not any thing hereby repugnant or contrary to the lawes and Statutes of this realme, in such cases late made and pzouided. In witnesse &c.

A Licence to buy Hats and Caps beyond Seas, and to sell them in England.

Right reuered father in God, right trusty, and right welbeloued, Sect. 561.
we greet you well, letting you wit, that we of our speciall grace for certaine considerations vs mouing, haue giuen and graunted licence vnto our welbeloued subiect J. H. of our city of L. attending by on our Court with Haberdashery wares, that he by himselfe, his seruants, factozs, or atturnies, denizens, or strangers, shall puruey & buy at one time, or diuers times, as well within this our realme, as in the parts of beyond the Seas, the number of 500. dozens of Caps, & the number of one hundred dozen of Hats, made and wzought in the said parts of beyond the Seas, of what making soeuer they be. And the said Hats and Caps to sel vnto vs, and our seruants, and to other persons repairing to our said court, without any maner of penalty, for seizure, or any other losse to be had or sustained in that behalfe: any act, statute, pzoouision, or ordinance made to the contrary notwithstanding. Provided alwaies, that we be duely answered of our customs and duties for all the Caps and Hats, as occasion is. Wherefore we will and command you, that vnder our pziue seale being in your keeping,

L 4

yes

ye addresse hereupon our letters vnto our Chauncelloꝝ of England commaunding him by the same, that vnder our great Seale, being in his keeping, he doe thereupon our Letters patents to be made in due and effectuall forme: And these our letters shall be herein your warrant. Giuen vnder our Signet at our Manors of &c. the 8. day of December, the sixtyeare of our Reigne.

A Licence or Passport.

Sec. 562.

Sir J. S. of K. within the countie of D. knight, one of the Queenes Maiesties Iustices of peace within the said Countie, to all Iustices of peace, Maiors, Waylifs, Constables, & all other her Maiesties officers & ministers whatsoeuer, sendeth greeting in our Lord God euerlasting. Forasmuch as the bearer hereof C. P. widow, being brought into great pouertie and necessitie, as wel by the late death of her husband, as otherwise, hath desired licence to trauell vnto the city of B. whereas one H. P. porter, and brother to her said husband inhabiteth, by whose goodnesse she hopeth greatly to be relieved and holpen: In consideration whereof, know ye me the said sir J. S. to haue licenced the said C. P. to trauel and passe the direct way from H. with in the Countie of F. whereas she lately dwelled, vnto the said city of B. together with her two little children, so as her iourney be not of longer or further continuance then twentie daies next after the date hereof, paying you, and euery of you to permit, and also to aide and relieue and assist the said C. in her iourney, so that she shew her selfe in no respect offensive to her Maiesties Lawes. In witness &c.

A Licence to make a Parke within the libertie of a Forest.

sec. 563.

Regina omnibus ad quos &c. salutem. Sciatis quod nos de gratia nostra speciali, ac ex certa scientia &c. concessimus & licentiam dedimus, ac per presenties pro nobis, hæredibus et successoribus nostris concedimus & licentiam damus dilecto nostro I. D. de D. in comitatu nostro C. armiger, quod ipse, hæred, & assign sui imperpetuum, habeant liberam warrenñ & libertat̃ parci, ac omnia quæ ad liberam warrenñ & libertat̃ parci spectant et pertinent in omnibus dominicis terr̃ suis manerij sui de D. in com̃ nostro C. ac in omnibus terris, pratis, pastur̃, & hereditamentis suis, cognit̃ per nomen, vel per nomina de &c. licet terr̃ illæ sint infra metas alicuius forestę, vel chaceę nostrę: Ita quod nullus Custos, Balliuus, nec aliquis alius officiar̃ nostroꝝ, hæredum, vel

vel successorum nostrorum forestæ nostræ de &c. in dicto comitatu nostro C. nec eorum deputatus, vel deputati, seruiens, aut seruientes vel aliquis alius, seu aliqui alij, incrent terras illas ad aliquid fugandū vel capiendū, quod ad warrenū & parcum pertineat, sine licentia & voluntate ipsius I. hæredū & assignatorum suorum, sub forisfactura nobis decem librarum. Quare volumus, & pro nobis, hæredibus, & successoribus nostris firmiter præcipimus, quod prædicti I. hæredū & assignatū sui, imppetuum habeant liberam warrenū & libertatē parci, in omnibus prædicti dominicis, terris, præciis, pascuis, pasturis, & hæreditamentis suis in D. prædicti, ac in cæteris præmissis. licet terræ illæ sint infra metas alicuius forestæ, vel chaceę nostræ: Ita quod nullus Custos, Balliuus, nec aliquis alius officiarū nostrarū heredum vel successorū nostrorum forestę de &c. prædicti, in dicto comitatu nostro C. nec eorum deputatū vel deputati, seruiens aut seruientes, nec aliquis alius, vel aliqui alij incrent terram prædictam, aut aliquam indoparcellam ad fugandū, capiendū, vel reducendū, damas, lepores, cuniculos, phasianos, perdices, vel aliquid aliud quod ad warrenū & parcum pertineat, sine licentia & voluntate ipsius I. hæredū & assignatorum suorum, super forisfacturam decem librarum. Ac ulterius de vberiore gratia nostra damus, & pro nobis, hæredibus, & successoribus nostris concedimus prædicti I. hæredibus & assignatis suis, quod ipse, hæredes, & assignatū sui imperpetuum sint immunes & liberi. Et quod omnia et singula præmissa, sunt & erunt immunia & libera ab omni iurisdictione, præscriptione, controllamentis, consuetudinibus, libertatibus, priuilegio, ingressu, venatione, fugatione, &c.

A Licence to teach a Grammar Schoole.

T. By the permission of God Archbishop of *Y.* Primate and *Wes* Sect. 564. Metropolitan of *ec.* To all true Christian people to whom these presents shall come, to be seene, read, or heard, sendeth greeting in our Lord God everlasting. Know yee, that we haue examined *M.* *M.* whom we find to be sufficiently instructed for his learning and knowledge of the Latin, Greeke, or Ch�ew tongues, and likewise of good and honest behauior: Wherefore we haue admitted and authorized him to teach Schoole in any place throughout the whole Diocesse of *Porke*, requiring you so to take and accept him, so long as he shall honestly behaue himselfe, and vertuously educate and bring by the yoath of your parishes, or vnto such time as ye shall be otherwise commaunded, if by any occasion the matter shall so fall out: In witness whereof to these presents we haue caused the Seale which we

doe vse in this behalfe to be put. Given the 25. day of June, Anno Domini 1577.

*Licentia ad erigendam Scholam Grammaticalem & Cantus in
R. cum appropriatione Ecclesie, & confir-
matione Decani &c.*

Secl. 565.

EDwardus Dei gratia Rex Angliæ & Franciæ, & Dominus Hiberniæ, Omnibus ad quos præseater literæ peruenerint, salutem. Sciatis quod nos de gratia nostra speciali, & ad humilem supplicationem Reuerendissimi patris T. R. Eborum Archiepiscopi Cancellarij nostri Angliæ, pro quadam sine, seu quadam pecuniæ summa nobis per eundem Archiepiscopum præ manibus solutis, concessimus, & licentiam dedimus, ac per præsentem concedimus, & damus licentiam pro nobis & hæredibus nostris quantum in nobis est præfato Archiepiscopo, quod ipse (aut ipso defuncto) executores & assignati sui, aut eorum aliquis, vel aliqui, ad laudem, honorem, & exaltationem gloriosissimi nominis domini nostri Iesu Christi saluatoris nostri, quoddam Collegium perpetuum, p futuris perpetuis temporibus duratur, de vno Præposito verbi Dei prædicatore, & duobus Socijs: vno videlicet eorum Magistro, siue idoneo informatore in Grammatica, altero instructore idoneo in Cantu, seu pluribus alijs socijs, si & prout proventus & facultates eiusdem Collegij imposterum forsan ampliari, & ad id sufficere contigerint regend & gubernand, iuxta ordinationem & constitutiones inde, prout infrascriptur faciend & ordinand, ad prædicandum verbum Dei in parochia de R. in comitatu Ebor, ac alijs locis infra dioces. Ebor. Et ad informandos Scholares quoscunque, Grammatic' seu Cant' addiscere cupientes vndecunque in regno Angliæ, & præcipue de dioces. E. ad prædictum Collegium se conferentes in regulis et institutis Grammatic' et Cantus gratis absque pecuniæ aut alterius rei exactione: Necnon ad celebrandum & orandum imperpetuum pro salubri statu nostro et Elizabeth' prædictæ consortis nostræ, ac charissimi filij nostri primogeniti Edwardi Principis Walliæ, cæterorumque liberorum nostrorum dum vixerimus, & special' dicti Archiepiscopi & benefactorum suorum dum vixerit, ac ad alia misericordiæ & pietatis opera faciend & exercend, iuxta ordinationem & constitutiones per memoratum Archiepiscopum, aut executores & assignatos suos prædictos, aut eorum aliquem

aliquem in hac parte faciendū & ordinandū, super quoddam solum seu scitum ipsius Thomæ Archiepiscopi, iacens in villa de R. prædicta: Quod quidem solum continet in longitudine &c. Et in latitudine inter clausum &c. facere, fundare, erigere, creare, & stabilire possit & valeat, seu possint & valeant futuris temporibus duratur. Et quod Collegium illud cum sit fundatum, erectum, & stabilitum fuerit, Collegium Iesu de R. nuncupetur & appelletur imperpetuum. Quodque Præpositus & socij huiusmodi Collegij prædicti, & successores sui, Præpositi & socij Collegij Iesu de R. imperpetuum vocentur & nuncupentur, sintque vnum corpus in re et nomine incorporatæ atque perpetuam habeant successionem, Necnon sigillum commune pro scriptis & literis facta & negotia eiusdem Collegij, atque ipsorum Præpositi & sociorum eiusdem concernent consignandis & sigillandis. Et quod sint personæ habiles & capaces in lege, per nomen & sub nomine Præpositi & sociorum Collegij Iesu de R. ad perquirendum & recipiendum terras & tenementa, redditus, seruitia, annuitates, decimas, oblationes, et alia quæcunque emolumenta, obventiones, iura, et possessiones, tam temporalia, quam spiritualia cum pertinentijs de præfato Thomæ Archiepiscopo, & de quacunque alia persona siue quibuscunque alijs personis, ea, sibi, vel successoribus suis, dare, legare, concedere, vel assignare, volenti vel volentibus. Habendum et tenendum sibi et successoribus suis Præpositis et socijs Collegij prædicti in feodo & perpetuitate. Ac etiam quod iidem Præpositus et socij eiusdem Collegij pro tempore existentes, per nomen et sub nomine Præpositi et sociorum Collegij de R. placitate possint & implacitari, ac prosequi omnimodas actiones reales, personales, et mixtas, sectas, causas, querelas, et demanda cuiuscunque generis fuerint vel naturæ, in quibuscunque curijs et locis, coram quibuscunque Iusticiarijs et Iudicibus spiritualibus vel temporalibus, seu alijs personis quibuscunque, ac in eisdem agere, defendere, respondere, necnon omnia alia facere & recipere, prout & eodem modo quo ceteri ligi nostri personæ habiles & capaces infra idem Regnum nostrum placitant & implacitantur, respondent et defenduntur, seu implacitare aut implacitari, respondere seu defendi debeant & tenent. Ac etiam de gratia nostra speciali concessimus, licentiam dedimus, atque concedimus, & licentiam damus per presentes, pro nobis et hæredibus nostris quantum in nobis est præfato Thomæ Archiepiscopo prædicto, quod ipse (aut ipso defuncto) executores & assignati sui, aut eorum aliquis, vel aliqui, postquam Collegium prædictum sit factum, fundatum, erectum,

erectum & stabilitum fuerit, solum & scitum prædict' cum pertinentijs, prout limitant, quæ de nobis immediatè non tenent, dare possit aut possint præfato Præposito & socijs Collegij antedicti, & successoribus suis: Habendum & tenendum sibi & successoribus suis Præpositis & socijs eiusdem Collegij imperpetuum, pro scriu & constructione, ac primaria fundatione eiusdem Collegij, ac inhabitatione dictorum Præpositi & sociorum eiusdem Collegij & successorum suorum: Ac eidem Præposito & socijs, cum successoribus suis, quod ipsi solum & situm prædict', a præfato Archiepiscopo, executoribus & assignatis suis, seu eorum aliquo recipere & tenere possint eis & successoribus suis prædictis ut prædictum est imperpetuum, tempore præsentium licentiam dānis specialem, absque aliquo line & feodo pro præsentibus literis, vel alijs literis superinde conficiendis, ad opus nostrum vel hæredum nostrorum capiend' seu soluend', seu faciend', Et absque aliqua inquisitione virtute alicuius brevis nostri de *Ad quod damnum*, seu alicuius alterius mandati nostri in hac parte capiend' & prosequend', & absque aliqua alia licentia nostra, seu alijs literis nostris patentibus eis in hac parte concedend' vel faciend': Statuto de terris & tenementis ad manum mortuam non ponendis, aut eo quod expressa mentio de vero valore annuo soli & icitus prædictorum in præsentibus minimè fact' existit, aut aliquo alio statuto, actu, ordinatione, provisione, seu restrictione in contrarium factum, edita, & ordinata, aut aliqua alia re, causa, vel materia non obstante. Et ulterius de vberiori gratia nostra concessimus, & licentiam dedimus, acque concedimus, & licentiam dānis per præsentem, pro nobis & hæredibus nostris quantum in nobis est præfato Thom' Archiepiscopo, ac executoribus & assignatis suis prædictis, necnon alijs personis quibuscunque, quod ipsi & eorum aliqui vel aliquis aut aliqua, cum Collegium prædict' sit factum, fundatum, & erectum fuerit, terras, tenementa, redditus, seruitia, annuitates, & alias possessiones quascunque cum pertinentijs, ad valorem annuum centum Marcarum ultra repris. licet ea de nobis seu hæredibus nostris, aut alijs per seruiç' Militari, aut alio modo immediatè teneantur in Capite, dare, legare, concedere, seu assignare possit & possint præfato Præposito & socijs Collegij antedicti & successoribus suis, Habendum & tenendum sibi & successoribus suis Præpositis & socijs eiusdem Collegij imperpetuum, ad sustentationem suam, & alia pietatis opera, iuxta inordinationem & constitutiones, per ipsum Thomam Archiepiscopum, vel executores seu assignatos suos, aut eorum aliquem inde faciendam & ordinandam, faciend',

faciend̄, & supportand̄. Et eisdem Præposito & socijs, quod ipsi & successores sui prædict̄ eadem terras, tenementa, reddit̄, seruit̄, annuitates, & possessiones supradict̄, ad ann̄ valorem prædict̄ ultra repris̄, à p̄fato Th. Archiepiscopo aut executoribus suis, seu assignatis suis, & cæteris p̄sonis p̄dict̄, seu eorum aliquo vel aliquibus, aut aliqua, perquirere & recipere possint. Habendum & tenendum eisdem Præposit̄ & socijs & successoribus suis imperpetuum, ad sustentationem suam, & alia pietatis opera vt præmittitur faciend̄ & supportand̄ imperpetuum. Similiter concedimus & licentiam idam specialem absque impetitione, impedimento, perturbatione, seu gravamine nostri, vel hæredum nostrorum, Iusticiar̄, Eschaet̄, Vicecom̄, Coronat̄, Balliuorum, aut aliorum Officiarior̄ & Ministros̄ nostrorum vel dictorum hæredum nostrorum quorumcunque, & absq; alio fine & feodo pro p̄sentibus literis, vel alijs literis superinde conficiend̄, ad opus nostrum, seu hæredum nostrorum capiend̄, solvend̄, seu faciend̄. Et absque aliqua inquisitione virtute alicuius brevis nostri de *Ad quod damnatum*, seu alicuius alterius mandati nostri in hac parte capiend̄ & prosequend̄, & absque aliqua alia licentia nostra, seu alijs literis nostris patentibus eis in hac parte concedend̄ vel faciend̄: Statuto de terris & tenementis ad manum mortuam non ponendis, aut eo qđ expressa mentio de vero valore annuo terrarum, tenementorum, reddituum, seruitiorū, annuitatum, & possessionum p̄dictorum, aut eorum alicuius in p̄sentibus minime fact̄ existit, aut aliquo alio statuto, actū, ordinatione, provisione, seu restrictione in contrariū fact̄, reddit̄, seu ordinat̄, aut aliqua alia re, causa, vel materia quacunque non obstante. Nos insuper ultra p̄miss̄, de gratia nostra speciali, ad supplicationem prædicti Archiepiscopi Cancellarij nostri, ad laudem & honorem gloriosissimi nominis Domini nostri Iesu Christi, concessimus, & licentiam dedimus, ac per præsentem concedimus & licentiam damus pro nobis & hæredibus nostris quantum in nobis est, prædicto Archiepiscopo, quod ipse (aut ipso defuncto) executores & assignati sui, aut eorum aliquis vel aliqui, postquam Collegium p̄dictum sic fundatum, erectum, & stabilitum fuerit, Ecclesiam parochial̄ de Laxton in Comitatu N. suæ diocesi. ad præsentationem seu collationem suam spectantem, cum suis iuribus & pertinentijs quibuscunque, ac aduocationem eiusdem Ecclesiæ laicali personæ memorat̄ Thomæ Archiepiscopi pertinentē & perquisit̄, licet de nobis immediatè teneatur, dare, concedere, assignare, appropriare, vnire, & incorporat̄ possit Præpositis & socijs Collegij prædicti & successoribus suis Præpositis & socijs dicti Collegij: Habendum & tenendum eidem Præposito & socijs & successoribus

foribus suis imperpetuum ad proprios vsus, ad sustentationem suam, & alia pietatis opera, iuxta ordinationem & constitutiones per ipsum Thomam Archiepiscopum, vel executores seu assignat suos, aut eorum aliquem inde faciend & ordinand, faciend, & supportand. Ac eisdem Præposito & socijs, & successoribus suis Præposit & socijs Collegij prædic, quod ipsi aduocationem & Ecclesiam prædictam, cum suis iuribus & pertinentijs quibuscunque, à præfato Archiepiscopo, executoribus & assignatis suis, seu eorum aliquo recipere, & Ecclesiam illam appropriare, & eam sic appropriat in proprios vsus tenere possit ad sustentationem suam, & alia pietatis opera vt præmittitur faciend: Similiter tenore præsentium licentiam damus specialem absque impetitione nostri, vel hæredum nostrorum, Iusticiar, Eschaet, Vicecom, aut aliorum Balliuorum, seu Ministrorum nostrorum, vel hæredum nostrorum quorumcunque, & absque sine seu feodo pro præsentibus literis nostris, ad opus nostrum capiend seu soluend, absque aliqua inquisitione virtute alicuius breuis nostri de *Ad quod damnum*, seu alicuius alterius mandati nostri in hac parte capiend vel prosequend, & absque aliqua alia licentia nostra, seu alijs literis nostr patentibus eis in hac parte concedend vel faciend: Statuto de terris & tenementis ad manum mortuam non ponendis, aut aliquo alio statuto, actu, ordinatione, seu prouisione inde in contrarium facta, ædiæ seu ordinat, non obstante. Dum tamen dict' Eccles. parochialis de L. per idoneum Vicar ibidem sufficient dotat vel dotat deseruiat, ac quod competens pecuniæ summa inter pauperes parochianos ibid annuatim distribuatur. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westmonasterium vicefimo secundo die Ianuarij, anno regni nostri xxij. In quorum omnium & singulorum præmissorum fidem & testimonium præsent literas sigilli nostri appensione roborari fecimus atque communiri. Datum in hospicio nostro iuxta Westmonaster' primo die Februarij, anno Domini 1582. Et nostr translationis tertio.

Et nos Rob. Decanus & Capitulum Eccles. Cathed beati Petri Ebor, in domo nostra Capitular, vna cum præfato Reuerendissimo patre de dict' fund, fundatio, erectio, creatione, statut, & ordinatio solempnem & diligentem tractatum habent, prout de facto habuimus, iuxta iuris exigentiam in hac parte requisit, ad prædic fund, fundatio, erectio, & creationem: Necnon voluntat statut, ordinationem, vocatio, nuncupatio, appellatio, deputatio, institutio, inductionem, inuestationem, mutationem, diminutionem, interpretationem, dationem, concessionem, assignationem,

nationem, reservationem, presentationem, devolutionem, admissionem, juramentum, obligationem, predicationem, celebrationem, decantationem, residenciam, administrationem, dispensationem, regimen, informationem, instructionem, exemptionem, exclusionem, limitationem, licentiam, concessionem, & dationem: Ac decrevit penes sequestrationem, excommunicationem, denunciationem, amotionem, remotionem, subrogationem, reservationem, editionem, conditionem, emendationem, reformationem, mandatum, approbationem: Insuper ratificationem, confirmationem, etiam observationem, arctationem, obligationem, operationem, & cetera premissa omnia & singula per prefatum Reverendissimum in Christo patrem Archiepiscopum Primatem & Legatum antedictum, ac per eum, prout super recitantur factum nostrum assensum & consensum expressum prebimus: Ac eisdem omnibus voluntarie assentimus, premissaque omnia & singula quatenus processerint, rata & grata habemus, pariter & accepta, ac eadem omnia & singula quatenus ad nos attinet, & de jure possumus atque debemus, ad omnem juris & perpetuitatis effectum qui exinde sequi poterit aut debebit, pro perpetuo scienter & notorie & unanimiter collaudamus, approbamus, ratificamus, & confirmamus per presentes. In quorum omnium fidem atque testimonium, sigillum nostrum commune presentibus est appensum. Datis Eborac in domo nostra Capitulari xx. die mensis Julij, Anno Domini 1584.

A Petition to the Parliament for the erection and incorporation of a Schoole.

Edwardus sextus Dei gratia Angliæ, Franciæ, & Hiberniæ Rex, fidei defensor, & in terra Anglicanæ Ecclesiæ & Hibernicæ supremum caput, Omnibus ad quos præsentis literæ pervenerint salutem. Inspeximus quoddam breve nostrum de Certiorandæ I. M. Militi Clerico Parlamento nostri directum, & in filiam Cancellariæ nostræ residens in hæc verba. Edw. sextus Dei gratia Angliæ, Franciæ, & Hiberniæ Rex, fidei defensor, & in terra Ecclesiæ Anglicanæ & Hibernicæ supremum caput, dilecto et fidei suo I. M. Militi Clerico Parliamentorum suorum, vel eius deputato ibidem salutem. Volentes certis de causis certiorari super tenorem cuiusdam Actus in Parlamento nostro apud Westmonasterium xxiiij. die Ian. ultimo præterito, & ibidem continuat usque ad quintum decimum diem Aprilis etiam ultimum præteritum, concernentem quendam actum in eodem Parlamento pro erectione liberæ Scholæ

Scholæ in P. in Coñ Eboꝛ nuper eꝛdit: Vobis mandamus, quod tenorem actus præc̄ nobis in Cancellar̄ nostra sub sigillo vestꝛ distincte & aperte mittatis, & hoc breue. Teste meipso apud Westm̄ primo die Iulij, Anno regni nostri sexto. Inspeximus etiam quendam actum Parliamenti, in Parlamento nostro apud Westm̄ tenē. eꝛdit, & in filatijs eiusd̄ Cancellar̄ similiter resideñ in hæc verba. In Parlamento inchoato & tento apud Westm̄ quarto die Nouemb. añ potentissimi Principis Ed. 6. Dei gratia Angl', Franc', & Hiberñ Regis fidei defensor, & in terra Ecclesiæ Anglican̄ & Hiberñ supꝛemi capitici primo, & p̄ varias progationes continuat vsque in xxiiij. diem Ianuar̄ anno quinto eiusd̄ dñi Regis, in quarta, viz. & vltima Sessione eiusdem Parliamenti, inter alia multa communi oꝛum procerum & populi assensu sancit̄ & stabilit̄, & inactitat̄ sunt hoc præsens statutum pro erectione liberæ Scholæ in P. in Coñ E. ad verbum prout sequitur.

In most humble wise complaining, sheweth vnto your most excellent Highnes, your Orator & faithfull subiect T. D. of Crepes Inne: That whereas one J. D. deceased, Doctor of the Lawes, for the zeale and loue that he had to his Countrey, and to the education & bringing vp of youth in vertue and learning, gaue, graunted, confirmed, and assured certaine lands and tenements in the Countie of Pozke, of the cleere yerele value of fiftene pounds, about all charges and reparailes, vnto the Master, Fellowes, & Schollers of S. Johns Colledge in C. to haue and to hold to them and their successozs for euer, to the intent, that they the said Master, Fellowes, and Schollers, and their successozs for euer, should retaine and keepe in their Colledge siue schollers that had bene brought vp in the Grammar Schoole, freely erected by the said J. D. in P. in your Graces Countie of Pozke for euer, in such manner and for me, as is contained in a deed of Composition quadꝛipartite Indented of the said J. D. bearing date the first day of September, in the yere of our Loꝛd God 1515. and in the seventh yere of the raigne of the late King of famous memoꝛie, Henrie the eight, being made to the said Master, Fellowes, and Schollers, as moꝛe plainly both and may appeare. And amongst the pꝛouisions, graunts, articles, and agrẽments of the said composition it is contained, That the Master, Wardens, and bꝛethꝛen of a certaine Fraternitie and Guild in P. afoꝛesaid, founded there by the said J. D. by the licence of the said late King of famous memoꝛie H. viij. should alway, when the said Schollers roomies, oꝛ any of them, forstuned to be void by death, resig.

resignation, forfeiture, or otherwise have the election, nomination, and appointment of a Scholler, or so many Schollers, as then might or would supply the roome or roomes of the said Schollers, then being vacant or void in the said Colledge. And that the said Masters, Fellowes, and Schollers of S. Johns Colledge should alwaies giue knowledge vnto the Masters, Wardens, and Brethren of the said Guild, when any such auoidance should happen to fall by any the meanes aforesaid, within a certaine time appointed within the said composition, as therein more plainly appeareth. And now most gracious Soueraigne L. by reason of the Statute made in the first yeare of your most noble raigne, for the dissolution of Chauntries, Colledges, free Chappels, Guilds, and Fraternities, although the meaning of the makers of the said Statute was not to hurt, alter, or change any such good and godly foundations, made onely for the increase of learning, but rather to fortifie, augment, and inlarge such godly foundations and ordinances: yet that notwithstanding, the said Fraternitie and Guild, only founded for the godly intents aforesaid, by the said Statute made for the dissolution of Chauntries, Fraternities, and Guilds, as is aforesaid, colourably vnder the pretence of Fraternitie superstitiously bled, is now dissolved and taken away. And by the meanes thereof, the benefit and preferment which the Schollers of the said Free Schoole in W. aforesaid haue alwaies had thence the said foundation made, is likely to be clerely gone & taken away, most contrary to the meaning and good intent of the said godly ordinance and foundation. And yet the said Colledge of Saint J. at this day is possessed and seised of the said lands and tenements, giuen onely for the intents and purposes aforesaid, which thing is like to ensue, to the great displeasure and losse of the inheritance of the said Towne of W. and of all the Countie there, vnlesse it shall please your Maiesty, that the said godly ordinance may be perfected, recontinued, and established by some good & godly deuise & ordinance. And whereas your said Orator is seised in his demesne as of fee, aswel of y^e Scholehouse of the said Fr^e Schoole, as also of all the lands and tenements purchased by the said J. D. Doctor of the Lawes for the maintenance of the said Fr^e Grammar Schole, without any vble declared, And no other deuise as yet made for the more perfect continuance of the said Fr^e Grammar Schole, so that if your said subiect should chance to die, whereof he is most assured, it is not certaine, that the said lands shall be imployed vnto the vse and godly intent aforesaid, as heretofore they haue bene. May it therefore please your most excel-

lent Highnesse, tenderly considering the premises, that it may be enacted with the assent of the Lords spirituall & temporall, and the commons in this present Parliament assembled, & by the authoritie of the same in maner and forme following. First, that it shall & may be lawfull unto the said Master and Fellowes of the said Colledge of Saint I. in C. and their successors for ever, to nominate and appoint one discrete and well learned man to supply the roome of the Schoolemaster of the said Free Grammar Schoole. And that it shall be lawfull for the said Schoolemaster, with the Churchwardens of the Parish Church of P. aforesaid, to nominate and appoint one sufficient learned young man to be Usher of the said Free Grammar Schoole. And that as often as y^e said Schoolemasters roome shall fortune to be void by death, resignation, or otherwise: that then it shall be lawfull for the said Master and Fellowes of S. I. Colledge, and their successors for ever, to nominate and appoint one discrete and well learned man, as is aforesaid, to supply the roome of the said Schoolemaster then being void. And in like maner, & as often as it shall fortune the said Ushers roome to be void by any the meanes aforesaid: that then it shall be lawfull for the said Schoolemasters and Churchwardens, and their successors for ever, to nominate and appoint one well & sufficient learned young man to supply the roome of the said Usher then being void. And that the said Master & Usher for the time being for ever, shall by the authoritie of this present Parliament be incorporated by the name of Master & Usher of the said Free Grammar Schoole of P. And that they & their successors shall haue perpetuall succession in the same for ever. And that the said Schoolemaster & Usher of the said Free Schoole of P. aforesaid for the time being, shall be enabled by the authoritie of this present Parliament, to receiue to them and their successors in perpetuallie for ever, of the gift and graunt of the said T. D. or of any other person or persons, lands, tenements, annuities, and rents of the clergerely value of xx. pounds, and not aboue, for the exercising and vnting of the said roome & rooms of the Schoolemaster & Usher of the said Free Grammar Schoole. And that the said Master & Usher, & either of them & their successors, and the successor of either of them, shall and may be enabled by the authoritie aforesaid to sue and be sued, to implead & to be impleaded, for any matter or cause concerning the said lands, tenements, annuities, and rents, or any parcell thereof, by the name of Master and Usher of the said Free Grammar Schoole in P. aforesaid. And that from henceforth, as often as the said five Schollers rooms, or any of them within the said Colledge of S. I. shall fortune

fortune to be void by any the meanes abovesaid: that then it shall and may be lawfull vnto the said Master of the said free Grammar schole in D. and his successors for euer &c. Nos autem tenores breuis & c. ad requisitionem T. D. gen de Greis Inne, duximus exemplificand per presentes. In cuius rei &c. Teste me ipso apud Westm̄ 6. Iulij, An̄ regni nostri vj.

A Licence of alienation of lands holden in Capite.

ELIZABETH Dei gratia &c. Omnibus ad quos presentes literę Sect. 567:
peruenerint, salutē. Sciatis quod nos de gratia nostra specialī, ac pro
tribus libris et decem solidis nobis solut in Hanaperio nostro concessimus,
ac licentiam dedimus, ac per presentes concedimus, ac licentiam damus
pro nobis & hæredibus nostris quantum in nobis est, dilecto nostro E. F.
quod ipse totam medietatē manerij C. cum pertinentijs, ac quadraginta
mesuag^o, viginē cottag^o, quadraginē gardin^o, quinquaginē acf terē, quadra-
ginē acf prati, trecent^o acf pastur^o, xxx. acf bosci, trescent^o acf moræ, & vi-
ginti lib^o reddit^o cum pertinentijs in W. & alibi, in Corā nostro N. eidem
medietatē pertineñtē siue spectantē, parcell^o de reputatē aut acceptē existeñtē p
R. D. & I. F. quæ de nobis tenentur in Capite, dare possit & concedere,
alienare, vendere, barganizare, feoffare, warrantizare, aut cognoscere per
finem in Curia nostra coram Iusticiā nostrā de Communi banco, aut alie-
ter, seu aliquo quocunq; modo dilecto nobis E. Habendē et tenendē eidem
E. hæredibus & assignatis suis de nobis & hæredibus nostris, per seruitia
inde debita & de iure consueta imperpetuum. Et eidem E. qđ ipse medie-
tatē manerij pđ, ac cæterorum pmissorum cum pertineñtē à p̄fat I. recipere
possit, & tenere sibi, hæredē, & assignatis suis, de nobis & hæredibus nostris,
per seruitia p̄dicē imperpetuum sicut p̄dictum est, tene re p̄sentium simi-
liter licentiam dedimus, ac damus specialem: Nolentes qđ p̄dicē I. aut
hæredē sui, vel p̄dicē E. hæredes vel assignati sui p̄dicē, ratione p̄missorū,
p nos, hæredē, vel successores nostris, Iusticiā, Eschacē, Vicecom̄, Balliuos,
aut alios officiar̄ seu ministr̄ nostros hæredē vel successorum nostror̄ quos-
cunque inde occasionentur, molestentur, p̄turbentur, vexentur in aliquo,
seu grauentur, aut eor̄ aliquis occasionetur, molestetur, p̄turbetur, vexetur
in aliquo, seu grauetur. In cuius rei testimoñ has literas nostris fieri fecimus
patentes. Teste me ipsa apud Westm̄ ultimo die &c.

A Licence for Brokers or Badgers of Corne.

Quinto die Aprilis, anno regni Eliz. Reginae xxxvj.

Sect. 568.

AT the generall Sessions of the Peace holden at G. in the County aforesaid, is licenced and appointed by the Justices of the Peace of the said Countie, to be a common Badger, Lader, Reedar, Carrier, Buyer, or Transporter of all maner of Cozne or Graine, in any Market or Fayze within the Realme of England, and the same so bought, to conuert to Heale, and the same to carrie to the Citie of London, or the Suburbes of the same, or to any other Market or Fayze, so that he vse and occupie the same according to the tenor and true meaning of the Statute lately made in the 5. yere of the raigne of our soueraigne Lord King Ed. the 6. against Regrators, Foretallers, and Ingrossers, and not otherwise: The same Licence to haue continuance from the date hereof, vntill the next generall Sessions of the Peace after the feast of E. next comming to be holden &c. In witness whereof, the Justices of the Peace of the said County, whereof the one is of the Quorum, being present at the said generall Sessions, whose names be vnder written, haue signed and sealed this present Licence with their proper hands and seales the day and yere aboue written. Dated at G. the said 5. day of A. &c.

A graunt of a Licence to transport Wool.

Sect. 569.

REx omnibus ad quos &c. Salutem &c. Sciatis quod nos de gratia nostra speciali, ac ex certa scientia, & mero motu nostris, dedimus & concessimus, & per presentes damus & concedimus dilecto subdito nostro R. F. licentiam, quod ipse, assignatus, vel assignatus sui, factor siue factores sui, possit siue possint, portare & reportare quolibet anno durante termino sex annorum immediate post datum presentium, ducentis petri Lanæ siue Lanarum extra terram nostram Hibernie, ad aliquem portum siue cracam in regno nostro Anglie, ad libitum ipsius R. assignati vel assignati suorum, factorum siue factorum suorum, soluenda customas & alia onera inde nobis debita. Mandamus etiam omnibus & singulis Maioribus, Balliuis, Vicariis, & alijs officariis & ministris nostris quibuscunque, quod ipsi nec eorum aliquis pro R. assignato siue assignatos suos, factorum siue factores suos, in aliquo premissis impediant, molestant, nec grauent, contra formam literarum nostrarum: Eo quod &c.

War.

Warrants.

A Warrant to pay Money.

Dour trusty and welbeloued G. L. our Receiuoz in our Sect. 570.
 Lordships of C. and G. oz to any other our Receiuozs for
 the time being, greeting. We will and charge you, that
 of the profits and reuenues of our liuelihood in your re-
 ceipt at the feast of Easter next comming &c. without any longer de-
 lay, ye content and pay vnto our welbeloued W. P. ten pound of &c.
 which we owe vnto him for certaine stufte, to our ble of him bought
 and retained, and for paiement of the said summe, ye take for vs suffi-
 cient Acquittance, which with these our letters shall be therfoze to you
 sufficient warrant and discharge at your accompts then next to be gi-
 uen befoze our Auditozs there for the time being, whom we will and
 charge to make you due allowance in this behal'e by these our letters.
 Giuen &c. tali die &c.

A Warrant to pay an Annuite.

WD. omnib⁹ Receptoribus, Balliuis, firmarijs, præpositis, mini- Sect. 571.
 stris, & occupator quibuscunque dominior & manerior meor
 de N. & L. in com E. qui nunc sunt, & qui pro tempore futur erunt Salut.
 Cum ego præf. W. nuper per script meum, cuius dat est primo die Maij
 Añ &c. ordinauerim, fecer, & constituerim dilect' mihi in Christo C. M.
 Seneschall' meum omnium prædict' dominiorum & manerior meor, Ha-
 bend, tenend, & occupand Officiu p'd' præfat C. per se, vel per suffi-
 cientem, deputatū suum, vel sufficient deputatos suos, quamdiu se bene ges-
 ser in eodem: Percipiend' annuatim p officio suo p'd' exercend & occu-
 pand' quatuor libras argenti, per manus Receptor, Balliuorum, firmario-
 rum, seu aliorum officiariorum & ministrorum dominior, & maneriorum
 meor prædict' pro tempore existentium, ad iminos S. M. arch. & P. per
 equales portiones, prout in scripto prædict' plenius continetur. Vobis
 igitur omnibus & singulis Receptoribus; Balliuis, firmarijs, præpositis,
 seu alijs occupatoribus & ministris dictor dñiorum & maneriorum meo-
 rum quibuscunque pro tempore existen, & in futur existen, & quilibet
 vestrum mando, onero, & firmiter iniungo, quod de tempore in tempus
 soluatis, seu solui faciatis, seu vnus vestrum soluat, seu solui faciat præfat

C. præd̄ quatuor libras ad t̄minos supradic̄t̄, sine dilatione vltiori iuxta formam script̄ n̄ri præd̄ sibi inde confecti: Recipiend̄ inde de pref. C. vel de suo in hac parte deputato acquietancias, singulas solutiones quas sic feceritis testificantes, & per p̄sens mandāt meum volo, quod Auditores mei, vel Auditor meus d̄n̄or̄ & maner̄ meor̄ præd̄ qui pro tempore fuer̄ vel sunt: Vobis & cuilibet vestrum in vestris compotis, vel in vestr̄ compoto, de tempore in tempus de solut̄ inde & qualibet inde parcel' faciant siue faciat allocationem. In cuius rei &c.

A warrant for a Licence to elect a Bishop.

Sect. 572.

Charissime consanguinee &c. supplicauer̄ nobis humilit̄ Decan̄ & Capitul' ecclesie nostr̄ cathedr̄ de N. vt cum sedes Ep̄alis infr̄ Ecclesiam n̄ram cathedr̄ præd̄, & per mortē natural' piæ memor̄ A. B. vltimi Episcopi eiusd̄, sit pastoris solatio destituta, alium in locum illius Episcop̄ & pastor̄ eligendi, facultatem, licentiamque nostrā gratiosē concedere dignaremur. Nos igitur eorum supplicationibus fauorabiliter inclinari, facultatē atque licentiā nostrā h̄ndi duximus concedend̄. Quocirca vobis mandam⁹, qđ sub priuato sigill' nostr̄ in custodia v̄ra existente literas &c. Mandant̄, vt sub magno sigillo n̄ro in eius custodia v̄ra existē, l̄ras n̄ras patent̄ fieri fac' in hac pte debitas, & in tali casu consuetas. Et hæ literę nostrę &c.

And ye shall vnderstand, that hereupon the Chancelloz of England shall graunt them the Kings Letters Patents of licence to proceede to their election. The forme whereof appeareth in the Register, with which letters patents of licence vnder the great Seale, shall be sent a letter missiue, containing the name of the person to be elected, as followeth.

A warrant for royall assent.

Sect. 573.

Charissime &c. Vacante nuper sede Episcopali infra Eccles. nostr̄ Cath. de N. p mortē bonæ memor̄ A. vltimi Episcopi ibidem, Decan̄ & Capit' eiusd̄, facult' a nobis pri⁹ p ipsos ad aliū eligend̄ in ipsor̄ Episcop̄ & pastorē petita parit̄ & obtenta, venerabilē & egregiū virum C. D. in tuum pastorē elegerunt & nominauer̄. Cui nos electioni & viro sic electo (humilibus eor' interuenientib⁹ supplicationib⁹) Regiū nostrum adhibem⁹ assentū parit̄ & fauorē, eundēque electum vos commendatum habemus. Quocirca vobis mandamus &c.

And vpon this Warrant the Lord Chancelloz of England shall make

make the kings Letters patents of his royall assent, directed to the Metropolitane, to confirme and consecrate the Lord electo, or if yee will, the words of the patent may be set forth at length in the Warrant, that the king shall signe, as followeth.

The certificate of royall assent, for the election and consecration of a Bishop.

REx &c. Reuerendissimo in Christo patri &c. Salutem. Cum vacauerit nuper Ecclesia nra Cathed' Sanct' A. W. per mortem bone memorie dni I. C. eiusdem Ecclesie dudum Episcopi, Decanus et Capitulum Ecclesie nostre predict', prius licentia a nobis per eos alium eligendi in eorum Episcopum et pastorem petita pariter et obtenta, venerabilem virum A. B. in ipsorum Episcopum et pastorem canonice eligerunt et nominauerunt, sicut per eorum literas quas vobis mittimus presentibus inclusas plenius liquet. Vobis significamus, quod dictæ quidem electioni, et personæ sic electæ, humilibus eorum mediantibus supplicationibus, nostrum Regium adhibuimus fauorem pariter et assensum. Et eundem electum apud vos recommendatum habemus. Quocirca vobis mandamus, quod cætera oia quæ per vos ad confirmationem et consecrationem eiusdem in dicto Episcopatu fieri consueuerunt, secundum leges et statuta regni nri Angl', hac in parte ædita et prouisa, cum fauore & diligentia facere velitis &c. In cuius &c.

Sect. 574.

If yee list to know further after what maner the Archbishops and Bishops be at this day cholen, nominated, presented, inuested, and consecrated to the dignitie and office of an Archbishop, or Bishop, yee must read the Statute thereof made 25. H. 8.

A warrant dormant for a Deere.

BE it knowne vnto all men by these presents, that wee Sir C. S. Earle of D. and Lord of S. haue giuen and graunted, & by these presents giue & grant vnto our welbeloued J. H. and P. his wife, one Stag and two Buckes in summer, and one Hind & two Does in Winter, yearely to be taken in two Parkes of our Ane of A. or in the chase belonging to the same, of our gift, yerely during their liues, and the longer liuer of them. And we licence and giue authoritie and power to the said J. and P. and either of them during their liues, and the longer liuer of them, and their sufficient deputie, yerely in the times of season & conuenient, to go into the said parkes or chase, calling the keeper or keepers therof with them, there to hunt and kil the same Deere, & them to carrie away at their libertie and pleasure, with

Sect. 575.

such convenient number of persons as shall like them, soz, and about the doing of the same: any act, statute, or other thing made to the contrary notwithstanding. And further we will, that if the said J. and M. perely sometimes will not come themselves, noz either of them soz the same: Then I will, that my keepers of the same parke or chase soz the time being, vpon a bill signed with the hand of the said J. or M. concerning the same, shall kill and deliuer from yeare to yeare, to the bzinger of the same letters, the said Summer Deere, & winter Deere, without any restraint or gairesaying by them, or any of them, in any wise to be made or done. In wicnes &c.

A Warrant for a Bucke.

Sect. 576.

WE will and charge you, that vnto R. M. Citizen of the Citie of L. or to the bzinger hereof, ye deliuer, or cause to be deliuered one Buck of season, to be taken of our gift within our parke of S. any restraint or other commaundement heretofore made to the contrary notwithstanding. And these letters shall be vnto you a sufficient warrant & discharge in that behalfe. Giuen vnder our signet &c.

A Warrant for the Peace.

Sect. 577.

Robertus Moore armig^r, vnus Iustic^r domⁱ Reg. ad pacem in com^u p^rdict^r conseruand^r assignat^r Vic^r com^u p^rdict^r, Necnon omnibus Balliuis, Constabular^r, et alijs dict^r domⁱ Regiⁿ minist^r com^u p^rdict^r, et eorum cuilibet salutem. Quia I. T. de D. in com^u p^rdict^r, coram me presticit sacram^{en}t^um corporal^e, quod ipse de vita sua, et mutilatione membrorum suor^u: Necnon de incendio domor^u per T. L. de C. in com^u p^rdict^r yeoman, grauit^r et manifest^e comminat^r existit. Ideo ex parte dict^r domⁱ Regiⁿ vobis et cuilibet vestrum mando, quod p^raf. T. L. coram me p^ref. Iustic^r venire fac^r seu vnus vestrum venire faciat, ad inueniendum sufficient^r securitat^e pacis versus dict^r dⁿam Regiⁿam et eun^{ct}u^m popul^um suum, et precipue versus p^raf. I. T. Et si hoc gra^t face^r recusaue^r, tunc ipsum attachic^r seu vnus vestr^um attachiet, et ad prox. gaol^u dict^r domⁱ Regiⁿ in com^u p^rdict^r duccend^r &c. Nullatenus omittat^r periculo incumben^t. Dat^r &c.

A Warrant to arrest a fugitive seruant.

Sect. 578.

R. C. seruiens ad legem, vnus Iusticiar^u dⁿe Regiⁿ ad pacem, necnon ad diuersas felonias, transgress. et alia malefact^r in comitat^e N. audien^d et terminand^r assign^r, Balliuis hundred^r de B. & T. H. Constabul. de M. in comitat^e p^rdict^r salutem. Quia E. L. retentus in serui^c I. T.

de

de M. p̄d sibi feruend̄, secundū formā et effectū statuti de Seruientibus
 editi, a seruitio I. T. sine causa rationabili et licentia ipsi⁹ I. T. recessit (vt
 dicit.) Ex parte dominæ Regiñ vobis et cuilibet vestrum p̄cipio, quod
 p̄f. E. L. ad p̄f. I. T. Magistrum suum deseruend̄ deliberaſ faciaſ. Et si
 hoc recusauer, tunc eum gaolę castri N. duci faciaſ, quousque &c. Ita q̄
 eū habeatis corā me et socijs meis Iustic' dictæ dominæ Reg. in comitatu
 p̄d ad proximiū Sess. pacis ibidē tenend̄, ad faciend̄, et recipiend̄ ea quæ
 ei tunc & ibidem in hac parte obijcientur. Sigillo meo sigillaſ. Dat̄ &c.

Warrantia ad capiend⁹ Vagabund⁹.

R. C. de H. in comitatu N. vnus Iustic' dñæ Regiñæ ad pacem, nec
 non ad diuers. felon̄, transgr̄. & alia malefact' in com̄ p̄d audiend̄
 & terminand̄ assign̄, Vic' com̄ hundred̄ de E. ac Constabular' villę de W.
 in com̄ p̄d, et eorum cuilibet salutem &c. Ex parte dñæ Regiñæ vobis
 & cuilibet vestrum mando, qđ attachiet, seu vnus vestrum attachiet B.
 G. vagabund⁹ non seruiendū, nec in seruitio alicuius retent⁹ (vt dicit̄) & eum
 deseruire fac' I. G. secundum formam et effectum statuti de Seruientibus
 editi. Et si hoc facere noluer, aut hæc facere recusauer, tunc eum prox'
 gaolæ dict' dñæ Regiñæ infra dict' com̄ duci faciaſ. Ita qđ eum habeat̄
 is, seu vnus v̄m habeat coram me & socijs meis ad proximiū Sessioñ ipsi⁹
 dictæ dñę Reg. ad pacem in com̄ p̄diſ tenend̄, vnā cum hoc mandato.
 Dat̄ &c.

Sect. 579.

A Warrant from Iustices of Oyer to returne a Iurie.

E. M. Miles & socij sui Iustic' domini Regis ad inquirend̄ per sacra-
 ment̄ proborum & legalium hoīm de Com̄ L. ac alijs vijs, modis et
 medijs, sicut melius sciunt aut poter, tam infra libertates quem extra, per
 quos rei veritas melius sciri poterit, de quibuscunque murdris, felonijs,
 riot, rouf, transgres. seu alijs maleficijs, necnon accessor eorum per quos-
 cunque & qualitercunque habiſ, fact' perpetrā, siue commissi, & per
 quos, vel per quem, cui, vel quibus, quando, qualiter, & quomodo, et de
 alijs articulis & circumstanc' præmiss. qualitercunque concernent̄ ple-
 nius veritatē dicend̄, & ad eadem murdr̄, felon̄, & alia præmiss. audiend̄
 & determinend̄, secundum legem & consuetud̄ huius regni Angliæ,
 Vicecom̄ L. salutem. Ex parte dicti dñi Regis tibi præcipimus, qđ non
 omittas propter aliquam libertatē in Balliua tua, quin venire fac' coram
 nobis apud S. in com̄ I. &c. viz. x. die I. proximiū futurū xxiiij. probos &
 leg' hoīes de quolibet hūdređ in com̄ tuo, ad inquirend̄ pro dño Rege
 de

Sect. 580.

de præmiss. &c. Et ulterius ad faciend̄ ea quæ eis tunc & ibidem obijci-
entur &c. Et quod tu et omnes Bailiui & ministri tui sint coram nobis,
ad tunc et ibidem ad officia vestra, et ea quæ vobis ad tunc et ibidem in-
iungentur &c. Dat̄ &c.

A warrant to a Bayliffe to make a Repleuin.

Sec̄t. 581.

Anthonius Vic' Montague, prænobilis ordinis Garterij Miles ac
Capital' Seneschall' hundred' de G. Ball' libertat̄ dn̄e Regine hun-
dredi sui prædicti, salutem. Quia H. L. inueni mihi pleg' de prosequend̄
querelam suam versus R. L. de placito captionis et iniustæ detentionis
bonorum & catallorum suorum, viz. xij. caract' ligni vocat' fagots, nec-
non de retorno habendo, si return' inde adiudicetur: Ideo ex parte
dictæ dn̄e Regine tibi mando quod bona et caralla prædicti, viz. vij.
caract' ligni p̄t. H. L. replegiar' facias. Et pone p̄ vadios et saluos pleg'
p̄dicti R. S. quod sit ad proximam curiam hundred' p̄d tenend' &c. ad
respondendum præf. H. L. de placito captionis et iniustæ detentionis
bonorum et catallorum suorum p̄dicti. Et habeas ibi hoc præceptū sub
sigillo officij mei, quarto die &c. Anno &c.

Indentures.

A covenant of a prentice.

Sec̄t. 582.

This Indenture witnesseth, That T. S. the sonne of J. S. of S.
in the County of W. Merchant, hath put himselſe Apprentice
with W. W. of S. aforesaid, in the County of W. Taylor,
and after the manner of an Apprentice with him to dwell, from
the feast of Christmas next comming after the date hereof, vnto the
end & terme of seven yeres then next insuing, and fully to be complete.
By all which said terme the said T. apprentice to the said W. as his
Master, well and faithfully shall serue, his secrets shall keepe, his cō-
maundements lawfull and honest euery where shall doe, fornication
in the house of his said Master noz without he shall not commit, hurt
to his said Master he shall not doe, noz consent to be done to the value
of vij. s. by the yeare, or aboue, but he to his power shall let, or anon
his Master warne. Tavernes of custome he shall not haunt, but if it
be about his Masters businesse there to be done. At the dice, cardes,
or any other vnlawfull games he shall not play. The goods of his said
Master inordinately he shal not waik, noz them to any man lend with-
out his Masters licence. Patrimonie with any woman within the
said terme he shall not contract, noz espouse, noz from his seruice nei-
ther

ther by day noꝝ by night shall absent oꝝ eioigne himfelfe, but as a true and faithfull feruant ought to behaue himfelfe, aswell in woꝝds as in deed. And the said **W.** vnto the said **T.** in the craft, myſſerie, and occupation the which he vſeth, after the beſt manner that he can oꝝ may ſhall teach and infoꝝme, oꝝ cauſe to be taught and infoꝝmed, as much as thereunto belongeth, oꝝ in any wiſe appertaineth, & in due manner to chaſtice him, finding vnto his ſaid ſeruant meat, dzinke, linnen, woollen, hoſe, ſhoes, and all manner of things neceſſarie oꝝ belonging to a Prentice of ſuch craft, to be found after the manner and cuſtome of the Citie of **L.** In witneſſe &c.

An Indenture for a Prentice.

HEc Indētura teſtatur, qđ G. H. fili⁹ W. H. de C. in Coñ D. huſbād, Sect. 583.
 Man, poſuit ſe ipſum apprenticiū E. W. Ciui & Haberdaſh. ad artem ſuam qua vtitur erudiend⁹, & ſecum moꝝ apprentic⁹ ſui commoratur & deſeruit à feſto Omnium Sanctorum, anno regni Regis H. 8. &c. vſque ad finem & termin⁹ octo annos extunc pꝛ⁹ ſequent⁹ plenarie complend⁹. Durante quo termin⁹ pꝛ⁹ G. pꝛ⁹ E. tanquam Magiſtꝛ ſuo bene & fideliter deſeruiet, ſecreta ſua celabit, pꝛ⁹cepta ſua licita & honeſta, libent⁹ vbique faciet, damñ eidem Magiſtꝛ ſuo non faciet, nec ab alijs fieri ſciet, ad valof xij. denarioc⁹ per anñ vel amplius, quin illud pꝛ⁹ poſſe ſuo impediet, aut ſtatim dict⁹ Magiſtꝛ ſuum inde pꝛ⁹muniet, bona dict⁹ Magiſtꝛi ſui non deuaſtabit, nec ea alicui illicite accomodabit, fornicatioñ in domibus dicti Magiſtꝛ ſui nec extra non committet, Matrimoñ non contrahet, ad talos ſeu aliqua alia ioca illicit⁹ non ludet, Tabernas non frequentabit, cum bonis ſuis pꝛ⁹prijs aut alienis, durante dict⁹ termin⁹, ſine licentia dicti Magiſtꝛ ſui non mar chandizabit, à ſeruitio ſuo pꝛ⁹ non recedet, nec ſe elongabit, ſed in oĩbus tanquā bonus & fidel⁹ apprenticius benign⁹ ſe geret & habebit pꝛ⁹ dict⁹ termin⁹. Et pꝛ⁹ E. apprentium ſuum in arte ſua qua vtitur, meliori modo quo ſciuerit aut poteſt, docebit, tractabit, & informabit vel faciet informaꝛ, debet⁹ mođ caſtigand⁹. inueniendo que oĩa ſibi neceſſaria, vt veſtem, veſtit⁹, linum, lancum, calciamenta, & lect⁹ ſufficient⁹ pꝛ⁹ rotum dict⁹ termin⁹. Et ad iſtas conuentiones omnes & ſingulas ex parte dicti apprenticij beñ & fidelit⁹ tenend⁹ & pꝛ⁹implend⁹ in forma vt ſupra idem apprentic⁹ firmiſ⁹ ſe obligat pꝛ⁹ pꝛ⁹ſent⁹. In cuius rei teſtimon⁹ pꝛ⁹es pꝛ⁹ his Indentur⁹ ſigilla ſua alternatim appoſueſt M. D. tunc Maior⁹ Ciuitatis Lond⁹ R. H. H. S. tunc Vic⁹ eiufdem Ciuitat⁹. Dat⁹ L. die & anno ſupradictis.

Letters.

Symb. Aduowsons and Presentations. part. primæ

Letters to a Bishop by the King to graunt an Aduowson.

Sect. 584.



Right Keuerend Father in God, right trustie, and right welbeloned, we greet you well. Whereas we be verie desirous (foz the honest qualities which we vnderstand to be in our welbeloned Chapleyn A. B.) to see him furnished with convenient lining accordingly, we haue thought good to desire and pray you, that the rather for our sake, and at the contemplation of these our Letters, you will forthwith vnder your sufficient writing insealed, giue and graunt to his behoofe, the next Aduowson of the Prebend or Parsonage of P. wherein ye shall deserue our right heartie thanks &c.

A Letter by the King to a Deane and Chapter.

Sect. 585.

Trustie & welbeloned, we greet you well, being now the Bishoppsicke of Hereford void by the translation of the right Keuerend father in God, our right trustie & right welbeloned Chancelloz the late Bishop of the same, vnto the Bishoppsicke of L. We hauing respect vnto the honest qualities, vertue, and learning of our trustie & welbeloned Chapleyn Master Doctor P. our Almoner, haue named and appointed him vnto the same Bishoppsicke: Wherefoze we wil & command you, that forthwith vpon the receipt hereof, ye proceed to the election of him, according vnto the tenor & purpozt of our Lawes and Statutes in that behalfe made & prouided, and the same so elected, to certifie accordingly. And these our letters shall be your sufficient warrant and discharge in that behalfe. Given vnder our Signet &c. the vij. &c.

*The Kings letters misine to a Deane and Chapter
for an Aduowson.*

Sect. 586.

Trustie and welbeloned, we greet you well. For as much as wee much tender the conuenient preferment of our welbeloned seruant A. B. to the intent he may be the moze incouraged, and also the moze able to pofecute, and finally to accomplish the effect & purpose of his learning. We haue thought it meet by these our letters to desire and pray you, that for our sake yee will immediately vpon the sight hereof vnder your Chapter seale, conferr & giue the next Aduowson of the Prebend of C. or of the next Prebend in that our Church, which shall

Liber Aduowsons and Presentations. secundus

shall be in your gift and disposition, to such persons as our said seruant shall name to his vse and behoofe, to wherein you shall minister vnto vs a right acceptable pleasure, to be hereafter remembred in any your lawfull suites, when occasion shall thereunto serue accordingly. Giuen vnder &c.

Letters by the King to a Bishop, for collation of a Benefice.

Right reuerend Father in God, right trustie, & right welbeloued, Sect. 587.
we græt you wel. And whereas we be credibly informed, that the benefice of P. is now void, & in your gift & collation, we much tendering the preferment of our welbeloued Chapleine A. B. desire & pray you, that for our sake, & vpon the sight of these our letters, ye wil giue & conferre the said benefice vnto our said Chapleine, whereby you shall do vnto vs a very great pleasure, which we shal not faile to remember when occasion shalbe offered vnto the same accordingly. Giuen &c.

A Letter of Collation betweene subiects.

In my right heartie maner I commend me vnto you. Forasmuch as Sect. 588.
I vnderstand, that the benefice of P. (which such a Parson now enioyeth, or which is now void) is of your gift & patronage, these shalbe instantly to desire & pray you, that ye will bouchsafe to graunt me the next Aduowson thereof, for to bestow vpon such a one as I shal thereunto present. (Or if the benefice be alreadie void, ye may write) That ye will doe so much as for my sake to present A. B. to the same, who is my very louing friend, & such a person, as both for his learning & good manners is very meet for the same, which doing, ye shall doe vnto me a special pleasure, & giue me cause to requite the same with thanks accordingly. And of your resolute mind herein, I pray you that I may be aduertised by the byinger hereof. Thus fare you well. From London &c.

A presentation to a Parsonage.

Reuerendo in Christo patri W. diuina pmissiōe C. & Lich. Epō, F. C. Sect. 589.
Ramus, verus & indubitāt patronus Rectoriē Ecclesię paroch. de K. in Com' D. salutē in dño sempiternam &c. Ad Eccles. de K. p̄d̄ vestri dioces. modo per mortem H. C. vltimi incumbentis ibid̄ iam vacant, & ad meam p̄sentatiōnē pleno iure spectant, dilect̄ mihi in Christo W. W. cleric' vestri paternitati p̄sento, humiliter rogans quatenus p̄sati W. ad dict̄ Ecclesiam ad-

Symb. Aduowsons and Presentations. part: primæ

admittere, ipsumque Rectorem eiusdē Ecclesię institui & induci facere, cum suis iuribus & pertinentijs vniuersis: Cæteraque peragere & adimplere quæ vřo in hac parte incumbunt officio pastorali dignemini cū favore. In cuius rei testimoniũ p̄sentibus sigillum meum apposui. Dat̄ &c.

A presentation to an Archdeacon.

Sect. 590.

Rex &c. Venerabili viro domiñ W. R. Archidiacono R. eiusue in absentia vicario in spiritualibus generali, salutem, Ad vicariam de L. vestræ iurisdictionis modo per mortem vltimi Incumbentis ibidem vacantem, atque ad nostram donationem pleno iure spectantē, dilect' Capellanum nostrum A. B. clericum vobis p̄sentamus, requirentes quatenus præfat' A. ad Vicariam p̄d' admittere, ipsumque vicarium in eadem instituere, cum oĩbus suis iuribus & pertinentijs vniuersis: Cæteraque &c. (*vt supra*) In cuius &c.

A Prebend in Windsor.

Sect. 591:

Rex &c. Sciatis quod nos ex gratia nostra speciali &c. dedim' & concessimus, ac tenore p̄sentium damus & concedimus dilect' Capellano nost' A. B. sacræ Theologię Bacchalario, (D; if he be Doctor, Professori) canonicatum siue præbendam infra Ecclesiam nostram Collegiatā siue libes' Capellam nostram Regiā Sancti Georgij infra Castrum nr̄um de Windsor, modo p̄ &c. vacantem, atq̄ ad nostram donationem pleno iure spectantē. Habend' & tenend' Canonicat' siue Præbendam p̄d' p̄f. A. B. durante vita eius naturali, cum oĩbus suis iuribus & ptineñ vniuersis. In cuius rei &c.

A presentation to a Prebend.

Sect. 592:

Rex &c. Reuerēdo in Christo patri W. Menevensi Episcopo, eiusue in absentia vicario in spiritualibus generali, aut alicuiunque potestatem sufficientem ea in parte habenti, salutem, Ad canonicatum in Ecclesia collegiata de N. vestræ diocesis & p̄bendam de C. in eadem p̄ liberam resignationem A. B. vltimi Incumbentis & possessoris eorundē iam vacantem, & ad nr̄am donationē ratione p̄rogatiuæ nr̄æ Regiæ spectantē, dilectum nobis in Christo I. T. in artib' Magistrum clericum, vobis p̄sentamus intuitu charitatis: Volentes & requirentes quaten' p̄f. I. ad dictum canonicatum & præbendam admittere, ipsamq̄ canonicum & præbendarium eorundem, ac in eisdem cum suis iuribus & ptin' vniuersis ritē & legitimē instituere: Cæteraque &c. (*vt supra*) In cuius rei &c.

A Presentation to a Parsonage.

R Ex reuerendo in Christo patri & dño dño E. permissione diuina E. Sect. 593.
 boſ Archiepiſcopo Anglⁱ primati, & Metropolitanò, eiſue in abſentia Vicario in rebus Eccleſiaſticis generali, ſaluſ. Ad Eccleſiam parochialem de N. veſtræ dioceſis modo p mortem vltimi Incumbentis ibid vacanſ, & ad noſtr donationem pleno iure ſpectanſ, dilectũ Capellanum noſtr A. B. clericum intuitu charitatis vobis pſentamus. Mandantes vt dictum A. Capellanum noſtr ad pſat Eccleſiam admittere, eumq; Reſctoſ eiufdem inſtituere, cum ſuis iuribus & pertinentijs vniuerſis, cæteraq; expedire & peragere quę veſtro in hac parte incumbenſ officio munerique paſtorali, velitis cum fauore. In cuius &c.

A presentation to a Chauntry.

R Ex reuerendiſſimo in Christo patri E. L. Epifcopo, eiſue Vicario in Sect. 594.
 ſpiritualibus generali ſaluſ. Ad Cantariam beatæ Mariæ virginis, in Eccleſia parochialⁱ Sancti O. veſtræ dioceſis iam vacanſ & ad noſtr donationem ſpectanſ, dilectum nobis in Christo I. H. clericum vobis præſentamus: rogantes quatenus ipſum I. ad Cantariam pſat admittatis et inſituatis in eadem. In cuius &c.

Like ſozme of a preſentation is of a Chappell, whether it be of the Kings patronage, or of a Subject, Mutatis mutandis.

*A preſentation to a Parſonage or Vicarage by a Maſter of an
 Hoſpitall and his brethren, or by a Deane and
 Chapter, or ſuch other.*

R Euerendo in Christo patri & dño dño N. permissione diuina, C. & Sect. 595.
 Lich. Epifcopo, eiſue Vicario in ſpiritualibus generali, veſter humilis & deuotus frater R. T. Magiſter hoſpitalis N. & eiufd Confratres, ſue Decanus Collegij de N. capitulum eiufd &c. Lincolñ dioceſis, omnimodũ reuerentiam tanto patri debiſ, Ad perpetuam Vicarⁱ Eccleſiæ paroch. de N. veſtrę dioceſis iam p mortem C. D. vltimi Vicarij eiufd vacanſ, ad noſtramque præſentationẽ pleno iure ſpectanſ, dilectum nobis in Christo I. B. ſacræ Theologiæ pfeſſorem paternitati veſtræ pſentamus, humiliter ſupplicantes pſat I. ad dict Vicarⁱ admittere, ipſumq; in eadem canonice inſtituere, ceteraque &c. (*vt ſupra.*) In cuius &c.

A pre-

Presentation to a Parsonage post mortem Incumbentis by a Deane.

Sect. 596. **R**euendo in Christo patri & domiñ W. diuina permissione C. & L. Episcopo eiusuè vicario in spiritualibus generali, vester humilis & deuotus W. W. sacri Theologiæ Bacchalaris, Decanus Ecclesiæ Cathedral' beatæ M. verus & indubitatus patronus Rector Ecclesiæ parochial' de B. in Comitaf D. C. & L. diocel. omnimod' reuerent' tanto patri debif. Ad Ecclesiam parochial' de B. vestr' diocel. modo per mortem vltimi Incumbentis eiusdem vacant', & ad meam præsentationem pleno iure spectant', dilectũ nobis in Christo T. P. clericum paternitati vestræ præsentato, humiliter supplicans vt p̄f. T. P. ad dictam Ecclesiam &c. *vt supra.* In cuius &c.

A graunt of an Aduowson.

Sect. 597. **O**mibus Christi fidelibus &c. R. S. salut' &c. Cum T. B. per scriptũ suum gereñ dat' xvij. die S. Anñ dñi 1556. annisq; regnorum &c. dederit, concesserit, & scripto illo confirmauerit G. B. & M. W. cleric', primam et p̄ximã aduocationem, donationem, nominationem, p̄sentationem, & liberam dispositionem Rectoriæ siue Ecclesiæ paroch. de G. in Com̄ N. p̄ prima & vnica vice tantum, quæ de suo patronatu exitisset (p̄ut per idem scriptũ plenius liquet et apparet.) Cumque p̄d G. B. et M. W. tam ad special' instantiam, requisitiõem, et desiderium E. B. sacri Theologiæ Doctoris, quam p̄ diuersis alijs bonis et rationalibus causis et considerationibus eos specialiter mouentibus, per scriptum suum gereñ dat' primo die Ian. anno Dñi 1563. anno regni &c. dederunt, concesserunt, & p̄ scriptũ suum confirmauerunt E. B. execut' vel assign' suis dict' primam & p̄ximã aduocationem, donationem, p̄sentationem, & liberam dispositionem dict' Rector' Ecclesiæ paroch. de G. in Com̄ N. p̄ prima & vnica vice tantum (p̄out per idem scriptũ plenius liquet & apparet.) Cumque idem E. B. pro diuersis causis & considerationibus eum specialiter mouentibus, per scriptum suum gerens dat' vicesimo primo die S. anno Dñi 1563. anno regni Reg &c. dederit, concesserit, & scripto illo confirmauerit mihi præfat' R. S. executoribus & assignat' meis eandem primam & p̄ximã aduocationem, nominationem, p̄sentationem, et liberã dispositionem eiusdem Rector' Ecclesiæ parochial' de G. in dicto Comit' N. pro prima et vnica vice tantum (p̄out p̄ scriptũ illud plenius liquet & apparet.) Sciatis me p̄f. R. S. pro diuersis bonis causis & considerationibus me specialiter mouen-

mouen-

mouentibus, dedisse, concessisse, & hoc p̄sent script̄ meo consumasse A. M. p̄dict' primam & proxim̄ aduocatiōn̄ siue vacatiōn̄, ac plenam donatiōn̄, collatiōn̄, nominatiōn̄, p̄sentiōn̄, & liberam dispositiōn̄ dict' Rector̄ siue ecc' paroch. de G. in dict' cōm̄ W. cum prim' & prox. post dat' p̄sentiū vacare contigerit, ac ius p̄sentiendi ad eand' Rector̄ siue ecclesiam parochial' qualitercunque, siue per mortem, resignationem, cessionem, demissionem, seu aliquo alio modo quocunque prim' & proxim̄ vacare contingē pro prima & vnica vice tantum. Ita quod bene liceat & licit' erit p̄f. A. M. execut' & assign' suis cum dict' Rector̄ (sic vt p̄mittitur) vacare contigerit, personam idoneam quam ei aut eorum alicui placuerit, ad dictam Rectoriā loci ordinario siue Diocesano nominat' et p̄sentat', eumque in ead' institui facere, ceteraque oīa facere et perimplere in ea parte requisit' neces. & consuet', quousque virtutē p̄sentiōnis illius vn' ad p̄sentiōnē ipsius A. M. execut' vel assign' suor' ad plenā & pacificam possessiōnē p̄rad' Rector̄ siue eccles. parochial' fuerit admissus, institutus, & induct', in tam amplis modo & forma, prout ego p̄f. R. S. potui vel executor̄ siue assignat' mei potuer', si hęc p̄sents concessio non fuerit. In cuius rei testimonium &c.

Notes touching Presentations.

If a Church be void by resignation, then ye shall say.
 Modo p̄ liberam & spontaneam resignationem A. B. vltim' Incumbentis eiusdem vacant' &c. Sect. 598.

If by attainder, then thus :

Per attaincturam A. B. vltim' incumbentis ibidem, qui de alta proditione nup̄ attainct' fuit, vacant'. *Et sic de consimilibus.*

Also ye shall vnderstand, that the Kings Maestie hath as the case requireth, sundry Titles to p̄sent, for sometime he p̄sentieth by his Prerogatiue Royall, and then ye shall say :

Et ad nostram donatiōnē, ratione p̄rogatiuę nostrę Reg. spectantem.

Sometime by reason that the Temporalities of a Bishopricke be in his hands, and then ye shall say.

Ratione temporalium Episcopatus N. in manibus nostris existentium.

Sometime his grace p̄sentieth by the grant of an Aduowson of another man, and then ye shall say.

Ratione concessiōnis A. B. cum idem A. prim' et proxim̄ aduocatiōnē eiusd' nobis largitus est, &c.

And if the manoz whereunto the aduowson is appendant, be parcel of the Duchie of Lancaster, then ye shall say,

Et ad nostram donatiõn racione Ducat' nostri Lancast' spectant' &c.
Et sic de reliquis.

In a presentation, by this word Eccles. parochial', is intended alwayes a Parsonage: Howbeit, now adayes many be wont to write Ad Rectoriam Ecclesie parochialis de N. But if the presentation be to a Vicarage, then may ye not say, ad Eccles. but ad Vicariam. And the presentment to a Vicarage appertaineth of common right to the Parson, for the Vicar in effect is but the Parsons deputie: Howbeit, the Parson, with assent of his Patron & Ordinarie, may graunt alway the patronage of the Vicarage from him & his successozs to another man and his heires or successozs for euer. Sometime one man hath the nomination to a benefice, and another the presentation: In which case, he that hath the presentation, can present no other person to the Ordinarie, but such as the other man shall name by his sufficient writing vnder seale. Also the King shall ioyne with no man in presentment, but shall haue the whole presentment alone in all cases.

And if the King be intituled by reason of the custodie of his ward, then ye shall say, Et ad nostr' donationem racione custod' terr' & hered' eiusd' Comis de A. defunct', & qui de nobis tenuit in capit', & in manu nostra existentis, spectant' &c.

And if the King be intituled by reason of the temporalties and possessions of an Archbishopricke or Bishopricke, being in time of vacation in his hands, then ye shall say in the presentation: Et quæ ad nostram spectat donatiõn' racione Episcopat' Cantuar' iam vacant', & in manu nostra existen': D, racione vacationis sedis Cant' & temporalium eiusdem, iam de iure & facto vacant', & in manibus nostris existentium &c.

Finally, concerning Chauntries, free Chappels, and Prebends, ye shall obserue and know, that some be presentatiue, and some donatiue. Presentatiues be of such nature, that ye cannot conferre them but by way of presentation to the Ordinarie, the forme whereof is set forth before. But Chauntries, free Chappels, & Prebends donatiue, be of that nature, that ye need not to present the person to whom ye will conferre the same to the Ordinarie, but it sufficeth to giue the same by your Charter of Graunt vnder your seale: the forme whereof insueth hereafter. But take heed ye present not your Clerke to the Ordinarie vnto that which is donatiue by your letters patents, for if you doe, the nature is changed, and you can no more make collation of it, but
you

you must needs now present your Clerke to the Ordinarie, which if you do not within sixe monethes, the Ordinarie may take advantage of the Laps.

A Presentation Sede vacante.

HEnricus &c. et in fr̄ Eccles. Anglicanę et Hibernę supremę caput, ac verus et indubitāt patron⁹ Rector siue Ecc. pochial' de N. in com̄ nro S. B. et dioces. ipsa se de B. et W. iam vacante, Reuerendissimo in Christo patri T. Canē archiep̄, totius Angl' primati eiusuē in absent' vicario dict' sedis in spiritualibus generali, salutem. Ad dict' Rector siue Ecclesiam paroch. de N. modo vacantem &c. Sect. 599.

A Significavit to the Metropolitan upon a new foundation of a Bishopricke.

REx Reuerendiss. &c. Cum nos nouam sedem Episcopalem infr' Ecclesiam nostram Cathedralē Sanct' P. W. nuper fundauerimus et crexerim⁹, ac dilect consiliarū nr̄m T. T. ad Episcopū ill' nominauerimus et p̄fecer̄, ipsumque in Ep̄m loci illius et pastorem ordinauer̄, et constituerimus, hoc vobis tenor' p̄sentīū duximus significandum: Rogantes, ac in fide et dilectione, quibus nobis tenemini firmi vobis mandantes, quatenus p̄fat' T. T. in Ep̄. W. consecrare, ipsumque prout moris est, Episcopalibus insignijs inuestire, ceteraque &c. (*vt supra.*) In cuius rei testimonium &c. Sect. 600.

Resignations.

A Resignation of a Benefice.

THis Indenture made &c. Betweene S. late Parson of the Parish Church & Parsonage of P. in the County of C. and in the diocesse of C. on the one partie, and J. B. aforesaid Priest on the other partie, Witnesseth, That where the said S. at the instance of the said J. hath resigned his said Parish Church and Parsonage into the Ordinaries hands of the same, to the intēt that the said Ordinarie shal institute & induct the said J. Parson of the said Parish church & Parsonage, whereupon it is covenanted & concluded & fully agreed between the said parties, and either of them covenanteth and granteth, to, & with the other of them by this Indenture, in manner & forme following: that is to wit, & the said J. for him &c. that the same J. at such time after he shalbe lawfully instituted & inducted Parson of the said Sect. 601.

said Parish Church and Parsonage, shall make or cause to be made to the said S. such a good, sure, sufficient, and a lawfull bond, as shall be reasonably advised, or devised by the said S. or his learned Counsell, for the assurance, suertie, and sure payment of an annuall pension of v. li. *sc.* to be paid to the said S. or his assignes, vpon the font stone in the body of the Cathed^rall Church of Saint P. in L. at two termes of the yeare: that is to wit, on the day of *sc.* and from yeare to yeare, one after an other, then next and immediatly following, during the life naturall of the said S. the first terme of payment thereof to begin on the day of All Saints now next comming. And also that the said J. and his executo^rs, at all and euery time and times hereafter, shall cleerely acquite, discharge, & saue harmelesse the said S. and his executo^rs, and euery of them, aswell against the Queene our Soueraigne Ladie, as against all and euery other person or persons, of, and for all manner of Wisnes, Subsidies, Taxes, and Tallages, and all other charges whatsoeuer they be, going and due to be paid & bozne out of, and for the sayd benefice. And furthermore, the said J. covenanteth and granteth, to, and with the said S. by these presents, that the same J. within v. daies next and immediatly after that he shall be so instituted & inducted, shall by his deed sufficient in the law, cleerely remit and release vnto the said S. all, and all maner, actions, suites, quarrels, debts, debates, accompts, trespasses, iniuries, & demands, whatsoeuer they be, which against the said S. and his executo^rs euer he hath had, now hath, or hereafter shall haue, aswell by reason of dilapidations of the said Church & Parsonage, as by any other reason or cause, from the beginning of the world, vnto to daie of the date of the said letters of acquittance. And furthermore the said J. for him *sc.* that the said J. or his assignes, befoze the feast of *sc.* shall deliuer or cause to be dilliuered to the said S. or his assignes, a good, sure, sufficient, and a lawfull decree, vnder the seale of the said ordinarie, whereby, or wherewith the said parish Church shall stand and be sufficiently charged and bound for the assurance and sure payment of the said yearely pention of v. li. to be paid by the said S. or his assignes, during the life naturall of the said S. after the soyme abouesaid. And also the said J. covenanteth *sc.* that in case one T. H. one of the Patrons of the said benefice, his heires, or assignes, doe not seale the presentation; whereby the said J. should be presented Parson of the said parish Church and Parsonage: that then the said S. shall be restozed againe to the said benefice without any let, gainsayng, or interruption of the said J. or any other person or persons, by, or for him, the

foresaid resignation, or any other covenant aboue specified, to the contrary in any wise notwithstanding. And the said S. for him &c. that if the said J. well and truly perfozme, obserue & keepe, all and euery the covenants, grants, promises, & payments abouesaid, which on his part are to be perfozmed, obserued, fulfilled & kept, in maner & fozme aboue rehearsed: that then an obligation of the date of these pzesents, wherein the said J. & one W. B. be jointly bound to the said Simon in C. C. Parkes &c. shall be void & had for naught, or else it shall stand in full strength and vertue, In witnesse &c.

A Presentation to a Parsonage void by Resignation.

Sect. 602.

Reuereudo in Christo patri & dno dno E. permissione diuina L. Episcopo eiusue in spiritalibus Vicar' generali Cancell', vester humilis & deuotus W. M. custos R. C. filij & hæredis R. C. Necnon custos maner' de H. cum pertineñ omnimodas reuerentias & obedientias tanto pfi debitas cum honoꝛ: Ad medietatem Eccl'ie paroch' de H. quam nup obtinuit Magister I. V. in eadem Eccles. paroc. vře L. dioces. ac p liberam resignationem eiusd' Magist' I. V. vacantem, & ad meam presentac' ration' minoris ætatis præd' R. C. spectant', dilectũ mihi in Xpo Mřm T. H. in legibus Bacchalaureũ paternitati vestræ reuerend' charitatis intuitu presento humil' & deuote supplicans quaten' eund' Mřm T. H. ad medietat' antedict' admittere ipsumq; rector' in eadẽ cum suis iuribus & pertinen' vniuersis canonice instituere, Ceteraque &c. *v. supra f. 97.*

Copies of Court roll.

What a Copiholder is.



Tenant by Copie of Court Roll, is hee which is admitted Tenant of any lands or tenementes within a Mannor, that time out of the memorie of man; by the vse and custome of the said Mannor, haue bene dimisable, and demised to such as take the same in fee, fee taile, for life, yeares, or at will according to the custome of the said Mannor, by Co-

pie of Court Roll of the same Mannor. And therefore they bee called Tenants by Copie of Court Roll, because they haue no other Writings or Euidence concerning such their landes and tenementes, but

Symb: Copies of Court rolles. part. primæ

only the Copies of the Rols of the courts of the Manors, within which they lie. And in ancient time, as Master Fitzherbert saith in his *Natura breuium* fo. 12. they were called Tenants in Villenage, or in base tenure, or by the Verge. And in the Saxons times before the Conquest, such lands were called *Folkland*: At which time Charter lands were termed *Bockland*, Master *Kitchin* fol. 128. b. And Copies of Court Rolles be such instruments as do containe the Surrenders, Presentations, Admittances, or other acts entred in the Rolles of the court, within which such Customarie lands lie and concerne the estates thereof, and be exemplified out of the same Rolles in forme following, *videlicet*.

Stile. *Mod. 25. Sheffield.* Curia parua prenobilis G. Com̄ Salop̄ &c. Manerij sui præd, tenē ibidē x. die Septemb. An̄ regn̄ dōm̄ n̄æ Elizab. dei gratia Angliæ, Franciæ, & Hiberniæ Reginiæ fidei defensor̄ &c. xxxvj. *The like Stile must be in the head of all Copies.*

Sect. 604.

AD hanc Curiam ven̄ A. de B & sursum redd̄ in eadem cur̄ vnū mesuag' &c. in manus dōm̄, ad vsū C. de D. & hæred̄ suorū, vel hæred̄ de corpore suo exeunt (vel) pro termino vitæ suæ &c. Et super hoc venit præd̄ C. de D. & cepit de domino in eadem cur̄ mesuag' præd̄ &c. Habend̄ & tenend̄ sibi & hæred̄ suis (vel) sibi & hæred̄ de corpore suo exeunt (vel) sibi ad terminum vitæ &c. ad voluntatem dōm̄, secundum consuet̄ manerij præd̄: Faciend̄ & reddend̄ inde redd̄, seruitia, & consuetud̄ inde priº debiit, & de iur̄ consuet̄ &c. Et dat dōm̄ de fine &c. Et fecit dōm̄ fidelitatem. Et admissus est inde tenens &c.

Instructions for the making of Surrenders and Copies.

Sect. 605.

First note, that all the customes, fines, rents, and seruices, which Copiholders ought to do, be certainly set downe in their Copies. And that the lands be certainly bound. And in like manner of all Mines of Lead, Ore, Tinne, Iron, Stone, coals, and quarries, & such like, and all intakes, inclosures, and appouements.

If the partie admitted tenant be within age, his fealtie must be respected till he be of the full age of xvj. yeares, and so entred in the Roll and Copie.

Such estate, agréments, covenants, and conditions, may be made of copihold lands, by Copie, as are made of Charter lands by deed, Mutatis mutandis.

If the old Copies chance to be lost, or destroyed, the Steward may make new according to the ancient Court Rolles.

Surrenders may be made in Court. And by the Customs of diuers Seigniozies, the same may be made out of the Court to the Steward, Bailife, or Keene of the Manor, or to one, two, or more Copiholders of the same Manor, or before two honest men of the same Seigniozie, and then the same must be presented at the next Court, or some other court of the same Manor, as the custome thereof is.

By the custome of some Mannors, Surrenders and admittances of Coppholders may be made by attorney, by vertue of Letters of Attorney.

In some Mannors, the tenants haue the lands graunted vnto them and their heires, in fee, fee taile, or for life, or yeares, according to the custome of the Manor: And not at the will of the Lord, according to the custome: In which case the Rolles and Copies ought to be made accordingly.

Within some Mannors the Copies haue vsed to be sealed with the Seale of the Steward: And in some not.

In euery case, the Custome of the Mannors must be diligentlie inquired of, and duely obserued by such as make Surrenders and Copies.

It is very good to haue in euery seuerall Manor a Customary, faire ingrossed in parchment, of all the customes, fines, duties, estates, and seruices, & other circumstances concerning the Copihold lands with, in the same Manor.

Item such estates in fee, fee taile, for life or liues, yeares, or at will, absolute or condicional, may be limited aswell by Cope, as by Charter, Mutatis mutandi.

Item the names and additions of persons and lands, and other circumstances of time & place may be set downe in Copies, as in Charters, Mutatis mutandis: And the same to be agreed to by all the Customary tenants of the same Manor, with assent of the Lord of the Manor, and to be presented by the Homage vpon their othes, and entred in the Rolles of the Court thereof, for the certaine information of the Lord & his tenants, or that ought to be giuen, taken, done, or demaunded for the same.

Item the same referuations of rents, customes, seruices, heriots, disselins, reentries, & other things, may be contained in the Copies, as they be in Charters: Mutatis mutandi.

A Copie where the heire is admitted.

Sec̃. 606. **A**D hanc Cur̃ cōper̃ est p̃ homag', qđ ante hāc cur̃ I. B. qui de doñi tenuit secundū consuetud' maner̃ p̃d' sibi et hered' suis, vnū tenē vocat' E. obiit inde seifitus, & qđ R. B. est eius filius et prox' heres et plenæ ætatis tempor' mortis patris sui, (vel infra ætatem, viz. xij. annorum, & in custodia &c. fratris sui, vel consanguinei eius) & presens in hac Curia petie admitri, et admissus est inde tenens, Tenend' &c.

A Copie of an admittance in fee.

Sec̃. 607. **A**D hanc Cur̃ venit I. T. et surfū redd' in man' doñi decē acf̃ terf̃ curstoma', ad opus et vsū R. B. gen' heredū & assign' suor' imperpet̃ p̃ virgam ad voluntat' dñi, secundū consuetud' maner̃ p̃d', cui quidem R. B. doñi p̃ Senesc' suum concessit inde seifin': Habēd' sibi & her' suis imperpetuum de dño p̃ redd' x. s. p̃ annum. Et dat' &c. Et fecit &c.

A Surrender vpon Condition.

Sec̃. 608. **A**D hanc Cur̃ &c. venit I. B. et surfū redd' &c. vt supra, ad op' & vsū I. D. & hered' suor' &c. sub conditionibus sequent', viz. si p̃d' I. soluat, aut solui faciat p̃f. I. C. xl. s. ad festum Sancti Ioh. Bap. & omnium Sanctoꝝ prox. futur' post dat' hui' cur' & quis portionē, qđ tunc p̃sens sursum redd' sit in suo robore et effectu. Et si ipse defecerit in solutione solutionē p̃d' in partē vel in toto, qđ extunc bene licebit p̃f. I. C. et assignat' suis, in tenēta p̃d' intrare, eademque rehabere in pristino suo stat': ista sursum redd' in aliquo non obstante. Et dat' &c. vt supra.

A Surrender unto the Bailife out of the Court.

Sec̃. 609. **A**D hanc Cur̃ &c. compertum est &c. quod T. C. extra Cur̃ sursum redd' in manus I. D. Balliui istius maner̃, in presentia D. R. et alioꝝ tenentium dñi huius maner̃ hoc testantium, vnā acram terf' &c. Ad op' W. I. cui dominus &c. vt supra.

A Copie after a seifure.

Sec̃. 610. **A**D Curiam apud S. A. tenē (tertio die &c.) preceptum fuit balliuo seifire in man' doñi, eo quod ipse alienauerit, & vendidit dict' tenētum cuidam T. V. sine licentia dñi &c. Et inde respondebit dño de exitibus quousque &c. Et quod in ista eadem Cur̃, dñs ex sua grat' speciali concessit

concessit dictum tenementum cum pertin et seisinam inde p̄fat I. B. Habendum &c. *ut supra*.

A Grant in fee by the Lord.

AD hanc Cur̄ dñs p̄ Seneschall' suum concessit extra man' suas T. Sect. 61 r.
D. & A. vxor eius, vnum mesuag' &c. quib' dom̄ p̄ Seneschall' suū
p̄d concessit seisin. Habend' sibi & heredibus suis imperpetuum &c.

A Surrender of land by the Verge.

AD Cur̄ &c. venit T. B. & sursum redd' &c. ad opus et vsū I. L. &c. Sect. 61 r.
qui p̄sens hic in cur̄ admitti petit ad p̄miss. cui dom̄ &c. Habend' et
tenend' &c. p̄ virgam &c. *ut supra*.

A Surrender of a Reuerſion.

AD hanc Cur̄ &c. Homagium p̄sentat, qđ H. H. qui de dom̄ tenuit si- Sect. 61 r.
bi et hered' suis reuerſion' vni' clausi pastur' &c. infra istud maner',
quorum I. H. mat' p̄d H. H. vid' est tenes ad termin' vit' suæ, diē clausit
extrem' post vit' cur̄. Et qđ R. H. est ei' auunculus et prox' her', scilicet,
frater T. H. patris p̄d H. H. et pleñ etatis, qui p̄sens hic in Cur̄ petit ad-
mitti ad reuerſion' tenor' p̄d I. H. mat' dict' H. H. cum acciderit vsu-
pradit' est, cui dominus &c. post mortem &c. *ut supra*.

A Copie in auncient demesne, where the wife shalbe examined.

Dale &c. Ad Cur̄ &c. T. B. de N. et E. vxor eius hic in pleñ cur̄, que Sect. 61 r.
quid' sola ac seorsum p̄ Seneschall' examinā et confessa sursum redd'
&c. qđ nec metu, nec vi coacta, nec dolo circumuē, sed sciēt ex mera
et spontanea voluntat' sua motuque ad opus W. C. vnde ex consuetudine
manerij p̄d accipit dño vnus equus de herio. Et super hoc venit dictus
W. C. & cepit de dom̄ dict' mesuag' &c. *ut supra*.

A Copie in auncient demesne with Proclamations.

AD hanc Curiam &c. A. C. venit, et sursum reddid' &c. ad opus T. Sect. 61 r.
H. hered' et assignat' suorum imperpetuum, virtute barganiæ siue
pactiōnis inter eos factæ. Et super hoc publica Proclamatio in eadem
curia facta fuit, quod si quis aliquod ius seu titul' ad idem mesuagium
&c. pretendere voluit vel haberet, veniret et audiret, Et nullus venit
ad hanc Cur̄, per quod secundum consuetud' manerij prædict' mesuag'
&c.

&c. remanerent in manibus domini vsque ad tertiam proclamationem super eisdem factam. Et super hoc dies data est partibus predictis essendi ad prox. curiam manerij predicti ad audiendū inde iudiciū suū, de et super premissis.

Et ad hanc Curiam &c. tam prædicti A. A. quam T. H. venerunt, Et super hoc secunda proclamatio facta fuit super premissis. quod si aliquis &c. *ut supra*, et nullus venit. Et super hoc dies data est partibus prædictis, &c. *ut supra*.

Et ad hanc Curiam &c. tam prædicti A. A. quam predicti T. H. venerunt, Et super hoc tertia proclamatio facta fuit super premissis. quod si aliquis &c. *ut supra*, et nullus ad hanc venit.

Et super hoc dominus per W. H. Seneschall' suum concessit feifinam suam de prædicto mesuagio &c. pref. T. H. tenendū sibi et assignis suis secundū consuetudinem manerij prædicti. Et dat domini de fine pro ingressu &c. Et admissus est inde tenens, & fecit fidelitatem &c.

A Copie in taile with remainders.

Sec. 616.

AD hanc Curiam compertū est, quod R. B. de A. ad Curiam tenentem &c. sursum reddidit in manus domini unum tenentem &c. ad opus R. C. filij eiusdem R. & A. vxoris suæ, quibus dominus concessit feifinam, tenendū sibi & heredem de corporibus eorum legitime procreatis. Et si predicti R. & A. vxor eius sine heredem de corporibus eorum legitime procreatis obierint, quod tunc prædictum tenementum cum suis pertinentiis remaneant recte heredem ipsi R. B. Et modo curia ista informat per totum homagium quod prædicti R. & A. obierint sine heredem inter eos procreatis, et predicti R. B. similiter. Et super hoc venit I. B. frater & heres prædicti R. B. et petit admitti, & admissus est tenens &c. Et per licentiam domini pref. I. B. petit admitti ad tenentem prædictam cum pertinentiis, cui dominus inde concessit feifinam, tenendū ad voluntatem domini secundum consuetudinē &c. Et dat domino &c.

A Surrender out of the Court.

Sec. 617.

AD hanc Curiam &c. compertum est per Homagium, quod R. R. tenens customarius huius manerij, extra curiam sursum reddidit in manus domini, per manus W. T. & R. M. duorum customariorum tenentium huius manerij, secundum consuetudinem huius manerij extra Curiam, totum illud mesuagium &c. ad opus & usum dicti R. R. pro termino vite sue naturalis. Et post decessum dicti R. R. tunc ad opus & usum T. B. & heredem de corpore dicti T. legitime procreati, Et pro defectu talis exitus de corpore dicti T. B. legitime procreati, rem inde I. I. filio R. I. generi, heredem & assignis suis imperpetuum. Et dicitur quod predicti R. obijt, et nunc ad istam curiam predicti T. B. venit, & petit

petit admitti ad omnia & singula premissa. p̄dict. Et ad hanc cur̄ dñs per I.K. seneschall' suum concessit inde ei feifinam per virgam. Habēd' & tenēd' eidem T.B. & hærēd' de corpore suo legitime procreat'. Et pro defectu talis exitus remanēd' ad opus & vsū dict' I.I. & hærēd' suorum imperpetuum. Et p̄d' T.B. dedit dño &c. Et admissus est indetenens.

A Surrender before the Steward out of the Court.

AD hanc Curiam testatum est per W.T. seneschallum, quod W.N. Sect. 618.
in extremis iacens decimo die A. anñ reg. dictæ dñæ Reg. 34. sursum redd' in manus dñi, per manus eiusdem Senesc. (absente cur̄) in presentia R.C.R.P. & C.H. vnum tenētum &c. ad op' & vsū M. vxor' suæ, pro termin' vitæ, & post decessum ipsius M. remanere W.N. filio p̄d' W. patris, & E. filix eiusd' W. patris ac soror' p̄d' W. filij & hærēd' suis sub conditione tamen sequent': Quod si contingat aliquem præd' W. filij & E. filix obire sine hærēd' de corpore suo exeunt, quod tunc ipse vel ipsa, qui vel quæ superuixerit, habebit & gaudebit tenēt' præd' tibi & hærēd' suis imperpetuum.

Et super hoc venit in ista cur̄ p̄dict' M. & petit se admitti ad tenēt' præd' cum pertiñ, cui dñs p I.K. senesc. suum concessit inde feifinam per virgam. Habēd' sibi in forma præd' ad voluntatem doñi secundum consuetudinem manerij. Et dat dño &c.

A Copie for two lines.

AD hanc cur̄ &c. I.D. & vxor eius, ipsa sola examinata coram senesc. Sect. 619.
Et sursum redd' in manus doñi vnū tenēt' cū pertiñ in A. &c. ad opus & vsū G.H. & A. vxoris eius, ad termin' vitæ eorū & alterius diutius uiuentis scēd' consuet' maner'. Et dant dño &c.

A Surrender for lines with remainders.

AD hanc cur̄ &c. venit A.T. & sursum redd' &c. vnū mes. &c. vt do- Sect. 620.
minus faceret inde voluntatem suam, & dñs inde habuit feifinā. Et ex gratia sua speciali reconcessit predict' mesuag. & terr' p̄f. A.T. & I. vxori eius durante vita eorum, Ita quod post eorum decessū dictū tenētum & terr' remaneāt K. vxori W. durant' vita sua, Et post decessum ipsi' K. p̄d' terr' & tenēt' remaneāt rectis hærēd' ipsius A.T. imperpetuum. Tenēd' eidem A.T. & I. vxor' eius durante tota vita eor' per virgam ad voluntatem doñi, secūda' &c. in form' p̄d': saluo iure cuiuslibet &c. Et p̄d' A.T. & I. dant &c.

A

*A Surrender out of the Court, and a remainder
with a Condition.*

Sect. 621.

AD hanc Curiam &c. quod R. F. languēs in extremis sursum redd̄ in manus B. R. extra cur̄, per manus I. H. in p̄sentia A. B. C. D. tenent̄ huius manerij hoc testantium, vnū mesuagium cū p̄t̄n̄ &c. ad op' A. vxoris p̄d̄ R. F. tenēd̄ sibi pro seruitio ind' debīt, sc̄dm̄ consuetud̄ manerij pro termino vitæ suę. Ita quod post mortem dicti A. p̄diēt' mesuagium remaneat I. filio p̄d̄ R. & A. & hæred̄ de corpore suo legitime procreatis. Et si cōtingat dict' I. obiī sine hærede de corpore suo legitime procreato, quod tunc p̄d̄ mesuag' remaneat R. filio p̄d̄ R. & A. & hæred̄ de corpore suo legitime procreatis. Et si contingat dictum R. obiire sine hæred̄ de corpore suo legitime procreat', quod tunc p̄d̄ mesuag' per executores, vel alterum eorum diutius viuent̄, venderet', & denarij inde recepti & prouenientes in pauperes, & alias eleæmosinas erogentur, disponent̄, & distribuantur, prout eis melius videbitur expedire, quibus dñs inde concessit seisinam, tenend̄, in forma p̄d̄, ad volunt' dom̄ sc̄dm̄ consuet̄ maner̄. Et dat dño &c.

A Copie for life by a man and his wife.

Sect. 622.

AD hanc Cur̄ venit I. H. & R. vxor eius, ipsa sola examinata coram Seneschall', sursum redd' in manus dñi vnū tenē &c. ad opus & vsū G. H. & I. vxoris eius ad terminum vitæ eorum, & alterius eorum diutius viuent̄, secundū consuet̄ maner̄. Et dant dño &c.

A Copie for thre liues, made by a Surueyor.

Sect. 623.

AD Cur̄ maner̄ p̄d̄ ibid̄ tenē &c. venit I. G. & cepit de dño ex traditione R. F. armig' particular' superuisoristerra' dñi ibid̄ p̄ literas eiusd̄ dñi patenē sufficienē authoritat' dantes &c. vnū tenētum &c. Habendum & tenēd̄ omnia & singula p̄miss'. cum suis p̄t̄n̄ p̄f. I. G. & E. vxor eius ac A. filia eorund̄, ad ter̄m̄ vitæ eor̄, & alterius eorum diutius viuent̄ successiue, ad voluntatem dñi secundum consuetudinem manerij, per redditum & seruitium inde prius debita & de iure consuet̄. Et dat dom̄ de sine &c.

A License to demise for yeares.

Sect. 624.

AD Cur̄ &c. Conceditur R. H. vid' potestas & licentia dimitteñd̄ vnū claus. pastur' vocat' N. viz. cum pertinen̄ iaceñ & existeñ infra istud manium T. P. & assign' suis, a festo &c. vltim' p̄terit', vsque ad finem termini

termini xxj. annorum tunc proximū sequenī & plenariē complend. Et dat domino de fine pro licentia inde habendū iij.s. Et super hoc idem hic in curā admittitur &c.

For yeares where the Lord shall find Tymber.

AD curiam dominus per I.F. Seneschallum suum concessit E.R. vnum Sect. 625.
 mesuagium &c. vocat A. Habendum & tenendum sibi & assignatis suis, à festo sancti Mich. archang' proximū futurū post dat' huius curā, vsque ad finem & terminū xl. annorū extunc proximo sequentium & plenariē complendorum: Reddendū inde annuatim xx.s. ad duos anni terminos, viz. &c. per æquales portiones. Prouiso semper, quod durante terminū p̄d p̄d dñs inueniet materiam & ligna, toties quoties necessarium fuerit dict' tenemento, ad emendandum, reparandum, & sustinendū illud. Et dat domino &c.

A Copie for yeares, the Tenant repaying.

AD curiā nri R. A. Prepositi collegij Regul' Mariæ de E. iuxta W. in Sect. 626.
 Com B. dñi ibidem, tenē ibidē tertio die &c. sic irrot, venit N. S. & dat dño de fine pro termino sibi habēdo, de, & in scitu manerij de V. &c. Et dñs concessit p̄d scitum manerij &c. pro termino viginti vnus annorum. Habendū & tenendū prædict' scitum manerij &c. p̄fat' N. S. & assignat' suis pro dicto termino viginti vnus annorum termino p̄d incipiente in festo Mich. archang', quod erit in anno dñi 1599. secundum consuetudinem manrj ibidē: Reddendū inde annuatim dño & hæredibus suis ad terminos ibidē vsual' x.li. & sextam cur' manerj p̄d bis per annum. Et reparandū ac manutenēdo omnia ædificia ibidem mod' ædificat'. ac omnes sepes ac fossat' ad dict' terr' pertiū durante termino p̄d. Et sufficient' reparat' dimittend' in fine termini sui prædict'. Et prædicti N. S. & assignat' sui in fine termini sui p̄dict' sol' hariof v.s. Et fecit dño fidelitatem, & admissus est inde tenens durante termino p̄d &c.

A confession of a Freeholder and a Copyholder.

AD hanc curā venit A. B. coram T. P. Seneschal' huius manerij, & Sect. 627.
 cognouit se tener' de dño vnū mesuagiū &c. libere p chartam in socagio per redd' xij. d. vel j. lib' piperis, et sextæ curiæ bis per annum. Et etiam dictus A. B. cognouit se tenere de dño aliud mesuagium ad voluntatem dñi secundum cons. manerij. Et per redd' &c.

A Release by a Copie by licence.

Sect. 628.

AD hanc cur tenē &c. compertum est quod dñs per T. P. Seneschall' suū ad cur tenē apud C. tali die et añ concessit extra man' suas W. P. et hered' suis, vnā peciam fræ, continē circa tres ac' fr, siue plus siue min' habeat, quond' T. C. in A. iacent' inter &c. Habend' et tenend' &c. ad voluntatē doñi secund' consuetud' manij Et postea venit quēd' A. W. coram p'f. T. P. Senef. doñi, et p'tendit habere titul' in p'd' pecia teri, et hic presens in cur remisit, relaxauit, et imperpetuū quiet' clām W. P. et her' suis, p' licentiam doñi, totum ius suum et clām quæ habet, vel habuit, vel in fut' cur habere poterit in p'd', pecia teri, et in qualibet inde parcella: Ita viz. quod nec ipsa A. nec hered' sui, nec aliquis alius nomine eorum, aliquod ius, titul', interesse, vel clām, in prædict' pecia de cetero exig. vel vend' poterit, sed ab omni acc', iur', seu clām, sint exclusi per presentes &c. Et dat' doñi &c.

A Copie to the husband and wife, with a Release to them by another.

Sect. 629.

AD hanc cur cōpertum est p' homagiū, qd' W. H. post vltim' cur sursum redd' in man' doñi tenentum &c. ad opus et vsum M. vxor' ei' et hered' suor' Et sup' hoc ven' in plena Cur I. H. qui iam dict' M. in vxorem duxit cum p'd' M. et petūt admitt' ad p'miss'. quib' dñs p' Senesc. suū concessit inde feifinam. Habend' et tenend' eis et hered' dict' M. de doñi per virgam ad voluntē doñi secund' consuetud' manij p'd', p' redd' &c. Et dant doñi &c. Et fec' &c. Et admitt' &c. Et postea ven' S. T. et sursum redd' relaxauit, et quiet' clām dict' I. H. et M. vxor' eius in plen' et pacifica possessione existē, de, et in reftis p'd', totum ius, stat', titulū, clameū, interesse, conditiones, et demand' sua quecunque quæ habuit, habet, seu habitur' sit, de, et in tenement' &c. Ita quod &c.

A Release of a title of 'Dower.


Sect. 630.

AD curiam tenē &c. venit I. T. nuper relict' I. T. viri sui defunct', et p'pretendit habere titul' in vna doñi &c. viz. tertiam p'tem oīum teri & tenementor', reddi' et seruic' cum p'tiū nomine dotis suæ, ex donatiōn' dict' I. T. viri sui, pro quād' pecuniarū sumū sibi p' W. A. p' manib' solut', sursum redd', remisit, et relaxauit p'f. W. A. & heredibus suis, totum ius suum, statum, titulum, clameum, interesse, & demand' sua quecunque, quæ habuit, habet, seu habitura sit in p'missis: Ita videlicet quod nec ipsa I. nec &c. (*ut supra.*)

A Certificat for payment of Subsidie money.

Whe whose names are here vnder wrytten, Commissioners of Sect. 631.
our soueraigne Ladie the Quæns Maiesty, amongst others, within the county of *M.* for the taxation, leuying & collection of the second paiement of the first of the two subsidies granted to her maiesty in the parliament holden at *M.* in the 31. yere of her Highnes raigne do signifie vnto the right honozable the *L.* Treasozer, the Barons of the Eschequer, & to all other her Maiesties Commissioners & officers to whom it shall appertaine, that *A. B.* of *M.* in the county of *M.* Esquire, is taxed and assessed to pay to our soueraigne ladie the Quæns Maiesty, for the second payment of the said first Subsidy, & hath payd &c. after the rate of *xx. li.* in land, amongst the inhabitants of the parish of *M.* in the hundred of &c. in the said countie of *M.* at which place *h* said *A. B.* was altogether residēt with his family at *h* time of the taxation of the said Subsidie. Given vnder our hands & seales the *vj.* day of *D.* in the yere of the raigne of our said Soueraigne Ladie Quæne Elizabeth the *xxxiiiij.*

Last Wills and Testaments.

 Auing hitherto intreated of Instruments of such contracts as Sect. 632.
take effect in the life time of the parties, with their manifold differences and examples: It is now time to deale with Instruments which take effect after their deaths. Of which sort be last Wills and Testaments, and letters of administration: which is a matter of no lesse difficultie than those other, aswel for their great diversity, as also for their obscuritie, ambiguitie, and incertaintie: For many times it is doubtful in what sence the Testator would haue his words taken, insomuch that his will therein may rather by profitable argument be ghesled than rightly gathered.

Why meanes whereof it happeneth oftentimes, that things well meant by the Testators, are euill & diuersly vnderstood by their posterity and suruiuors. Which difficultie deceiueth sometime not only the common sort, but euen men of good iudgemēt: Insomuch that of one selfe question they pronounce different opinions.

As if a man devise lands to *J. S.* to haue & to hold to him for euer,
and

and die, and the devise enter into the same lands, some thinke he hath thereby fee, Littlef Sect. 586. and 2. E. 3.

And others thinke he hath only an estate for the terme of his life, for they hold that these words (for ever) can extend to none other then the devise, because no moze persons be named in the devise. And that the life of man in this respect, is said to be for ever with him. Perkins Sect. 557.

But seeing all the ambiguities and incertaintie of Wills happen chiefly thzough the obscuritie in the words or sentences thereof, it becometh Notaries, and such as write Wills, to have speciall care to set downe the Testatozs verie sense and mind very plainly, with apt and significant words and phrases, omitting all such as be either hard to be understood, or diuersly to be taken.

Notwithstanding that Wills being doubtfull, are alwaies to receive a benigne and favourable interpretation, that if by any meanes it can, they may stand and be of force: for much better it is that Wills be perspicuous of themselves, then to be inlightned by the exposition and allowance of others.

We will therefore in this treatise, discourse of some points of the doctrine and examples of last Wills and Testaments, plainly, and briefly, leaving precise and curious questions to be handled by others of better skill.

Of ciuill succession, and what last wils and Testaments be.

Sect. 633.

LAST Wills and Testaments, are a kind of Ciuill successions. For ciuill succession is diuided into succession immediate or lawfull, and mediate or testamentarie.

Succession mediate or testamentarie, is when the person deceased made a Will.

This hath his efficacy by law, and that by mans Will which receiveth full strength by and after the testatozs death, and not before, and therefore it is called a last Will.

The other is called lawfull succession, because it hath being by the operation of law only.

And the mediate succession, is termed testamentarie (by Senecodre) or that a testament is the principall kind or part of last Wills.

Hereby it seemeth with vs that an executor may be termed a successor testamentarie, which is made by the last Will.

And an administrator, a successor lawfull, which succeedeth him which dieth intestate.

And

And soꝛ as much as while a testament is hoped, there is no place foꝛ lawfull succession, the doctrine of that ought to proceed thus.

A last will therfoꝛe (*vltima voluntas*) is the disposition oꝛ bestow- ing of a mans owne goods and lands, taking effect after his death.

And it is Testamentarie oꝛ Codicillarie: namely which is made by Testament, oꝛ Codicill, oꝛ Decree.

A Testament is defined by most men *voluntatis nostræ iusta senten- tia, de eo quod quis post mortem suam fieri velit*, foꝛ the perfecting of which definition, it seemeth good to adde these woꝛds, (*cum executoris institutione*) foꝛ without an executoꝛ there can be no testament, foꝛ thappoꝛtment of an executoꝛ is the true soꝛmal cause thereof, giuing essence thereunto.

And therfoꝛe some shortly define a Testament (*hæredis institutio*) which is the naming of an executoꝛ, whereupon we may say, a Testa- ment is a iust sentence, oꝛ declaration of our minde, concerning that which we would haue done after our deaths, with the oꝛdaining of an executoꝛ thereof.

Wꝛ rather a testament is a last will, which of his owne nature in it selfe containeth a direct institution of an executoꝛ.

The doctrine of Testaments standeth vpon two parts, the making and bestroꝛing therof: both which, and also the will of euerie testatoꝛ are to be measured by the rules of the law.

The making of a testament, is the right which giueth the commu- nion oꝛ participation of the testament. And this is chiefly regarded in the persons, and the soꝛme of the testament.

And persons are pꝛincipall oꝛ lesse pꝛincipall: the pꝛincipall persons be the testatoꝛ & the executoꝛ, lesse pꝛincipall be the witnesses and lega- toꝛies: hereupon the making only of a testament is actiue and passiue.

The actiue making of a testament is that which belongeth to the testatoꝛ, that he haue right and power to make a testament.

And the passiue making of a Testament, is that right which per- taineth to the executoꝛ and other persons lesse pꝛincipall in testaments, as to be made executoꝛs, legatoꝛies, oꝛ witnesses thereof, to take some legacies oꝛ benefits thereby.

¶

What

*What persons may make Testaments,
and what not.*

Se^{ct}. 634.

And all persons aswell males as females may be testatozs & make testaments, but such as are prohibited: of which som are sozbidden to make testaments by nature, and some by law.

By nature, thzough defect of mind oꝝ bodie, but no longer then such defect endureth.

The defect of mind is when either his age is such that he wanteth discretion, oꝝ being of age wanteth it by Chance, either naturall oꝝ casual: Of the first sozt be childzen which know not what they should do, as men vnder xiiij. years old, and women vnder xij. yeares, which about that age may make Testaments, but not of their lands of inheritance befoze the age of xxij. years, 34. H. 8. ca. 5. S. li. 1. ca. 2. li. 2. ca. 28 Hereunto may be added doting old persons wanting iudgement, and drunkards void of reason.

Of the later sozt be made fooles and Ideots at that time of the making of the Testament.

The defect of body, is such infirmity by which the principall senses necessarie for the making of Wills are hindered, as deafnesse, blindnesse, and dumbnesse.

Dumb oꝝ deafe folkes by nature can make no testaments, but they being so by chance oꝝ accident may make testaments if they bee leaꝛned, and can wꝛite and reade.

And blind folkes and dumbe folkes may in some causes by signes, if they could once speake.

By Law are sozbidden Testari such as be subiect to others power, as bondslaves villaines, (but such as be executozs to others) and women couert, without consent of their husbands (except executrices to others, oꝝ of choles in action) Monkes, Chanons, Friers, & such oꝝther superstitious botaries, 14. H. 8. 16. 2. R. 2. 5. And such as haue no estate oꝝ abilitie, as traitozs, felons conuict, notozious heretickes, Apostates, captiues by iust wars, persons outlawed oꝝ waiaued, persons imprisoned by dures, a felo of himself: for these persons haue no goods

Who may be executors or legatories, and who not.

Se^{ct}. 635.

The passiue making of a Will is a right to take by a Testament, which right all loyal subiects haue, as freemen, villeins, men, women single

single or married, children, yea though they be in their mothers wombe, lay men, and clerkes. But traitors, felons, hereticks, apostates, persons outlawed, and such others, may not make testaments, nay neither be executors nor legataries.

What persons may be witnesses of Testaments.

Persons lesse principall are witnesses of the making of the testament, which must be three or foure, or more sufficient persons hauing Sect. 636.
power to make Testaments, and void of all naturall and ciuill impediments which may impeach their credite and testimonie.

How Testaments are to be made.

We haue spoken of the persons requisite in Testaments: now let Sect. 637.
vs shew their forme or maner of making & publishing of them. The forme truly of making of Testaments, is the very disposition of the Testament rightly made, which is considered in the substance and inward forme thereof, and in the outward action of making and p^{ro}ue of the same Testament.

The substance or forme of Testaments consisteth in the very institution & the ordaining of an executor, and in the things of which disposition is thereby made.

The institution of an Executor, is nothing else, but the Testators naming and appointment whom he will haue to be his successor in his stead to enter and to haue his goods and chattels, vse actions against his debtors, and to paie his debts and legacies so far as his goods and chattels will extend.

And an executor may be either of al the Testament, and then he is tearmed vniuersall; or of part, as of plate &c. and then he is named a particular executor.

Furthermoze, the institution of an executor is pure, or mixt.

A pure institution of an executor, is, when one or more executors be simply made without time or condition: for the Testator may assigne as many executors as he will, being capable thereof, as if he say, I make A. B. mine Executor, or any other wordes of the like sence.

The mixt institution of a Testament is vpon time or vpon condition.

Vpon time, as if the Testator make J. S. his executor, when he commeth to full age, or from London, or while he dwelleth at L. &c.

and such like references to time, as to make him executoꝝ during ten yeares, oꝝ after ten yeares &c.

Upon condition, as when the Testatoꝝ appointeth J. S. his execu- toꝝ, if he befoꝝe pꝛobation of the Testament find sufficient suerties foꝝ the performance of his will, oꝝ with the addition of any other pos- sible honest condition oꝝ conditions, foꝝ impossible conditions hinder not the pure making of the executoꝝs.

And as one oꝝ moꝝe executoꝝs may be made simply oꝝ condition- ly, oꝝ with reference to time, so may legacies and devises be made to one oꝝ moꝝe simply oꝝ conditionally, oꝝ with reference to oꝝ from time.

And note that although that in the assignation of executoꝝs, and gi- ving of Legacies, and making of devises, our Law respecteth not so much the naturall pꝛopertie and signification of woꝝds as the true in- tent and meaning of the Testatoꝝ, whose mind is the very life and soule of the Testament: yet it is alwaies very requisite that the wri- ters of testaments doe expresse the same with as apt and significant woꝝds as may be, foꝝ avoiding of all scruples as may otherwise hap- pen by doing the contrary.

Of making of Testaments.

It followeth to speake of the verie action of making a Testament, which consisteth chiefly in the fact thereof, and putting of witnesses thereunto, which is to be done at one selfe time.

The foꝝme of publishing a testament is the very action whereby a testament is pꝛoduced, publikely opened, recited, oꝝ made knowne.

Of the destroying of Testaments.

Sect. 638. The destroying oꝝ weakening of a Testament, is when the person named executoꝝ, cannot, oꝝ will not be executoꝝ, oꝝ die befoꝝe he shall take upon him the executoꝝship, oꝝ shall not be capable thereof.

Of a Codicil.

Sect. 639. **T**he later kind oꝝ part of succession vniuersall, is termed Codicil- larie.

A Codicil is an imperfect last will of one testate oꝝ intestate, not ap- pointing any executoꝝ, which may be either wꝛitten oꝝ nuncupatiue.

And

And it skilleth not in what part of a Testament the executor is named. Howbeit, it seemeth good to name him in the very beginning, because the appointing of an executor is the very head and foundation of a Testament, without the which, neither can it stand, nor any devise or legacie be effectuell. And againe, a Codicil is either perfect or imperfect.

A perfect Codicil is a Codicil having an oblique institution of an executor: This Codicil resembleth a Testament, and is in stead of a Testament of one dying intestate.

An imperfect Codicil is an addition annexed to a Testament, and it is testamentarie or subsidarie.

A Codicil testamentarie, is a part of the Testament, and an addition or supplement thereunto, by which some thing is added to a Testament, or some thing deducted therefrom by the testator, for the explaining or amendment thereof.

A subsidarie Codicil is inserted into a Testament, to the end, that if that it be not of force by the right of a Testament, it may be effectuell as a Codicil, and is rather termed a codicillarie clause then a Codicil.

Of Testaments written and nuncupative.

And every Testament is either written or nuncupative: A written Testament is that which at the very time of the making thereof is put in writing, by which kind of Testaments onely lands and tenements may be devised, for they cannot passe by a nuncupative, or last Will, made by word.

A nuncupative Testament is, when the testator doth by word only without writing, declare his Will before a sufficient number of credible witnesses.

Testaments nuncupative, for the better proofe & continuance thereof, may after the making of the same be put in writing, and proved: which, notwithstanding that they be so written, are still called, and are indeed, Testaments nuncupative.

Of succession universall lawfull, and administration.

When he that is dead, is intestate, either for that he made no Testament, or made one, and the executor refuse to prove it, or otherwise, is of no force: Then lawfull or immediate succession taketh place. Sect. 641.

And this succession is called Administration, which is that trust

which the Ordinary of the place where the intestate died, committeth to any person touching the intestates goods, chattels, credits, & rights: for wheresoeuer a man dieth intestate, the Ordinarie of that place may comit the administration of his goods to his wife (if she suruiue) or to the next of the intestates kinne requiring the same, by the Statute 21. H. 8. cap. 5.

And the power and charge of an Administrator is equall in every respect to the power and charge of executors, for they are both to haue and sue for his goods and debts withholden from them, and are bound to pay his debts by specialtie, according to the value of his goods, 31. Ed. 3. cap. 11.

And sometimes further by their delayes or false ples which lye in their owne notice, and being true, are peremptorie barres to the creditors of their Testator, or Intestate. But haue wee to the severall formes of Testaments, Codicils, and Wils of Administration, beginning with Testaments.

A very perfect forme of a Will.

Sec. 642.

IN the name of God, Amen. The 26. day of Aprill, in the yere of our Lord God 1592, I J. W. the vnproffitabie seruant of God, weake in bodie, but strong in mind, doe willingly and with a free heart render and giue againe into the hands of my Lord God and Creator, my spirit, which he of his fatherly goodnesse gaue vnto me, when hee first fashioned me in my mothers wombe, making me a liuing and a reasonable creature, nothing doubting, but that for his infinite mercies, set forth in the precious blood of his dearely beloved Sonne, Jesus Christ, our onely Sauiour and Redeemer, he will receiue my soule into his glorie, and place it in the companie of the heavenly Angels and blessed Saints. And as concerning my bodie, euen with a good will and free heart I giue it ouer, commending it to the earth whereof it came, nothing doubting, but according to the Article of my faith, at the great day of the generall resurrection, when we shall appeare befoze the iudgement seat of Christ, I shall receiue the same againe by the mightie power of God, wherewith he is able to subdue all things to himselfe: not a corruptible, mortall, weake, and vile bodie, as it is now, but an vncorruptible, immortall, strong, and perfect bodie, in all points like vnto the glorious bodie of my Lord and Sauiour Jesus Christ. First, as touching my Wife, with whom I coupled

coupled my selfe in the feare of God, refusing all other women, I lincked my selfe vnto her, liuing with her in the blessed estate of honozable wedlock, by whom also by the blessing of God I haue now foure sonnes and thzee daughters, viz. F. W. L. A. J. F. and A. And albeit I doubt not but that God after my departure, according to his promise, will be vnto her a husband, yea a father, a patron, and defender, and will not suffer her to lacke if she trust, feare, and serue him diligently, calling vpon his holy Name: yet forasmuch as God hath blessed me with woꝛldly substance, and she is mine owne flesh, and who so prouideth not for his, denieth the faith, and is woꝛse then an Infidell: I therefore giue and bequeath vnto her for terme of her life, if she remaine so long vnmarried, the occupation of this house, and Farmeholdes wherein I now dwell at H. with the appurtenances, euen as I presently occupie the same. And also the rents and profits yearely arising of my Farmeholdes in H. in the tenure of J. T. And likewise the occupation of all other my landes and tenements, set, lying, and being in the parish of D. in the Countie of P. doing no waste, with also her thirds out of all my goods (except my Leases) obseruing the conditions, gifts, bequests, and legacies hereafter insuing, in full recompence of her thirds or dower of all my lands and tenements. And except and alwaies reserued to mee and mine heires for euer, my Ring of Gold which I vse to weare and seale withall, and all mine Armour, and furniture for the warres ec. with all the Glasse and Wainkot, in and about my house at H. All which my will is, shall be annexed to the freehold, and remaine as heirelomes to my said house and mine heires for euer. And if it shall fortune my said wife to marrie againe and take an husband, then my will and full minde is, that my said house at H. and all other my said landes, tenements, and farmes at H. and D. aforesaid, with their profits and appurtenances, shall remaine, descend, and come immediately to the vse, behoofe, and occupation of W. L. J. and A. my children, during the minority of mine heire male (doing no manner of waste during the said terme.) And in full recompence thereof, my said wife to haue during the terme of her life naturall the summe of fortie pounds of lawfull money paid yearely out of my foresaid landes and tenements in H. and D. wherewith she sayeth she is now right well pleased and contented. Let this suffice for my wues portion, whom I doubt not but God will take into his protection, and so prouide for her in the time of her short pilgrimage, that shee shall want no good thing: and I heartily desire her, that she bee

diligent in trayning by our said childzen in the feare & doctrine of the Lord, so shall God be vnto her a Husband, and to the childzen a Father. Moreover, as touching my childzen, albeit I am fully persuaded, that God according to his promise, will be a Father vnto them, and if they liue in his feare, he will not see them lacke: yet since the law of God and nature require, that I should haue a reasonable care of them, therefore I giue vnto my eldest sonne F. and to the issue male of his bodie, lawfully begotten, all my lands, tenements, and hereditaments, with their appurtenances, in H. and A. &c. or elsewhere within the Realme of England, purchased of A. B. the portion appointed to my said wife, for and during her life vnto her marriage, as aforesaid, alwaies except and forepysed. And for default of such issue, to W. my second sonne, and to the like issue male of his bodie. And for default of such issue, to L. my third sonne, and to the like issue male of his bodie. And for default of such issue, to the next heires of me the said F. H. for ever. And to the said F. and A. H. I giue and bequeath the other two parts of my goods, except my Leases, and one hundred pounds giuen to W. and L. as hereafter is expessed and appointed. Provided alwaies, that if my said sonnes W. and L. or either of them, do fortune to die before they shall accomplish the full age of xij. yeres, then the suruiuor of them shall enioy such his portion as is limited and appointed to be paid, that is to say, fiftie pounds to each of them. And if it fortune, God to take to his mercie both my said younger sonnes, before the accomplishment of the said xij. yeres aboue recited, that then both their said portions to be equally diuided amongst my daughters then liuing. And if it fortune my wife to be with child at the time of my death, then that child to haue as much in euery respect as the said F. and A. throughout all the two parts of my said goods, and all other legacies before or hereafter mentioned, appointed, and let out. Provided alwaies, that if I marrie any of my said daughters before my death, then that daughter to haue no part of my said two parts of my said goods, in any other sort, then as to haue her part of such childes portions of my goods as shall fortune to die, as is hereafter expessed. Provided, that all my Leases shall be taken as no part of my goods, but deliuered vnto my Superuisors, safely to be kept to the vse of my next heire, during the nonage of my said next heire, putting in good sureties in one thousand Markes to my said Superuisors, and executors, and administrators, or some of them, to answer to such portions and legacies as herein is mentioned, declared, appointed, and giuen to the rest of his brethren and sisters out of

my said leases, as also truely to obserue such limitations and estates as herein are also appointed or set out. And that he shall not alien, bargain, or sell any of my leases, but that the same shall after his decease remaine to my next heire male, for the better maintenance of this my house at H. and so from heire male to heire male. Nor shall not make any leases about the terme of twentie and one yeares, or one or two liues at the most, reseruing the rents now accustomed. And if he shall refuse so to doe, then two whole partes of all my said whole lands to goe to W. my second sonne, he putting in good sureties as is aforesaid. And in default thereof then to L. likewise as above is said. Item, I will that in case two parts of my goods will not answer every of my daughters the full summe of two hundred pounds for their marriages, then I will that there shall be taken out of mine owne lands commonly called T. twentie pounds yerely, and out of my lease of H. yearely untill such time as every of my said two daughters haue had the full summe of 40. for their said fillall portions. And if it shall fortune any of my said daughters to die before the age of xix. yeares unmarried, or married or hauing any issue of her bodie lawfully begotten: Then I will that her portion so dying shall remaine to the other of her brethren and sisters suruiuing. And if it shall fortune, God to take an other of my said daughters in manner and forme abovesaid: That then the second daughters portion so dying shall be likewise equally deuided betweene my yonger sonnes and the daughter then suruiuing. Provided alwaies, that if the said W. and L. or any of them doe refuse to stand to this mine appointment: That then they to haue only their fillall portions of my goods, and no part of my leases or other annuities or legacies in this my will giuen or bequeathed vnto them, or any of them, and that then the said legacies or annuities appointed herein to goe wholie to my daughters, till such time as every of them haue the said CC. li. paid for every their portions. And if my wife bestow any more on my said sonnes, let it be vpon their good behauior towards her. And yet if it fortune my said wife to die before they or any of them doe accomplish the age of xxvj. yeares, applying themselues obedient and likewise diligently at their learning, I will then after her decease, they and either of them so applying, and being vnder the age of twentie five yeares shall haue paid fortye shillings more yerely out of my moitie of W. untill such time as they and either of them doe accomplish the full age of fortye yeares, if they so long doe liue. Item I will in consideration of my said daughters portion so appointed out of my
said

said goods: That **W. H.** my second Sonne shall haue one yearelie annuitie of fiftene pounds during the minozitie of mine heire, wherof eight pounds fire shillings and eight pence, to be taken of the profits arysing of my lease in **B.** and fire **li. xij. s. iij. d.** out of my moitie of **A.** And after such time as my said heire shall accomplish his full age, then and from thencefozth the said **W.** to haue the said fiftene pounds paied yearely out of **B.** during **xij.** yeares then next following, if the said **W.** so long doe liue. And if he die befoze the end of the said **xij.** yeares, and leaue issue of his bodie lawfully begotten, then that issue to haue onely fire pounds thirteene shillings foure pence, paied yearely during the yeares to expend of the said thirteene yeres, if that issue so long doe liue, to be taken of the profits of **B.** afozesaid, at the feast of Pentecost, and **S. Martin** by euen portions. And for nonpayment of the said **W.** and likewise his next issue, from time to time, to distraine vntill the same be fully satisfied and paied with the arrerages if any fortune to be vnpaied. Item I giue and bequeath to **L. H.** my thirde Sonne one yearely annuitie of **vi. li. xij. s. iij. d.** whereof **iiij.** pounds to be paied yearely out of my said lease of **B.** And likewise foure Markes out of **A.** during the minozitie of my next heire. And after my said heire doth accomplish his full age, then the whole **vi. li. xij. s. iij. d.** whereof **iiij.** pounds to be paied during the terme of **xxx.** yeares then next following out of my said lease of **B.** if he so long doe liue, and if he die befoze the end of the said terme of **xxx.** yeares, and leaue issue of his bodie lawfully begotten, then that issue to haue onely five Marks yerely during the said yeres to expend if the said issue so long liue, & to be paied at the feasts abouesaid, with like distresse to be taken for nonpayment thereof. And if it fortune any of them to die befoze the end of the said terme of **xxx.** yeares, and leaue no issue of his bodie liuing, and the other brother hauing issue, then that brother suruiuing, and the said issue so liuing to haue yerely during the said yeares to expend onely fire pounds thirteene shillings and foure pence, and no moze out of **B.** afozesaid. And if it please God to take to his mercie **F.** mine eldest Sonne without issue male of his bodie lawfully begotten, so as thereby my lands do descend vnto the said **W.** his brother, that then this legacy or annuity so bequeathed and giuen vnto the said **W.** and his issue, to cease, & to be paied to **L.** and his next issue in maner and forme as is appointed to the said **W.** and his issue, and the said legacie or annuitie so first giuen vnto the said **L.** and his issue to be void. And if it shall fortune my said soune **F.** to die and leaue issue female of his bodie lawfully begotten, that then

the

the said **W.** or **L.** vnto whom my said lands shall come, or the next heire male of them shall pay vnto that issue female of the bodie of the said **F.** five hundred Markes, towards the preferment of that issue female, within five yeares next after the said issue female shall accomplish the full age of eighteene yeares, that is to say, one hundred Markes yearely, if shee doe live so long, or to the issue of her bodie lawfully begotten, if that issue so long doe live. And for nonpayment thereof in manner and forme abovesaid, that then that issue female, and the issue of that issue female, lawfully begotten, to haue and to hold vnto her, and the heires of the bodie of the said issue female lawfully begotten, all my lands within the Lordship of **D.** purchased of **et.** to the said issue female, and the issue thereof lawfully begotten, for euer. And for default of such issue, to my next heire male, and their heires for euer. Provided alwaies, that my Wife shall haue the occupation of the lands and tenements contained in my said Leases, to her owne proper vse, and education of my children, so long as shall please her, and keeping her selfe vnmarried, and in my name, paying after the rate of five pounds lesse in the whole yearely rent then another will doe for the same, and not otherwise. Provided also, that if it shall fortune God to take all mine heires, befoze they shall haue issue male lawfully begotten, so as there be no issue male proceeding of them, or any of them, so as thereby my lands do discend to the issue female: then that issue female shall within two yeares next ensuing such certaine knowledge had, and vpon reasonable demaund made, enter into bond to pay, or cause truely to be contented and paid to the next issue male of my brother **R. H.** two hundred Markes of lawfull money of England. And for default of such issue male of my said brother, then to pay vnto his issue female an hundred Markes. And to the next issue females of the abovesaid **W. L. J. J.** and **A.** five hundred Markes, viz. to euery one of them an hundred Markes, if the said issues do live vntill they be of the age of nineteene yeares, and if any of them die befoze that time, then the survivors to enioy the portions of them so dying. And for nonpayment of the said seven or six hundred Markes, as abovesaid: then the issue male of my said brother, and likewise the issue females of my said brother, and also the issue females of the said **W. L. J. J.** and **A.** to enter into my moitie of my manors of **A.** and the same to hold, occupie, and to enioy to them and their heires for euer. This seven or six hundred Markes, as aboue is mentioned, I giue as a token of continuall remembrance of the heartie zeale, loue, & affection I beare to the advancement of the issue generall.

generall of me and my said children, as also the surname and whole bloud of me the said J. D. and the issue of my said. bꝛother. Item, I giue and bequeath vnto my said louing bꝛother R. D. if he be liuing at the day of my death, my best gowne &c. Item, I giue vnto euery of my seruants in my house at the day of my death &c. if they vse themselves diligently and honestly toward my wife during one yeare then following &c. Item, I giue to W. M. my godsonne one Colt, of thre or foure yeares old, to be deliuered vnto him when hee shall accomplish the age of one and twentie yeares. And to A. G. if she be liuing at the day of my death, one Cwe. And to H. B. an old Angell. Provided alwayes, That if my wife doe make any challenge or clayme to any part of the thirds, either of my lands or goods, or to any part thereof, by force of being Executrix, other then befoze is mentioned and set out for her, as in such like cases many vnkinde women haue done, contrarie to the good meaning, will, and trust of their husbands, in pꝛeuidice of their naturall children, which my said wife hath faithfully pꝛomised to me she will not doe, the rather, for that I haue done nothing herein, but by her full consent and agreement in euery behalfe: that then shee to lose the benefit of all such legacies, and all other commodities appointed and giuen hereby to her, and the same to remaine amongst all my children. Now as touching the pooze, insomuch, as these worldly goods were giuen to me, that I should distribute part thereof to their necessitie, viz. the pooze, lame, blind, and comfoztlesse: And albeit I haue bin quick in words to such as were sturdie bagabonds, and idle loiterers, well able to get their liuing by their laboꝛ, yet I haue not altogether bin vnmindfull of them, but distributed part of such as God sent me, hauing alwayes thought it better in those causes, to worke while I liued in this world, then haue them done after my departure by my executoꝛs: Yet notwithstanding I will, that there bee distributed and giuen amongst the pooze within the parishes of A. vpon the S. r. pounds, which I will haue bestowed in maner & forme following, that is to say, euery Sunday during the space of 9. whole yeares next after my death xij. pennyworth of bread, which I wil haue bestowed vpon xij. pooze folks, viz. the halt, the lame, the blind, the sicke, and such other as be most comfoztlesse, and not able to labour. I thinke it also a deede of charitie, and commendable worke befoze God, to repaire the high waies, that the people may trauaile safely without danger: I therefore giue to the mending of the high waies about S. B. and S. B. at H. twentie Shillings, to be employed by the discretion of my louing wife, whom I

doe ordaine and make my full executrix. And if she refuse so to bee, then I ordaine and make **W. L. J. and A.** my childzen to be my executours, and my very louing friends and cosins **A. B. &c.** my superuisors, charging them, and euerie of them in the name of God, as they will answer befoze the high Iudge Christ, at the dreadfull day of doome, that they, and euerie of them do see this my last Will diligently and faithfully fulfilled in euerie behalfe without respect of anie person or persons whatsoeuer. Provided alwaies, that if any person or persons which shall inioy any benefit by foze of this my last Will, other then their filial poztion, will not be ruled, aswel in their education and marriage, as in all other lawfull things concerning this my last will by my said executrix: And she being dead, by my said superuisors, or the most part of them: And they being dead, by foure of their vnclcs, or other their nereft friends and alies indifferently elected, the same being knowne to be wise, indifferent, and of good discretion: that then they, and euerie of them so refusing, vtterly to loole all such benefit as they, or any of them might haue by foze of this my last will and testament, and the same poztion or benefit so guen them to remaine to such, and as many as will be ordered & ruled, as is befoze mentioned and declared. Item I bequeath vnto enery of my said Superuisors for their paines taking, one gold ring of halfe an ounce, with these words grauen seale-wise vpon the top of euery the said rings, *Esto fidus*. And also I will that their reasonable costs and charges be duely answered to euery one of them of my whole goods from time to time, with recompence of their trauell. Provided alwaies, that if it shall fortune any question, ambiguitie, or doubt to arise amongst my childzen or any others claiming any benefit by foze of this my last will, that the onely exposition, determination, and iudgement thereof shall be determined & iudged from time to time to the best of my mind, and according vnto the literall sence and meaning of this my last will in euery behalfe, and by the exposition and discretion of my said superuisors, and others, as aboue is said and expessed, and not otherwise. Provided alwaies, and my full minde and determinate pleasure is, that in case my next heire male, or anie the heires males of his bodie lawfully begotten, and likewise my sonnes **W. and L.** or the issue male of any of them to whom my said lands shall descend and come, doe take anie meanes or aduantage by law or other fraud to conuey, sell, alien, or otherwise to make any estate whatsoeuer, contrarie to the true meaning of this my said last will and Testament, to defeate, or dis-inherite any of his or their other brythren, & the heires males of their

their bodies lawfully begottē, or any other befoze recited, being their brethren or cosins, be they either males or females, contrary to such limitation, as in this my said will is specified & contained, & do refuse to enter into bond with good suerties, in such sort as my said son F. is to do, then I will that all such estates as be limited to such persons so doing, to be utterly void & of none effect, & that the next heirs males to him or them shall enter into, and quietly enjoy all my said lands & tenements whatsoever, in maner and forme befoze specified, and not otherwise, any act or acts done or to be done by the said next heire, or the heires of his bodie in any wise to the contrary notwithstanding. And the like order to be in euery point and behalfe truely obserued by my second sonne or the heires of his bodie. Item, I giue to my Lord W. L. high Treasorer of England, if he be liuing at the day of my death, and the Queenes Maiestie iustly intituled to the Wardshippe and marriage of my next heire, twenty pounds, in consideration that my wife may after my decease haue the Wardship of my said heire, and the lands descending to the Queenes Maiestie in lease, during his minority, his Lordshippe taking what shall best like him for her highnesse. And I doe hereby reuoke and adnull all former Willes. In witnesse whereof I haue hereunto subscribed my name, and set my seale vnto this my present last Will and testament, the day and yeare first aboue written, in the presence of A. B. C. D. F. L. and diuers others.

Another forme of a Will.

ScA. 643.

IN the name of God Amen. The second day of Januarie 1592. J. K. L. of ec. sicke of bodie but of good and perfect memozy (God be praised) doe make and ordaine this my last will and testament in maner and forme following, that is to say: First I commend my soule into the hands of God my maker, hoping assuredly through the onely merites of Iesus Christ my Sauiour, to be made partaker of life euerlasting. And I commend my bodie to the earth whereof it is made. Item, whereas I by deed indented, bearing date ec. haue infeoffed T. W. and W. W. of diuers lands and tenements in D. and B. to the vse in my last Will and Testament to be limited and appointed: My will therfore is, that they the said T. and W. shall take the rents, issues, and profits of the same lands and tenements yerely, by the space of twentie yeares now next ensuing, and therewith pay such debts as I owe, and such legacies as in this my last Will shall be contained, so farre forth as the profits thereof will extend. Also I giue and bequeath to E. my wife forty pounds, ouer and besides such

part

part of my goods as she (by the Law) ought to haue, if no legacie were vnto her giuen. Item &c. to T. L. my sonne and heire apparant all glasse and seling, in or about my house in D. aforesaid. Item, I wil that the residue of my goods, & the surpluage of the profits of the said landes so conueyed vnto the said T. W. and W. W. which shall remain (my debts, legacies, funeral expences, and my wines third part payed and deducted) shall equally be parted and diuided amongst W. R. R. and G. my childzen, and such child or childzen as my wife hath now conceiued (if she haue conceiued any) and the said portions to be payed vnto them when they shall accomplish the age of one and twentie yeares. And if any of my said childzen do die befoze he or they shall haue receiued their said portion, not hauing any childe then liuing, then I will so much of his or their portion so dying as shall happen to be unpaid at the time of his or their death, shall be paid vnto y^e rest suruiuing. Prouided alwaies, that if either of my said daughters be married after she shall be of the age of sixteen yeares, that then the portion of her so being married, shall be paid vnto her within one halfe yeare after the said marriage. And I will, that the said T. W. and W. W. shall haue the custodie of the said W. and R. my sonnes, and of their portions, and of the said T. L. my sonne and heire apparant, and of all his lands and goods vntil he be of full age of one & twenty yeares, and they to bee brought by and ordered at their discretion, they hauing reasonable allowance for the keeping of them. And I will that my wife shall haue the custodie of my said daughters, and their said portions, if she first find such sufficient securitie to bee so bound in the double value of their said portions, vnto the said T. W. and W. W. as they shall accept and like of for the payment of their said portions accordingly, and if she do find no such securties, that then she to haue for the keeping of either of them, fortie shillings by yere, and the said T. W. and W. W. to haue the custodie of their said portions accordingly. And I make the said T. W. and W. W. executozs of this my last wil and testament: and I make R. R. and R. W. superuisors thereof. In witness whereof &c.

A perfect Testament and last Will.

VNiuerſis & ſingulis Chriſti fidelibus ad quos preſentes lra Testi-
moniales peruenerint Iohan. permiſſione diuina Cant Archiepiſc.
totius Angliæ primas & Metropolitanus Salutem in domino ſempiter-
nam & fidem indubiam preſentibus adhiberi, Ad vniuerſitatis veſtræ
noticiam

Seſt. 644.

noticiam deducimus & deduci volumus per præsentis quod seruato registro curiæ prærogatiuæ Cant̄ in Archiuis eiusdem bene & fideliter custoditis conperimus & inuenimus euidenter inter alia in eodem, quod decimo die &c. Anno &c. coram H. I. Surrogato venerabilis viri W. D. Legum doctoris curiæ prærogatiuæ Cant̄ magistri custodis siue commissarij legit̄ deputat̄ probatum approbatum & insinuatum fuit Testamentum F. R. nuper dum dixit de S. infra parochiam de W. in comit̄ D. Couen̄ & Lich. Dioc' nostræque Cant̄ prouinciæ def. habentis dum vixit & mortis suæ tempore bona mobilia vel immobilia (spiritualia vel temporalia iura siue credita quecunque vel qualiacunque in diuers. Diocel. siue iurisdictionibus peculiaribus, commissis q̄ fuit administratio omnium & singulorum bonorum iurium & creditorum dicti def. & eius testamentum qualitercunq̄ conceit̄ I. R. filio & executori in huiusmodi testamento nominato de bene & fideliter administrand̄ eandem. Ac de pleno & fidei Inuentario omnium & singulorum bonorum iurium & creditorum huiusmodi conficiend̄. Et illud in curiam prærogatiuæ Cant̄ exhibend̄. Necnon de plano & vero compoto calculo siue ratiocinio inde reddend̄. Ad sancta dei Evangelia in persona P. I. notarij publici, pcuratoris sui in hac parte legitime constituti Iurat̄. Cuius quidem testamenti verus tenor in hæc verba sequitur.

In the name of God, Amen. The viij. day of ꝑc. And in the yeare ꝑc. I F. R. do make and declare this my last will and testament in writing, reuoking therby both in deed & in law all other former wils and testaments. First I commend my soule into the hands of Almighty God ꝑc. Touching my lands, tenements, & hereditaments, where I haue heretofore by my seuerall conueiances for thaduancement of my younger sonnes P. G. R. and F. the younger, assured my manors of H. B. and H. in the countie of P. And all my lands, tenements and hereditaments in H. B. D. H. and B. in the said countie of P. to such seuerall bles and intents, as in & by the said seuerall conueiances are expressed: My will and meaning is, that the same assurances shal stand and be effectuell to the benefite of my said children, accoꝝding to the true intent and meaning set dolwne in the same writings, and I do by this my last will ratifie and confirm, and further do will and deuise all the said manors, lands, tenements, and hereditaments to my said sonnes seuerally, and soꝝ such, and the same estates to them particularly and singularly as be mentioned & limited by the said conueiances: and where in thassurance & mortgage concluded betweene me and T. P. gent. I haue put my faithfull seruants T. B. and R. C. in trust, my will and request is to them, that they do perfoꝝm & accomplish the same

same trust, and do make ouer such estate and interest as they haue by the said conueiance to my sonne G.K. and to his heires males of his bodie, accoꝝding to my true intent and meaning, whereunto I haue made them pꝛiue: foꝝ my full and plaine meaning is, that seeing the said G. is my first and eldest sonne by my late wife D. that therefore he shall be remembꝛed and rewarded as a secondary eldest sonne, and therefore shall haue to him, and to the heires male of his bodie, my said Manors of H. and W. and all my lands, tenements, and hereditaments in H. W. and D. Notwithstanding my meaning is, and so I doe hereby will and deuise, that his two yonger bꝛethꝛen K. and F. may haue & inioy out of the same seuerally during their liues either of them foꝝty pounds of ꝛc. by the yere. And that he the said G. do see the same paid accoꝝding to my said conueyance. And I doe further giue vnto my said sonne G. all those Statutes, Recognisances, and bonds, that the said D. P. and sir H. K. haue made and knowledged to me, oꝝ to any to my vse foꝝ the perfoꝝmance of those bargains that be past between vs, and I will that the same bonds may be sued in the name of my Cꝛeditoꝝs, but to the benefite of my said sonne G. and of his heires males. And if the said D. P. doe pay the said summe of ꝛc. agreed vpon, and thereby doe redeeme the said lands and inheritance in W. Then I do giue and deuise that my said sonne G. K. shall haue the said summe of ꝛc. to his vse and benefite. Also I doe giue vnto my said Sonne P. K. all my goods and chattels, Stocke and household stuffe whatsoeuer that shall be and remaine at H. afoꝝesaid at the time of my deceale. And I doe further giue vnto the said P. the one halfe and moitie of all the Lead that shall be owing me at the time of my deceale. And also the halfe benefite and foꝝfeiture of all such bonds as any person oꝝ persons shall stand bound to me in foꝝ the deliuerie of any lead oꝝ lead oꝛe. And where I of verie fatherly loue, & the rather thereby to allure him to his booke & study, did assure to my sonne F. the elder by my first wife, all that my manor of W. with the appurtenances, and my Parke & new builded house there, since which time I haue bin vꝛged by the great vntowaronesse of my said sonne (I will not vse any moꝛe bitter woꝛds) to reuoke and make void the said assurance, and now haue giuen the said manor of W. to J. K. my eldest sonne, as by the wꝛiting thereof appeareth, in which reuocation I doe protest befoꝛe God, I doe not know any maner of defect oꝝ scruple whatsoeuer, yet weighing that Durum eelum est necessitas, & that Homo peruersus suscitatur lites, and lastly, that the desire of such a house and

inheritance loyned with any imagined title, will neither regard fatherly admonition, nor brotherly affection: And to the intent also the said *J.* my sonne may haue some thing to maintaine himselfe, & apply his booke withal, if it please God that he may looke back and call himselfe to an ordinary course of life, I do therfore for these respects giue and deuise to my said sonne *J.* the elder, those two rent charges of twentie pounds a peece, amounting in the whole to 50.℞. per annum, which I haue going forth severally of the lands and inheritance of *T. L.* Esquier, and *W. R. C.* To haue and to hold to him for and during his naturall life. And my Will is further, that if the said *J.* my sonne do giue himselfe to the Study of the common laws of this realm, whereunto I know he hath an aptnesse by nature, although through euill behaviour & worse company he hath shewed himself vnapt heretofore, and do become either Reader in Chancerie or in Court being called thereunto orderly, and performing the same with good liking and opinion of the house, & in pzoofe therof shall haue it so signified vnder the hands and seales of foure Readers of Grapes Inne for the time being: Then I will & deuise the said two rent charges of 20.℞. to the said *J. R.* and to his heires for euer. And I doe then also & not before deuise vnto him the Statutes, recognisances and bonds, which I haue severally of the said *P. L.* and *P. R.* for the payment and severall assurance of the said two rent charges or annuall payment, & the benefit and forfeiture which shall grow or be by reason of the not paying thereof, or by any other default committed by them or either of them, their heires or assignes. Provided alwaies that my said son *J.* do within one halfe yeare next after my death, if he shall not make the same in my life time, release vnto my said sonne *J. R.* and to his heires for euer, all his right & title that he hath or may claime to haue in the said manor of *B.* and in or to the said lands, tenements, & hereditaments of the park & new builded house in *B.* aforesaid, or in to any the hamlets or villages adioyning thereunto, with warranty to be therein contained against him & his heires for euer: And vpon condition also that he the said *J.* hath not charged nor incumbered the said manor & premises in *B.* aforesaid or any part thereof, with any rent charge or lease whatsoeuer before the said release, where about three yeares past, I did in the name and behalfe of my daughter *L.* and for her better preferment, conclude and agree with *P. J.* now deceased, for the payment of 50.℞. to my said daughter in the space of 50.℞. as by the writings thereof appeare, of which said payment the execution

cutrix of the said M. F. hath well and truly paid unto my hands,
 to the vse of my said daughter, the summe of 100. due at the Feast of
 100. last past, my will is, that if the said summe of 100. be not by mee
 answered to my said daughter in my life time: That then the same
 shall presently be payed unto her by my Execu^{toz} after my decease;
 And my will is further, that if my said daughter R. cannot law-
 fully by order of law recover and obtaine the said summe of 100. resti-
 due of the entire summe of 100. that then shee shall be payed and satis-
 fied of the said summe of 100. or of so much thereof as she cannot re-
 couer of the lands or goods of the said Master F. or at the hands of
 his executrix, or administrators, by my execu^{toz}, the same payment
 to be made within 100. after my death. And moreover, I giue unto
 my said daughter an hundred Markes of 100. to make by her full
 and whole portion to the summe of 100. And also I doe giue unto her
 the Chayne of gold that she commonly weareth, and all her Jewels
 of gold, together with her late mothers Bracelets of gold, notwith-
 standing my meaning is, that if my Execu^{toz} doe pay unto her the
 said summe of 100. or so much thereof, as shee shall or may not recover
 or obtaine, as is aforesaid; that then my said daughter doe assigne
 or set ouer the bonds and assurance made unto her by the said Master
 F. unto my said Execu^{toz} or his assignes, to the end that hee may
 then take the aduantage and benefit thereof: for like as mine intent
 is, that my said Daughter should be iustly satisfied of the said five
 hundred pounds, either by the heires and executrix of the said F. or
 else in default thereof by mine owne Execu^{toz}, even so my meaning
 is, not that my said Daughter be double paid the said summe. I doe
 giue unto my Daughter T. ouer and besides the summe of 100. which
 to her is assured by my selfe and my sonne J. R. by conueyance in my
 life time, the summe of 100. when she commeth to the age of 100. or be
 married, together with the Jewels of gold, and little Chaine of gold
 which was her Mothers. And where I haue concluded with R. T.
 Esquire, for a Marriage (by the grace of God) to be had betweene
 his sonne R. T. and my daughter C. my will is, that if the said mar-
 riage do not take effect, that then my said daughter C. shall take the
 benefit of all such Bonds and Recognizances as the said Master
 T. hath made or acknowledged to me: And that my Execu^{toz} doe
 not onely suffer his name to be vsed. for recoverie thereof to the vse
 of my said daughter, but that he also and his assignes doe to his
 and their bittermost indeuour aide and assist my said daughter for the
 obtayning of the benefit and forfeiture of the said Bondes and Re-
 cognizances

cognisances to her owne vse. Provided alwaies, that my said daughter C. noz any for her, oz in her name, do challenge oz claime any title oz interest, in, oz to the summe of soure hundred pounds, which I did conuey vnto her, to be payed of certaine rent charges, which I appointed for that purpose befoze the said conclusion of Marriage: for my meaning is, that seeing I haue well and truely paid vnto the said A. the summe of £c. in consideration of the said Marriage to be had, that the benefit that shall come to my said daughter by the said Marriage, oz by the bonds oz couenants thereupon concluded, shall serue her for her portion & aduancement, and that she shall not take oz challenge any other summe oz portion of my goods oz gift whatsoeuer, where I together with my eldest sonne J. K. haue provided, that my foure youngest daughters, to wit, A. C. J. and W. be euery one of them paid to the summe of £c. for their aduancement in marriage, at such dayes and times, as by the writings thereof are expessed: my meaning is, and so I doe will and bequeath, that my said daughters be iustly and duely satisfied their said portions in such manner and sozme, as by the said writings is appointed. And my Will is further, that my said youngest daughters shall either of them be brought by at my houses at W. oz B. at the costs of my eldest sonne, if they bee disposed to remaine there, vntill such time as they bee severally well and truely paid and answered their said portions. I will, that within one halfe yeare next after my death there be provided by my Executoz one chayne of gold, of the value of £c. which chayne I doe giue to my daughter W. And I doe heartily require and charge her, that shee cause the same after her decease to be bestowed vpon her sonne and mine P. W. I doe will and deuise, the yearely rent charge of £c. which I haue to me and mine heires assured sozth of the iands and inheritance of A. C. Gentleman, and the yearely summe of £c. to be taken sozth of the Mannoz of E. in the whole per annum twentie pounds to bee employed for euer for the maintenance of the new erected Grammar Schoole at S. the finding of two Schollerships in Saint Johns in Cambridge, and the reliefe of the poore, hurt, and maimed Souldiers, which shall be sent to the Warres out of the Towneships of S. B. and C. in the Countie of D. that is, eight pounds by the yeare towards the same Schoole, other eight pounds per annum for the said Schollerships, and soure pounds yearely for the reliefe and succour of the said Souldiers. And now vpon great good hope and fatherly affiance that I haue, and trust to find in my eldest Sonne J. K. towards his Wethzen and Sisters, I doe make
and

and ordaine him my sole and onely executoz of this my last Will and Testament: and I say vnto him, and by him to all the residue of my childzen, as Salomon said to his sonne, Fili mi time Deum & Regem: and in any wise beware that you liue not aboue your liuing, and especially in the beginning, for that will bzing you to want and necessitie both in the middlest and the ending.

In quorum omnium & singulorum pmissor fidem & testimonium has literas nostras testimoniales fieri fecimus, ac eas sigillo Curie p rogatiue nostrae Cant' appene' communiri & corroborari, dat' quoad Icrutinium & sigillationem p'sentium 28. die mensis Aprilis, anno domini 1591. Et nostrae trans. anno 8.

A good President for a Testament.

IN the name of God, Amen. The 21. day of the moneth of D. in the yeare of our Lord God &c. J. K. M. Mercer and Citizen of L. being of whole mind, &c. as before. First, I commend my soule vnto almighty God my maker and redeemer, and my bodie to be buried in the parish Church or Churchyard of Saint P. in the Citie of London. Item, I giue toward the reparation of the same Church xij. s. iij. d. Item, I will, that all such debts and duties as I owe of right or of conscience to any person or persons, be well and truely contented and paid by mine executozs hereafter named, or els ordaine so for to be paid without any delay or contradiction. And after my debts paid, and my funerall expences perfozmed, I will, that all my goods, chattels, and debts shall be diuided into thzee equall parts, wherof I will, that A. my wife shall haue one equall part to her own proper vse, in the name of her purpartie & reasonable part to her of all my said goods, chattels, and debts, after the laudable custome of the Citie of London belonging. And the second equall part of all my said goods, chattels, & debts whatsoeuer, I bequeath to C. & D. my daughters, & to the child now being in the wombe of my said wife, equally to be diuided amongst them, and to be deliuered vnto them when they shall accomplish and come to their lawfull ages of xxj. yeares, or else to be married &c. And if it fortune any of my said childzen to decease befoze they accomplish their said ages, and befoze that time bee not married: That then I bequeath her part, or his part of them so deceasing, to the other of them then suruiuing, to be deliuered vnto them when they shall accomplish their said ages of xxj. yeares, or els be married. And if it fortune all my said childzen to decease (as God it defend) befoze they ac-

complish their said ages, & befoze that time be not married: Then I bequeath as well all and singular the said part or portion of my sayd childzen in my foresaid goods, cattels, and debts, as also my legacies to them hereafter bequeathed, to and amongst the childzen lawfully begotten of the bodie of R. P. of S. in the Countie of R. to be payed and deliuered vnto them at like ages, and in like manner as is appointed vnto mine owne childzen, & every child likewise to be others heire thereof. And if it shal fortune all the childzen of the said R. P. of his body lawfully begotten to decease (which God defend) befoze they come to their lawfull ages, & befoze that time be not married: Then I wil that all their said parts and portions of my said goods, cattels, and debts, shall wholly be imployed and bestowed in amending and repaying of marriage high wayes nigh about the Citie of London, and to the marriage of pooze Maidens, by the discretion of mine Executors and Quersers, if they be then liuing, or else by the discretion of the Lo. Maior and his bzethzen the Aldermen of the Citie of London. And the thirde equall part of all my said goods, cattels, & debts, I reserue vnto my Executors, therewith to perfozme my Legacies and bequests hereafter specified, that is to wit &c. The residue of all my goods, cattels, and debts, after my debts be payed, my funeral expences perfozmed, and these my legacies contained in this my present Testament fulfilled, I wholly giue and bequeath to my said childzen, equally to be deuised amongst them, and to be deliuered to them according as I haue aboue willed and declared. Provided alwaies, and it is my very will, mind, and intent, that shortly after my decease, all and singular my wares, stuffe of household, plate, & all other my goods whatsoever they be, shall be prized by two indifferent persons, to be named & swozne by the Lord Maior of L. & his bzethzen for the time being, and all and singular the portions thereof appertayning to my said childzen, as well my second part, as my said legacie so to them made and bequeathed of my part immediatly after the appzising, to be ordered according to the custome of the Orphanage of the Citie of London by the Lord Maior & his bzethzen. Item I will that the yong men being free of the fellowship of Mercers of L. shall haue the occupying of all my said childzens portions and legacies during their nonages, they putting sufficient sureties theretofore, according to the said custome of the Citie of L. And I will, and my mind and intent is, that Maister H. L. and Maister R. P. or their assignes, shall haue the keeping, gouernance, and bzinging by of my said childzen during their nonages. And of this my present Testament I make & ordayne the

the said A. my wife, and the said P. H. and K. mine executozs. And I bequeath to euery of them foꝛ their laboꝛ in that behalfe rr. li. and a black gowne. And of the execution of the same, I make and ozdaine W. P. ouerfeer. And I vtterly reuoke & adnull and euery other foꝛmer Testaments, Wils, legacies, bequeasts, executozs, and ouerfeers, by me in any wise befoꝛe this time named, willed, and bequeathed, These being witnesses.

Memorandum, that Testaments Nuncupatiue are made by word on-ly before witnesses, in forme aforesaid.

A clause of a Will.

ANd if it shal happen at any time hereafter any ambiguity, doubt, Sect. 646.
oꝛ question, to grow oꝛ arise by reason of the imperfection oꝛ defect, of, oꝛ in any the words, and clauses and sentences in this my present last Will and Testament, oꝛ my true intent & meaning thereof: That then the further and better explanation, interpretation, and construction of the said doubt and ambiguity, I will that my said Executors shall expound, explaine, & interpret, according to their wisdomes and good discretions.

A promise to bind Lands by Will.

PRouided alwaies, and my further will is, that if either of my said Sect. 647.
sonnes, oꝛ the heires of either of them, do attempt oꝛ go about to doe any act oꝛ actes, thing oꝛ things, to alien and discontinue the said lands, tenements, & hereditaments, oꝛ any part oꝛ parcell thereof, to them either, oꝛ any of them, by me giuen and bequeathed, in manner & foꝛme aforesaid, either by feoffment, fine, recoverie, oꝛ otherwise by any waies oꝛ meanes, so that the same lands &c. and euery part and parcell thereof, cannot, oꝛ may not descend, come, remaine, reuert, and be in maner and foꝛme befoꝛe in this my Will limited, declared, and appointed, and according to the true intent and meaning of this my gift, will, and last testament: That then immediatly & from thencefoꝛth the estate, interest, and title of him oꝛ them so attempting, doing, oꝛ going about any such act oꝛ actes, thing oꝛ things, as is aforesaid, of, and in the said lands &c. shall cease & be cleerely determined & extinguished, and that then immediatly & from thencefoꝛth the same shall remaine, and be to such person and persons, as by this my will is limited and appointed, in such maner and foꝛme, and vpon the like condition oꝛ conditions, as though he oꝛ they so attempting oꝛ going about any such act oꝛ actes, thing oꝛ things, in foꝛme aforesaid, were dead in deed: any thing befoꝛe in this my present last will mentioned

or declare to the contrarie notwithstanding, leases for xij. yeares at the most, and vnder, or for one, two, or thye lines, whereupon the old, auncient, and accustomed yearely rent, or the value thereof, or more shall be reserved & assured to such person or persons, as shall or ought to haue had the same estate or estates. Also the estate or estates that hereafter shall fortune to be made, to, or for the Jointure or Jointures of such as shall fortune to be, the wife or wiues of the said A. and C. or of the heires of their two bodies, or of the heires of the bodie of either of them lawfully begotten, for terme of the life or liues of such wife or wiues onely excepted.

A Codicill or scedule before the making of a Testament.

Sect. 648.

IA. B. by the grace of God sound in minde and bodie, praised be almightie God, in these codicils or scedules, doe dispose my last will as touching my goods, as followeth: that is to say, First I giue to C. my wife in recompence of her thirds or reasonable portion of my good, one hundred pounds, and two of my best Beddings, and two of my best Beddes fully furnished. Item I giue to euery one of my Sonnes ten pounds, and to euery one of my daughters twentie pounds &c. As legacies be bequeathed in last Willes.) And my will is that this Codicil or scedule be, and be adiudged and taken to be parcell of my last wil, and to be of force by the right of a Codicil, or by any other right, in the best manner that may be. And I heartily require mine Executors, if God giue me leaue to make a Testament, and in this default thereof, mine Administratozs, that they do cause all things in this scedule or Codicil contained, to be faithfully perfozmed, according to my true meaning, as if the same were so declared and set downe in my last Will and Testament. In witness whereof to this present Codicil I haue subscribed my name.

A Codicil made after a Testament or last Will.

Sect. 649.

BE it knowne, that whereas I A. B. made my last Will and Testament in writing (if it be written, and if it be not, nuncupative, bearing date &c. That now, forasmuch as I haue changed my mind, touching certaine things in the same last Will contained. And for and concerning all other things in the said last Will mentioned, (other then such as I shall not hereby otherwise dispose of) I doe by this present Codicil confirme and ratifie the sayd last Will. And
first

first whereas by my said last Will I doe giue vnto R. D. twentie pounds, my will now is, that he shall haue but onely tenne pounds thereof. And whereas I deuised to G. S. all my estate in one farme called W. in D. &c. which I hold by lease of D. B. for one and twentie yeares, my will is, that he haue it onely during tenne of the first yeares of the said terme, and that Elizabeth my daughter shall haue the residue of the said terme of xxi. yeares, towards her preferment in marriage &c. (And so of any other Legacie, adding, diminishing, or cleane destroying the same, or giuing new Legacies, with this clause in the end,) And my Will is &c. *vt supra in Codicillo ante Testamen-*
tuu.

And it is to be noted, that a subsequnt Testament must make mention of a precedent Codicil. And subsequnt Codicils must make mention of Testaments and of Codicils precedent, if any bee: For one person may make but onely one last Will, but as many Codicils as he will. And Codicils may bee made without any Testament, either precedent or subsequnt.

Letters of Administration.

R. P. Legum Doctor Scaccarij Reuerendissimi in Christo patris & Sec. 650.
 dñi dñi E. permissione diuina Ebor Archiepiscopi Angliæ primat
 & metropolitani Commissarius, dilecti nobis in Christo D. L. de S. B.
 bor dioc' vid' salutem in domino. Administrationem omnium & singu-
 lorum bonorum iurium & creditorum quæ fuerunt I. L. nuper de S. præ-
 dicta mariti sui ab intestato (vt asseritur) defuncti tempore vitæ & mor-
 tis suæ infra iurisdictionem dicti Reuerendissimi patris existen' tibi de-
 tua fidelitate plurim' confiden' in pios vsus distribuend' committimus:
 Tequè administrat', in, & de eisdem bonis & cæteris præmissis præfeci-
 mus, ordinamus, & deputamus per præsentés. Oneran' te in virtute iura-
 menti tui coram nobis in hac parte præstiti quod verum, plenum, inte-
 grum, & fidele inuentarium omnium huiusmodi bonorum conficias, &
 nobis exhibeas, debitaque ipsius defuncti, in quibus tempore mortis suæ
 effectualiter tenebatur iuxta iuris exigen' in hac parte bene & fideliter
 persoluas, necnon compos' calculû siue ratiocinium de administratione
 tua huiusmodi in Scaccario Eborum reddas, cum sup hoc fueris euocat'.
 Ac præfatum Reuerendiss. in Christo patrem & nos, ac omnes Offici-
 arios & Ministros nostros quoscumque indempnem & indempnes ver-
 sus

ſus quoſcunq̄, ratione adminiſtrationis tuæ huiusmodi imperpetuum conſerues, Saluo iure cuiuſcunq̄. Dat Eborum &c.

A deputation to a Commiſſarie, or Deane.

Sect. 651.

Iohannes R. Legum Doct̄or, venerabilium virorum dñorum Decani & Capituli Eccleſiæ Cathedral' & Metropolitanæ Eborum, cauſarum ſue negotiorum ſuorum Auditor ſufficient & legitim' deputatus, dilectis nobis in Chriſto H. M. in legibus Baccalaureo Decano decanatus de D. & I. T. clerico Reſtori Eccleſiæ parochialis de T. Ebor' dioceſ. ſalutem in dño ſempiternam. Ad admittend' ac vice & nomine noſtris recipiend' cautiones obligator' præſentibus annex' tam pro ſecurâ ſolutione pecuniarum ſummarum M. I. B. & C. B. in eiſdem nominat', ac eis pro porcionib' ſuis aliſque legatis & iuribus ex bonis & catallis Magiſtr' A. B. ſacræ Theologiæ Baccalaurei nuper Canonici reſidentiarij Eccleſiæ Cathedralis & Metropolitanæ & beati Petri Ebor' prædicti patris eorum defunct' debiſ, quam pro indempnitate noſtra, ac officiariorum & miniſtrorum noſtrorum quorumcunq̄ verſus quoſcunq̄, iuxta tenores cautionum prædictarum, per quosdam A. S. de M. in comitatu E generoſ. R. L. de S in comitatu N. generoſ. &c. in prædict' cautionibus alias etiam nominat' & in dioceſ. Ebor' degentes ac commorantes præſtant', ſigilland', & ſignand' : Ac ad omnem iuris & facti effectum deliberand'. Vobis coniunctim & diuiſim de quorum fidelitatibus, circumſpectionibus, ac induſtrijs plurimam confiſimus vices & authoritat' noſtras committimus per præſentes. Et quid in præmiſſis feceritis, nos ſeu locum noſtrum tenens ſeu tenent' circa feſtum Purificationis beatę Mariæ virginis proximum futu' poſt datum præſentium de geſtis in hac parte, vnâ cum præſentibus cautionibus huiusmodi debiſ certificetis, (*ſeu ſic*) certificet ille veſtrum qui præſentem noſtr' commiſſionem fuerit execut'. Dat Ebor' ſub ſigillo officij prædict' decimo die menſis Decembris, Anñ Domini 1592.

Administration by the Archbiſhop of Canterburie, where the inteſtate had goods in diuers Diocceſſes.

Sect. 652.

I. Prouidentia diuina C. Archiepiſcopus totius Angliæ Primas & Metropolitanus, dilecto nobis in Chriſto prænobili viro dño Gilb. Comiſ' moderno S. filio naturali & legitim' dñi G. nuper Comiſ' S. & Comitis Mareſchalli Angl', p̄clarique ordinis garterij Milit' def. Salu-

tem

tem. Cum idem dominus G. def. habens dum vixit et mortis suæ tempore bona iura siue credit in diuersis Dioces. siue iurisdictionibus suis dum egit in humanis rite & legitime condiderit Testamentum suum in se continens vltimam voluntatem, in quo siue qua E. T. & H. T. armig' filios suos naturales et legitimos nominauerit, ordinauerit, fecerit, et constituerit executor. Qui quidem executores ex certis causis animos suos in hac parte iuste mouen' oneri executionis dicti Testamenti expresse renunciauer'. Cuius preteritū omnium et singulorum bonorum, iurium, et credit antedict' def. plenaria dispositio administrationisque eorundem commissio, Necnon compos', calculi, siue ratiocinij administrationis huiusmodi audis, finalisque liberatio siue dimissio ab eadem ad nos solum et infolidum, et non ad alium nobis inferior' Iudicem notoriè dignoscuntur pertinet. Nos vero affect' vt bona, iura, & credita dict' def. bene et fideliter administrant' dictumque Testament' perimpleat, suumque debitum sortiatur effectum, ad administrand' igitur bon', iur', et credit' hñodi, iuxta tenor' & effectū Testam'ti supradicti p'sentibus annex', ac bene & fideliter disponend' de eisdem, Necnon credita quæcunque dict' def. petend', colligend', leuand', & exigend' quæ ad eundem def. dum vixit & mortis suæ tempore pertinuerunt, Ac primo de soluend' æs alien' in quo idem def. hñodi mort' suæ tempore extitit obligat', deinde legata in dicto Testam'to, p'sentibus vt præfertur annex' content' & specificat', quatenus bona, iura, & credita sui hñi ad hoc extendant iuxta ratam eorundem, Tibi de cuius fidelitate in hac parte confidemus primit' de bene & fideliter administrand' eadem, ac de pleno & fideli Inuentario omnium & singulorum donorū, iur', & creditor' hñodi consiciend', et illud in Cur' p'rogatiuæ nostr' Cant'eb. secundo die post festum Ascens' dñi nr'i prox' futur' exhibend'. Necnon de pleno & vero compoto, calculo, siue ratiocinio in ea parte reddend' ad sanct' dei Euangelia in p'sona Magistri G. C. notarij publici procuratoris tui in hac pte constitut' iurat' plenam tenore p'sentium committimus potestati. Teq; administratorem omnium & singulor' bonorū, iurium, et credit' hñodi ordinamus, deputamus, & constituimus p' p'sentes. Dat' Londin' vicefimo tertio die mensis Decemb. Anno &c.

Administration by the Archbishop of Y.

Iohannes providentia diuina Ebor' Archiepiscopus Angliæ primas Scct. 653.
 & Metrop', dilect' nobis in Christo p'nobili viri G. Comit' moderno
 S. filio natur' & legit' G. nuper Comitjs S. ac Comitjs Marechalli
 Angliæ

Angliæ, præclarique ordinis Garterij Militis def. salutem in Domino : Cum dilectus noster I. B. legum Doctor Curia Prærogatiua nostræ Ebor' Commissarius rite & legitime procedens ex certis causis coram eo ex parte tua allegatis & propositis & ex alijs iustis & legitimis causis se & animum suum in ea parte mouentibus ad petitionem partis tuæ litteras administrationis omnium & singulorum bonorum iurium & creditorum quæ fuerunt dicti def. in & per totam prouinciam nostram Eborum existent' alias nobili mulieri domine E. comitissæ S. viduæ relictæ dicti domini G. def. per Commissarios nostros Curia nostræ prædictæ S. concessas reuocand' fore decreuit & reuocauerit, ac pro reuocatis administrationem iuris & facti effectum ex inde quouismodo sequi valen' habere voluerit, declarauerit, & pronunciauerit. Necnon ad petitionem partis tuæ administrationem omnium & singulorum bonorum iurium & creditorum quæ fuer' ipsius def. infra prouinciam nostram Ebor' existent' saltem non legitime administrator' tibi de nouo committend' fore decreuerit, ac etiam tibi in persona I. S. notarij publici procuratoris tui in hac parte legitime constitut' coram eo in forma iuris primitus iurat' commisser' (iustitia id poscent') Tibi igitur de cuius fidelitate plurimum in domino confidimus administrationem omnium & singulorum bonorum iurium & creditor' quæ fuerunt dicti def. infra prouinciam Ebor' existent' habentis dum vixit & mortis suæ tempore bona notabilia in diuersis diocess. siue iurisdictionibus infra prouinciam nostram Ebor' : cuius prætextu omnium & singulorum bonorum iurium & creditorum antedicti defunct' plenaria dispositio administrationis que eorundem commissio, Necnon compoti calculi siue ratiocinij administrationis huiusmodi auditio, finalisque ab eadem liberatio siue dimissio ad nos solum & insolidum & non ad vllum alium Iudicem notorie dinoscuntur pertinere plenarie etiam committimus, Teque administratorem de & in eisdem bonis ceterisque præmissis præficimus ordinamus & deputamus per præsentem, Onerantes te in virtute iuramenti tui prædict' quatenus plenum verum & fidele Inuentar' omnium huiusmodi bonorum conficias & nobis in Curia nostra prædict' citra Festum Ascensionis domini nostri proxim' futur' post dat' præsentium exhibeas. Debitaque ipsius defunct' in quibus tempore mortis suæ effectualiter tenebatur iuxta iuris in ea parte exigen', Necnon legata in Testamento præsentibus annex' contenta & specificata juxta facultates bonorum bene & fideliter persoluas. Necnon compotum calculum siue ratiocinium de & super administrationem tuam prædictam in Curia nostra prædict' reddas cum super hoc fueris euocatus,

catus, Ac nos & omnes & singulos officiaꝝ & ministros nostros quoscunq; indemnem, & indemnes versus quoscunq; ratione pmissorum conserues: Saluo iure cuiuscunq;e. Dat Eboꝝ sub sigillo officij nostri pꝛærogatiuæ p̄dicte vltimo die mensis Decemb. Anno Dñi 1590. Et nostræ translac. ad Archiepiscop̄ Eboꝝ anno secundo.

In Dei nomine Amen. Admissis probationibus de & super factione testamenti p̄sentibus annex', coram nobis I.B. legum Doctore & M.S. articulum Magistr' Cuꝝ pꝛærog' Reuerend' in Christo patris & domin' dñi E. diuina permissione Eboꝝ Archiepiscopi, Angliæ primatis & Metropolitan' Commissarijs legitime deputatis, ipsum testm̄ ritè factum & legitime p̄batum, Nos Commissarij antedicti approbamus & insinuamus, ac pro valore eiusdem declaramus. In cuius rei testimonium sigillum officij nostri p̄dicte p̄sentibus est appositum. Dat Eboꝝ sub sigillo p̄dicte vltim die mensis Decembris &c.

Thus much of Testaments, Codicils, and Letters of Administration.

An Inuentarie.

An Inuentarie is a description or Repertorie, orderly made of all dead mens goods and chattels, prized by foure credible men, or moze, which euery Executor & Administrator ought to exhibite to the Ordinarie, at such time as he shall appoint the same. And Inuentaries ought to be made so soone as conueniently may be, after the parties death, least the goods be imbeziled. And soꝝ the most part they are made thus.

Sect. 654.

The Inuentarie of the goods and chattels of A. B. of D. in the Countie of C. yeoman deceased, made and pꝛoued by C. D. E. F. G. H. and I. K. the second day of May, in the xxxvj. yeare of the raigne of our Soueraigne Ladie, Queene Elizabeth, &c. 1594.

| | |
|---|----------|
| In primis, in readie Money. | l. p. |
| His Apparrell. | xl. s. |
| Item, in his Bed-chamber, two standing Beds with Testors. | liij. p. |
| Item, two Featherbeds, and one Downe Bed. | xl. s. |
| Item, foureteene Blankets. | xxx. s. |
| Item, eight paire of Shetes. | xl. s. |
| Item, sixe Couerlets, and two Couerings. | viij. p. |

In

In like maner every thing, as *W*ollen, *L*innen, *W*ine, *D*ile, *B*ere, *A*le, *C*oizne, & *G*raine, *H*ay, *W*ool, *F*lar, *W*ood, *C*oales, *I*ron, *L*ead, household stufte of all sorts, as *T*ables, *H*angings, *C*haires, *C*ushions, *C*hests, *P*ots, *P*annes, *P*ewter vessel, *B*rewing vessels, implements of Husbandry, *L*eases, *D*ebts due to y dead man, or by him due to any other, *C*oizne vpon the ground, *H*orses, *O*ren, *R*ine, *S*hæpe, *S*wine, *P*ullen, &c. And for the household stufte, either to set downe what is in every severall roome, as every *P*arloz, *C*hamber, *S*tudie, *S*hop, *B*uttery, *C*ellar, *P*antry, *H*all, *D*airie, *K*itchin, *B*rewhouse, *B*akehouse, *L*aundrie, *B*arne, *S*tale, *O*rhouse, *C*owhouse, *D*ouehouse, *S*langher house, *M*ilkehouse, & every other house: *D* els (which sameth better) to sort all things of one kind together, as all *W*asse together, all *P*ewter together, all *B*edding together &c. prizing every thing severally by it selfe: And then to subscribe the same *I*nventarie with the names of the same *P*aysoz, in the presence of sufficient witness. And this ought to be done with great diligence, care, & sinceritie, that the true value of every thing may be knowne, to the end that the dead mans childzen or kinsfolks, his legatozies & creditoz, may haue their owne, without such fraudulent concealing, as in like cases is daily committed.

Per nos A.B.C.D.E.F.G.H.

Instruments in Marchants affaires.

A Charter partie.

Sec. 655.

IN the name of God, Amen. *T*his Charter partie of a freightment made betweene *R. F.* of London *M*ercer, and *C. W.* of Redderife in the Countie of *S.* *P*asser vnder God of the good *S*hip called the *R.* of *L.* of the burthen of three hundred *T*unne, or thereabouts, now ryding at an anchoz in the riuer of *T*hames of the one partie, of which *S*hip the said *R.* and *C.* are partie owners, And *T*ho. *C.* *M*ercer, & *R. S.* *H*aberdasher, *M*archants of London, owners of the other party and residue of the said *S*hip, of the other partie, Witnesseth, that the said *R. F.* and *C. W.* haue graunted and letten to freight all their part of the said *S*hip vnto the said *T. C.* & *R. S.* for a voyage with her to be made (by Gods grace) in manner & forme following: that is to say, *T*he said *R. F.* and *C. W.* for their part doe couenant & graunt to and with the said *T. C.* & *R. S.* by these presents, *T*hat the said *S*hip with the first good wind & wea:her that God shall send next after the date hereof, shall (by Gods grace) directly saile from the said riuer of *T*hames,

Thames, with such goods & marchandizes as shalbe laden in her, into the port of Ligozne in Italie vnder the dominion of the Duke of F. & there shall discharge such goods & marchādizes as shalbe appointed there to be vnladen, and from thence shall take her direct course with as much conuenient speed as may be vnto the Isle of Zanta in Grecia, vnder the government of the Seignozie of Venice, & there shall tarrie & abide by the space of foztie working daies, next after her first ariuall there at an anker, soz to vnlade such goods & marchandises, as is, oꝛ shalbe appointed there to be vnladē freight free. And also within the same time shall relade such goods, wares, & merchandise as the said **T.** & **R.** their factozs & assignes will there charge & lade into the said ship, after the rate as followeth, that is to say: accompting xx. **C.** net of Currance soz a tunne, xv. barrells of Dyle soz a tunne, so many gallons as will fill foure hoggesheads soz a tunne, and soz all other ware and merchandise to be laden in the said ship by the said **T.** & **R.** their factozs oꝛ assignes, after such rate as shal be thought reasonable & conuenient by 4. indifferent persons, whereof two to be chosen by the said **T.** & **R.** & thother two by the said **R.** & **C.** And that the sayd ship with her burthen, shall with the first & next good wind & weather after therpiration of the said xl. working dayes (by Gods grace) directly sayle & come from the Isle of Zanta, vnto the said cite of **L.** soz her right discharge, oꝛ as neere thereunto as she conueniently may. And the said **T.** & **R.** do couenant & graunt, & either of them couenanted & granteth by these presents, That they their factozs, deputies, oꝛ assignes, oꝛ some of them, shall & will well and truly pay, oꝛ cause to be payd to the said **R.** and **C.** oꝛ to either of them, their, oꝛ either of their certaine Atturney, executoꝛs, oꝛ administatoꝛs, in the said citie of London bj. li. of **ꝛc.** soz euery Tunne of such wares & marchandises as aforesaid, as shalbe laden in the said ship by the said **T.** and **R.** their factozs, deputies, oꝛ assignes, ratably, according to the parts and interesses of the said **R.** & **C.** of, & in the said ship, in maner & forme following, that is to say: Due third part thereof vpon the right discharge of the said ship, and one other third part thereof within the space of 6. weekes then next following, and the residue thereof within the space of 6. weekes then next ensuing. And the said **R.** & **C.** doe couenant & grant, & also warrant, that the said ship soz their parts shall be strong & staunch, & well & sufficiently victualled, tackled, & apparrelled with saile, yards, ankers, cables, ropes, guns, shot, artillery, gun-powder, & all other instruments, tackle, & apparel needful & necessary in such a ship soz a like voyage, Together with an able master, 56. men & a boy, which

Which men and boy shall be readie at al due times, with the Cockboat of the said ship, to serue the said Tho. and R. their factoꝝ and assigns, to, and from land during the said voyage. And also to discharge and relade the said ship as oppoꝝtunitie shall serue. And to the afoꝝesayd couenants, graunts, articles, and all other things, on the parts of eueꝝy the parties afoꝝesaid, truely to be holden, kept, and perfoꝝmed in all things as is afoꝝesaid, the same parties doe bind theselues one to the other, that is to say: The said R. & C. and either of them doe by these presents bind themselues, and their seuerall executoꝝ and goods, and their seuerall parts and interestts in the sayd ship, with the furniture of the same, to the said T. and R. and to their executoꝝ and administrators. And the said T. and R. and either of them doe likewise bind themselues, their executoꝝ, & administrators, & all their goods to the said R. and C. their executoꝝ, and administrators, in the summe and penaltie of 2000. li. of lawfull ꝛc. by the partie oꝝ parties infringing covenant to the parties obseruing, truely to be paid by vertue of these presents. In witnesse &c.

Another Charter partie.

Sect. 6; 6.

IN the name of God Amen. This Charter partie indented of a fraightment made betweene T. P. citizen and Alderman of London, and R. C. citizen & Dyaꝝper of London, owners of the good ship called the Primerose of London, of the burthen of 140. Tunnes, oꝝ thereabouts, at this present ryding in the riuer of Thames within the Port of London, whereof is Maister vnder God foꝝ this present voyage T. W. on thone partie, And B. L. Marchant of D. now resident in London on the other partie, Witnessech, that the said Owners and Maister haue graunted and letten the said ship to fraight to the sayd Marchant: And that the said Marchant hath hyꝝed the said ship foꝝ a voyage with her to be made, by Gods grare, in foꝝme insuing, that is to say: The said Owners and Maister, foꝝ them, their executoꝝ and administrators, and enery of them do couenant & graunt, and euery of them couenanteth & graunteth by these presents, to, & with the said Marchant, his executoꝝ and administrators, and euerie of them, in foꝝme following, that is to say: That the said ship shall ryde and tarrie within the riuer of Thames, vntill the xvj. day of this instant Moneth of Julie, and shall receiue into her within the said port of London fraight free, all such goods, wares, and marchandise, as it shall please the sayd Marchant, his factoꝝ oꝝ assigns, there

there to charge and lade into her befoze her departure, And not to receiue into her befozes her departure any the goods oz merchandizes of any person oz persons, without the speciall consent and agrément of the said Merchant, his Factors, oz assignes, except thzee packes of merchandize fraught free, of the proper goods of the said R. C. And that the said Shippe shall with the first good wind and weather that God shall send next after the said sixteenth daie of this said instant moneth of Julie, depart and saile from the Port of the said Citie of London, with y^e said receined goods of the said Merchant vnto Coze end of this Realme, where thee shall tarrie and abide by the space of ten dayes next ensuing her first arriuall there, at an Anchoze to receiue into her freight free, as much Cozne, as thee may safely carrie ouer, and besides her victuall, tackle, apparell, munition, and furniture. And moreover, that the said Shippe shall with the first good winde and weather that God shall send, next after the expiration of the said tenne daies, directly saile from Coze end afozesaid, vnto L. in the Realme of P. as nigh the same Downe as thee may safely arriue to make her right discharge: Where the said Ship shall tarrie and abide by the space of foztie five daies next ensuing her first arriuall there at an Anchoze, aswel to discharge such goods receiued into her within the said Port of London and at Coze end afozesaid, as also to recharge and receiue into her, one hundred and foztie Tunnes in all, such goods, wares, and Merchandises, as it shall please the said Merchant, his Factors oz assignes, there within the said foztie five daies to lade into the said Shippe befoze her departure. Provided alwaies, & it is agreed betwene the said parties to these presents, And the said Dwners and Master do covenant and grant, for them, their executozs and administratozs, and euerie of them by these presents, to and with the said Merchant, his executozs and assignes, That if the said Merchant, his Factors oz assignes, cannot within the said foztie five daies lade the said Shippe at L. afozesaid, That then the said Shippe shall tarrie and abide at L. afozesaid, by the space of sixteene daies next after the expiration of the said foztie five daies. And that the said Shippe being as aboue at L. afozesaid laden, shall with the first good winde and weather that God shall send thereunto most apt and conuenient, next after the expiration of the sayd abyding daies, oz so soone as she shall be laden, directly saile from thence vnto A. oz London, to such of the same places, where it shall please the said Merchant, his Factors oz assignes, that the said Ship shall make

her part of discharge. In consideration whereof the said Marchant for him, his executors, factors, and assigns, and for every of them doth covenant & graunt by these presents, to and with the said Owners and Maisters, their executors, administrators, and assigns, That he the said Marchant, his executors, or assigns, shall and will aswell within the said Port of London, and at Goze end, as at L. aforesaid, within everie of the sayd limited abyding dayes, aswell discharge the said Ship, as recharge and lade into her one hundred and foztie Tunnes of whatsoever goods or marchandizes, reckoning and accounting two Pipes for a Tunne, foure hoggelheads for a Tunne, thre Punctions for a Tunne, sixe Tertians for a Tunne, two and twentie Hintals and a halfe of the weight of Andolozea for a Tunne: And of bagges of Spices, and chests of Sugar, according to the vse of Marchants and Marchandize. And also that he the said Marchant, his Factors or assigns, shall within the said abiding dayes at L. aforesaid, or so soone as the sayd Ship shall be there as above laden, give their notice unto the said Maister or his assigns, whether the same Ship shall make her right discharge at A. or London. And also that he the sayd Marchant, his Factors or assigns, shall and will truly pay, or cause &c. unto the said owners, or to one of them, their executors or assigns, for everie Tunne of the said Ships lading that shall be discharged or unladen at London aforesaid fiftie Shillings of lawfull money of England, The one halfe thereof within sixe dayes next after the right discharge of the same Ship at London aforesaid, And the other halfe thereof, within one moneth next ensuing the expiration of the same sixe dayes, together with petylodeminage, primage, and overage, wont and accustomed. And also that he the sayd Marchant, his Factors or assigns, shall truly pay, or cause &c. to the sayd Owners or their assigns, freight for everie Tunne of the sayd Ship lading, from L. aforesaid, that shall be discharged at A. aforesaid, sixe and fiftie Shillings and eight pence, of lawfull mony of England, or the iustt value thereof in money there curreant, the one halfe thereof within sixe dayes next ensuing the right discharge of the said Ship at A. aforesaid, and the other halfe thereof within one Moneth next ensuing the expiration of the said sixe dayes, together with petylodeminage, primage, and overage, wont and accustomed. And moreover, that he the sayd Marchant, his Factors or assigns, shall and will for everie day that the sayd Ship shall carrie as above at L. aforesaid) over and above the said foztie five dayes) there truly pay,

or cause to be payed &c. to the said Master, or his assignes, five duckats of money there currant, without fraud or guile. And the sayd Owners and Masters doe covenant, graunt, and warrant by these presents, that the sayd Ship shall be able to receiue into her vnder hatches at L. aforesaid, over and beside her victuall, tackell, and apparel, the said quantitie of Cxl. Tunnes. And that the sayd Ship is & shall be strong, and staunch, and well and sufficiently victualled, tackled, apparelled, and furnished with masts, sayles, sayle-yards, anchores, cables, ropes, cordes, gunnes, gunne-powder, shot, artillerie, tackle, apparell, boate, and furniture meet and decent for such a Ship, and for such a boiage, together with an able master, five and twentie able men, and a boy: which men and boy shall be readie at all times convenient during the said boiage, with the cocke or boat of the sayd Ship to serue the said Marchant, his Factors & assignes, to and from land. And to all and singular covenants, graunts, and articles aboue expressed, which on the behalfe of the said Owners and Masters, and everie of them, are well and truly to be kept and perfozmed in all things as aboue, the sayd Owners and Masters bind themselves, their executozs and administratozs, and everie of them, and especially the Ship aforesaid, with the freight, tackle, and apparrell of the same, vnto the said Marchant and his executozs and administratozs, in the penaltie and summe of foure hundred pounds of lawfull money &c. truly to be payed by these presents. And in like manner to all and singular covenants, graunts, articles, and agreements aboue expressed, which on the behalfe of the said Marchant, his Factor and assignes, and everie of them, are truly &c. the said Marchant bindeth himselfe, his executozs, administratozs, and goods, and everie of them, vnto the said Owners, and to their executozs & administratozs in the like penaltie and summe of foure hundred pounds of &c. truly to be payed by these presents. In winessle whereof, the parties aforesaid to these Charter parties indented, interchangeably haue set their seales. Dated 3. die Iulij, Anno 23. dominæ nre Regine Elizabethæ.

A sale of a Quarter or fourth part of a Ship.

TO all Christian people to whom this present writing shall come, Sect. 657.
 H. B. of London Esq. Owner at this present of one Quarter or fourth part of the good Ship or Barke called the Minikin of London, and of one quarter or fourth part of all her masts, sailes, saile-yards, and anchores,

anchors, cables, ropes, cordes, gunnes, gunne-powder, shot, artillerie, tackle, apparrell, munition, boatkiffe, and furniture whatsoeuer to the said Shipps belonging or appertaining, sendeth greeting in our Lord God euerlasting. Know yee, that I, the said H. B. for and in consideration of the summe of thirtie pounds of ac. wherof ec. Haue giuen, graunted, bargained, and sold, and by these presents doe giue, graunt, bargain, and sell vnto the said T. W. the said one quarter or fourth part, as well of the said Ship or Barke called the *Minion*, as of all the masses, sailes, saile-yards, &c. and furniture whatsoeuer, to the said Shippe belonging, or in any wise appertaining. To haue and to hold the said one quarter or fourth part as well of the said Shippe, as of all and singular other the premises befoze by these presents mentioned or intended to be bargained and sold vnto the said T. W. his executozs and assignes, as his and their owne proper goods, to his and their owne proper vse for euer. And I the said H. B. for mee &c. doe couenant &c. That I the said H. B. the day of the date hereof, am the vertie, true, lawfull, and perfect owner of the said one quarter or fourth part of the said ship, and of all and singular other the premises by these presents mentioned to be bargained and sold, and of euerie part and parcell thereof. And that the said one quarter or fourth part of the said Ship, and all other the premises by these presents mentioned to be bargained and sold, seuerly part and parcell thereof, the day of the date hereof, and at then sealing and deliuerie of these presents, now are and be, and so from hencefozth shal continue, remaine, and bee vnto the said T. W. his executozs and assignes, cleere and cleerly acquited, exonerated, and discharged, or sufficiently saued and kept harmelesse by mee the said H. mine executozs and assignes, as well of and from all and singular former bargaines, sales, giffes, graunts, troubles, and Incumbrances whatsoeuer, had, made, committed, caused, procured, or done by mee the said H. or by any other person or persons, by my meanes, knowledge, sufferance, consent, or procurement: As also of, for, and from all and singular debtes and summes of money which the said Shippe, or the said quarter or fourth part thereof, and other the premises by these presents bargained and sold, is of right indebted, or in any wise chargeable to any person or persons whatsoeuer. And I the said H. mine executozs & administratozs, and euerie of vs, the said one quarter or fourth part of the said Ship, and all and singular other the premises befoze by these presents mentioned to be bargained and sold vnto the

said

said T. P. his executozs or assignes, against all men that shall or may pretend or claime any lawfull right, title, or interest, of, in, or to the said quarter or fourth part, as well of the said Ship, as other the said premises, above by these presents mentioned to be bargained and sold, or of, in, or to any part or parcell thereof, within one whole yeare and a day next ensuing the date of these presents, shall and will warrant, discharge, and defend by these presents (perill of seas, fire, and enemies onely excepted.) In witnesse &c.

A sale of a Ship in a short forme.

TO all Christian people to whom this present writing shall come, Sect. 658.
 James A. Citizen and J. of London, owner of the good ship called the Bonaventure of W. of y burden of 200. Tunnes, or thereabouts, now riding at an anchoz in the riuier of Thames within the Port of L. and of all and singular masts, sayles, sayleyards, anchozs, cables, ropes, cordz, gunnes, gunpowder, shot, artillerie, tackle, apparell, munition, boat skiffe, & furniture whatsoeuer to the said ship belonging or appertaining, sendeth greeting in our Lord God euerlasting. Know yee, that I the said J. A. for, & in consideration of the summe of £c. of lawfull money of England, to me in hand befoze the ensealing & deliuerie hereof truly paid by W. R. of London Marchant (of which summe I the said J. A. doe acknowledge the receipt by these presents.) Haue bargained & sold, and by these presents doe bargain & sell vnto the said W. R. the said ship, called the B. of W. and all and singular the said masts, sayles, sayleyards &c. to the said ship belonging or appertaining, or to or with the said ship now vlesed or occupied. To haue and to hold the said ship called the B. &c. and all & singular the said masts, sayles, sayleyards, anchozs, cables, ropes, and all & singular other the premises hereby mentioned to be bargained & sold to the said W. R. his executozs, administrators, & assigns, to and for the only and proper vse and behoefe of the said W. R. and of his executozs, administrators, and assignes for euer. And I the said J. A. mine executozs and administrators, the said ship and other the premises hereby mentioned to be bargained and sold to the said W. R. his executozs and administrators against all men, shall warrant and defend by these presents, for one whole yeare and a day next ensuing the date hereof, according to the law of Oleron (perill of sea, fire, and enemies onely except.) In witnesse &c.

A Bill of Lading.

Iesus in London the 16. of Iune, 1579.

Sect. 659.

Laden by the grace of God in god safetie within the Port of London by W. A. and R. J. of London aforesaid Marchants, upon the good ship called the W. of London aforesaid (whereof is Master under God L. W.) tenne packets of Flare, euerie packet containing fortie eight bundels, marked with the marke in the margent hereof, & eighteene lasses of Pitch, being not marked, to be conueied in the said ship to the Port of C. in Britaine, and there to be consigned well conditioned vnto A. B. Factor of the said W. A. and R. J. In witness of the truth wherof, the Purser of the said ship hath firmes two Bills of one tenor, one being accomplished, the other to rest void.

A Bill of Exchange.

Laus Deo, in London 26. Iunij, 1598.

Sect. 660.

A double vslance, I pray you pay by this my first Bill of Exchange, my second and thirde not being payed vnto R. W. Marchant, or the byinger hereof, the summe of one hundred pounds Flemish mony, currant in W. for Marchandises, and is for the very value thereof here by me receiued of the said R. W. At the day I pray you make him god payment. And thus God keepe you.

Per me A. B.

Nota, Billes of Exchange are commonly directed, and to be answered in foure manners, viz.

1. At sight, which is vpon shew of the Bill.
2. At halfe vslance, which is at the end of halfe a moneth after the date of the Bill.
3. At vslance, which is at the end of a moneth after the date of the Bill.
4. At double vslance, which is at the end of two moneths after the date of the Bill.

A Bill of credit.

This present writing Witnesseth, That **J. T. S.** of London Alder, Sect. 661.
 man do undertake to & with **R. C.** of the Citie of **Wiltow** Mer-
 chant his executozs and administratozs, that if he deliuer vnto **A. W.**
 or vnto any of his assignes to his vse, any summe or summes of money
 amounting to the summe of five hundred pound of lawfull money
 of England or vnder, and shal take a bill vnder the hand and seale of
 the said **A. W.** confessing and shewing the certainty therof, That then
J. mine executozs or administratozs having the same Bill to vs or a-
 ny of vs deliuered, shall immediatly vpon the receit of the same Bill
 pay or cause to be paied to the said **R. C.** his executozs or assignes, all
 such summes of money as shall be contained in the said Bill. To the
 which payment truely to be made, **J.** bind me, mine heires, executozs,
 and administratozs by these presents. In witnesse &c.

*A protest for not accepting of a Bill of
 Exchange.*

IN Dei nomine Amen. Vniuersis & singulis presens protestationis in- Sect. 662.
 strumentum visuris, lecturis, seu auditoris pateat euident, & sit notum,
 quod anno domini millesimo quingentesimo nonagesimo octavo, &c.
 anno regni dominæ nostræ Elizabethæ, dei gratia Anglⁱ, Franciæ, & Hi-
 berniæ Reginæ fidei defensoricis &c. quadragesimo, mensis vero Sep-
 tembri die duodecimo. In mei notarij publici infranominati, testiumque
 infracriptorum presentia, personaliter constitutus, prouidus & discre-
 tus vir dominus **R. H.** de Londoñ Mercañ, habens in manus quasdam
 literas originales Cambij, sequentis tenoris, viz. Laus deo in **H. the 17th**
of August 1598. At vsance it may please you to pay by this my first
 Bill of Erchange, my second and third not being paied, vnto **R. H.** of
 London Merchant or to his assignes, the summe of **17ij. l.** Sterling, &
 is soz so much receiued here of **R. S.** after **xx. s. ix. d.** per pound, of
 the which aforesaid summe of **17ij. l.** at the day it may please you to
 make good payment, and to charge it to your account, And so God
 keepe you. Subscriptio erat, per me Edward' Barneby: Super-
 scriptio vero, To the woꝝshipfull **J. W.** Merchant in London.
 Primo, Requisiuit me dictum Notarium vt secum & dictis testibus

me contulerim ad ædes dicti I. W. fitas in platea nuncupaſ C. Londoni
 vt eadſem cambij literas eidem preſentaret acceptandas, Quibus quidẽ
 literis ſic preſentatis, idem I. W. reſponſum dedit & dixit ſe eadſem ac-
 ceptare nolle, Qua quidem reſponſione ſic data & per dictum R. H. fir-
 miter audita & inteleſtꝝ proteſtatus eſt, et ſerie pſentium proteſtatur, tã
 contra prædictum E. B. ſubſcribendum, quam contra quofcunqꝛ alios
 ad quos quomodocunqꝛ pertinere vt debetur de cambijs, recambijs,
 omnibusqꝛ alijs damnis, expenſis, amiſſis, & et intereſſe quæ prenomina-
 tus R. H. paſſus eſt, patitur, aut poſthac adhuc, forte pati cogetur, ob de-
 feſtũ acceptationis literarũ Cambij prædictarum. Aſta fuerũt hæc Lon-
 dini omnia & ſingula prout ſupra ſcribuntur & recitantur, preſentibus
 tunc ibidem A. B. & C. D. Mercatoribus Londinenſibus, Teſtibus ad p-
 miſſã vocatis ſpecialiter, atqꝛ rogatis.

Et ego A. B. Ciuis Ciuitatis Londini publicus dictæ Regiũ
 Maieſtatis notarius admiſſus atqꝛ iuratus, quia vna cum p-
 nomiaſ Teſtibus premiſſis intertui, igitur hic me ſubſcripſi
 ſignumqꝛ meum ſolitum & conſuetum appoſui, rogatus in
 fidem premiſſorum.

*An aſſurance or policie vpon goods laden in a Ship to be transported
 from one Port to another.*

Sect. 663.

IN the name of God Amen. The twentieth day of December, in the
 yeare of our Lozd God one thouſand xc. and in the foꝛtieth yeare
 of the raigne of our Soueraigne Ladie Elizabeth xc. Bee it knowne
 vnto all men by theſe preſents, That William U. of London Mer-
 chant, as well in his owne name as in the name of all and euerie o-
 ther perſon and perſons, of what nation, condition oꝛ qualitie ſoeuer
 he oꝛ they be, to whom it doth, may, oꝛ ſhall appertaine in part oꝛ in
 all, doth make aſſurance, and cauſeth hym and them, and euerie of
 them to bee aſſured from the Port of S. to the Port of London by
 on ſugers oꝛ any other kind of Merchandizes whatſoeuer, laden oꝛ
 to be laden by him oꝛ them, oꝛ foꝛ him oꝛ them, oꝛ in his oꝛ their, oꝛ a-
 ny of their names, oꝛ in the name of any other perſon oꝛ perſons in
 the good Shippe called the M. of V. whereof is Maſter J. B. oꝛ who-
 ſoeuer ſhall goe foꝛ Maſter in the ſaid Ship, and by whatſoeuer other
 name oꝛ names the ſaid ſhip, oꝛ maſter is, oꝛ ſhall be named oꝛ called :
 Beginning the aduenture from the day & houre that the ſame goods
 were

were, or shall be laden aboard the said ship at S. aforesaid, and to continue and endure untill such time as the same ship shall be arrived to the said Port of L. & the goods there laid on land in good suttie. Touching the adventure and peril which the Assurers hereunder named are contented to beare and take upon them in this present voyage, is of war, Fire, Enemies, Rovers, Zetelson, letters of Marque, detainmēt, arrest, and restraint of Princes, or of any other person or persons, Barratry of the Maister and Mariners, and of all other perills and fortunes whatsoever they be, or howsoever it shall chance, to the hurt of the said goods or any part thereof. It is to be understood, that this present writing shall be of asmuch force and effect, as any other writing of assurance which is used to be made at the Royal Exchange in London, or at the Bourse in A. And so the said Assurers are contented, and doe bind and submit themselves, their executors, administrators, & goods. And so witness of the truth, the said Assurers hereunder shall subscribe with their owne proper hands. God send the good Shippe in safetie.

I James H. do agree to this assurance, for the
 summe of one hundred poundes, the xx. day of
 December, Anno Domini ꝛc. God save the } C. xi.
 good Ship. _____ }

I W. B. do agree ꝛc. vt antea.

*An assurance or policie upon the life of a man,
 for a certaine time.*

IN the name of God Amen, Bee it knowne unto all men by these Sect. 664
 presents, That A. W. of London S. doth make Assurance and
 causeth himselfe to be assured upon the natural life of T. B. for, and
 during the space of five Monethes, next insuing the underwriting
 hereof by the persons hereafter subscribed, fully to be complete and
 ended, Which said T. B. is now in health and well, and meaneth
 not to traualle out of England: The which assurance wee the per-
 sons hereafter named, for, and in consideration of certaine currant
 mony of England, by vs received at the subscribing hereof of the said
 A. W. after the rate of five per cent, whereof wee acknowledge our
 selves, and euerie of vs by these presents truly satisfied & paid, do take
 upon vs to beare. And wee doe assure, by these presents, that the said
 T. B. by what addition soener he is or shall be named or called, shall by
 Gods grace continue in this his naturall life, for, & during the space
 of

of six moneths, as aforesaid: Or in default thereof, euerie of vs the assurers to satisfie, content, and pay, or cause &c. vnto the said R. W. his executozs or assigns, all such summe & summs of mony as we the assurers shal hereafter severally subscribe: Promising and binding our selues each one for his own part, our heirs, executozs, & administrators by these presents, That if it happen y^e said R. W. to die or decease out of this present world, by any waies or means whatsoeuer, befoze the ful end of the said six moneths be fully expired, That then we, our heires, executozs, or administrators, within two moneths next after true intimation thereof be to vs, our heirs, executozs, or administrators lawfully giuen, shall well and truly content and pay, or cause &c. vnto the said R. W. his executozs, administrators, or assigns, all such summe and summes of mony, as we the assurers shall hereafter severally subscribe, without any further delay. It is to be vnderstood, that this present writing and assurance being made & registred, according to the Ducenes Maiesties order and apppointment, shall be of asmuch force & effect, as the best and most sure policie or writing of assurance which hath bin ever heretofore vsed to be in Lombard street, or now within the Royall exchange in London. And so wee the assurers are contented, & do promise and bind our selues, & euery of vs, our heires, executozs, and executors, by these presents, to the assured, his executozs, administrators, and assigns, for the true perfozance of the premises, according to the vse and custome of the said street, or Royall exchange: Submitting our selues to the order, determination, and iudgement of such Merchants as now be, or hereafter shall be sworn and auzhorized by the Lord Maior of the Citie of London for the time being, for the deciding and ending of causes of Assurances. And in testimonie of the tracth, wee the assurers haue hereunto severally subscribed our names and summes of mony assured. Giuen in the office of assurance within the Royall exchange in London the 14. day of May 1596.

I Joh. B. am content with this assurance
 (which God preferue) for the summe of } L. P.
 fiftie poundes, the 14. of May 1596. }

I Tho. A. am content &c. vt supra.

*An Obligation in French, for payment of a certaine
summe of Money.*

AV Nom de Dieu Amen, Sachent tous presentz & auenir, que ce Sect. 665.
Iour huy dernier du moyes de Feburier, l'an de nostre Seignieur Ie-
sus Christ Mil cinq cens quatre vingtz & sept, stile d'Angleterre, &
de Reigne de nostre Serenissime Dame Elizabeth par la grace de Dieu
Roigne d'Angleterre &c. l'an Trentiesme. Par deuant moy A. B. No-
taire & Tabellion publiq demeurant a Londers, par l'authoritate de la
Maiestie de ladicte Roigne admys & iure, & en la presence des tes-
moignz cy deffoubz nomez comparant personnellement, P. B. Marchant
de Bourdeaux. Le quel comparant de son bon gree, franche, & libre vo-
lonte, sans aucune contrainte a reconnu & confesse deuoir bien & loy-
aument a honeste homme G. B. Maistre de Nauire de Bourdeaux de
present demeurant a Redderif en la Countee de Surry, en ce Royaulme d'
Angleterre a ce present, & acceptant la somme de Treize lieures six
soulz & huit deniers sterlings, montant a raison de troys escuz d'or
sol. & un tiers pour lieure, a la somme de quarante quatre escuz. d'or
sol. & vingt sept soulz Tournoys, & ce pour semblable somme que
ledict Comparant confesse que ledict G. B. auoyt paye pour luy a G. H.
Maistre de Nauire Angloys demeurant a Lee en la Countee d'Essex en
ce dict Royaulme. La quella susdicte somme de quarante quatre escuz
d'or sol. & vingt sept soulz Tournoys, ledict Comparant a promis
& promet par ces presentes payer, ou faire payer bien & fidelement
audiect G. B. ou a son ayant cause, deuant le quatriesme iour de De-
cembre prochainement venant apres la date de ces presentes sans vl-
terieur delay, a paine de payer oultre, & par dessus ladicte somme
principalle, tous despens, dommages, & interestz : Obligeant a ce
ledict Comparant sa personne, & tous & chascuns ses biens meu-
bles & immeubles presentz & auenir, a estre prins & vendus
per Iustice, come si par sentence de Iudge competent il fust a ce con-
dempne, et ladicte sentence fust par luy approuuè et ratificè. Et ledict
Com-

Comparant a renonce, & renonce par cestes a tous loix, droits, custumes, benefices, privileges, & exceptions, qui luy pourroyent seruir contre l'effect de ces presentes, & speciallement au droit disant generale renonciation des loix non valoir, si l'especialle ne precede. Le tout a la bonne foy sans fraude ou collusion. Ce fuit ainsy fact & passe en ceste Cite de Londres, es presences de A.B. & C.D. Marchantz, Tesmoingz a ce appelez & requis.

In testimonium præmissorum, ego Notarius publicus supra-nominatus præfens instrumentum signo meo manuali solito signavi, requisitus.

An Obligation by one in the name of another, by vertue of a Procuration, where the Constitutor is charged for the debt.

Sect. 666.

IN Dei nomine Amen, Anno Domini nostri Iesu Christi, Millesimo quingentesimo octuagesimo nono, die vero secundo mensis Septembr̄ stilo nouo, qui est vigesimus tertius mensis Aug. stilo Angl', comparuit coram me R. B. Notario & Tabellione publico, per consilium priuatum, necnon Prouincial' Ducatus B. admissio & approbato, & testibus infra-scriptis, G. G. de & c. vti Procurator ad infra-scripta plene, & sufficienter constitutus magnifici D. Ro. M. Senatoris, Aldermanni & Ciuis Ciuitat̄ L. vti apparet per mandatum Procuratorium ibidem originaliter exhibit̄ descript̄ in membrana signat̄ & sigillat̄ vti apparet, per dictum R. M. & rogatum, manu T. P. Notarij publici Londini, sub die xvj. mensis Iunij vltime præteriti, de anno præfenti Millesimo quingentesimo octuagesimo nono, stilo Angl', & in ea qualitate sponte & deliberate confessus est, & cōfiteatur p̄ has præfentes, bene, fideliter, & titulo veri, iusti, & legitimi debitor̄, debere magnifico D. Bartholemeo B. Patricio Ianuensi ibid̄ præfenti & acceptanti summam & c. legalis monet̄ Angl', p̄ valore eiusdem summæ p̄ parte dicti Magistri D. R. ab eod̄ Creditore plene & integraliter habito &

& confecuto, ad ipsius D. comparentis nomine, & qualitate qua supra, plenā satisfactionem: Renunciāns ad hunc effectum exceptioni non numeratæ pecuniæ, & quibuscunq; appendicibus eiusdem. Quam quidem summam &c. legalis monetæ Angliæ dictus G. G. procuratorio nomine quo supra, bene & fideliter soluere & satisfacere p̄misit & p̄mittit p̄ has præsentēs, p̄dicto Magistro D.B.B. vel actioni seu mandatū suum habenti in dicta Ciuitate Londinensi, viz. medietatē p̄dictæ summæ &c. quæ ascendit ad &c. dictæ monetæ Angl', die primo mensis Ianuarij proximo futuro post datum præsentium. Reliquam vero medietatē quæ ascendit ad similem summam &c. dictæ monetæ Angl', die primo &c. sine aliqua contradictione aut mora: Aut alias (vltra prædictā summam) dictus D.R.M. p̄fato Creditori soluere & satisfacere tenebitur, omnia damna, expensa, & interesse, ob defectum dictæ solutionis, & cuiuslibet partis eiusdē habita & passa, seu habenda vel patienda. Et pro p̄missorum plenaria obseruatione dictus G.G. obligauit, & obligat p̄ p̄sentes p̄fāt D.R.M. suū principalem suosq; hæredes, executores, commissos, atq; omnia & singula sua bona mobilia, & immobilia, p̄sentia & futura, tam vltra, quam citra mare vbicunq; existentē. Renunciāns omnibus & singulis exceptionibus, legibus & fauoribus in contrariū. Petens & consentiens à me Notario supra p̄missa fieri instrumta & acta publica in omni meliori forma. Actum in aedibus mei Notarij, in platea vocatē &c. sitis, p̄sentibus ibi d̄, A. B. & C. D. testibus ad p̄missa vocatē & rogatis. Et dictē Comparens subsignauit schēdam Procuratorio nomine vt supra.

G.G.

Ego Notarius & Tabellio publicus supra, & infrascriptus, pro copia ex actis meis fideliter transumpta & concordare reperta, hic me subscripsi.

R. de B. Notarius publicus.

*A Cession or Transport of a rest of an Account
due for Marchandises.*

A *¶ Nom de Dieu Amen, L'an de la Natiuité de nostre Seigneur Sect. 667.
Dieu selon le course & computation de pais d'Angleterre, Mil
cinq cent quatre vingtz & quatorze, & l'an du Regne de nostre Se-
renissime*

renissime Royne Elizabet a present regnant xxxvij. le dixiesme iour de mois de Feburier, Pardeuant moy A. B. Notaire & Tabellion publicq, par l'authorité de la dite serenissime Royne admis & iuré, & en la presence de tesmoignaz dessoubz nommez comparut en propre personne Pierre L. Marchant demeurant en Londres, lequel pour asseurer a F. V. Marchant demeurant a Middlebourgh, de toutes debtes & sommes des deniers par ledict Comparant audict F. V. deuez tant pour argent contant, & ioyaulx, que auters marchandises; Renonceant en cc a toutes exceptions quelconques, en la meilleure forme & maniere que de droit, custume, ou autrement luy soit aucunement permis, librement & franchement, pur luy & ses heirs & executeurs, a cedé & transporté, Cede & transporte par cestes librement & franchement audict F. V. (acceptant & recepuant) tout le droit, tiltre, & action que le dit Comparant a, ou aucunement a luy appartient, ou appartenir pourra, intentée contre Pierre Van G. Marchant demeurant en Amsterdam, a cause du reste du compte procedant de Soixant drapz appellez **Deuonshire Kersies**, Cent pieces de drapz appellez **Nordres douzantes**, Trent & deux pieces de drapz appellez **Nordres Carisees a larges listes**, Vingt pieces de Carisees appellez **Kettle Whites**, & treize pieces de drapz de Nord appellez **Norden Cloth**, montantz a la somme de ouze cent quarze vingt & ouze liures & dix solz, de monoye de Flaunders, selon l'accompt, & scedule escript, & subscript de la main propre dudit Comparant, & a ces presentz attaché: Lesquelles Carisees & draps dessus nommez, le dit Pierre Van G. a receu, come de biens propres dudit Comparant pour luy en faire compte & ment come est iuste. Constituant le dit Comparant le dit Francois Venant le seul, vray, & legitime Maistre, droiturier, possesseur, & propriétaire de la dicte action, droit, & tiltre qu'il a, ou ascunement peut, ou purroit auoir contra ledit Pierre Van G. tant a cause desdits Carisees & draps, & compte auant dit, come des despens, domaiges, & interestz, qui en seront adiudges ou recourees; Le tout pour en faire user & disposer come des propres biens dudit F. V. a luy apertenantz, & a iuste tiltre acquis, et ce autant largement come le dit Comparant faire pouuoit

deuant

deuant la date de ce present transport, a la charge que le dit F. V. ayt a rendre compte, & reliqua audiēt Comparant de surplus que procedera dudiēt G. a cause que dessus. Et le dit Comparant renoune par cestes tous exceptions, priuileges, et benefices, des droits que luy pourroyent seruir ou valoir contre l'effect de cestes: Requerant et consentant ledit Comparant de ce que dessus par moy Notaire susdiēt estre expedie Instrument, vn ou plusieurs en forme publique. Ainsi faict et passe a la maison de moy Notaire susdiēt en Londres, en la presence de Hubert F. et A. B. tesmoingz à ce priez et requis, l'an et iour que dessus. Et le diēt Comparant en plus ample tesmoignage de tout ce que dessus a ces presens, a mis son seau et signe.

Et quia ego A. B. Clericus Ciuis Ciuitatis Londini, publicus sacra Regia autoritate Notarius atque Tabellio admissus atque iuratus, præmissis omnibus & singulis dum sic vt præmittitur, vnà cum dictis testibus interfui, eaque sic fieri, vidi, sciui, et audiui: Igitur hoc Instrumentum confeci, signoque et nomine meis signaui rogatus, in fidem præmissorum.

A pro-

*A procuration by a Marchant to a Façtor, to buy certaine
kinds of Marchandise.*

Sec. 668.

IN Dei nomine Amen, Per hoc præsens publicum Instrumentum cunctis appareat, & sit notum, Quod anno Domini (iuxta cursum & computationem Ecclesiæ Anglicanæ) Millesimo quingentesimo nonagesimo quinto, Annoq; regni serenissimæ in Christo Principis & dominæ nostræ Elizabethæ Dei gratia Angliæ, Franciæ, & Hiberniæ Reginæ, fidei defensi & c. xxxvij. mensis vero Marcij die xxvij. Coram me A. B. sacra Regia autoritate Notario atque Tabellione publico admissio atque iurato, testibusque subscriptis, personaliter constitutus, comparuit, probus, & honestus Mercator Iohann D. Civis & Mercerus Londini, qui sponte, & sua certa scientia, omnibus quibus de Iure melioribus & efficatoribus potuit, & potest, vijs & modis, fecit, constituit, creavit, nominavit, & solemniter ordinavit, ac præsentis publici Instrumenti tenore facit, constituit, creat, nominat, & ordinat, providum & discretum iuvenem Anthonium F. de G. in diocesi Coloniensi in Germania, licet absentem tanquam præsentem, eius verum, certum, legitimum, & indubitatum Procuratorem, auctorem, factorem, et negotiorum suorum infrascriptorum gestorem ac Nuncium specialem & generalem: Ita tamen quod generalitas specialitati non deroget, nec e contra, viz. specialiter & expresse ad ipsius constituentis vice & nomine, & pro eo emendum, & titulo emptionis acquirendum Francofurti, ad moenum in Nundinis quæ bis in anno ibidem celebrantur, omnia Serica & mercimonia alia quæcunque pro dicto Procuratori videbitur & placebit, ab illo vel illis, & pro eo pretio vel pretijs, & sub illis formis & modis, & cum illis cautelis, prout & sicut dicto Procuratori pro maximo commodo dicti Constituentis videbitur & placebit, Pretiumq; conuentum, seu pretia conuenta pro dictis Mercibus soluendum & numerandum, seu ad quemcunque, seu quoscunque terminos promittendum. Ac insuper ad vendendum, alienandum, & cambiandum omnia bona & merces, tam præsentia quam futura dicti Constituentis in Germaniam transmissa, seu transmittenda, cui, & quibus, & pro illo pretio, & pretijs, prout & sicut dicto Procuratori videbitur & placebit. Necnon ad petendum, exigendum, & recipiendum omnia & singula, & quæcunque bona, iura, & res dicto Constituenti, à quibuscunque personis in partibus Germaniæ degentibus debita, siue spectantia, aut imposterum ex causa quacunque debenda, soluenda, seu satisfadenda:

Et

Et generaliter ad omnia & singula alia faciendum & exercendum quæ ipsemet constituens facere posset si præsens psonaliter interesset, etiam si talia forent quæ mandatum exigèrent magis speciale vel præsentiam eius personalem : Promittens insuper & conueniens dictus constituens mihi notario infra scripto, vt publicè personæ recipienti, et stipulanti, p omnibus & singulis quorum interest, interit, aut interesse poterit quomodolibet in futurum, se ratum, gratum atque firmum perpetuo habiturum, totum & quicquid p dictū eius procuratorem in præmissis, actum, factum, gestum, procuratumue fuerit ; Releuantque & releuare volens idem constituens dict' suum procuratorem ab omni onere satisfidandi, & damni in hac parte. Promisit insuper mihi notario antedictō, & infra script' vt prefertur recipienti & stipulanti, se dict' constituentē tempore & temporibus congruis et debitis fidelit' cuicunque & quibuscunque creditori et creditoribus persolutor, omnia debi' & pecuniarum summas p dict' mercibus pro et in nomine dict' constituentis emendis soluenda siue debenda, sub hypotheca & obligatione sui suorumque hæred' & executor, & bonorum omnium & singulorum p sentiu' & futuror, ac sub omni iuris et facti renuntiatione ad hæc necessaria pariter & cautela, actum Londin' in ædibus mei dicti notarij in vico vocato L. sicis, præsentibus tunc ibidem A.B. & C.D. testibus, ad præmissa vocatis, atque rogatis, an' die & mense supradictis. Et in maiorem fidem præmissorum dictus constituens p sentibus sigill' suum, & manus suæ subscriptionem apposuit.

Et quia ego A.B.&c.

*A. conenant by a Factor to retorne Marchandises brought for
the constitutor from partes beyond the seas, and to
make a faithfull account.*

IN dei nomine Amen. Per hoc præsens publicum instrument' cunctis appareat sit & notum, Quod cum probus & honestus Mercator Io-hannes M. ciuis & M. Londini, per literas suas procuratorias, datas nono die Marcij anno domini 1594. fecerit et constituer' Anthonium H. de G. in diocæci Coloniensi in Germania procurator' suū generalem ad negotia sua omnia facienda Francofurti ad Mænum in nundinis ibidē bis annuatim celebrandis, vti per easdem literas plenius appareat. Dicitus modo Anthonius die mense & an' in calce præsentis instrumenti conscriptis, coram me A.B. notario &c. testibusque infra scriptis comparuit, ac omnibus melioribus vijs & modis quibus

Seet. 669.

R r

potuit

potuit aut potest, promisit mihi Notario pub. antedicti recipienti & stipulanti pro dicto Iohanne M. se dictum comparentem singulis de hinc Nundinis Francofurtensibus, quamdiu actor factorie negotiorum dicti Ioh. fuerit eidem Ioh. Londin in Angl' transmissurum, non solum Merces omnes quascunque vice & nomine dicti Ioh. M. & pro eo emendas, sed etiam verum, iustum, & fidelem computum & calculum omnium & singulorum negotiorum per eundem comparentem pro dicto Iohanne M. actoris & agendorum absque omni fraude vel dolo malo quocunque: Et hoc sub hypotheca & obligatione sui eiusdem comparentis, suorumque heredu et bonorum omnium & singulorum presentium & futurorum, ac sub omni iuris et facti renunciatione ad hec necessaria pariter et cautela. In quorum fidem et testimonium &c.

Procurator to recover and receive all Debts owing by a certaine person.

Act. 670.

IN Dei nomine Amen. Per hoc presens publicum instrumentum cunctis appareat et sit notum, Quod anno domini 1595. annoque regni serenissime in Christo principis dñæ nostræ Eliz. dei gratia Angliæ, Franciæ, & Hiberniæ reginæ fidei defensoris &c. xxxvij. mensis vero Maij die decimo quinto, coram me A. B. sacri regie autoritate Notario atque tabellionem pub. admisso atque iurato, testibusque subscriptis psonaliter constituti, comparuerunt probi & honesti Mercatores Ioh. B. ciuis et Piscenarius Londini, & Arthuf S. ciuis & Grocer Londini, qui sponte & suis certis scientijs, omnibus quibus de iure melioribus, & efficacioribus potuerunt, & possunt vijs & modis, fecerunt, constituerunt, creauerunt, nominauerunt, & solemniter ordinauerunt, ac presentis publici instrumenti tenore faciunt, constituunt, creat, nominant, & ordinant, & eorum uterque facit, constituit, creat, nominat, et ordinat, probum & honestum Mercatorem Guilielmum E. in partibus Hollandiæ residentem (licet absentem tanquam presentem) eius et eorum verum, certum, legitimum, et indubitatum procuratorem, actorem, factorem, & negotiorum suorum infrascriptorum gestorem, ac Nuncium specialem & generalem. Ita tamen quod generalitas specialitati non derogat, nec e contra, videlicet specialiter & expresse ad ipsorum constituentium et eorum utriusque nominibus & nomine, & pro eis & eorum utroque petendum, exigendum, leuandum, recuperandum, recipiendum, et habendum de Thoma P. Mercatore Londinense, vel de et in bonis

bonis et rebus suis cuiuscunque sint generis, siue qualicatis, et in quorumuis manibus inueniri poterint, quocunque nomine siue additione nominis idem Thomas P. vocatur siue appellatur, omnes et singulas pecuniarum summas et quantitates eisdem constituentibus siue eorum alteri debitas, competentes, et competituras, tam vigore quarumuis schedularum, obligationum, computorum, & scripturū publicarū, vel priuatarū, quam etiam sine; Et dictum Thomā P. tam et pro corporis, quam bonorū arrestationē et sequestrationē, seisiamenta ad solutionem et satisfactionem faciendam, compellendum, & constringendū, et cum tempus fuerit remittendū et relaxandū, ac remitti et relaxari mandandum; Et de receptis, recuperatis, et habitis quietandum, liberandum, et absoluendum, cum pacto solemnī et expresso rem semel habitam vltērius imperpetuum non petendum; Et si necesse fuerit pro præmissis, omnibus & singulis coram quibuscunque Dominis, Iudicibus, Maioribus, Burgi Magistris, Scabinis, consularibus, & alij, Iusticiarijs siue Commissarijs, tam ordinarijs, quam extraordinarijs, ac cæteris iustitiæ ministris, tam ecclesiasticis quam secularibus, quacunque autoritate fungentibus & functuris comparandum, agendum, et experiendū: Dictosque constituentes, et eorum iura in omnibus & per omnia defendendū: Quascunque prouisiones & iuris auxilia, arrestū, sequestēr, detentiones personarum & bonorum, & quæuis alia impetrandum & obtinendum: libellos, positiones, & capitula dandum, datisque responderendū: domicilium eligendū: Litem & lites contestandū: De calumnia vitanda et quoduis alterius generis licitum iuramentū in animam ipsorū constituentium siue eorum alterius præstandum, & ex aduerso præstari videndum: Sententias & acta quælibet fieri faciendū & exequendū: Expensa, dampna, et interesse petendū, & taxari faciendum, protestandum, sententiandū, appellandū, & appellationes prosequendū: Deniquē cum eo concordandū, concludendum, & paciscendum: Et insuper omnia alia acta Iudicialia, & extra Iudicialia faciendum, quæ merita causarum iuris ordo, & facti qualitas exigunt & requirunt: vnum quoque vel plures Procuratorem vel Procuratores loco eius cum simili aut limitata potestate substituendum: Eumque vel eos reuocandum, prout ipso Procuratori melius videbitur & placebit: Et generaliter ad omnia & singula alia faciendum quæ ipsimet constituentes, seu eorum alter facere possent seu possēt, si præsentēs siue præsens personaliter interessent, siue interesset, etiam si talia forent quæ mandatum exigent magis speciale, vel præsentiam eius personalem: Promittens dicti constituentes & eorum vterque promittens

mihī dicto Notario, vt publicæ personæ stipulanti & recipienti, se & eorum verum que ratum, gratum, validum, atque firmum perpetuo habituros & habiturū, quicquid per dict' procuratorem in pmissis, actum, gestum, procuratum uē fuit, sub hypotheca & obligatiō omnium & singulorum bonorum suorum mobilium & immobilium p̄sentium & futurorū, ac sub omni iuris & facti renunciatiōe ad hæc necessaria, pariter, & cautela: Actum Londini in ædibus mei dicti Notarij in &c. sitis, p̄sentibus tunc ibidem A. B. & C. D. testibus ad premissa vocatis atque rogatis, añ, die, & mense supradict'. Et in maior' fidem p̄missor', dict' Constituentes p̄sentibus sigill' sua, & manuū suarum subscriptiones apposuerunt.

Et quia &c.

A Procuration for recoverie of a Debt upon an Obligation, in the parts beyond the Seas.

Sec̄t. 671.

IN Dei nomine Amen, Per hoc p̄sens publicum instrumēt cunctis appareat & sit notum, Qd̄ anno Dom̄ 1596. annoque regni serenissimę in Christo principis & dnæ nræ Eliz. Dei gratia Angliæ, Franc', & Hiberniæ reginæ fidei defens. &c. 39. mēsis vero Febr̄ die vicesimo sexto, coram me A. B. sac̄ regia autoritate notatio atque tabellion̄ pub. admissio atque iurato, testibusque subscriptis p̄sonal̄ constitutus, comparuit p̄bus & discret' vir Hugo M. ciuis & Aurifaber Londini, habens in manu quandam Obligatiō conditionalem in p̄gameno scriptam, inteḡ, sanā, incancellat̄, omnique fraudis suspitione carentem, ac sigillatam (& manibus Arthuri S. nuper ciuis & Groceri Londoñ, & Ioh. S. nuper ciuis & Textoris Londini subscript̄, subsequēt Tenoris) viz.

NOuerint vniuersi p̄ p̄sent' nos Arthur' S. ciuē & Grocer' Lond̄, & I. S. ciuē & Weauer Lond̄, teneri & firmiē obligari Hugoni M. ciui & Aurifabro Lond̄, in trecentis libris bonę & legal' monę Anglię, soluēd̄ eidem Hugoni M. aut suo certo atturnat̄, execut̄, vel administr' suis. Ad quam quid' solutiōn' benē & fidelit̄ faciend̄, obligamus nos & vtrumque nr̄um, p̄ se pro toto & insolid̄, hæred̄, execut̄, & administrat̄ nr̄os firmiter p̄ p̄sent'. Sigill' nr̄is sigillat̄, dat' vicesimo die Nouemb. anno regni dnæ nostrę Eliz. Dei gratia Angliæ, Franciæ, & Hibernię Regin̄ fidei defens. &c. Tricesimo octauo.

The Condition of this Obligation is such, that if the Withinboanden Arthur S. and John S. or either of them, or the execut̄ors,

tozs, administrators, or assignes of them, or any of them, doe well and truly content and pay, or cause to be payed unto the within named Hugh M. his executors or assignes, the summe of one hundred and thirtie pounds of lawfull money of England, in, or upon the twentieth day of November, which shall be in the yere of our Lord God 1596. at the now dwelling house of the said H. M. situate and being in London: That then this Obligation to be void and of none effect: Or else to stand and remaine in full strength and vertue. Subscriptio autem erat. By me A. S. Et præter hæc subscriptum fuit. Sigillavit & deliberavit in p̄sentia A. B. C. D. &c. Qui quidem Hugo M. sponte & sua certa scientia, omnibus quib⁹ de iure melioribus & efficacioribus potuit & possit vijs & modis, fecit, constituit, creavit, nominavit, & solemniter ordinavit, ac p̄sentis pub. instrumenti tenore facit, constituit, creat, nominat, & ordinat, probum & honestum Mercator Nicholaum de Wil⁹ in partibus Holland⁹ residentē, licet absentem tanquam p̄sentem eius verum, certum, legitimum, & indubitatum. Procurator, Auctor, Factor, & negotiorum suorum infrascriptorum gestorem ac Nuncium specialem, & generalem, Ita tamen quod generalitas specialitati non deroget, nec e contra, viz. specialiter, & expresse ad ipsius constituentis nominē, & pro eo petend⁹, exigend⁹, levand⁹, recuperand⁹, recipiend⁹, & habend⁹, de præfat⁹ Arthuro S & Ioh. S. & eorū utroque, vel de & bonis & rebus eorum, & eorū utriusque cuiusunque sint generis siue qualitatis, & in quorumvis manibus inueniri poterint, (quibuscunque nominib⁹ siue additionibus, seu quocunque nomine siue additione, ijdem Arthur & Ioh. vocat⁹ siue appellant) omnes & singulas pecuniarū summas & quantitates, eidem Constituenti debitas, competentes, & competituras, vigore Obligationis supradict⁹, siue aliter. Et dictos Arthur S. & Ioh. S. seu eorū alter, tam p̄ corporis seu corporis, quam bonorū arrestationē, sequestrationē, seissamenta, ad solutionem & satisfactionem faciend⁹, compellandum, & constringend⁹: Et cum tempus fuerit remittend⁹, & relaxand⁹, ac remitti & relaxari mandand⁹: Et de receptis, recuperatis, & habitis, quietand⁹, liberand⁹, & absolvendum, cum pacto solemnī & expresse rem semel habitam ulterio⁹ imperpetuum non petendum: Et si necesse fuerit pro p̄missis omnibus & singulis coram quibuscunque domin⁹, Iudicibus, Maioribus, Burgi Magistris, Scabinis, Consularib⁹, & alijs Iusticiarijs siue Commissarijs, tam ordinarijs, quam extraordinarijs, ac cæteris Iustitiæ ministris, tam Ecclesiasticis quam secularibus, quacunque autoritate fungentibus & futuris comparandū, agendum, & experiendum: Dictumque Constituentem, & illius iura in omnibus & per omnia defendendum:

Quascunque provisiones & iuris auxilia, arresti, sequestri, detentiones personarum & honorum, & quæuis alia, impetrandum & obtinendum: libellos, positiones, & capitula dandum, datisque respondendum: Licem & lites contestandum: De calumpnia vitanda, et quoduis alterius generis licitum iuramentum in animam ipsius Constituentis præstandum, & ex aduerso præstari videndum: Sententias & acta quælibet fieri faciendum et, exequendum: Expensa, damna, et interesse petendum; & taxari faciendum, protestandum, sententiandum, appellandum, & appellationes prosequend': Deniq; cum eis seu eorum altero concordand', concludendum, & paciscendum: Et insuper omnia alia acta Iudicialia, & extra Iudicialia faciendum, quæ merita causarum, iuris ordo, & facti qualitas exigunt & requirunt: vnum, quoque, vel plures Procuratorem vel Procuratores loco eius cum simili, aut limitata potestate substituendum: Eumque vel eos reuocandum, prout ipsi procuratori melius videbitur & placebit: Et generaliter ad omnia & singula alia faciendum quæ ipsemet Constituens facere posset si præsens personaliter interesset, etiam si talia forent quæ mandatum exigent magis speciale, vel presentiam eius personalem: Promittens dictus Constituens mihi dicto Notario, vt publicæ personæ stipulanti & recipienti, se ratum, gratum, validum, ac firmum perpetuo habiturum, quicquid per dictum Procuratorem in præmissis actum, gestum, procuratumue fuerit, sub hypotheca & Obligatione omnium & singulorum bonorum suorum mobilium & immobilium præsentium & futurorum, ac sub omni iuris & facti renunciatione ad hæc necessaria pariter & cautela; Rogans per me Notarium antedict' sibi inde confieri Instrumentum vnū vel plura. Actum Londini in ædibus mei dicti Notarij, in &c. suis, præsentibus tunc ibidem A. B. & C. D. Testibus ad præmissa vocatis atque rogatis, annis, die, & mense supradictis: Et in maiorem fidem præmissorum dictus Constituens presentibus sigillum suum & manus suæ subscriptionem apposuit.

*A certificat of depositions of witnesses under scale of a
Citic: Also a Prucuration annexed.*

Seç. 672.

VNiuerfis & singulis Christi fidelib' presentes literas visuris, lecturis, vel audituris, Iohannes B. Eques auratus, Maior siue Præfectus celeberrimæ ciuitatis Londini in Angliâ, eiusdemque Ciuitatis Aldermanni

dermanni siue Senatores, salutem in domino sempiternam. Nouerit Vniuersitas vestra, quòd die in calce præsentium retroscripta, coram nobis personaliter comparuerunt & presentes fuerunt, probi & honesti viri, Iohannes S. Burger sis prædicti Ciuitatis Londini, annum xxix. agens vel circiter, nuper Minister & Actor negotiorum I. E. Mercatoris Londinensis, & G. S. xxviii. annum agens vel circiter, Minister & Actor negotiorum Gulielmi E. probi & honesti viri, & insignis Mercatoris prædictæ Ciuitatis Londini; Qui neq; metu, dolo, fauore, precibus, ira, inuidia, odio, malitia, nec aliqua alia sinistra machinatione circumuenti nec seducti (vt coram nobis confessi sunt & recognouerunt) sed ex eorum proprijs & spontaneis voluntatibus, & vt veritas in hac parte omnibus euidenter pateat, ac requisiti existentes per prædictum G. E. ad veritatem in ea parte dicendam & proferendam, per & super eorum iuramenta modo consueto præstita, ad sancta Dei Euangelia eorum manibus dextris primitus tacta, dixerunt, deposuerunt, declarauerunt, & certificauerunt vt sequitur, videlicet: Præfatus I. S. in virtute Instrumenti eius prædicti dixit, deposuit, declarauit, & certificauit; Quod ipse in Ciuitate Hamburgi in partibus transmarinis residens in anno domini 1576. Mense Maij, tunc & ibidem possidens omnia & singula illa bona & merces quæ inscribuntur & exprimentur in quadam schædula præsentibus literis annexa, pro se & in nomine suo stipulans, vt de bonis suis proprijs, pro summâ 420. libꝛ monetæ Flandriæ sibi per præfatum G. S. in nomine prædicti G. E. ad tunc solus, vendidit, tradidit, & liberauit absolutè & bona fide prædicti G. S. in eadem ciuitate Hamburgi prædicto mense Maij, anno supradicto, pro vice & in nomine prædicti G. E. recipientis & stipulantis omnia prædicta bona & merces, ad vsum eiusdem G. E. Et prædictus G. S. similiter in virtute iuramenti eius prædicti dixit &c. quòd ipse in prædicta Ciuitate Hamburgi prædicto mense Maij prædicto anno 1576. pro vice & nomine prædicti G. E. stipulans & recipiens, emit & recepit ad vsum ipsius G. E. de prænominato I. S. prædicta bona & merces pro prædicta summa 420. libꝛ, quam tunc & ibidem de bonis eiusdem G. E. eidem I. S. tradidit & persoluit. Et quòd vicesimo sexto die supradicti mensis Maij, anno prædicto vel circiter, eadem bona & merces (duobus sacculis calculatorum exceptis) onerata fuere in portu, siue iuxta portum Hamburgi prædicti, in quibusdam nauibus Anglicis per præfatum G. S. pro & in nomine, & ad vsum dicti G. E. signata cum signo eius vsuali hic in margine conscripto, & de eisdem Nauibus postea

ablata fuere per quosdam ad tunc homines dicto G. S. ignotos, antequam Naues illæ de portu & jurisdictione Hamburgi prædictæ solutæ & liberæ fuerunt. Et insuper nouerit vniuersitas vestra, quod dicto die in calce præsentium retrospecto, coram nobis personaliter comparuit, & præsens fuit prænominatus G. E. qui sponte & deliberatè, ac certa scientia sua, omnibus melioribus via, modo, iure, & forma, quibus magis melius & validius potuit, & potest, fecit, constituit, creauit, nominauit, deputauit, & solempniter ordinauit, dilectos sibi in Christo prouidos & discretos viros, I. S. Mercatorem Angliæ H. commorantem, & G. T. de prædicta Ciuitate Londini Mercatorem, licet absentes tanquam præsentem, suos, veros, certos, legitimos, & indubitatos procuratores, aucthores, actores, & negotiorum suorum infrascriptorum gestores ac nuncios generales & speciales, conjunctim & diuissim, & vtrumque eorum, per se & in solido: Ita tamen quod generalitas specialitati non deroget, nec è contra, Et ita quod non sit melior conditio occupantis, nec deterior subsequenti, sed quod vnus eorum inceperit id quilibet eorum liberè proseguere, mediare, finire, & determinare, ac ad effectum producere, viz. specialitèr & expressè in nomine & vice ipsius Constituentis, ad petendum, exigendum, leuandum, recipiendum, recuperandum, & habendum, ac habuisse & recepisse confitendum: in iudicio & extra, tam in prædicta ciuitate H. quam in quacunque alia Ciuitate, & in quibuscunque, alijs locis & partibus transmarinis, a quocunque & quibuscunque homine & hominibus, loco, corpore communi, collegio, societate, populo, & vniuersitate ecclesiasticis & secularibus, ac de, & in bonis quorumcunque, & in quacunque re, omnia & singula prædicta bona & merces memorata in prædicta scædula præsentibus annexa, Ac omnes, singulas, & quascunque summas, & quantitates denariorum, pecuniarum, summarum, debitorum, rerum, mercium, & bonorum quorumcunque sibi dicto Constituenti in partibus transmarinis qualitercunque debita ac spectant, ac ipsius Constituentis vice & nomine, & pro eo, omnia & omnimoda causam, actionem, querelas, petitiones, processus, & demanda quacunque pro præmissis, & eorum quolibet, coram quibuscunque Iudicibus vel Iusticiarijs quacunque auctoritate fungentibus, ad proseguendum, implacitandum, agendum, producendum, exequendum, defendendum, excipiendum, & recipiendum: Libellum seu libellos, & quascunque alias petitiones dandum & afferendum: Iuramentum de calumpnia & de veritate dicenda, ac quodlibet aliud genus liciti sacramenti in animam ipsius Constituentis, præstan-

præstandum, ponendum, & articulandū : positionib⁹ aduersæ partis respondendū : Testes, lras, instrumta, & alia quæcunque probatioñ generatim producendū & exhibendū, ac pducta & exhibita ex aduersa parte reprobandū, & impugnanđ, in causa seu causis concludendū : sententias tam definitiuas quam inflocutorias audiendū & fieri petendū, ac defectiuas opponendū & obijciendū, obiectis que respondendū : damna, expensa, & infesse quolibet petendū & recipiendū, Iudicis officiū implorandū, & à sē-tentijs præd & earū qualibet grauamine quocunque prouocādum & appellandum : prouocationes & appellationes ipsas prosequendum & insinuandum, & ipsas si libuerit renunciandum. Et de receptis & recuperatis, et super fine et concordia, ac quietancias licitas & opportunas dandū, concedendum, et liberandum : et generaliter in premissis et eorum quolibet, oīa et singula agendū & pcurandū, exercendū, dicendū, gerendū, continuandū, finiendū, et exequendū, quæ circa premissa, et quodlibet pmissorū necessaria fuerint, et quomodolibet opportuna, siue de eisdem depēdētia annexa aut utilia : Licet talia forent quæ mandāt exigereēt magis speciale, quam p̄sentibus expressum. Vnum etiam siue plures procuratorē siue procuratores similem siue limitatam potestatem habentes eorū locis substituendum, et eosdem reuocandum. Promittens dictus Constituens, se ratum et gratum, firmum et stabile habiturum, totum et quicquid per Attornatos, et Procuratores suos p̄dictos, vel eorum aliquem, aut per eorum, vel alicuius eorū substitutos, actum, factum, gestum, peticum, procuratum, aut quomodolibet administratū fuerit in præmissis, aut aliquo præmissorum, ita effectualiter sicut ipsemet Constituens p̄sens et personaliter interesset. In quorum omnium et singulorum fidem et testimonium, nos prefati Maior et Aldermanni, Sigillum officij nostri Maioratus p̄sentibus apponi fecimus. Predictusque Constituens in maiorem euidētiā approbationis et consensus sui potestati predictæ sic vt p̄fertur factæ, Sigillum suum p̄sentibus apposuit. Datum Londini nono die Septembris, anno Domini &c. annoque regni Regine Elizabethæ &c.

A Constitution by Marchants, of a Factor to deale generally for them.

IN Dei nomine Amen, Vniuersis Iudicibus, Gubernatoribus, ac Sect. 673.
Iusticię dispensatoribus, tam per mare quam per terras in omnibus Regnis, ditionibus, et iurisdictionibus quibuscunque, T. S. et R. S. inclitæ

inclite Ciuitatis Londoñ regni Angl' Mercatores, Salutē, Nouerit vñuer-
 fitas, vestra, nos p̄d C. & S. pro nobis, nominibus, & vicibus nostris, con-
 stituissē, deputasse, ordinasse, & harum literarum serie declarasse, E. L. no-
 strum verum, certum, legitimum, general' ac special' Nuncium, factorem,
 procuratorem, & n̄sum negotiorum omnium & singulorū quorumcunq;
 actorem, prout dicto E. & Substitutis suis quibuscunq; de tēpore in tēpus
 opportunum videbitur, sic tamen in omnibus vt generalitas specialitati,
 & specialitas generalitati nihil derogat: Dantes & p̄ p̄sentes concedentes
 dicto Procuratori nostro, ac Substitutis suis quibuscunq; totam & in-
 tegram potestatem & auctoritatem nostras in p̄missis, ac omnibus & sin-
 gulis rebus, negotia nostra tangentibus agendi, dicendi, procurandi, alle-
 gandi, negandi, confitendi, allocandi, & recusandi, quicquid sibi in eisdē,
 vel in eorum aliquo videbitur necessarium & vtile, in oībus locis iudicij
 & iusticię, & coram Iudicib' quibuscunq;: Necnon Aduocatores, Pro-
 curatores, Legisque peritos, ad p̄dicta negotia nostra conducendi, & pro
 nobis & nominibus nostris p̄ducendi testes & testimonia quęcunq; ad
 causas nostras ritē & legitime prouocandas & tuendas, & alia omnia &
 singula quę in p̄missis, vel eorum aliquo possint cadere opportuna, p̄
 nobis & nominibus nostris exigendi, p̄ficiendi, & totaliter finiendi, p̄ut
 nosmetipsi potuerimus, si ibidem p̄sentes personaliter essemus. Rata &
 grata, firmaq; & stabilia habentes & habituri, totum & quicquid dictus
 Procurator noster fecerit, seu fieri procurauerit in p̄dictis negotijs nostris,
 vel eorum aliquo, seu in aliquibus circumstantijs aut cereinonijs, eadem
 vel eorum aliqua tangentibus. In cuius rei &c.

*A Substitution by him to whom a Procurator
 is made.*

Sect. 674.

ANno à Natiuitate Domini nostri Iesu Christi, Millesimo quingen-
 tesimo &c. vicesimo die mensis Decemb. Coram me A. B. Notario
 &c. ac testibus &c. p̄sens & personaliter Constitutus comparuit T. W.
 Londinensis Procurator & procuratorio nomine constitutus p̄ egregium
 virum A. B. de &c. ad substituendum, & quamplurima alia faciend, pro-
 curandumque, prout & sicut in quodam mandato mihi Notario per p̄fat
 Th. W. ostens, cōtinetur, subsequēt renor. In Dei noīe Amen &c. (*reciting
 the Procurator verbatim*) qui quidē T. W. vigore dicti sui mādati, et omni
 meliori modo, via, iure, et forma, quo, qua, et quib' magis et meli' poterit,
 et ei licet, et licet, substituit, et loco sui ipsi' posuit, p̄bos, necnō discretos
 viros

iros A.B.& C.D. Mercatores Middleburgenses, licet absentes tanquā
 sentes, ad ea omnia et singula faciendū, procurandumque que ipsemet
 Constituens vigore dicti sui mandati facere potest, in seipso nihilom-
 nus reseruando et retinendo principali mandato antedicto. Rogans
 per me Notarium &c. actum &c.

A Renocation of a former Procuration.

VNiuerfis et singulis &c. Tho. R. Salutem. Nouerit vniuersitas Sect. 673.
 vestra, quod die in calce p̄sentium retroscripto, omnibus meliori-
 bus vijs, modo et forma, quibus ponit et potest, reuocauit & reuocat,
 omnimodam potestatem et authoritatem per ipsum Tho. R. p̄antea
 concessas siue datas cuidam I.G. Mercatori, ad prosequendum, agendū,
 seu exequendum, aliqua negotia dicti Tho. R. Ita quod dictus I. G.
 post hac nullam pecuniarum summam, bona, seu aliqua alia recuperata,
 recuperanda, seu recipienda, & ad dictum Tho. R. seu eius iura qualiter-
 cunque debentia siue spectantia, recipiat seu habeat, nec aliquam con-
 cordiam aut acquietantiam, p̄missa seu eorum aliquid concernentem
 faciat, deliberet, vel concedat, seu aliquid aliud vigore p̄dictæ pote-
 statis, siue authoritatis, faciat, agat, perficiat, seu exequi possit quomo-
 dolibet: In quorū omnium & singulorum fidem, & testimonium &c.

FINIS.

Handwritten text at the top of the page, possibly a title or header, which is mostly illegible due to fading and bleed-through.

Main body of handwritten text, appearing as a list or series of entries. The text is extremely faint and difficult to decipher, but seems to contain several lines of information.

Handwritten text centered on the page, possibly a signature or a specific note.

THE
SECOND PART OF
SYMBOLEOGRAPHY,

Newly corrected and amended,

and verie much enlarged in

*all the foure feuerall
Treatises.*

- 1 Of Fines and Concords.
- 2 Of Common Recoueries.
- 3 Of Offences and Indictments.
- 4 Of Compromises and Arbitrements.

Whereunto is annexed another Treatise of Equitie,
the Iurisdiction, and proceedings of the high Court of Chan-
cerie; of Supplications, Bills, and Answers; and of certaine
Writs, and Commissions issuing thence, and there also re-
turnable: Likewise much augmented with diuers Pre-
sidents, for the same purpose, beginning at the
144. Section, and continuing to the
end of Bills and Answers.

With an addition of some necessarie Exemplars to be
used in his Maiesties Court of Exchequer, Wards and
Liuceries, and Starre-Chamber, neuer
Printed before.

Hereunto is also added a Table for the more easie
and readie finding of the matters
herein contayned.

Ingenij cibus studium, studijque diligentia.

LONDON,
Printed for the Companie of
Stationers. 1618.

Cum Privilegio.

THE
SECOND PART OF
THE

Newly corrected and amended,
and twice with additions
revised.

THE FIRST PART OF
THE
NEWLY CORRECTED AND AMENDED
AND TWICE WITH ADDITIONS
REVISED.

Whomsoever is the author, printer, or publisher of this
book, or any other person, who shall be guilty of
any offence in relation to the same, shall be liable
to the penalties therein expressed, and shall be
deemed to be a party to the same.

It is the duty of every person who is
guilty of any offence in relation to
this book, to be punished accordingly.

It is the duty of every person who is
guilty of any offence in relation to
this book, to be punished accordingly.

Printed and sold by

LONDON,

Printed for the Company of

Stationers, 1818.

Printed by



Viro Iurisprudentiæ & pietatis laude illu-
strissimo EDUARDO COKE

Armigero, serenissimæ Reginæ Maiestatis
Procuratori summo W. WEST. veram
exoptat felicitatem.



Uum is fere omnibus, qui lucubrations suas de ali-
quo discipline genere in publicum proferunt, in more
positum esse videtur (vir illustrissime) ut in Episto-
lis suis nuncupatorijs duo possimum sequantur :
vnum, ut illum ipsum, cuius patrocinio niti statuunt,
dignis laudibus efferant; alterum, ut operas ipsas
prato encomio afficiant : erunt fortasse nonnulli, qui
idem a me faciendum arbitrabuntur; a quibus ta-

men ego longe diuersum sentio. Virumque enim ut vellem, maxime ceris non
possum : Nam ab hoc ingenio mei tenuitas, ab illo, pudor quidem ingenium
me remoratur. Et vero, si in laudes tuas excurrerem longius, vereor, ut
ipse hoc non patereris, Et ego, cum corporis, tum animi dotium, quas natura af-
fatim in te quasi effudisse videtur, multisudine obrutus, neque, quid pra cate-
ris dicendum, neque quomodo finis faciendus sit, facile reperire possem : siue de
eximia iuris nostri scientia, siue de singulari pietate tua dixero, quas in te (vir
ornatissime) etas etiamnum integra, tam mature nobis exhibuisti, ut ad quas-
nis res preclaras gerendas, non factus sed natus esse videaris. Quarum vo-
luis suffragijs ad preclara munera iam dudum cunctus, alijsque, etiam gran-
davis, praelatus sis. Sed quicquid ipse de te dixero, dicturus illud sum tenuius
minusque splendide, quam dici debuisset, & rei dignitas postularet. Itaque
malui silere, ac singulares illas animi corporisque tui dotes suspicere, quam ni-
hil dicendo, infantiam meam prodere. De opella autem mea gloriosius dicere
nihil attinet. Illius enim argumentum eiusmodi est, ut nullius adeo commen-
datione magnopere egere videatur, quippe quod de ijs rebus tractat, qua ad
pacem & concordiam cum constituendam, tum restituendam, spectant maxi-
me : siue enim tractatum primum de finibus : siue alterum illum de recupera-
tionibus, qua dicuntur : siue tertium de criminibus & accusationibus inde o-
riundis : siue postremum de compromissis & arbitrijs, contempleris, nihil ali-

EPISTOLA.

ad quam quietem & tranquillitatem humana societatis, spirare videntur omnia. Nam arbitria, lites easque suscitatas, leuiter componunt: fines & recuperationes dominia & proprietates firmannt: accusationes, nocentum peccata detegunt; ut nocentes ipsi vel sanentur, vel e medio tollantur, ne istorum virus proximos quoque vel conficiat vel inficiat. Et certe haud scio, an pace quicquam augustius ad veram singulorum felicitatem excogitari poterit, illa namque nobiscum commorante omnibus nobis ac commodis abundamus, atque ex animi serenitate succedunt omnia. At si dulcissima eius consuetudine priuemur, eaque a nobis exulet, statim bello, omnibus malis atque erumnis expositi, vitam longe miseriam ducimus. Modum autem, quo haec tractari, laudare, meum non est. Quod si enim is eiusmodi est, qui tibi, alijsque bonis & doctis viris placeat, satis per se ipsum commendatus erit: sin minus, vana rei non probande commendatio, ipsam laudabilisorem non efficiet. De animo autem meo, hoc tua pace libere effari libet, voluisse me prodesse quamplurimis, ijs autem praecipue, qui prima iuris nostri tyrocinia exercent. Quod ut melius praestare possem, ista volui qualicunque methodo: cum profecto nulla mihi videatur dicendi ars, alia nisi, methodus, quae a prioribus natura, ad proxima, quae a notioribus, ad minus nota, quae a generalibus, ad specialia, quae a finitis, ad infinita, quaeque ita demum ab instituto aliquo genere ad media, tum definiendo, tum diuidendo, transit, donec tandem in exemplorum infinitate consistat, quam quidem disponendi rationem tibi (vir ornatissime) non ingratus fore confido, cum omnes tuae disputationes, atque adeo dicta omnia, illam ipsam suauissime semper spirare videntur. Te igitur horum Maccenatem rogo pro genuina & laudatissima illa tua in rem literariam, literato, quae omnes promovendi promptitudine, et vera pacis amore singulari, acerrimoque tuo in delicta odio, si alia reipublice grauiora negotia non impediunt, hunc libellum cognoscere, suscipere, ac tueri velis; quo mihi animos ad haec augenda & perpetuanda & hijs maiora alacriter aggredienda, addas. Te (vir iuriconsultissime) aeterna pacis auctor, ad sui nominis gloriam, ecclesiae commodum, et reipublica tranquillitatem, quam diutissime seruet incolumen. Ex edibus meis Firbellicensibus haud longe a Doncastria burgo, in agro Eboracensi, postridie calendae Maias; Anno salutis per Christi solius sanguinem restituta. 1594.

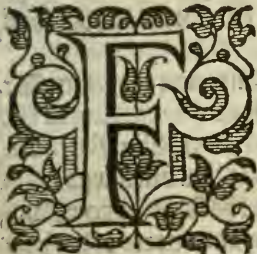
Tibi deditissimus,

WILLIAM WEST.

SYMBOLEOGRAPHY,

Of Fines and Concords.

The definition of Fines.

A  As much as we have already in our first part Sect. 1. of Symboleography shewed the forme of diuers Conditions and Couenants, aswell for the leuying of Fines of Lands and Tenements, as also to raise and limit the uses thereof: It now seemeth necessary to shew how the Notes of Writs of Couenants and Concords for Fines, with other necessarie Circumstances concerning the same, are to be made. Wherefore let vs first learne what, and how worthe things Fines be.

B Tremaineth 21. E. 4. fol. 4. teachmeth Fines, Couenants made before Iustices, and entred of Record.

C Browne saith, Fines be fructus, exitus, & finis effectus Legis, Plow. fol. 357.

D Glanuil in his eight Booke and first Chapter teachmeth a Fine Amicabilis compositio, & finalis concordia ex consensu & licentia dñi Regis, vel eius Iusticiariorum. And Bracton tractatu quinto, Lib. 5. Cap. 28. Sect. 7, de Exceptionibus, saith, Finis ideo dicitur finalis concordia, quia imponit finem licibus, & est exceptio preemptoria.

E And Glanuil, Cap. 3. Lib. 9. saith, Talis concordia finalis dicitur, eo quod finem imponit negotio, adeo ut neutra pars litigantium ab eo de cetero poterit recedere.

F In which Bookes may be seene the ancient forme of leuying Fines, and their great antiquitie: for they be as ancient as any Court of Record, Plowd. fol. 357. a. 368. b. which without question were long before the Conquest.

G So that Fines hauing their commencement of Record long before the Conquest, euer since haue remained in great estimation, as appeareth by a fine leuied before the Conquest, touching the possession of the Abbey of Crowland, and diuers other ancient Fines leuied before that time, yet extant, Plowd. 357. a. 368. b.

H But chiefly we are to consider their effects: which be, to make certaintie and assurance to the parties concerning their estates in Lands and Tenements, and to end contention, and byed peace and securitie to all men.

Fines and Concordes.

As appeareth by the Statute de Finibus 27. Ed. 1. St. 1. c. 1. wherein be these words, Quia fines in Curia nostra leuati finem litibus imponere debent, & imponunt: Ideo fines vocantur maxime cum post Duellum & magnam Assisam in suo casu vltimum locum finalem teneant imperpetuum: with which Statute agreeth Bracton tractatu 5. Lib. 5. c. 28. Sect. 7. de Exceptionibus.

And therefore by the ancient Lawe, Fine and Nonclaime by the space of a yeare and a day was a peremptorie bar to all men, which was abrogated by the Statute made 34. E. 3. c. 16.

And at this day fines be of great force, puissance and worthinesse: for being leuied and ingrossed with proclamations, according to the Statute of 4. H. 7. c. 24. 1. R. 2. c. 7. 32. H. 8. c. 36. & 31. Eliz. Reg. c. 2. They are finall ends, and sufficiently conclude, bar and discharge for euer as well parties and priues as estrangers to the same, except women couert (other then heere parties to the fines) and euerie other person at the time of the leuying of the same fine being within the age of xij. yeares, or in prison, or out of the Realme, or of vnsound mind, and not parties to such fines: Sauing vnto estrangers to such fines such right, title, claime and interest, as they haue to the tenements therein contained at the time of the ingrossing thereof: so that they pursue the same by action, or lawfull entrie within fine yeres next after proclamations thereupon made according to the said Statutes: And sauing to all other persons such action, right, title, claime and interest, in or to the tenements in such fines mentioned, as first shall grow, remain, descend or come to them after the said fine ingrossed and proclamations made, by force of any cause or matter had or made before the said fine leuied: so that they pursue their action, right, or title within fine yeares next after that it is to them accrued.

By which authorities we gather that fines are nothing else, but Instruments of Record of agreements concerning lands, tenements, or hereditaments, duely made by the Kings consent & licence, and knowledge by the parties to the same vpon a Wit of Couenant, a Wit of Right, a Wit of Customes and Seruices, Warrantia Chartæ thereof, or such like, before the Iustices of the Common Place, or others therunto authorized and ingrossed of Record in the same Court, to end all controuersies thereof both betwene themselves which be parties and priues to the same, and all estrangers not suing or claiming in due time.

These fines destroy estates taile (other then such as be made by the King, the reuerſion being in the King, 32. H. 8. c. 36. And other then fines of lands restrained from alienation by Act of Parliament, 32. H. 8. c. 36. Or leuied by an Intruder of lands seised into the Kings hands as by an heire which holdeth in Capite before Lineris sued, 1. H. 7. c. 5.

26. Ass. p. 1.
26. Ass. p. 27
Dyer fol. 179
Plow. fol. 146.

1. Original of fine
2. Copy of fine
3. Copy of fine
4. Copy of fine
5. Copy of fine

For by the Prerogative c. 13. by his entry he gaineth no freehold.) And in time become perpetuall bars against all men, end strife, make peace, breede securitie and tranquillitie, which is the verie fruit, effect and end of all godly Lawes.

Of the parties to fines.

In euerie fine two things are principally to be regarded, the persons Sect. 2
and the action.

Persons cheifely regarded in fines be the parties to the fines, and the Judges.

Parties to the fines be the Cognisoz and the Cognisæ, which are the efficient causes thereof.

The Cognisoz is he which doth knowledg the fine.

The Cognisæ is he to whom the fine is leuied.

In the parties threë things are specially to be regarded: Their Capacities, Names and Estates.

Touching y^e Capacitie of y^e Cognisoz, it is to be considered whether he be a person able to leuie a fine or no; namely whether he be void of all such impediments naturall & ciuill as may hinder him in doing thereof.

What persons may be Cognisozs, and what not,

All persons, male and feniale, may be Cognisozs, but such as are Sect. 3
prohibited that to doe by nature or law.

By nature through defect of the mind or of the bodie, but no longer then such defect endureth.

This defect of the mind is either naturall or casuall.

Of Infancie.

Defects of the mind by nature, as by age, which is of Infants, that Sect. 4
is, persons vnder the age of xij. yeares, as by Ideocy, which ought not to be Cognisozs, because the Law intendeth they want vnderstanding and discretion what to do in this behalfe: Yet if a fine be leuied by an Infant, it cannot be reuerfed but by himselfe by Waite of Error during his infancie, that the Court may see him, and therby iudge his age; 50.E.3.5. 17.E.3.52. & 78.

Impediments of the minds casuall, are such as affect furious madde men, Lunatikes, Ideots, men hauing the Lethargie; to hereunto may (as it seemeth) be added doting; old persons wanting discretion, men drunken, who ought not to be Cognisozs, for their fines are not reuerfable, because the fine it selfe argueth their habillities: for the Law intendeth, that Judges will receiue no Cognizances of such persons, 17.E.3.5. & 78. 17.Aff. 17.

Fines and Concordes.

Defects of the bodie.

Sect. 5

Defects of the bodie, be such infirmities thereof by which the principall sences necessarie for vnderstanding and to declare their consents are wanting: Of which sort be such as are blind, deafe or dumb, naturally.

But persons blind, deafe, or dumbe, accidentally may make cognisance, if they can expresse their meaning by writing.

Impediments legall or ciuill.

Sect. 6.

Legall impediments be when such persons be prohibited by Law as by nature are able to leuie fines.

And they are either by reason of subiection or ioint power.

Of legall subiection.

Sect. 7.

Subiection legall is when persons be vnder the rule of others, as a feme couert to her husband, 2. H. 5. 9. E. 3. 28. A villein to his Lord. 33. E. 3. Persons ciuilly dead, as friers, Purses, Donkes, Chanons professed, and other like superstitious votaries, who are in subiection to their Soueraignes, 14. H. 8. 16. 2. R. 2. 5.

Of couerture.

Sect. 8.

And therefore a feme couert within age ought not to leuie a fine, for that she cannot reuerse it during the couerture, nor after if the couerture continue till she be of full age, 50. E. 3. 5. 27. Ass. pla. 53.

And a feme couert ought not to leuie a fine but with her right husband, 7. H. 4. 23. 42. E. 3. 20.

But a fine leuied by a feme couert without her husband or her owne landes wherein she hath fee simple, is an estoppell against her and her heires, if her husband assent it not by entrie, or other wise, as he may during his wifes life, and after her death during his owne life, as if he be tenant by the Curtesie, 17. E. 3. 5. 2. & 78. 17. Ass. 17. 7. H. 4. 23. But if living her first husband she take a second husband, and with him and by his name knowledg a fine, this fine shall not bind her, because she is misnamed, 7. H. 4. 22. & 23. Yet if she with her right husband by a wrong Christian name leuie a fine, she is estopped during her life, 1. Ass. pla. 11. Brooke Fines 17.

A feme couert must beware how she with her husband doe leuie a fine of her iointure, lest she thereby lose her dower, Trin. 19. Eliz. Dyer. fol. 359. pla. 49.

Neither ought the husband without his wife to leuie any fine of her landes, for she and her heires may auoid it after his death, 32. H. 8. c. 28. 12. E. 4. 12. 42. E. 3. 20.

Villeinas.

Villeines.

And Villeines by knowledging such fines should prejudice their Sect. 9.
 Lords, thereby bereaving them of the lands aliened, for such
 fines be good.

Persons dead in Law.

And fines leuied by persons ciuilly dead, are vtterly void. Sect. 10.

Imprisonment.

And if men compelled by threathnings or imprisonment should bee Sect. 11
 Admitted to leuie fines, they should therby be barred, because the
 lawe intendeth such persons are at liberty when they acknowledge
 fines, 17.E. 3. 5 2. 78. 17. Ass. 17.

Of persons hauing ioint power.

Persons prohibited to be Cognizors by reason of ioint power, are Sect. 12.
 they that haue ioint power & authority with others, as the single
 members of euery Copozation or Societic, As a Bishop without his
 Deane and Chapter, A Deane without his Capter, an Abbot or Pri-
 or without his Couent, A Parson, Vicar, Prebendary, or Chantry
 priest without their Ordinary, A Pano without his Cominaltie,
 Masters of Colledges without their fellows, and of other Societies
 incozporate, may not leuy fines, Pl. 375. b. 11. El. f. 538. a. 20. El. 21. E.
 4. 13. 11. H. 4. 68. 12. H. 4. 11. & 12. 38. E. 3. 33.

Of the estates of Cognizors.

Albeit euery fine be good to bind the parties, yet for the validity of Sect. 13.
 the fine it is conuenient, that either the cognizor or the cognisee
 be seised of the lands alienated, 41. E. 3. 14. 22. H. 6. 13.

For the fine is void if neither of the parties be seised at the leuying
 thereof, 41. E. 3. 14. 33. H. 6. 18. 3. H. 6. 27. 27. H. 8. 4. & 20. 37. H. 6.
 34. 13. Ass. p. 8. 3. H. 7. 9. 5. E. 3. 22. H. 6. 57.

Yet the vouchèr after he hath entred into the warrantie, may leuy
 a fine vnto the demandant, though in fact neither of them is seised:
 For such vouchèr is tenant in law and may confesse the Action, because
 of the preuitie betwèen him and the demandant. But a fine by him so
 leuied to an estranger is void, 8. H. 4. 5. H. 7. 40.

Persons attainted or wained in personal actions, may alien by fine
 or otherwise, for their estates remaine in them still, though they there
 by forfeit the profits of their lands, 9. H. 6. 20. 21. H. 7. 7.

And persons attainted of felony or treason may not be Cognizors,
 by reason that by their offences their estates be forfeited: But if they
 do, their fines be good against all persons, but the King & the Lord of
 whom the lands be holden for their times, 8. Ass. pl. 25. for their estates

Fines and Concoords.

remaine in them during their lives.

Also tenant for life may leuie a fine sur graunt & releas of the lands which he holdeth for life, to hold to the cognisee for life of the tenant for life, and it is no forfeiture, 44. E. 3. 36. But if the estate were larger, or the fine sur cognizance de droit come ceo que &c. it were a forfeiture of his estate, 4. H. 7. fol.

The same law is of such fines by tenant in taile after possibilitie, tenant in dower, or by the curtesie, 39. E. 3. 16. But such fine of a rent seemeth to be no forfeiture, 2. H. 5. 7. Yet a party the tenant, as in dower, by curtesie, or for life, cannot by fine grant and surrender their estates to the owner of the reuerſion or remainder, but may by fine grant and release the same, 17. E. 3. 62. 24. E. 3. 26. 20. E. 3. 14. E. 3.

A tenant in common or Jointenant may leuie a fine of his part, 26. H. 8. 9.

So may a Copartner of his part, Dyer 334. pl. 30. Pas. 16. Eliz.

A fine leuied by the heire who is an Intruder upon the kings possession is void per le Prerog. Cap. 13. 1. H. 7. 5. 24. E. 3. 65. But if such fine be leuied without intrusion, it bindeth the cognisor and his heirs, 1. H. 7. 5.

If a disseisor leuie a fine with proclamation, and the disseisee within fine yeares after do not enter or claime; he and his heires be barred for euer, Pl. fol. 353. El. inter Stowell & Zouch.

Also fines may be leuied by the tenant in taile generall, or speciall, And by tenant in fee simple, And by tenant in remainder or reuerſion.

¶ Having thus passed the capacities and estates of Cognizors, let vs haue consideration how they may be named.

How Cognizors are to be named.

Sec. 14.

Touching the names wherby parties to fines ought to be named; for so much as names be to no other end inserted into fines and other writings, then that it may be certainly knowen, who be the parties thereunto, it is requisite that they be certainly named by their right names of baptisme and surnames, whether the same be King, Prince, Duke, Marquesse, Earle, Vicont, Baron, Lord, or Knight, which be names of dignitie, (some of which are sometimes named without their surnames, as Georg. Comes Salop without his surname, Iohes Dux Lancaster,) or he be an Esquire or Gentleman, which be names of worship, nobilitie, and honor, 14. H. 6. 15. 21. E. 4. 8. 4.

Whose additions neuerthelesse of curtesie are commonly vled in fines, as Jo. Byron Miles, W. D. armig. T. N. gener. or if hee be a yeoman, husbandman, artificer, laborer, or any Ecclesiastical person:

as

as Archbishop, Bishoꝝ, Archdeacon, Deane, Parson, Vicar, Clerke, &c. Or any Coꝝporation, or bodie Ciuill, Politike, or Coꝝporat, hauing couent or common Seale : as Bailife and Burgesles, Maior and Comminaltie, or any other Fraternitie or Brotherhood, 11.H.4.44. 12.H.4.20. 14.H.4.21. 7.H.6.27.

And albeit it be not necessarie alwaies in fines to giue the parties their proper additions of place, dignitie, estate, degree, miserie or occupation : Yet if there be two or moze in one Parish of one name and surname, it seemeth requisit for distinction sake, to giue them some additions &c. as J. S. Senior or Iunior &c. As if a man haue two sonnes of one name, or the father and his sonne be of one name, the father shall not carie the addition of Senior, but the sonne of Iunior, and not the elder brother but the yonger, 37.H.6.29. 47.E.3.16.

What persons may be Cognisees in fines, and secondly by what names they must be named.

ALl such persons as may be grantees or take contracts, may be cognisees, as persons of full age, infants, femes couert, mad men, lunatike, ideots, men imprisoned, men without the Realme, and all Coꝝporations & ciuill bodie, men attainted of felonie or treason, men outlawed in personall actions, bastards, clerkes conuict, villeins, aliens &c.

Sect. 15.

And if a fine be leuied to a feme couert, she needeth not to be examined, because she taketh by the fine : and if she had any better estate before the fine, the fine shall not conclude her to claime it, 3.H.6.42. 41.E.3.7. 50.E.3.9. 24.E.3.62.

Neither shall an infant being cognisee be examined, 24.E.3.62. because the fine is for his benefite. Tenant for life may be Cognisee in a fine, by which the cognisor doth confesse all his right, which he hath in the lands ; to be the right of the tenant for life, and release and quite claime to him and his heires, and not commit any forfeiture, for thereby his former estate is not changed, and it may inure to him in reuerſion or remainder, 1.H.7.fol.5.

And an Abbot, Deane and Chapter, Maior and Comminaltie, and such like Coꝝporations, may be Cognisees in fines : but before the ingrossing of the fine to such a Coꝝporation, a Writ ought to be directed to the Iustices of the Common Place, qđ pmitant finem illum leuari, 5.H.7.25. 19.H.6.15. A Prior may be Cognisee, 22.E.4.15.E.4.22.

But persons ciuilly dead, as Monkes, Chanons and Friers, cannot be cognisees, because they be vnder the rule of others, and want ciuill capacitie, 5.H.7.25. 19.H.6.25.

2 Cognisees in fines must be named by their right proper names

Fines and Concoords.

and surnames: soꝛ a fine being leuied to A. and Sibill his wife (where her Chriſt in name was Iſabell) was holden void, 1. Aff. pl. 11. See the Section how the Cogniſors are to be named, and that will ſaſifie you for the naming of Cogniſees.

Before what persons fines may be knowledged.

Sec̄. 16.

HAuing thus perused the capacities, estates and names of cogniſors and cogniſees, it is time to enquire of the Judges, befoꝛe whom this businelle may be handled: Touching which it is to be noted that of these, some are Judges onely at the time of the cogniſances and certifiſat thereof.

And others at the time of the concoꝛd.

And Judges of the cogniſances, are ſuch persons as haue power to take ſuch cogniſance, either by vertue of their offices, oꝛ by ſome comiſſion generall oꝛ ſpeciall, granted vnto them by his Maieſtie out of the high Court of Chancerie.

All oꝛ two of the Juſtices of the Common Place may in open Court take knowledge of fines, and recoꝛd them by vertue of their offices, 15. E. 2. c.

And the chiefe Juſtice of the Common Place, by the priuiledge and prerogative of his place and office, may take cogniſance of fines in any place out of the Court, and certifie the ſame, without Writ of *Dedimus poteſtatem*, Dyer fol. 224. pl. 3 1.

And it ſeemeth by the Statute 15. E. 2. That if the parties be not able to trauell, two of the Juſtices of the Common Bench, with the conſent of the reſt, oꝛ one of them, with a Knight, may goe vnto the parties, and receiue and certifie their Cogniſances into the ſaid Court, without any *Dedimus poteſtatem* to enable them thereunto. But this courſe is long ſithence diſcontinued.

And it ſeemeth, that Juſtices of Aſſiſes by the generall words of their Patents may take and certifie Cogniſances of Fines, without any ſpeciall *Dedimus poteſtatem*, ſoꝛ the words be in effect as followeth, that is to ſay: *Necnon ad recipiend omnes fines, concordias, & recognitiones in circuitu ſuo, coniuſt' & diuiſim, recogniſt pro illa vice, in circuitu illo, non obſtante aliquo actu, ſtatuto, ſiue ordinatione in contrarium, &c.*

Yet ſuch Juſtices uſe not now to certifie them, without a ſpeciall Writ of *Dedimus poteſtatem*, ſued ſoꝛth of the Chancery, directed vnto them, and giuing them thereby power to take & certifie ſuch Cogniſances as they haue already taken, Dyer fol. 224. pl. 5 1. 5. Eliz. 1. H. 7. 9. And Fines haue bin leuied befoꝛe Juſtices Errants, Lib. Intra' titulo Scire fac' in Aꝛde 2.

Of

Of a Dedimus potestatem de Fine leuando.

A Speciall Commission for a fine is a Writ of Dedimus potestatem Sect. 17: directed to some persons to take the Cognisances of the cognisors which is granted out of the Chancerie, when cognisors of fines by reason of infirmitie, or other reasonable cause, cannot come to the Court there to make cognisance thereof. This Dedimus potestatem must containe the substance of the writ of Covenant, and recite that it is therof depending betwene the parties bearing Teste after the writ of Covenant: which Writ of Dedimus potestatem ought to be directed to men of good credite & conscience, & expert in the Lawes, who must certifie the same with the Cognisances to the Justices of the Common Pleas, as shall be shewed herafter. And euerie such Dedimus potestatem to a speciall Commission must be signed by the L. Chancellor, or L. Keeper, and L. chiefe Justice of the Common Pleas, or by some of the Justices of the Circuit where the land lyeth.

But now many Writs of Dedimus potestatem to take knowledge of fines be directed to men of meane degree & small knowledg, with whom somtimes for fashion sake in such commission be ioined Lords, knights & other of good credite: but be seidom used in the execution therof. By meanes wherof oftentimes this busines is vnduly effected, and Recognisances of femes couert within age, and of other women neuer duly examined, and of infants, as also of mad men, lunatikes, idiots & men imprisoned, are sometimes certified, which would neuer be suffered, if such cognisors were for that purpose either brought into the Court, or befoze any of the Justices therof, or befoze any Serieant, or knight, or man of good conscience & discretion, who would soone perceiue their imperfections, and therfoze refuse to take their Cognisances in so weightie matters as fines be, which be the most binding barres in the Law. Great care & heed therof in my conceit is to be had, to whom such authority is committed, least it be so abused as is abouesaid. And writs of Error haue bin brought, because fines haue bin knowledged by Dedimus potestatem befoze such as was neither Judge, Abbot, knight nor Serieant at the law, and therfoze such recognisances haue bin refused, Br. Fines 120

A Justice or other person being cognisee in a fine, may not take cognisance thereof himselfe: for if he so doe, the fine thereupon leuied is void, 8. H. 6. 21.

And when any cognisance of fines is taken, it seemeth conuenient, that the persons befoze whom they be knowledged, do signe the note of the cognisance as it is commonly used for the credite thereof, Dyer fol.

320. p. 19. H. 15. Eliz.

And now by a late order, all fines taken by Dedimus potestatem by
him

Fines and Concords.

him that is not Justice of Assise in the Circuit where the land lieth, must be signed by a Justice of that Circuit, Dyer fol. 220. pla. 15. The forme of the Dedimus potestatem appeareth amongst the adiurates of Concords.

Judges, to whom Cognisances are to be certified, and before whom they are to be Recorded.

Sect. 18.

Judges for the recording of fines be the Justices of the Common Pleas onely, 15. E. 2. ca. And therefore as it is said, all Cognisances thereof must be certified thither, for in that Court only all fines are to be leuied, notwithstanding 36. H. 6. 34.

And by speciall grant a fine may be leuied in a base court, 44. Ed. 3. 38

But fines leuied in ancient demesne by any custome same void, 44. Ed. 3. 38. And so in other inferior Courts, 50. A. 11. pla. 9.

Also by a Statute of 2. E. 6. c. 28. fines may be leuied in the Countie Palantine of Chester.

And by 37. H. 8. c. 19. fines may be leuied of lands in the Countie Palantine of Lancaster.

And by the Statute of 5. Eliz. c. 27. fines may be leuied within the Countie Palantine of Dursme.

¶ Having thus run ouer the disc ourse of the persons vsed in fines, order requireth that we should now set vpon the verie actions of fines themselves.

Of the diuision of fines.

Sect. 19:

Fines diuided.
A fine without
Proclamation.

Euerie fine therefore is either without proclamations or with proclamations.

Discontinuance

At this day a fine without proclamation, which is also termed a fine at the Common Law, is such a fine as is leuied after such manner and forme as they were vsually leuied before, 4. H. 7. c. 24. vpon which no proclamations were made, which fines doe still remaine of such force, as they were at the Common Law, to discontinue the estate of the Cognisor, if they be executed, 7. Ed. 3. fol. 35. 1. R. 3. c. 7. Dyer fol. 216. p. 5. 4. Eliz. Pl. fol. 265. b. 4. H. 7. c. 24.

A fine with
Proclamation:

A fine with proclamations (the same is also termed a fine according to the Statute) is a fine leuied with proclamation after the forme and maner ordeined by the Statute made 4. H. 7. c. 24. 1. R. 3. c. 7. Mar. c. 7. 32. H. 8. c. 36. 3. 1. El. c. 2. Plo. fol. 265. b.

Of fines executed, and executorie.

Sect. 20.

A fine executed.

And euerie fine, as well with proclamation as without, is either executed or executorie.

A fine executed is such a fine, as of his owne force giueth a present possession (at the least in law) vnto the Cognisee, so that he needeth no writ of Habere facias seisinam for the execution of the same fine, but may enter, of which sort is a fine sur cognisance de droit come ceo que il ad de son done, which is in very deed the surest fine of all, 8.H.4.8. 41.E.3.14.42.E.3.5.46.E.3.15.50.E.3.9.13.Aff.p.8.

Fines executozie be such, as of their owne force doe not execute the possessio in the cognisance, as fines sur cognisance de droit tantu. Fines sur done, graunt, releas, confirmation, or render: for if such fines be not leuied, or such tender made vnto the that be in possession at the time of the fines leuied, the cognisance must needs sue writs of Habere facias seisinam, according to their severall cases, for the obtaining of their possessions. Nevertheless, if at the leuying of such executozy fines, the parties, vnto whom the estate is limited, be in possession of the lands passed, he needeth no writ of execution for the same, for then such fines do inure by way of extinguishment of right, but alter not the estate nor possession of the cognisee, but perchance better it, 7.H.7.12. and 22. 2.E.3.6. 21.E.3.44.8.H.4.8.41.E.3.14.7.H.4.23.

A fine executorie.

Extinguishment.

Againe, some fines are single, and some double.

A Single fine is such a fine by which nothing is granted, or rendered backe againe by the Cognisees, or any of them, to the cognisors, or any of them, 8.H.4.8. 24.E.3.26.

Sect. 21
A single fine.

A double fine is a fine containing a grant and render back againe either of some rent, common, or other thing out of the land, or of the land it selfe, to all or some of the Cognisors, for some estate limiting therby many times remainders to estrangers, which be not named in the writ of Couenant, 8.H.4.8. 24.E.3.26. and 35.

A double fine.

Of the parts of Fines, and of the writ of Couenant.

In the forme of euery fine wee are to consider the principall partes thereof, and their adiuncts, both proper in euery part, and common to all. The principall partes of fines be the writ or action whereupon the concord is made, and the concord it selfe.

Sect. 22.

Part of fines.

Of writs whereupon fines are leuied.

The writ is the very basis, ground & foundation of the fine, whereby the parties haue day in court to leuy the same, & containeth the parties and things to be passed certainly, And it is most commonly a writ of Couenant, 35.H.8.Br.Fines 116. Or a Warrantia charta, 18.E.4.22. Or a writ of Right, Or a writ of Mesne, 26.Aff.pla.37. Or a writ of Customes and seruices, 26.Aff.pl.37.Dy.sol.79.pl.46.

Sect. 23.

whereof

Fines and Concords.

Whereof Fines be grounded.

Sect. 24

If every such writ the essentiall parts & the adiuncts are to be considered: the principall parts thereof be the parties to the same, whereof we haue spoken already, And the things whereof a fine is leuied.

Of what things Fines may be leuied.

Sect. 25.

And touching the things whereof fines are leuiable, wee are first to consider the nature of the things themselues, whether they will passe in fines or no: And then of their names, by which they may passe or not: And how they may be in order placed in the writs. Fines therefore may be leuied of all things inheritable being in esse tempore finis, and certainly expressed in the writs, 18. E. 4. 2. 2. as de messuagio, tofto, columbario, gardino, terra, prato, pastura, bosco, subbosco, brucra, mora, iuncaria, marisco, alneto, ruscara, redditu, *per Registrum fol. 2. a.*, de Rectoria Ecclesie parochialis de M. ac de decimis granorum, garbarū, & foeni eidem Rectorie spectant &c. or cum omnibus decimis granorum, garbarum, & foeni eidem Rectorie spectant, *Theol. Lib. 8. cap. 9.* Sect. 2. de Rectoria 2. E. 3. de furlongo ter 4. Hen. 6. 14. de pastagio ultra aquam de T. de pastura ad certos boues, oues, & alia aueria, ac de communia pro omnibus animalibus, vel pro omnimodis auerijis vel de libera piscaria, libera warrenna, vel de Aduocatione Ecclesie de D. vel de aliquo seruitio speciali, vt de seruitio vnius feodi Militis, vnius paris Calcarium deauratorum, vel de seruitio inueniendi hominem, equitem vel peditem ad eundem, vel ad equitandum cum le Cognis in exercitu Wallie vel Scotie, &c. de Piscaria 13. E. 3. de officio 27. H. 8. fol. 12. de proficuis officij 12. E. 3. de Aduocatione *Regist. fol. 165.* de Corodio 18. H. 6. fol. 20. 4. E. 4. 6. de chiminio 2. E. 3. fol. 49. de proficuo molendini 18. E. 3. fol. 56. de libero redditu in breui, and in the concord, Quod prædictus A. recogā predict' redditum cum pertinentijs simul cum homagio & fidelitate B. C. & heredū suorum de totis tenementis quæ &c. 1. E. 3. fol. 1. et 5. de frankfold, 1. E. 3. fo. 1. de Nundinis & Mercatu 1. E. 3. fol. 4. de franchisia 1. E. 3. fol. 4. de Minera plumbi, & cuiuscunque generis metalli cum pertinentijs &c. *Reg. fol. 165.* de decimis garbarum ad Ecclesiam de N. qualitercunque spectant *Reg. fo. 165.* de Aduocatione tertie partis Ecclesie, &c. or, de tertia parte Aduocationis Ecclesie, or de medietate aduocationis Ecclesie, or, de Aduocatione medietatis Ecclesie, 45. E. 3. 12. 3. 3. H. 6. fol. 11. de Communia 4. E. 4. 6. de caruca terre, de pastura ad cent boues, de homagio, de feod Militis *Reg. fol. 166. 167.*

And a fine may be of a tent charge, which had no being before, 21. E. 3. 44.

Or of a chiefe tent or of her tent in being, 18. E. 4. 22.

- D** D₂ of a Seigniozie, 48.E.3.23.
- E** D₂ of an acquitaille, 50.E.3.23.
- F** D₂ of a Chauntrie, 37.E.3.33.
- G** And of manie other things may fines be leuied.
- H** And as fines may be leuied of things in possession, so may they be leuied of a Remainder, or Reuerſion. 42.E.3.7. 44.E.3.45.
- I** And a Reuerſion or a Remainder will passe by the name of the lands. 43.E.3.22.
- K** But where a fine is of a reuerſion or a remainder, it behooueth the cognisee to sue a Quid iuris clamat against the tenant: When it is of rent, a Writ Quem redditum reddie: And where of a Seigniozie or seruices, Per quæ seruicia, to compell the tenant to attourne, as shall be shewed hereafter.
- Of a reuerſion
or remainder.
- L** Fines may be leuied of the inheritance or free hold of parsonages, vicarages, portions, pensions, tithes, oblations, or any other Ecclesiasticall profite, made Tempoꝝ all, and admitted to abide in Tempoꝝ all hands, and lay vles, by the Laws and Statuts of this Realme of England, 32.H.8.c.7.
- Of Ecclesiasticall
lands made
Tempoꝝ all.
- M** And to conclude, fines be leuiable of all things, whereof a Precipe quod reddatlyeth, as will appeare by the examples following.
- N** And lands bought of diuers persons may passe in one fine, and then the Writ of Couenant must be brought by all the vendees against all the vendours: And euerie vendor must warrant against him and his heires onely: for it is absurd that one man should warrant the sale of an other without consideration.
- Of diuers
purchases.
- O** And such ioynt fines seeme reasonable, especially where the severall purchases be of so small value as the charges of a fine would exceed the value of some of them.
- P** But fines may not be leuied of things in certaine: as detenemento, 3.E.4.19. 11.H.7.25. 12.H.7.6. 47.E.3.
- Incertainie.
Tenement.
- Q** Noꝝ of landes giuen in taile by the King, for it is void against the issue in taile and the King, 32.H.8.c.36.Br.Fines 121.
- Taile by the
King.
- R** Noꝝ of landes restrained from being sold by Act of Parliament, 32.H.8.c.36.
- Refraine.
- S** Noꝝ of landes of the husband or of his ancessors assured for Jointure dower or in taile, to any woman by meanes of her husband or his ancessors, for such a fine worketh a present forfeiture of her estate, if she grant a greater estate then for her life, 11.H.7.c.20. Plow. fol. 459.
- Dower.
Jointure.
Forfeiture.
- T** Noꝝ of landes seized into the Kings hands before Liuerie or Ouster le maine sued, 24.E.3.65.
- Lands seized.
- V** Noꝝ of landes in Ancient demesne: for if any fine be leuied of such lands, it may be reuerſed by a Writ of Dilceit, brought by the Lord of Ancient
- Ancient
demesne.

Fines and Concords.

Ancient demesne, & thereby he shalbe restozed to his Seignioꝝ, & it seemeth to be void betwē the parties, quia, coram non Iudice, 7.H. 4. 44. 8.H. 4. 23. 21.E. 3. 20. Reg. fol. 13. b. *de Fine annullando, &c.*

Yet it is holden good to bind the parties, 17.E. 3. 31. and 7.H. 4. Br. Fines 101. which seemeth not to be law.

Ancient demesne & lay fee.

But if such fines be of lands in Ancient demesne, and of lands at the Common Law, it shall be still good for the lands at the Common Law, 7.H. 4. 44. 21.E. 3. 20.

By what names things may passe in Fines.

Sect. 26
Names.

Now that we have partly set downe what may passe in fines, let vs see by what names the same may pass. An Honor, this may passe by the name of a Manor, or by his proper name: as de honore de Tickhill, or de manerio de Tickhill.

A Manor.

It sufficeth also to demand a Manor by his proper name without naming of the Towne wherein it lyeth. For it may be out of any Towne, or extend into severall Townes and Counties: as de manerio de D. cum p̄t̄n, yet it seemeth best to expresse all the severall Townes into which it extendeth: as de manerio de S. cum p̄t̄n in D. & E. 19. Ed. 4. fol. 9. a. 43. E. 3. fol. 9. a. Bracton Lib. 4. c. 31. Sect. 3. 9. E. 4. fol. 61. 9. a. 16. a. 17. b. 11. H. 7. fol. 22. b. 49. For if any of the Townes, into which the Manor extendeth, be omitted, nothing of the Manor in that Towne passeth, 5.E. 4. 103.

A Castell or
Hundred.
Manor.
Castell.

A Castell or a Hundred, may be parcell of a Manor, and passe by the name of the Manor, whereof they be parcell, 26. Ass. 54. And one Manor may be parcell of another, 7.E. 3. fol. 36. And a Castell may be demanded by his proper name: as de castello de B. cum p̄t̄n, 1.E. 3. fol. 4.

Hundred.

An Hundred may be demanded by it selfe: as de hundredo de S. 27. H. 6. fol. 2.

A Mesuage.

Mesuage is a dwelling house. By the name of a Mesuage, may passe a Curtelage, a Gardein, an Orchard, a Dovehouse, a Shop, a Mill as parcell of an house, Bracton. Lib. 5. c. 28. Sect. 1. Plowd. fol. 169. 170. 171. The like of a cottage, a toft, a chamber, a celler &c. yet may they be demanded by their single names.

A Chappell.
A Hospitall.

A Chappell or an Hospitall must be demanded by the name of a Mesuage, 13. Ass. 2.

A Toft.

A Toft is the place wherein a Mesuage hath stood.

A Curtelage.

A Curtelage is a garden, or a yard, or sold, or a peece of a void ground lying nere and belonging to a Mesuage, Plowd.

A Mill

Molendinum is good without adding veneriticum, or aquaticum: albeit the later be more usuall, 44.E. 3. fol. 13.

A Reuerfion.

Of a Reuerfion, by the name of the Land, or otherwise, 43.E. 3. 22.

Land

Land is to be demanded by the certaine measure of the superficial Land
 quantie thereof: hida, carucata, bouata, virgata, acra, roda terræ.

In like maner boscus, subboscus, brucera, mora, iuncaria, mariscus, &
 alnetum, et ruscaria, may be demanded by the number of acres thereof
 16. Aff. 9.

Turbarie may be demanded by the name of More.

Rent by the multitude and number of the things which are to be
 rendered: as, x. libr, or sex denar, or vno obular, or quinque solidat
 reddit.

Houebote, Haybote, & Plowbote, may be demanded by the name
 of Estouers: thus, de rationabili estouerio in boscis, viz. in decem acris
 bosci ipsius A. in D. &c.

Parsonages, Rectories, Aduowsons, Vicarages, or Tyths impropri-
 ate, passe not by the names de Aduocatione Ecclesie, but de Rectoria
 Ecclesie de S. cum pertiñ.

But when it is but of a Presentation, it must be de Aduocatione
 Ecclesie de S. and not cum pertiñ.

And of all Vicarages endowed, the writt must be de Aduocatione
 Vicarie Ecclesie de S. and not cum pertiñ.

And where no Vicarage is endowed, it passeth vnder these wordes,
 de Aduocatione Ecclesie de S. &c.

If an entier manor, mesuage, or other entier thing, be diuided or
 parted, & after a fine is to be leuied of some of the parts of the thing so
 seuered, the must not the fine be de medietate, or quarta parte, or other
 part, of the manor, mesuage, or other thing; but such part must be de-
 manded by y name of a whole thing. As, if y manor of D. be diuided
 into 2. parts, the fine of thone part (if the diuision be so made, y the ma-
 nor of y part be not extinct) must be de manerio de D. So if a mesuage
 and xx. acres of land be parted into two parts, the fine of the one part
 must be de vno mesuagio et decem acris terr &c. and not de medietate
 vnius mesuagij, & xx. acrarum terr: for the things new deuided from
 the rest, are now become whole things by themselves, though lesse in
 quantitie then the whole was befoze diuision thereof made. If a thing
 be twice named in a writt of Couenant, it hurteth not: as a Manor
 and an Hundred parcell of the same manor; 27. H. 8. 21.

If lands in diuerse Shires passe, there must be seuerall writts of
 Couenant thereof accordingly, and but one Concord, Dyer 227. pla.
 44. 15. E. 4. 33.

Of the names of the place wherein the lands doe lie.

And the place wherein the lands doe lie, is take to be parcell of the
 name thereof: and therfoze we must regard the places wherin the
 lands doe lie, as the Shire, Town, Parish, or Hamlet: for a fine is good

Land.
Rent.
Estouers.
A Parsonage.
A Presentatiõ.
A Vicarage.
Parts seuered.
Twice named.
Diuers Shires.
Sect. 27.
Place.
iii.

Fines and Concords.

Hamlet.
Towne de-
caied.

in a Hamlet, 38. E. 3. fol. 19. 8. E. 4. fol. 6. and 7. E. 6. Br. Fines 44. and 91.
or in a Towne decaied, 7. E. 6. Br. Fines 91.

Further theſe, it is alſo good to name the Towne wherein the ham-
let is, as it ſeemeth, and that with addition, for diſtinction, if there be
diuers Townes of the ſame name in the ſame Countie.

A Manor in
diuers Townes

And if a Manor extend into diuers Townes: as A. B. C. it is good
to expreſſe all, or none: as, de Manerio de S. in A. B. C. for if any of the
Townes be omitted, none of the Manor in that Towne paſſeth. Yet
a fine of a Manor cum pertinenc would haue carried the whole Manor,
9. E. 4. 6.

Two Manors
of one name,

But if a man haue diuers Manors of one name: as South S. and
North S. it is good, in a Writ of one of the ſame Manors, to expreſſe
certainly which of them is intended to be paſſed, 47. E. 3. 12. H. 7. 6.
Albeit it is thought good ynough by the name of the Manor of S.
without addition: for certaintie is alwayes beſt.

How ſeueral things muſt be placed in Writs of Covenant.

Sect. 28.
Orderly pla-
cing.

Now, that we haue partly learned, of what things fines may be
leued, and by what names: it ſeemeth time to ſhew, in what or-
der and forme they muſt be therein placed one before another, when
diuers things paſſe by one writ, for which we may obſerue theſe rules.

Worthieſt.

Fiſt, the more worthie things muſt be put before the things leſſe
worthie: as a Meſuage is ſet before a Land, a Manor before a Meſu-
age, a Caſtle before a Manor, 7. H. 6. 39. Plow. 168. 169.

Things gene-
rall.

Secondly, things generall before things ſpeciall: as Land (being the
generall, or genus to meadow, paſture, wood, luncaria, marisco) is fiſt
to be placed: And wood (being the generall to wood grounds, as alne-
rum, ſalicetum, &c.) is to be ſet before them in the Writs.

Whole things.
Parts.

Thirdly, entire or whole things are to be ſet before their parts: as,
de Manerio de C. & medietate Manerij de B. cum pertinenc &c.

Things excep-
ted.

Fourthly, parts of things excepted, muſt ſucced thoſe things out of
which they be excepted. And if there be diuers parcels in one Writ,
that parcell, out of which the exception is to be made, ought to be laſt
placed, Regiſt. fol. 6. as, de Manerio de D. cum priu in C. (excepto vno
meſuagio, duabus acris terre, & aduocatione Eccleſie de C. &c.)

Pertinentie.

And euery thing excepted ought to be certainly named. It needeth
not to ſay cum pertinc after the thing excepted, 40. E. 3. 25.

And the exception muſt alwayes be of ſuch things, whereof the writ
will lye, & be mentioned therein, Plow. fol. 361. a. 362. b. 370. a. Regiſt.
fol. 28. 29. of which for the preſent, view the enſample enſuing: viz.

Præcipe A. B. quod teneat C. D. conuenit &c. de vno meſua-
gio, vno cotagio, et medietate vni meſuagij, et decem acrarum
terre

terra cum pertiñ, excepta vna acra terræ in N. &c.

And finally the forme and order of placing the particulars in a writ of Covenant, is in all things as in a Præcipe quod reddat of lands. Regula

And further, obserue the rule of the Register fol. 2. which partly appeareth in these verses ensuing.

suagium, tum, lendinum, umbare, dinū, ra, tum, tura, cus, ra,
Mes, tof, mol, col, gar, ter, pra, pas, bos, brue, mora

Regula

ria, cus, tum, caria, ditus.

Innca, maril, alne, iul, red, lectare priora.

The writ of Covenant must beare Teste before the writ of Dedimus potestatem, 35. H. 8. Br. Fine. 116. Writ

Of Adjuncts proper to the Writs whereof Fines be leuied.

Of Adjuncts proper to writs of Covenant, and other writs upon which fines be vsually leuied, some be internall Adjuncts, and some externall. Sect. 29

Adjuncts internall, be the daies of returne, and the date of Teste of the writ, which be also common to other writs. Adjuncts internall.

In the Returne it is to be obserued, that there be 15. daies at the least betwene the Teste, and the day limited for the returne thereof, 12. E. 4. 11. Returne.

The Teste or date must not be vpon any Sunday, or other festiual day, which is not dies iudicis in Court. Teste.

Externall Adjuncts to writs be, the writing, the Latine, the affid. vic, or composition, the signing, and the payment of the fine, and returning, which be in like maner to other writs. Externall.

Touching the writing thereof, it is meet to be faire written without rasing or interlining of any principall matter therein, for such rasing or interlining will ouerthrow the writ in some cases, 45. E. 3. 18. Writing.
Rasing.
Interlining.

Also it behoueth that there bee no false Latine in any such Writs, 7. H. 6. 34. False Latine.

And therefore such writs should hredefully be examined twice or thrice over, for feare of errors. Examination of writs.

The forme vled in the returning of such writs wil appeare amongst the presidents, for the returnes are nothing else but the Shirifes answers touching that they are commanded to doe by the same writs. Returnes.

Upon what writs fines may be leuied.

For so much as no fine can be leuied but vpon some originall writ, Stat. de Finibus, 18. Ed. 1, we are now to consider vpon what originall writs

Originals

Fines and Concordes.

Writs fines are leuiable.

Couenant.

A writ of Couenant is the most vsuall writ whereupon fines are leuied, Fitz.Nat. bre. fo. 146. f. 35. H. 8. Br. Fines 116. Carliel. St. 15. E. 2.

VVarrantia cartę.

Yet may fines be leuied vpon a Writ of Warratia cartę, 18. E. 4. 22. Carliel. St. 15. E. 2.

Mesne, Customes and seruices, Right. VVithout originall.

Do vpon a Writ of Mesne, 18. E. 4. 2.
Do vpon a Writ de Consuetudinibus & Seruitijs, 22. Ass. p. 37. Pal. 14. El. Dyer fol. 179. pla. 46.

Do vpon any Writs of Right, 7. E. 3. fo. 335. Plow. fo. 358.
Pet Tremayle Justice holdeth, that if in a Præcipe quod reddat against the tenant for life, which maketh default after default, he in the reuerſion or remainder be receiued, a fine may be leuied of the land betwene the demandant and him in the reuerſion or remainder, Ideo Quære, 21. E. 4. 4.

Quod permittat.

A fine may be vpon a Writ Quod permittat habere chimum vltra terram le Cogniſors, 2. E. 3. 19. Fitz Fines 102.

The ſeueral formes of Concordes.

Sect. 30.

A Concord is the very agreement betwene the parties how the lands shall passe, in the forme whereof many things are to be regarded: As if it be single, whether it be sur cognizance de droit come ceo que il ad de son done, Do, sur graunt, done, releas, or confirmation. Do if it be a double fine with a render, what estates are to be created thereby, and of the reseruatiō of Kents nomine pœnæ, and clause of distresse and seruices, with the clause of warrantie. For which it is to be noted, that when a fine is leuied to diuers Cogniſors, the right shall be limited to one of them onely, and the ſtate limited to his heires onely whose right it is knowledged to be, 3. H. 6. 42. 21. E. 3. 33. 34. E. 3. 11. 24. E. 3. 64. as thus

Et est concordia talis, scilicet quod predictus A. cogn' ten' pdict' cum pertiñ esse ius ipsius B. v' ill', quæ ijdem B. & C. hēnt de dono pred' A. Et ill' remisit & quic' clām de se & heredibus suis pfatis B. & C. & heredibus ipsius B. & c.

But the Kings tenant in Capite may knowledge the right of his lands to bee in diuers for the Kings benefit, in hauing many such tenants in capite 7. H. 7. 4.

And likewise the release and warranty must bee from the heires of one of the Cogniſors, 44. E. 3. 21. for in a fine from diuers, the fee must be supposed to be in one of them onely, 21. E. 3. 33.

In a fine sur graunt & render, none can take the first estate vpon the render, but some of the Cogniſors, but reuerſions or remainders any estranger may take: For if A. knowledge a fine to B. and B. render to the said A. Habendum sibi & E. vxori eius, and the heires of their bodies

odies.

dies &c. by this fine C. must haue nons estate, because she is not named in the writ, 24.E.3.27.30. H.8.Br. Fines 108.7.E.3.63.

And a man cannot by fine by way of remainder reserve a lesse estate to himselfe then six: And therefore if A. knowlodge a fine to B. in six, and he render to A. in taile, the remainder to himselfe in life, this remainder is void, for A. had six simple before, 24.E.3.28. 14.H.4.31.

And a Concoord cannot be of any other thing then is contained in the writ of Couenant, and not of a forein thing, if it be not consequent: As in a writ of land, rent, common, &c. may be rendered issuing out of it, 18.E.4.22.

And a Concoord may be with an exception of some part, 44.E.3.21.

If a man will, he may make a Jointure by fine thus: If A. leuie a fine to A. in six sur cognizance de droit come ceo &c. and after A. render to A. for life without impeachment of waste, the remainder to B. his wife for terme of her life, the remainder to A. and his heires, 38.H.8. Br. Fines 108.

The manors and tenements contained in the writ may be diuided: As if a fine be leuied betwæn K. & D. of two manors, which D. knowledgeth all his right of the said two manors to be the right of the said K. as that which &c. for which K. granteth and rendereth the one manor to D. for life, with two parts of the other manor, which D. holdeth in dower, To haue the one manor, and two parts of the other manor, to D. for life, the remainder after her death to K. in taile, & that after the death of A. the third part shal remain to another, 43.E.3.11. 45.E.3.12.

And in like maner a fine is leuied of the manor of C. cum pertinẽa by A. vnto C. which A. knowledgeth the right in C. as that &c. and C. granteth and rendereth the same to A. in taile, The remainder of the fourth part of the manor towarde the West to the said A. & her heires, the remainder of another fourth part towarde the East to A. in six, the remainder of another fourth part towarde the South to one K. in six, and of the other fourth part towarde the North to W. and his heires, it is good, 44.Aff. p. 11. D. incertainely by thre third parts to A. B. and C. in remainder seuerally, 18.H.7.Br. Fines 111.

A fine leuied to one in taile vpon condition with remainder is holden to be good, 27.H.8.24. Plowd.34.b.24.E.3.62. Contra p Prisor, 33.H.6.52. and 44.E.3.22. But a fine with a reentrie was reiected, 44.E.3.22.

A lease for yeres may be made by a fine in this forme: The lessee must knowlodge the tenements to be the right of the lessor, as that &c. and then the lessor must grant the lands back againe to the lessee for so many yeres as are agreed vpon, reseruing a rent with a clause of distress: But this fine will not binde the issue in taile, because he taketh

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by the fine but giueth nothing thereby, Br. Fines 106. tempore H. 8. 36. H. 8. Br. Fines. 118. Plow. 455. 14. Eliz.

D, a lease for yeeres may be made by fines to binde the tenant in taile, thus: The tenant in taile and the lessee to knowledg the tenements to be the right of an estranger, as that &c. and the Cognisee to grant and render the tenements to the lessee for certaine yeeres yielding a rent with a clause of distresse, and then grant the reuerſion to the tenant in taile, 36. H. 8. Br. Fines 118.

If an estranger, which hath nothing in the lands, leuie a fine to him in the remainder in taile dependant sur estate pur vie, sur cognizance de droit come ceo que il ad de son done &c. and the Cognisee by the same fine render to the Cognisor for yeeres, de commencer al Mich. ensuant, and dieth, and all the proclamations are made after his death, The tenant for life after such fine as the said lease is limited to begin dieth, it is adiudged a good lease to barre the issue in taile for the terme, 14. Eliz. Plowd. 437. b. inter Smyth & Stapleton, which seemeth contrarie to the opinion before, Br. Fines 106. 118.

A, by fine granteth his tenements, which **J**. holdeth for life, & which after his deceale &c. to **W**. for life, rendering rent &c. with a distresse, saving the Reuerſion, 44. E. 3. 45.

If fine sur cognizance de droit come ceo &c. is leuied to **A**. in fee rendering rent, this reservation is void, because the fine is executed, for no reservation can be but of a fine executorie, as surrender, 50. E. 3. 9. 44. E. 3. 26. 29. E. 3. 1.

And if diuers ioyne in a fine, the warrantie must be by the, and the heires of one of them which is the owner of the land, 44. E. 3. 1. 21. E. 3. 27. 42. E. 3. 13. 24. E. 3. 66. *Contra sur terres de Gavelkind, ibm.*

A particular tenant, as for life &c. cannot surrender his terme to him in the reuerſion or remainder by fine; But he may grant and release it to him by fine; 44. E. 3. 36.

One Concord may be of lands in severall Counties, and the fine pro licenc' concord' of all extracted entirely: Yet must there be severall wryts of Covenant, returnable all at one day, 6. Eliz. Dyer fo. 227 pl. 43. 15. E. 4. 33.

And finally in Concord, all the speciall names of things contained in the writ, wherupon the fine is leuied, are not to be rehearsed, But onely the generall words therein mentioned: as manor, tenements, rents, advowson, common, &c.

As where the writ is de vno messuagio, vno giardino, vno pomario, decem acf terrar, v. acf prati, x. acf pasturar, iij. acf bosci, & communia pastur cum pertiñ in C. &c.

The Concord hath, *Recognita & coram prædictam cum pertinentijs*

B *three counties*
one concord
three writs

inentijs esse ius &c. But the examples following will more plainly expresse this, and all the differing formes of Concords here befoze mentioned.

A writ of Covenant of 3. messuages, and of common pasture.

PRæcipe &c. de tribus messuag' &c. cum ptiñ in D. & T. & de com- Sect. 31.
munia pastur' p omninib' & omnimodis aucrijs, ac de past', p 400
ouib' cum ptiñ in D. in parochia de C. Et nisi &c.

Of one messuage, one curtilage, one garden, of a rent, and of sheepewalke.

PRæcipe &c. de vno messuag', vno curtilagio, vno giardino &c. ac 9. li. Sect. 32.
reddit cum ptiñ in F. Necnon de libert' vnus faldagij & cursu o-
uium cum pertinentijs in F. Et nisi &c.

Of Wood, and Foldage.

PRæcipe &c. de cens' acris bosc' cum ptiñ in N. ac de libertate fal- Sect. 33.
dagij pro 40. ouibus cum ptiñ in S. Et nisi &c.

Of Wood.

PRæcipe &c. de &c. et quatuor virgat' bosc' &c. in parochijs de B. & Sect. 34:
L. &c.

Of 2. parts in 3. parts diuided of 8. acres of land, of pasture, acres of reed, and fresh and marish land.

PRæcipe &c. de duab' partibus in tres partes diuidend' 8. ac' terf, 40. Sect. 35
ac' pastur' 40. ac' arundinarum, 10. ac' marisci frisci, & marisci sal-
si cum pertinentijs in D. &c. Et nisi &c.

Of a Parsonage impropriate, and of the moitie of the tithes

PRæcipe &c. de Rector' impropriat' de H. cum ptiñ ac de medietate Sect. 36
omnium decimarum, granor', bladorū, garbar', & sceni de terr' vocat'
le B. lands cum ptiñ in H. ptiñ &c. Et nisi &c.

Of a Manor, of rent, and of free folding for sheepe.

PRæcipe &c. de maner' de &c. & decem solid' redd', ac de libero fal- Sect. 37.
dagio ouiu' cū ptiñ in R. & de Hundred' de L. Et nisi &c.

*A Writ of Covenant by one of the Kings Secretaries of the 3. part of 4. mes-
suages, 4. cottages, one mille, gardens, orchards, lands, medowe, pasture,
moore, turbarie, and rent, the 2. part of the view of frankepledge, of goods,
and cattels wained, felons, fugitiues put in exigent, felons de se, deodands,
treasure found, extrahur, and of the third part of a Parsonage.*

PRæcipe W. S. militi dño M. quod teñ R. C. militi, principal' Se- Sect. 38.
cretar' dom' Regis conuenc' &c. de tertia parte 4. messuag', 4. cotag',
vnus molendin', 10. gardin', 10. pomar', 200. ac' terræ, 200. ac' pra', 200
acris pastur', 30. ac' moræ, 30. ac' turbar', & 5. s. redd' cum ptiñ

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in A. B. C. D. ac de tertia parte Vis. franci pleg', bonor' & catallor' wauiaf, feloñ, fugitiuorum, vlagat, in exigen' pofitorum, fel' de fe, deodand', thefaur' inuent', ac extrahur' cum pertinent' in M. &c. Necnon de tertia parte Rector' ecclefiæ de K. cum pertin'. Et nifi &c.

A Writ of Couenant of Tithes.

Sect. 38. *Leic' ff.* **P**Ræcipe T. N. Milit', qd' ten' T. P. couene' &c. de p'ficijs granor', foeni, lanç, & agnor', ac de omnimod' alijs decimis cum pertinentijs in M. Et nifi &c.

A Writ of couenant, of the Scite of a Monasterie, of Messuages, of common, of pasture for all manner of beasts, of rent, and rent of hennes, and rent worke.

Sect. 39 *Derb. ff.* **P**Ræcipe A. B. qd' ten' C. D. couene' de scitu Monast. de B. cum pertin', ac de 20. messuag' &c. ac de com' pastur' p' omnib' animal, ac de 100. s. reddit', ac de redditu C. galinaf, & C. oper' cum pertin' in E. & F. Et nifi &c.

¶ Et est concordia talis, scz. qd' prediç' A. B. recognouit pred' suum ten', communiam pastur', & redd' cum p'tinentijs esse ius' ipsius C. vt ill' &c. (cum relax' & warrant' &c.)

A Writ of Couenant against the Father and the Sonne and heire apparant, of cottages, tofties, barnes, watermils, of one windmill, dolehoufes, gardens, orchards, land, meadow, pasture, wood, marish, furres, heath, moore, rent, halfe a pound pepper, of mine of coale, and the aduowson of a Church.

Sect. 40 *Linc' ff.* **P**Ræcipe F. M. armig', &c. & T. M. filio & heredi apparēt' eiusdem F. quod ten' F. F. & N. R. gen' couene' &c. de maner' de T. S. & H. iuxta N. super Trentam, Ac de 40. mess. 20. cotag', 40. toft', 30. horreis, 2. molend' aquatic', vno molend' ventritico, 3. columbar', 40. gardiñ, 40. pomar', mille ac' terræ, mille acris prati, mille acris pasturæ, 500. ac' bosci, 100. maris. 100. iampn' & bruer', 100. ac' alneti, 100. ac' iuncar', 500. ac' moræ, 4. libr' reddit' & red' dimid' vnius libræ piperis cum p'tin' in & S. Necnon de Aduocac' Ecclefiæ de T. & H. Et nifi &c.

A writ of Couenant of Dismes and Tithes.

Sect. 41 *Notting. ff.* **P**Ræcipe D. E. quod &c. teneat R. Y. armig', couene' &c. de decimis garbarum, granorū, & foeni cū p'tin' in R. & W. Ac de decima foeni in V. Necnon de decimis lani, agnor', oblationū, obuentionum, & emolumentorū, &c.

& de omnibus alijs decimis quibuscunque, venien, cresceñ, & tenouan' in W. pred'. Et nisi &c.

A writ of Couenant against the husband and the wife of a Parsonage, and of the aduowson of a Vicarage, and of messuages, cottages, barnes, and gardens.

PRæc' T.B. & A. vxori eius quod ten' C. W. armig' conuenc' Sect. 42.
&c. de Rectoria de L. ac de aduoc' vicar' de L. ac de decem messuag', x. cot', x. horr', x. gard' &c. cum ptiñ in L. pñ. Et nisi &c.

Præc' &c. q' iuste &c. de x. mes. &c. in W. Necnon de Rectoria eccles. de G. et de decim' granor', foeni, lanæ, agnor', et omnium aliar' decimarum quaruncq; in G. pred'. At etiam de aduoc' Vicar' ecclesie de G. pred' cum pertinentijs. Et nisi &c.

A fine knowledged by one to two persons, of sixe messuages, with warrantie against him and his heires.

Surr. ff. **P**Ræcipe W. W. q' iuste &c. ten' I. L. & A. P. con' &c. de sex Sect. 43.]
messuag' &c. cum pertin' in C. W. & E. &c. Et nisi &c.

¶ Et est concordia talis, sc. q' pred' W. recogñ pred' tenementa cum prim' esse ius ipsius I. vt illa quæ ijdem I. & A. habent de dono pred' W. Et ill' remisit et quiet' elasi de se & hered' suis pred' I. & A. & hered' suis imperpetuum. Et præterea idem W. concessit p se et heredibus suis, quod ipse warrant' pred' I. & A. & hered' ipsius I. pred' tenementa cum pertiñ contra predict' W. & hered' suos imperpetuum. Et p hac &c.

A fine by the husband and wife to two, of messuages, tostes, lands, medowes, pastures and rents, with warrantie against the Conusor and his heires.

Surr. ff. **P**Ræcipe I. T. & A. vxori eius, q' iuste &c. ten' W. R. & R. D. Sect. 44.
conuenc' &c. de quatuor messuag', quatuor tostis. xl. acf terræ, xx. acris prati, 120. acf pastur', & quinque solid' & iij. denar' reddif cum pertiñ in S. Et nisi &c.

Et est concordia talis, scilicet, quod prædict' I. & A. recogñ prædictum tenementum cum pertinentijs esse ius ipsius W. vt illa quæ idem W. & R. habent de dono prædictorum I. & A. Et ill' remisit et quiet' clamauer' de ipsis I. et A. et heredibus ipsius I. præfat' W. et R. et heredibus ipsius W. imperpetuum. Et præterea ijdem I. & A. concesserunt p se et heredibus ipsius I. quod ipsi warrant' prædictis W. et R. et hered' ipsius W. præd' tenentum cum pertiñ cōtra predict' I. et A. et heredes ipsi' I.

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imperpetuum. Et pro hac recognō, remissione, quiet clamā, warrant, sine, & concordā, ijdem W. & R. deder p̄d I. & A. ducentas & quadragit lib̄ sterlingorum.

A fine by two, and the wife of one of them, of land, meadow, pasture, and of Wood, with warrantie against the Conusor and his heires.

Sect. 45

Lincoln. ff. **P**Recipe R. B. gen̄, & T. R. & M. vxor. eius quod ten̄ T. B. gen̄ conuenc' &c. de trigint' ac̄ terræ, duabus ac̄ præ. tribus ac̄ pasturæ & sex acris boſc', cum pertinentijs in C. Et nisi &c.

¶ Et est concordia talis, scz. quod p̄d R. T. & M. recognouerunt tenementa p̄d cum pertiñ esse ius ipsius T. B. vt illa quæ idem T. habet de dono præd' R. T. & M. Et ill' remiserunt & quiet clamauer de ipsis R. T. & M. & hered' ipsius R. pref. T. B. & hered' suis imperpetuum. Et preterea ijdem R. T. & M. concesser pro se & hered' ipsius R. quod ipsi warrant̄ t̄nta præd' cum pertiñ prefat' T. B. & hered' suis contra p̄d R. T. & M. & hered' ipsius R. imperpetuum. Et p̄ hac &c.

A fine by one and his wife, to one, of the reuerſion of the 3. part of 7. messuages, of gardens landes, meadow, pasture, and wood after the death of one, with warrantie against the Conusor and his heires.

Sect. 46

Surr. ff. **P**Recipe T. W. & K. vxori eius, quod iuste &c. teneant G. S. conuenc' inter eos fact' de 3. parte 8. messuag', 7. gardiñ, 40. ac̄ terr', 10. ac̄ præ, 20. ac̄ pastur', quinquagint' ac̄ boſc' cum pertiñ in A. B. C. & D.

¶ Et est concordia talis, scz. quod p̄d T. & K. recogn' tertiam prem p̄d cum pertiñ esse ius pred' G. et concess. qd̄ eadem tertia pars cum pertiñ, q̄ M. B. vid' tenet ad terminum vitæ suæ de heredit' ipsius K. die quo hæc concordia facta fuit, & que post mortem eiusdem M. ad ipsos T. & K. reuerti debuit, reman̄ pref. G. et hered' suis imperpetuū. Tenend' &c. Preterea idem T. et K. concess. pro se & hered' ipsius K. qd̄ ipsi warrant' p̄ G. et hered' suis tertiam partem p̄d' cum pertiñ sicut pred' est contra se & hered' ipsius K. imperpetuum. Et pro hac &c.

A fine by a Lord Baron and his wife, to an Archbishop and one other, of three manors, messuages, tofts, cotages, milles, barnes, gardens, land, medow, pasture, wood, fures, and hearthes, of rent, of the aduowson of a Church, and of the view of frankfe pledge, with warrantie against them and their heires.

Sect. 47

Midd. ff. **P**recipe I. L. Militi dño L. & I. vxori eius, quod iuste & sine dilatione teneant Reuerendo in Christo patri T. Y. permissione

permissione diuina Archiepiscopo Ebor Angliæ primati, & G. L. conuenc' inter eos fact' de manerijs de R. K. & M. cum pertin, ac de quinquagint' messuagijs, quingentis toftis, ducentis cotagijs sex molend, quingentis horreis, quingentis gardin, quinq; mille acristerræ, mille acris prat, sex mille acris pasturæ, mille acris bosci, decem mille acris iampnorum & bruer ac de quingent libf reddit cum pertin. in R. C. A. alias S. T. V. W. & E. Ac de aduocatione Ecclesiæ de E. pred', Ac de visu franci pleg' de R. C. & A. pred'. Et nisi &c.

¶ Et est concordia talis, scz. quod predict' I. L. Miles, dominus L. et I. vxor eius recogn' maneria, tēta, redditus, aduocationem, & vis. franc' pleg' predict' cum pertinē esse ius ipsius T. Y. Archiepiscopi Ebor, vt il' quæ idem T. Y. Archiep'us & G. et L. habeant de dono pred' I. L. & I. vxor eius. Et ill' remisit T. Y. Archiep'o & G. L. et hered' ipsi' T. Y. Archiep'i imperpetuum. Et vlteri' ijdē I. L. & I. vxor ei' concess. pro se & hered' ipsius L. quod ipsi warrantizabunt maner, tēta reddit, aduocac', & vis. franci pleg' p'd cum pti'n pred' T. Y. Archiep'o Ebor, & G. L. & hered' ipsius T. Y. Archiepiscopi contra omnes homines imperpetuum. Et pro hac &c.

A fine by two to one, of manors, milles, houses, rents, and common of pasture, with warrantie against the conisors and the heires of them.

¶ Et est concordia talis. scz. q' p'd A. & B. recogn' p'd maner, molendin, Sect. 48. columbat, tēnt, comm' pastur cum pertin esse ius ipsius C. vt ill' q' ijdē C. & D. habent de dono ipsorū A. & B. Et ill' remisit & quiet' clam de se et hered' ipsius A. pred' C. & D. & hered' ipsius C. imperpetuum. Et preterea idem A. concessit p se & hered' suis qd' ipsi warrant p'd C. & D. et hered' ipsius C. p'd maner, molend, columbat, tēnt, reddit, communiam pastur, cum pti'n contra se & hered' suos imperpetuum. Et vltimis idem B. concessit, p se et hered' suis &c. (vt supra.)

A fine by one and his wife to one of one manor, of messuages, tofts, cottages, barnes, one water mill, a fulling mill, a wind mill, a doie house, gardens, orchards, land, meadow, pasture, woode, fures, heath, moore, fresh and salt marish, rent, free fishing, the aduowson of a Church by turnes, with a generall warrantie.

Denom. ff. **P**Recipe I. H. & V. vxori eius quod iuste &c. ten' R. P. Sect. 49 generof. conuention' &c. de manerio de B. cum pertin, ac de viginti messuagijs, duobus toftis, sex cotagijs, 4. horreis, vno molend' aquatico, vno molendino ventriuco, vno columbat.

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columbario, viginti gardinis, decem pomarijs, centum ac̄ terræ, centum acris prati, mille acris pastur, decem acris bosci, viginti acris saliceti, centum ac̄ iampnorum & brueræ, viginti acris moræ, viginti acris turbaræ, triginta acris mollet, sex acris iuncar, xx. acris marisci frisci, & xx. acris marisci falsi, duobus acris alneti, x. marci reddit cum pertiñ in B. C. et D. Necnon de liberis piscar in aquis de O. C. & D. Ac de seperali piscar in aqua de S. Necnon de aduocatione ecclesiaz de B. alternis vicibus cum acciderit. Et nisi &c.

¶ Et est concordia talis, sc. q̄ pred' I. et V. recogn̄ maneria & tenementa, reddit, et liber piscar pred' cum pertiñ ac aduocationem prædictam esse ius ipsius R. vt illa quæ idem R. habuit de dono preditorum I. & V. Et illa remisit & quiete clām de ipsis I. & V. & hered' ipsius I. prædict' R. et hered' suis imperpetuum. Et preterea idem I. & V. concesserunt pro se et hered' ipsius I. quod ipsi warrant prædicto R. & hered' & assignatis suis pred' maner, tenementa, redd, et liber piscar cum pertiñ, ac aduocac' pred' contra omnes homines imperpetuum. Et p̄ hac recognitione, remissione, quiete clām, warrant, fine, & concordia, idem R. dedit prædictis I. & V. xl. li.

A Fine by one de honore D. castro vicecomit' de S. cum hundred, insula de D. baronia de D. hundredo de D. burgo de D. vno feod' milis' de D. Scit', ambii & precinct' of a Monastery, a Manor, the site of a Manor, a Grange, a Parke, a Prebend, one capitall Messuage, Messes, Fests, Cottages, a Dove-horse, a Felling-mill, a Water-mill, a Wind-mill, and of diuers other things.

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Hec est finalis &c. Anno regni &c. coram &c. Iustic' & alij domini Reg. fidelibus tunc ibidem presentibus, inter I. A. que & M. B. desore de honore D. castro vicecomitat' de S. cum hundred' membris & pertiñ suis, Insula de D. Baronia de D. hundred' de D. Burgo de D. vno feod' milis' in D. Scit, Ambii, & Precinct' nuper Monasterij de D. manerio de D. cum pertiñ, Scit manerij de D. graugia de D. parco de D. prebend' de D. vno capitali mess. 2. mess. 2. toftis, 2. cottag', 1. columb. 1. molendino fullonico, 1. molend' aquatico, 1. molend' ventritico, 1. molend' granat, 1. molend' bladaf, 1. horreo, 1. gard in', 1. pomaf, 10. ac̄ terr, 10. ac̄ prati, 20. ac̄ pasturæ, 4. ac̄ bosci, 40. ac̄ iampnor & brueræ, 30. ac̄ moræ, 50. ac̄ marisci falsi, 9. ac̄ marisci frisci, 30. ac̄ turbar, 9. ac̄ iuncar, 6. ac̄ alneti, 6. ac̄ mollet, 4. ac̄ terr, aqua coopit, communia pastur pro omnibus vel omnimod' animalib', pro 100. ouibus, 10. equis, vaccis, porcis, spadonibus, &c. libera warrant, liber

ber piscar, libertate faldagij, libera falda, cisio, salm plumbar, aquæ sal-
sa poteo, vigint libf, 10. marcat, decem solid, vno denario, vno obulo &
quadrant reddij.

* Ac reddij vnus paris Chirothecarum, vnus paris calcarium deaurat,
sagitte barbate, vni^o par calcetorum, vni^o vomeris, 1. libre cere, 1. libf
piperis 1. libre cumini, 1. clau gariophili, 1. rose rube, 1. acus & fili, 1.
quarterij frumenti, 1. quarter ordet, 2. bracei caponu, 40. galloru, 20. gal-
linarium, mille ouorum, & auarum cum pertin' in D.

Ac de comun pasturæ quam p d M. B. habet & habere solebat pro om-
nib^o auerjis suis in centum acris pasturæ: psius I. A. in D.

Ac de omnibus vel omnimodis oblationib^o, decimis granorum, gar-
barum, foenij, lanæ, lini, canabis, porcellorum, auarum, agellorum, &c.
& alijs emolumentis quibuscunq; spectañ, pertineñ, crescentibus siue
existen' cum pertinentijs in D.

Ac de theolonio, stallagio, picagio, pontagio, infra burgum de D.
quodam corrodio vnus paris, vni^o lagene ceruisiæ pro omnib^o homini-
bus in D.

Et de gurgite & cursu aquæ current a loco vocat H. infra & p terr' vo-
cat K. ad molend' vocat S.

Vera siue veda in D. Ac de vis. franc' pleg' libertate & franchisesijs
in D. Necnon de custod' siue officio custod' de B. custod' parci & fore-
ste de D. Ac de officio Seneschalciz de D. Balliua siue officio balliuat
de D.

Necnon de Nundinis de D. singulis annis ad festa de N. M. ibidem
tenend', Mercat de D. quiet siue libero passagio vltra aquam D. Rectoria
de D. Aduocatione, presentatione, donatione, libera dispositione, &
iure patronat' Ecclesiæ de D. quadam portione decimarum aut pentio-
num in D.

Necnon de meditate mangrij de D. cum pertin', & de terra parte tenf
de C. in tribus partibus diuis' Except' & omnino reseruat patronagio v-
na cum aduocatione Vicariæ Ecclesiæ de D. & Capell' eidem Rectoriæ
annex', ac omnibus decimis granorum, vis. franc' pleg', ac omnibus quæ
ad vis. franc' pleg' pertin', wardis, margitagijs, elschæf, cattall' felonum,
wauiat, extrahur, felon, fugitiuorum, vtlagat, attinet cum terr' & tene-
ment' vtlagat & wauiat, quibuscunq; ferijs, mercat, wrec' maris, ac tor
& raris iuribus, iurisdic't, priuilegijs, franchises, & libera tenf prædict',
aut aliquot eorum concernen' & eidem M. B. & hered' suis vt de manerio
de D. spectañ.

Vnde placitum conuentionis summonit fuit inter eos in eadem Curia,
Scilicet, quod præd M. recognouit prædict' honorem, castrum, vicecom-
mitatum, insulam, baroniam, hundredum, burgum, feod' milit, scizum,
manerium, parcum, prebend', tenement', reddij, communiam pasturæ,
liberam

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liberam warrennam, liberam piscariam, libertat salin, plumbarum, bul-
 las puteum, rector, decimas, oblationes, theoloneum, stallagium, picagi-
 um, pontagium, corrop, gurgitem, vis, fran, pleg, libertates, franches, cu-
 stod, officium seneschall, balliuat, nundinas, mercatas, feriam, passagium,
 wreccum maris, medietatem & tertias partes cum pertin : Ac aduocati-
 ones, presentationes, liberam dispositionem, ius patron, portioñ, & pen-
 siones pred esse ius ipsius I. Vt illa quæ idem I. habet de dono pred M.
 Et ill' remis. & quiet clam de se & hæredib' suis pred I. & hæred' suis im-
 perpetuum.

Et præterea idem M. concess. pro se & hæredibus suis, quod ipse war-
 rant pred I. & hered' suis pred honorem, castrum, vicecomitatum, insu-
 lam, &c. (vt supra) contra se & hered' suos imperpetuum. Et p hac re-
 cognitione, sine &c.

A fine of a rent by an Earle and his wife.

Sect. 51.

Notting. ff. **P**Ræcipe I. Comitis H. & domine K. vxori eius Comitissæ
 H. quod iuste & sine delatione ten W. C. conuenit
 &c. De quadraginta libr' annui reddit' excuntis de manerijs
 de E. &c. Et nisi &c.

¶ Et est concordia talis, scilicet quod prædict' Comes & Comitissa re-
 cognouerunt reddit' predict' cum pertinentijs esse ius ipsius W. vt illa
 quæ idem W. habet de dono pred' Comitissæ & Comitissæ. Et ill' remi-
 ser & quiet clamauer de se & heredibus suis præfat' W. & hæredibus su-
 is imperpetuum. Et præterea idem Comes & Comitissa concedunt pro
 se & hæredib' ipsi' Comitis, quod ipsi warrant redd' præd' cum per-
 tin' præf. W. & hered' suis contra omnes homines imperpetuum. Et pro
 hac &c.

A fine of the third part of a rent by the husband and wife.

Sect. 52.

Suff. ff. **P**Recipe R. & I. vxori eius quod teneant H. C. conuenit
 &c. de tertia parte quinque libr' sex solid' & octo denar'
 reddit' cum pertinentijs excun de manerijs de K. Et nisi
 &c.

¶ Et est concordia talis, scz. quod præd' R. & I. recognouer' tertiam
 partem pred' cum pertjn esse ius ipsius H. vt ill' quam idem H. habeat de
 dono prædict' R. & I. Et ill' remisit & quiet clamauer de se & heredib'
 ipsius I. præf. H. & hered' suis imperpetuum. Et præterea idem R. & I.
 concesser' pro se & hered' ipsius I. quod ipsi warrant præf. H. & hered'
 suis pred' tertiam partem cum pertjn contra omnes homines imperpetu-
 um. Et pro hac &c.

A fine

*A Fine of a Parsonage excepting the advowson of the Vi-
carage of the same Parsonage.*

PRæc' &c. Coñ &c. de Rectoria de T. cum pertiñ, except' Advoca- Sect. 53.
tione vicar' ecclesiæ de T. Et nisi &c.

Et est &c. quod p̄d' A. recogn' Rectoriam pred' cum pertiñ, (except' præexcept') esse ius &c. Et ill' remis. &c. (except' p̄except'.) Et præterea idem &c. concess. pro se &c. quod ipse warrant' prædict' &c. Rectoriam prædict' cum pertiñcñ (except' præexcept') &c.

*A writ of covenant brought by three against three of one manor, ten messuages
eight cottages, and of land, meadow, pasture, moore, and of rent.*

Ebor. **P**Ræc' C. B. & F. vxori eius quod ten' E. D. & R. coñ &c. de Sect. 54.
manerio de S. cum pertiñ, ac de x. mesuag', viij. cotag', CC.
ac' terræ, CC. ac' prati, 160. ac' pasturæ, 300. ac' moræ, & vijs. redd'
cum pertiñcñ in A. F. B. & C. Et nisi fecerint &c.

*A Concord with a Render for life to the husband and the wife being the con-
sors of parcell of manors and lands contained in the writ of Covenant, the re-
mainder to the first and second begotten sonne of the consors in taile, and to
the heires males, and for default of such issue, then to the consors in gene-
ral taile, and for default of such issue then to the right heires of the con-
sors for ever, with grant and render of ten messuages, &c. residue of the
same manor, &c. to the said consors.*

ET est concordia talis scilicet quod prædictus T. & F. recogn' ma- Sect. 55.
neri, tenementa, & redd' pred' cum pertiñ esse ius ipsius E. ut ill' que
ijdem E. & R. habent de dono prædict' T. & F. Et illa remisit & quiet'
clam de ipsis T. & F. & hæred' ipsius F. præfat' E. & R. & hæred' ipsius
E. imperpetuum. Et præterea ijdem T. & F. concesser' pro se & hæred'
ipsius F. quod ipsi warrant' manerium, tenementa, & redd' cum pertiñ præfat'
E. et R. et hæred' ipsius E. contra ipsos T. et F. hæred' ipsius F. imperpe-
tuum. Et pro hac recogn' &c. ijdem F. et R. concesser' præf. T. et F. ma-
neri de S. p̄d' cum pertiñ ac x. mesuag' viij. cotag' xx. ac' terræ, xx. ac' prati,
160. ac' pasturæ, 300. ac' moræ, 6. solid' reddit' cum pertiñ in A. et F.
præd', parcellas maneri, tenementorum, et redd' p̄d'. Et ill' eis reddider'
in eadem curia. ✽ Habendum et tenendum præfat. T. et F. pro termino
vitæ ipsorum T. et F. & alterius eorum diutius viuent' absque impetici-
one alicuius vasti. Et quod post decessum prædict' T. et F. & eorum
alterius diutius viuent', prædict' parcell' maneri, tenementorum, & redd' præd'
cum pertiñ reman' primogenito filio de corporibus præd' T. & F. inter
eos legitim' procreat', & heredi mascul' de corpore prædicti primoge-
nit' filij & legitime procreat'. Tenendum &c. ✽ Et si nullus hæres de
corpore ipsius primogeniti filij fuer' legitime procreat', prædict' parcell'
maneri,

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manet, tenentur, & reddunt pred cum pertin reman secundo genito filio de corpore pred T. & F. inter eos legitime procreat, & hered mascul de corpore dicti secundi geniti filij legitime procreat. Tenend &c. ✱. Et si nullus heres de corpore ipsius secundi geniti filij fuer legitime procre, tunc predict' parcell' manet, tenementor, & redd pred cum pertin reman hered de corporibus pd T. & F. inter eos legitime procreat. Tenend &c. Et si nullus heres de corporibus ipsorum T. & F. inter eos fuerunt legitime procreatus, tunc pd parcell' manet, tenentor, & redd pd cum pertin remanet inde rectis hered ipsorum T. & F. imperpetuum. Tenend &c. Et ulterius iidem E. & R. concess. pref. T. & F. decem messuag' &c. cum pertin' in B. & C. pred residuum pd manet tenentor & redd predict'. Et ill' eis redd in eadem Cur.

Sect. 56.

A Fine of one acre of land, homage, rent, and services.

Salop. **P**Ræcipe E. T. armig. quod ten' N. P. con' de vna ac' terf, & quindecim solid' redd cum pertin' in G. & F. Et nisi &c.

Et est concordia talis, scz. quod pred E. T. recognouit pd ac' terf cum pertinentijs esse ius ipsius N. vt ill' quam idem N. habeat de dono pred E. Et ill' remisit & quiet' clam' de se & heredibus suis perf. N. & heredibus suis imperpetuum. Et pd E. concessit, p'f. N. pred' redd simul cum homagio et toto seruitio I. H. et heredum suorum de tot tentis quot pred' E. prius tenuit de F. pd. Habend', percipiend' & gaudend' pd reddi simul cum homagio et toto seruitio pd N. & hered' suis imperpetuum. Et pd E. & hered' sui warrant pd N. & hered' suis pred' ac' terf & redd' prædict' cum pertin' simul cum homagio & toto seruitio pd sic (vt dictum est) contra omnes homines imperpetuum. Et pro hac &c.

A Fine of a Manor and sixe Knights fees, homages and services in the same Manor, by the husband and the wife, and others.

Sect. 57.

INter H. W. & I. B. que' & T. M. militem & T. filium eiusdem T. & E. vxorem eiusdem T. filij, & W. M. deforc', de manerio de T. cum ptiñ, vnde placitum conuentionis sumñ fuit inter eos in eadem curia, scilicet quod pred' T. T. E. & W. recogn' predict' manerium cum pertinent' esse ius ipsius H. vt illud quod iidem H. & I. habeant de dono pred' T. T. E. & W. vna cum septem feodis Militum in eodem manerio. Et concessit pred' H. & I. pred' maneriũ & feod' cum pertinent' simul cum homagijs & omnibus seruitijs M. W. & I. N. & heredum suor, de tot tenementis quot de pred' T. T. E. & W. prius tenuerunt in eodem manerio. Et ill' eis redd' in eadem curia. Habendum & tenend' iisd' H. & I. & hered' ipsius H. de capit' dominis feodi illius p' seruitia que ad pred' manerium & feoda pertinent imperpetuum. Et preterea iidem T. T. E. & W. concessit

cesserunt pro se & hered' ipsius E. quod ipsi warf præd' H. & I. & hered' ipsius H. prædict' manerium & feoda cum pertinentijs sicut prædict' est contra omnes homines imperpetuum. Et pro hac recognitione, concessione, warrant', sine & concordia, ijdem H. & I. dederunt prædict' T. T. E. & W. vigin' lib' strelingorm.

An old fine in Frankalmoigne of the aduowson of a Church, knowledged to a Priour and his Church before Iustices in Eire, in Anno 55. of King Henry the third.

HEc est finalis concordia facta in Cur' domini Regis apud Lincoln' Sect. 58. in Octab. Sancti Mich. Anno regni Regis Henrici filij Regis Io. 55. coram R. A. G. P. W. W. W. H. & I. O. Iusticiarijs itinerantibus & alijs domini Regis fidelibus tunc ibidem presentibus, inter I. D. petent', & Priorem de C. deforc', de Aduocac' Ecclesie de D. cum pertinentijs vnde placitum conuenit summ' fuit inter eos in eadem Cur' scz qd' præd' I. recognouit præd' Aduocationem cum perti' esse ius ipsius Prioris & Ecclesie sue Sanct' Mar' de C. v' illā quam idem Prior & ecclesia sua habent de dono W. filij W. antecessoris ipsius I. cuius heres ipse est: Habend' & tenend' eidem Priori & successoribus suis & eccles. sue præd', de prædict' I. & heredibus suis in puram & perpetuam eleemosinam, liberam & quiet' ab omni seruitio seculari & executione imperpetuum. Et præd' I. & hered' sui warrant', acquietabunt, & defend' eidem Priori & success. suis & eccles. sue prædictam aduocationem cum perti' &c. Et p' hac &c. idem Prior remitt' prædict' I. singulis beneficijs & orationibus quæ de cetero fient in ecclesia sua præd' imperpetuum.

A Concord of one messuage, &c, in the county Palantine of Lancaster.

Lancaster **H**Ec est finalis concordia fact' in Cur' dom' Reg. apud Sect. 59. HL. die lune in quinta septimana quadragesimæ, anno regni Elizab. dei gratia Angliæ, Franciæ, & Hyberñ Regiñ fidei defensoris &c. tricelimo secundo, coram I. Clench tertio Baroñ Scaccar' dom' Regiñ & F. R. vno seruientium dom' Reg. ad legem Iustic' dom' Reg. apud L. & alijs dict' dom' Reg. fidelibus tunc ibi presentibus inter H. T. & R. H. quer' & W. C. gen' deforc', de vno mesuagio &c. cum perti' in T. vnde placitum conuentionis summ' fuit inter eos in eadem curia, scz. quod prædict' W. recognouit &c.

A lease for yeares by fine, if one of the conuors live so long, reseruing a rent.

Ebor. ff. **P**Ræcipe F. T. & M. vxori eius, quod iuste &c. ten' I. H. Sect. 60. & K. vxori eius conuenit &c.

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Et est concordia &c. scz. qđ p̄dict' F. & M. concessit p̄dict' I. & K. tenement p̄dict' cum p̄tīn. Habend' & tenend' eidem I. & K. a festo &c. qđ erit in anno &c. complend', si p̄dict' M. tam diu vixerit. Reddend' inde ad festa &c. p̄ equales porciones solvend', durante toto termino p̄d' &c. Et si contingat &c. *Quere whether this be a good lease at this day against issue in taile.*

A lease for yeares by fine of one messuage & free fishing, reseruing a rent with a clause of distresse, with a grant of the reuerſion of the said messuage and free fishing vnto one of the conuorsors in fee.

Scct. 16.

Eber. ff. **P**Recipe T. P. armig' & W. C. gen', quod iuste &c. ten' I. W. & E. M. conuenc' &c. de vno messuag' &c. cum p̄tīn in H. & B. ac de libera piscaria in aqua de B. Et nisi &c.

Et est concordia talis, scz. quod p̄dict' T. & W. cognouit teniment & liberam piscariam p̄dict' cum pertinentijs esse ius ipsius I. ve illa que idem I. & E. habent de dono p̄dict' T. & W. Et ill' remis. & quiet' clam' de se & hered' suis p̄fāt I. & E. & hered' ipsius I. imperpetuum. Et p̄terea idem T. & W. concessit pro se & hered' ipsius T. qđ ipsi warrant' ten' & liber' piscaria p̄dict' cum p̄tīn p̄fāt I. & E. & hered' ipsius I. cont' omnes homines imperpetuum. Et pro hac recognic', remissione, quiet' clam', warrant', fine, & concordia, iudē I. & E. concessit p̄fāt W. ten' & liber' piscar' p̄dict' cum pertinentijs. Et ill' ei reddidit in eadem cur'. Habend' & tenend' tenementa & liberam piscariam p̄fāt cum p̄tīn p̄fāt W. & assign' suis, a festo sancti Martini in hyeme vltimo p̄terito, vsque ad finem termini sexaginta annos extunc prox. sequen' & plenarie complend'. Reddend' inde annuatim p̄fāt I. & E. & hered' ipsius I. quendam annual' reddit' 3. li. 6. s. 8. d. legalis monete Angliæ, ad festa sancti Martini episcopi in hyeme & P. p̄ equales porciones durant' termino p̄dict' solvend'. Et si contingat p̄dict' annual' reddit' 3. li. 6. s. 8. d. a retro fore in parte vel in toto post aliquod festum festorum p̄dictos quando vt prefertur solui debeat non solut' p̄ spacium viginti dieꝝ, quod tunc bene liceat & licebit p̄fāt I. & E. & hered' ipsius I. in tenement' p̄dict' cum p̄tīn intrare & distringere, districtionesque sic ibidem cap' & habitas licite asportare, effugare, abducere, & p̄ones se retinere, quousque de p̄dict' annual' reddit' 3. li. 6. s. 8. d. vna cum arreragijs eiusdem si que fuerint sibi plenarie fuerit satisfact' & persolut'. Concessit etiam p̄dict' I. & E. p̄fāt T. tam reuerſionem tenementorum & libere piscarie p̄dict' cum pertinentijs, quam p̄fāt reddit' 3. li. 6. s. 8. d. superinde reseruat'. Et illa ei reddidit in eadem cur'. Habend' & tenend' tam reuerſionem tenementorum & liber' piscar' p̄fāt cum pertinent', quā p̄dict' reddit' 3. li. 6. s. 8. d. superinde reseruat' p̄fāt T. & hered' suis imperpetuum. Tenend' &c. *vt supra.*

A lease

A Lease for yeares by fine by one and his wife.

Ebor. ff. **P**Ræcipe C. & A. vxori eius, quod iuste &c. teñ W. S. Scã. 62,
& I. vxori eius, conuenc' &c. de &c. expresse the tenements, &c.

¶ Et est concordia talis, scz. quod p̄d C. & A. recognouit teñ p̄d cum pertinentijs esse ius ipsius W. ut illa quæ ijdem W. & I. habent de dono p̄d C. & A. Et ill' remisit & quiet' clam de se & hæred' suis p̄d W. & I. & hæred' ipsius W. imperpetuum. Et præterea &c. Et pro hac &c. p̄d W. & I. concessit teñta p̄d cum pertinentijs præfat' C. & A. & ill' eis reddidit in eadem cur'. Habend' & tenend' tenement' p̄d cum pertinent' p̄fat' C. & A. & assignatis suis, à festo S. Mich. Archangeli vltim' p̄terito, vsque ad finem termini & p̄ termin' xl. annor' tunc p̄xim' sequen' & plenariè complend'. Et p̄terea ijdem W. & I. & hæredes ipsius W. warrant' teñ p̄dict' cum pertinent' præfatis C. & A. & assignatis suis, duran' t̄mino p̄d contra omnes homines. Et pro hac &c. *ut supra.*

A lease by fine made by Tenant for life for xxi yeares, if she liue so long, reseruing a rent, with a clause of distresse, the reuerſion granted to the Conuors, and after the terme ended, then to one P. for xxi. yeares, reseruing a redde Rose, and after the end of that terme, the remainder to E. and M. in fee.

Ebor. ff. **P**Ræcipe I. P. gener' & E. vxori eius, et R. L. armig', qđ teñ I. Scã. 63.
M. conuenc' &c.

¶ Et est concordia talis, scz. quod cum prædict' I. P. & E. habent & tenent sibi pro termino vitæ ipsius E. prædict' tenement' & piscar' cum pertinent', reuerſione inde post decessum ipsius E. W. T. & hæred' suis spectant', ijdem I. P. & E. & R. concessit præfat' I. M. prædict' tenement' & piscar' cum pertinentijs: Habend' & tenend' eidem I. & assignatis suis tota vita ipsius E. ✽ Et præterea prædict' I. F. & E. & R. warrant' præfat' I. M. & assignat' suis teñta & piscar' prædict' cum pertinent' sicut dictum est contra prædict' I. F. & E. tota vita ipsius E. Et pro hac concess. warrant', fine, & concordia, idem I. M. concessit præfat' R. tenement' & piscar' prædict' cum pertinent' & illa ei reddidit in eadem curia ✽ Habend' & tenend' teñ & piscar' prædict' cum pertinentijs eidem R. pro t̄mino 21. annorum proxim' sequen' & plenariè complend': si eadem E. tam diu vixerit. ✽ Redden' inde annuatim præfato I. M. & assignat' suis 14. lib' ad festa &c. per equales porciones, annuatim soluend' tota vita ipsius E. ✽ Et si contingat &c. concessit etiam prædictus I. M. præfatis I. P. & E. reuerſionem tenementorum & piscariæ prædict' cum pertinentijs, & redditū prædict' superinde reseruāt, & ill' eis reddid' in eadem curia. ✽ Habend' &

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& tenend̄ eisdem I.F. et E. de capitalibus dominis feodi illius per seruitia quę ad prædict' tenement' & piscat' prædict' cum pertinentijs pertinent, tota vita ipsius E. * Et post terminum illum finitum, tenement' prædict' cum pertinentijs integre remanebunt P. & assignat' suis pro termino 21. annorum post festum Sancti Martini in hyeme proximo futur' immediate sequen' & plenarie complend'. * Reddend' inde annuatim præfatis P. & E. & hæred' ipsius P. toto termino prædict' vnā Rosam rubeam ad festum Sancti Iohān Bapt. annuatim soluend' si petatur. * Et post terminum illum finitum, tenementa prædict' cum pertinentijs integre remanebunt præfat' E. & M. & hæred' ipsius E. imperpetuum, de capital' dominis feod' ill', per seruitia quę ad prædict' tenementum pertinent imperpetuum.

A Lease to the wife for xxi yeares of two messuages, to commence after her husbands death reseruing a Rent, with a clause of distresse, the Cognisees graunt backe the same reuerfion and rent to the Comisors in fee.

Sec. 64.

South. ff. **P**Ræcipe C. C. armig' & D. vxori eius, et R. B. gener' quod teneant H. M. & C. M. conuene' &c. de duobus messuag' cũ p̄in in parua S. Et nisi &c.

¶ Et est concordialis, scz q' prædict' C. et D. et R. recogn' tenita p̄d cum pertinentijs esse ius ipsius H. vt ill' &c. Et ill' remisit &c. Et præterea &c. Et pro hac &c. prædict' H. & C. concessit præfat' R. tenement' p̄d cum p̄tinentijs. Et ill' ei reddidit in eadem cur'. * Habend' & tenend' tenementa prædict' cum pertinentijs præfat' R. tota vita ipsius R. & immediate post decessum ipsius R. tenent' p̄d cum pertinentijs integre remanebunt M. vxori ipsius R. executoribus vel assign' suis pro termino 21. annorum extunc proximo sequen' & plenarie complend'. ¶ Reddend' inde annuatim præfat' H. & C. & hæred' ipsius H. quandam annuitatem siue annual' redditum v. lib' legalis monete Anglię, ad festa Sancti Martini Episcopi & Pent' per æquales porciones annuatim durant' eodem termino soluend', prima solutione inde incipiend' ad proximo festum festoru' prædictoru' post decessum p̄d R. * Et si contingat p̄d annuit' siue annual' reddit' quinque lib' a retro fore &c. * Concessit etiam p̄d H. & C. p̄fat' C. C. & D. tam reuerfionem tenement' cum pertinent', quam p̄d reddit' v. lib' superinde reseruaf'. Et ill' eis reddiderunt in eadem curia: Habendum, tenendum, & percipiendum, prædictam reuerfionem tenementoru' prædictorum cum pertinentijs & redditum p̄dictum præfat' C. C. & D. & hæredibus ipsius D. imperpetuum.

I.R. being tenant in generall taile in possession the reuerfion in fee to C. and T. the same C. and T. by fine graunt the land to M. and E. and the said M. and E. render the same againe to the said T. Habendum from a certaine feast next after the death of the said I. without heire of his body, for the terme of 1500 yeares, reseruing i. d. rent, and after the end of the terme to P. T. one of the sonnes of the said T. for euer.

Ebor. ff. **P**Recipe &c. C. N. & T. T. quod ten M. B. & E. D. conuenc' &c. de &c. Et nisi &c

¶ Et est &c. q̄ cum I. R. habet & tenet sibi & hered' de corpore suo legitime procreat tenē predict' cum pertinentijs reman' inde post decessum ipsius I. si idem I. obierit sine herede de corpore suo legitime procreat pref. C. & hered' suis spectānt, i. d. C & T. concesser' tenementa p̄d' cum pertiū pred' M & E. & hered' M. imperpetuum. * Tenend' &c. Et p̄d' C. & hered' sui warrant' pref. M. & E. & hered' ipsius M. tenement' pred' cum pertinentijs sicut p̄d' est, contra omnes homines imperpetuum. * Et p̄ hac concessione, redditiō, warrant', sine & concord', i. d. M & E. concesser' predict' T. tenē pred' cum pertiū, & ill' ei redd' &c. * Habend' &c. eidem T. & assign' suis, a festo S. Martini in hyeme p̄ximū post decessum p̄d' I. si idem I. obierit sine herede de corpore suo legitime procreat vq; sinem termini & pro termino mille & quingent' annorum ex tunc proximiū sequen' & plenariē complēd' absque impetitione alicuius vasti. * Reddend' inde annuatim prefat' M & E. & hered' ipsius M. vnum denar' ad festum &c. annuatim soluend' toto termino predict' si petatur. Et post terminum illum finitum, predict' tenementa cum pertiū integre reman' P. T. vni filiorum p̄dict' T. & hered' ipsius P. imperpetuum &c. *vs supra.*

Sect. 65

A Lease of a messuage by fine for yeares to begin at a time to come, with a clause of distresse.

North. ff. **P**Recipe A. B. & E. vxori eius, quod ten C. D. conuenc' &c. de vno messuag' &c.

Sect. 66.

¶ Et est concordia talis, scz. quod pred' A. B. & E. concess. tenement' predict' cum pertineā prefat' C. D. & assignatis suis, Et illa in eadem cur' pref. C. D. reddider' : Habend' & tenend', eidem C. D. a festo Pentec' q̄ erit in anno domini 1597. vsque sinem termini viginti vnus annorum ex tunc proximiū sequen' & plenariē complēd' : Reddend' inde annuatim pref. A. B. & E. & hered' ipsius E. septem libr' legalis monete &c. ad festa S. Martini Episcopi in hyeme, N. A. P. equis porcionibus annuatim durante termino p̄d' soluend'. Et pro hac &c.

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A lease of one messuage &c. to diuers for 90. yeares, if the lessee his wife, and two others live so long, reseruing a rent, and the best Beast after the death of euery tenant in name of an Heriot, with a clause of distresse for the same rent and Heriot, and after graunteth the reuerfion to the lessor and his wife.

Sect. 67.

London. ff. **P**Ræcipe I. R. armiger & M. vxori eius, & T. B. quod ten R. C. & V. C. contienc' de vno mesuagio &c.

¶ Et est concordia talis, scz. quod p̄dict' I. M. & T. recogñ. tenita p̄d' cum p̄tineñ esse eius ipsius V. vt ill' &c. cum relaxatione & warr'. Et pro hac &c. ijdem R. & V. concessit p̄fat' T. B. p̄dict' tenementa cum p̄tineñ, Et ill' ei reddiderunt in eadem curia: Habend' & tenend' eidem T. & assign' suis, a festo natalis dñi proxim' futur', vsq; ad finem termini nonaginta annorum tunc proxim' sequen' & plenariè complend', si idem T. & I. vxor eius, B. B. & T. B. filij ipsius T. tam diu vixerint, aut eorum aliquis tam diu vixerit. * Reddend' inde annuatim p̄d' R. & V. & hæred' ipsius V. quatuor lib' legalis moneræ Angliæ, ad festa Annunciationis beatæ Mariæ virginis, natiuitatis Sancti Ioh. Bapt. S. Michaelis Archang. & natiuitatis dñi, per æquales porciones annuatim soluend' toto termino p̄d', ac soluend' post decessum T. B. patris, & post decessum cuiuslibet inde tenencis suum optimū animal nomine heriot. * Et si contingat p̄d' redd' 4. li. retro fore in parte vel in toto post aliqd' festū testorum p̄d' quo vt plerū solui debeat non solut', aut si contingat p̄d' optimū animal nomine heriot vt præfert soluend' post decessum cuiuslibet tenencium præmissorū fore insolut' aut subtrac'. * Quod tunc bene licebit p̄d' R. & V. & hæred' ipsius R. in p̄d' tenent' cum pertinentijs intrare & distringere, districtiōnesq; sic ibidem capē & habere licite abducere, asportare, & effugare, ac penes se retinere, quousq; de p̄d' redd' 4. li. & arrearajis eiu' d' (si quæ fuerint) vna cum optimo animali p̄d' quando contingerit plenariè fuerint satisfact' & persolut'. * Concessit etiam præd' R. & V. præd' I. & M. reuersionem tenementorū præd' cum p̄tineñ & præd' redd' 4. li. ac p̄d' redd' optimi animalis nomine heriot superi' reseruat'. Et illa eis reddider' in ead' curia. Habend' & tenend' eis d' I. & M. & hæred' ipsius I. & M. & hæred' ipsius I. de capital' dñis feod' illi' imperpetuum &c.

A Lease for yeares to one of the Conusors of one messuage &c. reseruing rent, with a. nomine poene and a distresse for the rent and paine, with a grant of the reuerfion to one of the Conusors, and his wife in generall taile.

Sect. 68.

Midd. ff. **P**Ræcipe E. P. armig' & vxori eius, & R. B. quod teneant I. R. & T. S. conuenc' de vno mesuag' &c.

¶ Et

¶ Et est concordia talis, scilicet, quod predicti, E. P. & M. & R. B. recognoscunt tenementa predicta cum pertinentiis esse ius ipsius I. ut illi quæ ipsi I. & T. habent de dono predicti E. M. & R. (cum relaxac' & warrant') Et pro hac &c. ipsi I. & T. concessit predicti R. tenementa predicta cum pertinentiis, Et illi ei reddiderunt in eadem curia: Habend' & tenend' eidem R. festo Sancti Mich. ultimo preterito pro termino triginti unius annorum extunc proximum sequentem & plenarie complend'. * Reddend' inde annuatim predicti I. & T. & hæred' ipsius I. viginti libris legalis monete Angliæ, ad duos anni terminos, viz. ad festum Annunciationis beatæ Mariæ virginis & Sancti Michaelis Archang' per equales porciones annuatim soluend' toto termino predicti. * Et si contingat predicti redd' xx. li. aut aliquam inde parcelam a retro fore in parte vel in toto post aliquod festum festo predicti quo ut preterit solui debeat non solum pro spaciū quadraginta dierum, quod tunc forisfaciet predicti R. predicti I. et T. & hæred' ipsius I. v. li. nomine pœnæ, & quod tunc & toties bene licebit predicti I. & T. & hæred' ipsius I. in predicti tenementa cum pertinentiis intrare & distringere, districtio et que sic ibid' cap' & habitas licit' abducere, asportare, effugare, ac penes se retinere, quousque tam de predicti xx. li. quam de predicti quinque libris nomine pœnæ, ut preterit forisfact' cum areragijs earū (si quæ fuerint) plenarie fuerit satisfact' & persolut'. * Concessit etiam predicti I. & T. predicti E. & M. predicti tenementa cum pertinentiis, ac predicti reddidit xx. li. superinde reseruat ac predictam summam quinque librarum nomine pœnæ. Et illi eis reddiderunt in eadem curia. Habend' & tenend' eidem E. & M. & hæred' de corpore ipsius E. legitimè pcreat'. Tenend' &c. Et pro defectu talis exiti reman' inde W. W. & hæred' suis imperpetuum. Tenend' &c.

A Fine with graunt and reuder of the moitie of a manor to the Conusor for terme of life, without impeachment of wast, and for sixteene yeares after her death, then the one moitie of the same moitie, to one in fee, and the other moitie of the said moitie to another in fee.

Ebor. ff. **P**Ræcipe E. A. vid' nuper uxori W. A. Mil' defunct' quod ten' Sect. 69.
T. F. conuenc' de medietate manerij de H. &c.

¶ Et est concordia talis, scilicet, quod cum E. A. recognoscit &c. Et pro hac &c. idem T. F. concessit predicti E. A. medietatem predicti cum pertinentiis. Et illi ei reddidit in eadem Curia: Habend' et tenend' predicti medietatem manerij &c. predicti E. A. pro termino vitæ suæ ipsius E. absque impetitione alicuius vasti de capitalibus dominis feodi illius per seruitia quæ ad predicti medietatem pertinent tota vita ipsius E. & pro termino sexdecim annorum extunc proximum sequentem post mortem predicti E. Et post mortem predicti E. et post predicti terminum sexdecim annorum finium & determinat', quod tunc una medietas predicti medietatis manerij predicti

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pređ &c. cum ptinentē reman̄ B. G. modo vxori G. armig', et hæred' ipsius
B. Tenēđ de &c. Ac altera medietas pđ medietatis maner' &c. pđ cū pñ
reman̄ E. G. modo vxori N. G. et hæred' ipsi' E. Tenēđ de capital' &c.

*A Render of three messuages to one of the Conusors for life, the remainder to
one and his heires males, the remainder to another and his heires for euer.*

Sec̄. 70. *Essex. ff.* **P**Recipe N. A. et W. quod ten' R. C. et T. C. conuenc' de trib'
messuag'.

* Et pro hac &c. ijdem R. et R. concess. pñfā W. ten' cum pertinentijs.
Et ill' ei redd' in ead' cur': Habēđ et tenēđ eīđ W. et absign' suis. Tenēđ
de capital' dñis feodi illi' p seruitia quæ ad pđ ten' ptinent, tota vita
ipsius W. et post decessum ipsius W. ead' tenemē cū ptinent' integ' rema-
nebunt I. C. et hæred' masculis de corp' ipsi' I. legitime pcreat'. Tenēđ
&c. Et si nullus her'es sit de corp' ipsius I. legit' pcr', tunc ead' tenemē cum
ptinent' integ' reman̄ I. C. fratri pđ I. et hered' suis impptē. Tenēđ &c.

*An estate for life to the Conusor, and after his death to one I.W. whom the Co-
nusor intendeth to take to his wife for her life in the name of a iointure, and
after her death to the heires males of the bodie of the Conusor.*

Sec̄. 71. **E**T est concord' talis &c. Et post decess. ipsi' I. pđ &c. cum ptinent' in-
tegr' remaneb. I. W. filiaz I. W. nomine iūctur', q̄ (deo dante) iđ I. C.
ducet in vxorē. Tenēđ de capital' &c. tota vita ipsius I. et post decessu
ipsius I. pđ &c. cum pertinentē integ' remaneb. hered' mascul' de corp' pđ
I. C. legitim' pcreat'. Tenēđ de capitalibus dominis &c.

*A Fine of diuers manors, messuages, and rent, the which the Conu-
ses do render again to the Conusors, to the use of the wife
of the Conusor for her life.*

Sec̄. 72. *Abor. ff.* **P**Rec' T. C. armig', W. R. armig' T. P. aī, et L. B. gen', quod &c.
ten' I. D. et E. vxori eius conuenc' de manerijs de C. N. et E.
cum pertinet', ac de ducentis mess. &c. et de x. lib' reddit'. cum pertinent
C. N. et B. Et nisi &c.

¶ Et est concordia talis, scilicet, q' pđ' T. C. W. R. T. P. et L. recog'
maner', tenē, et reddit' pđ cum ptinent' esse ius ipsius I. Et ill' remis. et qui-
et' clam' de se et de heredib' suis p'f'ct' I. et heredibus ipsius I. imperpe-
tuū. Et p' hac &c. ijdem I. et E. concesser' p'ed' T. C. W. R. T. P. et L. pđ'
maner', tenemē, et reddit' cum pertinentijs, et ill' eis reddid' in eadem
Curia. Habēđ et tenēđ eisdem T. C. W. R. T. P. et L. tota vita ipsi-
us E. Et p'ædict' I. et hæred' sui warrant' p'ædict' T. C. W. R. T. P. et L.
p'æd'

ꝑ dicta mania, tenementa & redd' cum pertiñ sicut dictum est, contra omnes homines duranē vicia ꝑ d' E. &c.

A fine of messuages, cottages, landes, meadow, pasture, wood, heath, linge, rent of a Parsonage, and of the aduowson of a Church.

HEc est finalis concordia facta in Curia dñi Reg. apud W. a die P. Sect. 73
 in quindecim dies, Anno Reg. Iacobi Dei gratia, A. S. F. & H. Reg. fidei defensoris &c. a conquestu tertio, coram E. A. T. M. F. W. W. P. Iustic' & alijs dñi Reg. fidelibus tunc ibi presentib⁹, inter I. B. gen' & R. gener' querent', et R. C. senioꝝ armig', et R. C. de Grayes Inne in comitat' Midd' gener' defore' de centū messuag', centū cotagijs, duob⁹ millibus ac' terf, mille ac' prati, duob⁹ millibus ac' pasture, centū ac' bosci, mill' ac' iampnoꝝ et buereꝝ, & centū solidis reddi' cum ptiñ' in &c. Necnon de Restoria de K. cum pertiñ: Ac de aduocatione Ecclesiaz de K. vnde placit' conuēc' sumūn fuit inter eos in ead' Cur', scz. q' ꝑ d' R. & R. recognouer' ꝑ d' tēta, reddi', & restoriā cum ptiñ', ac aduocationem ꝑ d' esse ius ipsius I. v. illa quæ idem I. & R. habent de dono ꝑ d' R. et R. Et ill' remisit & quiet' clam' de ipsis R. & hered' suis ꝑ d' J. et R. et hered' ipsius I. imperpetuum. * Et ꝑ terea ijdē R. & R. concess. ꝑ te & hered' ipsi⁹ R. C. senioris, q' ipsi warrant' ꝑ d' I. & R. et hered' ipsius I. ꝑ d' tēta, redd' & restoriam cum ptiñ' ac aduocat' ꝑ d' contra ꝑ d' R. & R. & hered' ipsi⁹ R. C. senior' imperpetuum. * Et ꝑ hac recogn', remission', quiet' clam', warrant', sine, & concordia, ijdem I. & R. deder' præd' R. et R. duo mille libꝛ sterlingorum.

A fine by the husband and his wife of the lands of the wife, with grant and render of the 4. part of two messuages, foure tofts, two gardens, two orchards, two hundred acres of land, twenty acres of medow, fourtie acres of pasture, twelue acres of wood, and an hundred acres of moore in 4. parts diuided, the conusors do grant the same againe to the Conusees for their lines, without impeachment of waist, and after their deaths to one of their sonnes in general taile, and for default of such issue, then to one other of the Conusees sonnes in generall taile, and for default of such issue, then to the third sonne of the Conusees in generall taile, and for default of such issue, to the right heires of the wife of the conusor for euer.

HEc est finalis concord' facta in Cur' dñi reg. apud West. in Octab. Sect. 74
 reg. fidei defens. &c. a conquestu tertio, coram R. A. T. W. R. W. & T. L. Iust. & alijs dñi reg. fidelibus tunc ibid' p'sentibus, inter G. I. & W. W. quer', & I. C. et I. vxor' def. de quarta pte, 2. mess. 4. toft', 2. gard', 2. pom. duct' ac' terf, 20. ac' prat, 40. ac' past. 12. ac' bols, & 100. ac' more cū pertiñ.

partem in G. & L. in quatuor ptes diuis. vnde placitū conventionis sum̄m̄
fuit inter eos in eadem curia, scilicet q̄ præd' T. & I. recogn̄ prædictam
quartam partem cum partem esse ius ipsius G. v. illam quam ijdem G. &
W. habent de dono p̄dict' I. & I. Et illam remisit. & quiet̄ clam̄ de ipsis
I. & I. & hered' ipsius I. præd' G. & W. & hered' ipsius G. imperpetuum.
Et p̄terea ijdem Io. & Ia. concesserunt p̄ se & hered' ipsius Ia. quod ipsi
warrant' prædict' G. & W. & hered' ipsius G. præd' quartam partem cum
partem contra præd' I. & I. & hered' ipsius Ia. imperpetuum. * Et p̄ hac re-
cogn̄ & c. ijdem G. & W. concesserunt prædict' I. & I. prædict' quartam
partem cum partem; Et ill' eis reddidit in eadem curia: Habend' & tenend'
eisdem I. & I. de capitalibus dñis feodi illius per seruicia quæ ad prædict'
quartam partem pertinent tota vita ipsorum I. & I. & eorum alterius di-
utius uiuent' absq; impetitione alicuius vasti. Et post decessum ipsorum
I. & I. præd' quarta pars cum pertinentijs integre reman' B. C. filio præ-
dictor' I. & I. & hered' de corpore ipsius B. legitime procreat'. Tenend'
de capitalibus dñis feodi illius & c. imperpetuum. * Et si contingat quod
idem B. obierit sine hered' de corpore suo legitime p̄reat, tunc post de-
cessum ipsius B. p̄d' quarta pars cum partem integre reman' P. C. al' fil' p̄d'
I. & I. & hered' de corpore & c. Tenend' de capitalibus & c. imperpetuum.
* Et si contingat q̄ idem P. obierit & c. tunc post decessum ipsius P. p̄d'
quarta pars integre reman' R. C. al' fil' prædict' I. & I. & hered' de cor-
pore & c. Tenend' de capitalibus & c. imperpetuum. Et si contingat q̄
idem R. obierit & c. tunc post decessum ipsius R. præd' quarta pars cum
partem integre reman' rectis hered' præd' Ia. Tenend' de capitalibus
dñis feodi illius, per seruicia quæ ad prædict' quartam partem pertinent
imperpetuum & c.

*A fine of one messuage and of a third part of foure messuages in three parts
diuided, part in possession, and part in reuerſion, of a third part for terme of
the life of the tenant in Dower, and for terme of life of another tenant for
terme of life.*

Sec̄t. 75.

Ebor. ff. **P**Ræcipe I. W. & A. vxori eius, q̄ iuste & c. ten' I. L. & E. E.
conuenc' de vno messuag' & c. necnon de tertia parte in tres
partes diuidend' quatuor messuag' cum pertinent' & c.

¶ Et est concordia talis, scilicet, quod prædict' I. & A. recogn̄ tene-
menta prædicta ac tertiam partem præd' cum pertinentijs esse ius ipsius
I. de quibus ijdem I. E. & E. E. habeant vnum messuag' cum partem in
predictis vill' de T. & B. parcell' tenementorum prædictorum ac p̄dict'
tertiam partem quatuor messuag' & c. cum pertinentijs in T. & B. par-
cell' tenementorum prædictor' de dono prædictor' I. & A. Et ill' remisit
& quiet̄ clamauer' de ipsis I. & A. & heredibus suis præfat' I. E. & E. E.
&

& heredib⁹ ipsius I. imperpetuum. Et concess. p se & hered' ipsius A. q^o viginti ac^o terr^o, sex ac^o prati, &c. cum pertiñ in p^odict^o villa de B. parcel tenementor^o & tertia pars p^o dict^o que I. A. & F. vxor eius tenent ad termiñ vite ipsius E. de hered' pred' A. die quo hæc concordia facta fuit. Et quæ post decessum ipsius E. ad pred' I. A. & heredes suos debuer^o reuertere post decessum ipsius A. integre remaneant pred' I. E. & E. & hered' ipsius I. imperpetuum. * Concesser^o etiam pred' I. W. & A. p se & hered' ipsius A. quod vnum messuag^o cum p^otiñ in p^o vill' de B. residuū tenementorum p^o dict^o que I. A. teneat ad terminum vite suæ de hered' p^o A. die quo hæc concordia facta fuit, post decessum ipsius A. integre remaneant præd' I. E. & E. & hered' ipsius I. imperpetuum. *ipide b. b. b. y*

A fine with graunt and render of the moitie of a mannor, reciting that a widow hath the same for her life without impeachment of waste, and after her death to her executors for sixteene yeres without impeachment of wast, and after her death and the end of sixteene yeres, to two and to their wiues, and to the heires of the wiues: and after the husbands and their wiues graunt the same to the tenant for life in fee, who granteth the same after the end of the said sixteene yeres vnto the consors for the terme of one and twentie yeres without impeachment of waste.

Ebor. ff. **P**Ræcipe N. G. & E. vxori eius, W. G. & B. vxori eius, quod teneant F. A. conuene^o de medietate manerij de H. cum pertinentijs &c.

Sect. 76

¶ Et est concordia talis, scz. q^o cum E. A. vidua nuper vxor W. A. defuncti, habet & teneat prædictam medietatem manerij de H. cum pertinentijs, ac prædictam medietatem tenementorum & piscariæ præd' cum pertiñ ad terminum vite suæ absque imperitione alicuius valli. * Et q^o post mortem eiusdem E. prædicta medietas manerij, tenementorum & piscariæ prædictorum remaneant execut^o testamenti eiusdem E. ad terminum sexdecim annorum tunc proximi sequenti post mortem ipsius E. absque imperitione valli. Et quæ post mortem prædictæ E. A. ad terminum prædictorum sexdecim annorum ad N. G. & E. vxor^o eius, & W. G. & B. vxor^o eius, & hered' dictorum E. & B. reuer^o deberent. Prædictæ W. G. & B. vxor eius, N. G. & E. vxor eius, concedunt quod dicte medietates dictorum manerij, tenementorum, & piscariæ cum pertiñ post mortem præd' E. A. & post prædict^o terminum sexdecim annorum finitum & determinat^o integre remaneant præd' F. A. & hered' suis. * Tenend^o de capital^o dñi theod^o ill^o per seruicia que ad prædict^o medietat^o dictorum manerij, tenement^o & piscariæ cum pertiñ pertinent. Et ill^o remis^o, & quiet^o clam de ipsis W. G. & B. vxor^o eius, N. G. & E. vxor^o eius, & hæred^o suis præd' F. A. & hæred^o suis imperpetuum. * Et preterea ijdem

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ijdem W.G. & B.N.G. & E. concesser' p se & hered' ipsius N. q ipsi warrant prædict' reuersionem medietatis dictorum manerij, teñtorum, & piscarię cum pertinentijs præfat E. A. & hered' suis contra ipsos W.G. & B.N.G. & E. & heredes suos imppetuum. Et p hac &c. idem F. concessit præfat W.G. & B.N.G. & E. præd' reuersionem medietatis manerij, teñtor' & piscarię præd' cum pertiñ. Et ill' eis reddid' in eadem Curia. * Habend' et tenend' eadem reuersionem medietatis manerij, teñtorum, & piscarię præd' cum pertiñ dictis W.G. & B.N. G. & E. a festo Apost' Phil. & Iacobi. q tunc proximiū erit post finem dictorum sexdecem añũ vsq; ad finem et teriñ xxj. annor' extunc pxiñ sequent' & plenarię cõplend', absque impetitione alicuius vasti.

A Render of messuages &c. to the cognisor for one weeke, after to a stranger for life, and to his wife for life, if she keepe her vnmarried, the reuersion to another stranger and his heires of his bodie vpon M. his wife begotten, the remainder to another and his heires.

Sec. 77

Ebor. ff. **P**Recipe I. W. & E. vxori eius, q teñ W. M. & O. S. conuenc' de duobus messuag' &c. in S. Et nisi &c.

Et pro hac &c. ijdem W. et O. concesserunt præfat I. tenement' præd' cum pertiñ. Et ill' ei reddider' in eadem Curia: Habend' & tenend' eidem I. pro termino vnus septimanę, Et post terminum illum finitum, præd' teneñ cum pertiñ integre remanebunt B. Habend' & tenend' eidem B. de capitalibus dnis feodi illius per seruitia quę ad p'd' tenē pertiñ, tota vita ipsius B. Et post decessum ipsius B. præd' teñta cum pertiñ integre reman' I. vxori præd' B. * Tenend' &c. tota vita ipsius I. si eadem I. tam diu sola & inupta vixerit. Et post decessum siue sponsalia ipsius I. si quę fuer' præd' teñta cum pertiñ integre reman' E. W. filio & heredi apparenti præd' I. & hered' de corpore ipsius E. de corpore M. vxoris eius inter eos legitime, pcreat'. Tenend' &c. Et si contingat q idem E. obierit sine hered' de corp' suo de corp' p'd' M. inter eos legit' pcreat', tunc post decess. ipsor' E. & M. teneñ p'd' cum pertiñ integre reman' præd' I. & hered' suis. Tenend' &c. impetuuu.

A fine of two reuersions of two messuages, one cottage &c. after the deaths of the two tenants for life.

Sec. 78

Ebor. ff. **P**Recipe R. N. & A. vxori eius, quod teñ G. E. conuenc' &c. de duobus messuag', vno cotag' &c. in N.

¶ Et est concordia talis, scz. quod prædict' R. & A. recogn' tenementa prædict' cum pertiñ esse ius ipsius G. & concess. pro se & heredibus ipsius

ipſius R. quod præd' coragium, viginti ac' terſ, decem ac' præti &c. parcel' tenementor' prædictor' cum pertinentijs in N. præd', quæ W. B. et A. vxor eius tenent ad terminum vitæ ipſius A. de hereditate præd' R. die quo hæc concordia facta fuit, & quæ poſt deceſſam ipſius A. ad prædict' R. et hæred' ſuos debuerunt reuerſi, integre poſt deceſſum ipſius A. ad præd' G. et hæred' ſuos remaneant. Tenend' &c. Conceſſer' etiam præd' R. & A. quod prædict' ij. meſſuag' &c. reſidua tenement' prædict' cum pertinẽtijs in N. prædict', quæ W. P. et D. vxor eius tenent ad terminum vitæ ipſius D. de hereditate &c. (ut antea.) Et præterea prædict' R. & A. & heredes ipſius R. warrant' tenementa prædict' cum pertinentijs præſat' G. et heredibus ſuis ſicut dictum eſt, contra prædict' R. & A. et heredes ipſius R. imperpetuum. Et pro hac &c.

A graunt to the cogniſee and his wife, and the heires of their two bodies, with warrantis intaile.

Ebor. ſſ. **P**Recipe H. E. gen', quod iuſte &c. ten' H. W. et I. vxori ei' conuenit' &c. de tenementis in S. Et niſi &c. Sect. 79.

¶ Et eſt concordia talis, ſcz. quod prædict' H. F. conceſſit tenement' et reddit' prædict' cum pertinentijs præſat' H. W. et I. Et ill' eis reddidit in eadem curia. Habend' & tenend' eiſdem H. W. & I. et heredibus de corpor' ipſorum H. W. & I. inter eos legitime procreat'. Tenend' &c. Et præd' H. F. & hæredes ſui warrant' præſat' H. W. & I. & heredibus de corpore ipſor' H. W. & I. inter eos legitime procreat' tenement' præd' ſicut dictum eſt, contra omnes homines imperpetuum. Et pro hac &c.

A Graunt with a render backe againe for life, without impeachment of waſt, diuers remainders in taile diuiding the lands.

Hereſ. ſſ. **P**Recipe N. B. & A. vxori eius, quæ ten' T. R. & R. G. conuenit' &c. de vno meſſuag' cum pertinẽtijs in E. &c. Sect. 80.

¶ Et eſt concordia talis, ſcz. quod prædict' &c. cum relaxac' & warrant' &c. Et pro hac &c. iſdem T. R. conceſſer' præſat' N. & A. tenement' prædict' cum pertinentijs. Et ill' eis reddiderunt in eadem curia. Habend' eiſdem N. & A. tota vita ipſorum N. et A. et alterius eorum diuti' viuẽti, abſque impetitione vaſti tota vita ipſius A. Tenend' &c. Et poſt deceſſum ipſorum N. & A. vnum meſſuagium &c. cum pertinẽtijs in F. præd' de tenementis præd' parcel' reman' T. B. vni filiorum præd' N. et A. et heredibus masculis de corpore præd' T. legitime procreat', et tunc poſt deceſſum ipſius T. præd' tenement' de præd' tenement' parcel' integre reman' I. B. alteri filiorum prædict' N. & A. et hæred' masculi' de corpore ipſius I. legitime procreat'. Tenend' &c. Et ſi contingat &c. poſt deceſſum ipſius I. præd' ten' de.

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de p̄d tenement̄ parcel̄ integre reman̄ B. F. alteri filio p̄d̄ A. et hered̄
 mascul' de corpore p̄d̄ B. licite procreat'. Tenend̄ &c. Et si contingat &c.
 quod tunc tenem̄ p̄d̄ reman̄ (to divers others) & rectis hæredibus p̄d̄
 A. imperpetuum. Tenend̄ &c. Et præterea p̄lat' T. et R. concessit quod
 post decessum p̄d̄ N. B. et A. vxor̄ eius 44. acf̄ terr̄, duæ acf̄ prati &c.
 cum pertiñ in B. p̄d̄. de prædictis tenem̄ residua integre remanebunt p̄d̄
 B. F. & hered̄ de corpore suo legitime procreat'. Tenend̄ &c. Et si contin-
 gat quod idem B. obierit sine hered̄ de corpore suo legitime procreat', qđ
 tunc post decessum ipsius B. p̄d̄ tenement̄ residua integre remanebunt p̄f.
 T. F. hered̄ & assign̄ suis imperpetuum.

*A Fine to entaile lands to the heires of the body of the consor of the bodie of
 I. C. her husband deceased, with remainder ouer, for default of
 such issue, to the right heires of the said I. C. &c.*

Sec̄. 81.

Leicestr. ff. **P**Recipe I. C. armig', quod ten̄ M. C. viduæ conuenc' de tri-
 bus messuag' &c.

¶ Et est concordia talis, scz. quod præd̄ I. concessit præd̄ M. præd̄ te-
 nement̄ cum pertinentijs. Et ill' ei reddidit in eadem Curia. Habend̄ et
 tenend̄ eidem M. et hered̄ de corpore ipsius M. de corpore I. C. nuper
 viri sui defuncti legitime procreat', de capital' &c. Et si contingat quod
 eadem M. obierit sine hered̄ de corpore suo de corpore ipsius I. C. legi-
 tim̄ procreat', tunc post decessum ipsius M. prædicta ten̄ta cum pertinent̄
 integre remaneant rectis hæredibus ipsius I. C. defuncti. Tenend̄ &c. Et
 p̄d̄ I. C. armig' et hered̄ sui warrant p̄d̄ M. et hered̄ de corpore suo de
 corpore præd̄ I. C. defuncti, ac etiam rectis hæredibus ipsius I. C. si ea-
 dem M. obierit sine hered̄ de corpore suo de corpore ipsius I. C. defuncti
 licite procreat', p̄d̄ ten̄ta cum pertinent̄ (sicut dictum est) contra prædict'
 I. C. armig' et hered̄ suos imperpetuum. Et pro hac &c.

*A graunt by a Duke and his wife as in the right of his wife to the cognisee for
 life of the tenant for life, with warrantie, a render to the cognisor
 for the viues life, to conuey her title to her husband.*

Sec̄. 82.

Warm. ff. **P**Recipe T. Duci N. et M. vxori eius, quod ten̄ T. T. armig'
 conuenc' &c. de tenem̄tis in W. Et nisi &c.

¶ Et est concordia talis, scz. quod præd̄ Dux & M. concessit præd̄ T.
 T. tenementa præd̄ cum pertinent̄, et quicquid idem Dux et M. habent
 in tenementis prædictis cum pertiñ, ad terminum vite ipsius M. Et ill'
 ei reddidit in eadem Curia. Habend̄ et tenend̄ eidem T. T. et hered̄
 suis de capitalibus dn̄is feodi illius per seruitia quæ ad eadem tenemen-
 ta cum pertinent̄ p̄tinent tota vita ipsius M. Et præterea ijdem T. et M.

con-

concess. pro se, quod ipsi warrant pd' T. T. & hæred' suis teñta pd' cum pertiñ contra omnes homines tota vita ipsius M. Et pro hac &c. idem T. T. concess. teneñm prædict' cum pertiñ præfato Duci. Et ill' ei reddidit in eadem curia: Habend' & tenend' eadem teñt cum pertiñ eidem Duci & hæred' suis tota vita præd' M. Tenend', *ut supra.*

A Fine of the moitie of manors, messuages, land, meadow, pasture, wood, linge, and heath, moore, marish, and rent the aduowson of the moity of a Church, the aduowson of the moitie of a Monastery or Priory in possession and reuerſion in fee.

HEc est finalis concordia fact' in Curia dnæ Reginæ apud West- Sect. 83.
monaster' in crastino sancte Trinitat, Anno regni Eliz. Dei gratia Angliæ, Franciæ, & Hibern' Reginæ, fidei defens. &c. a conquestu tricesimo secundo, coram E. A. &c. Iustic' & alijs dominæ Reginæ fidelibus tunc ibi præsentibus, inter A. M. & L. H. quer, & T. N. & I. vxorem eius, vnam consanguinearum & hæred' R. E. deforc', de medietate maneriorum de W. & R. cum pertiñ, ac de medietate octaginta messuag', 40. acf terr', 300. acf prati, 50. acf pastur', 100. acf bosci, 300. acf iampnorum & brueræ, 160. acf moræ, 200. acf marisci, & viginti solidos redd' cum pertiñ in W. R. W. P. T. &c. Nec non de Aduocatione medietat' ecclesiæ de E. W. P. & R. ac etiam de aduocat' medietat' Monasterij siue Prioratus de L. vnde placitum conventionis sumñ fuit inter eos in eadem curia: Scilicet, quod prædict' T. & I. recogñ prædict' medietates cum petineñ, ac aduocationes prædictas esse ius ipsius A. de quibus ijdem A. & L. habent de dono medietatem prædict' manerij de R. cum pertiñ. Necnon medietatem octaginta messuag', 260. acf terr', 100. acf prati, 300. acf pasturæ, 80. acf bosci, 200. acf iampnorum & brueræ, 140. acf marisci, 100. acf moræ, & vi. li. vi. s. reddit' cum pertiñ, in R. T. H. &c. Ac etiam aduocatiõ medietatis Ecclesiæ de R. ac aduocat' medietat' Monasterij siue Prioratus de L. parcell' medietat' maner' tenement, redd', & aduocat' prædict' de dono prædictorum T. & I. *Et ill' remisit & quiete clam de ipsis T. & I. & hæred' ipsius I. prædict' A. & L. & hæredibus ipsius A. imperpetuum. Et præterea ijdem T. & I. concesserunt pro se & hæredibus ipsius I. quod medietas manerij de W. ac mediet' 30. messuag', 250. acrarum terræ, centum acrarum prati, &c. cum pertinentijs in W. P. E. & W. prædict', ac aduocationes medietatis ecclesiarum de P. E. & W. prædict', resid' medietatis maneriorum, tenementorum, reddit', & aduocat' pd', quæ E. E. tenet ad terminum vite suæ de hæreditate prædict' I. die quo hæc concordia facta fuit, & quæ post decessum ipsius E. E. ad prædict' T. & I. & hæred' ipsius I. debuerunt reuenter, post decess. ipsius E. E. integre remaneant præd'

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A & L. & hered' ipsius A. * Tenend' simul cum pred' medietate & aduocatione quæ eis per finem istum remanent de capitalibus dñis feodi illius, per seruitia quæ ad illas medietates & aduocac' pertinent imperpetuum. Et p'd' T. & I. & hered' ipsius I. warrant' pred' A. & L. & hered' ipsius A. p'dict' medietates cum pertinentijs, ac aduocatione p'dict' sicut predictum est, contra omnes homines imperpetuum. * Et p' hac recognitione, remissione, quæta clamatione, warrant', sine, & concordia, iisdem A & L. concesserunt predictis T & I. p'dict' medietatem manerij de R & medietatem predictor' tenitor' cum p'tiñ in R. T. H. & c. p'dict': Necnon aduocationem medietatis ecclesiæ de R. pred', ac aduocationem medietatis Monasterij siue Prioratus de L. p'dict', Et illas eis reddiderunt in eadem curia. Habend' & tenend' eidem T. & I. & hered' ipsius I. de Capitalibus dñis feodi illius, per seruitia quæ ad illas medietates & aduocationes p'tiñ imperpetuum. * Et concessit etiam pred' A. & L. p'dict' medietatem manerij de W. cum p'tiñ, ac p'd' medietatem ten' cum p'tiñ in W. P. E. & c. p'd', p'f. T. & I. Et illas etiam reddiderunt in eadem curia: Habend' & tenend' immediate post mortem pred' E. E. eidem T & I. & hered' ipsius I. de capitalib' dñis feodi illius, per seruitia quæ ad illam medietatem & aduocationem p'tiñ imperpetuum.

A grant of lands by fine to two, who render to the cognisor in generall taile, and for default of such issue to R. T. in generall taile, the remainder to the Queenes Maiesstie her heires and successors for euer.

Sec. 84

ET est concordia & c. q' pred' A. recogn' ten' pred' cum p'tiñ esse eius ipsi' I. vt ill' quæ idem I. & D. habent de dono predict' A. Et ill' remisit & c. Et p' hac & c. iisdem I & D. concessit prefat' A. tenement' p'd' cum p'tiñ. Et ill' ei reddid' in eadem curia: Habend' & tenend' eidem A. & heredibus de corpore ipsius A. legitime p'creat', & p' defectu talis exitus tunc tenement' p'd' cum pertinentijs integre remaneant hered' de corpore R. T. filij pred' A. & hered' de corpore eorum legitime p'creat': Et p' defectu talis exit' tunc tenement' p'd' cum pertinentijs remaneant dominæ Elizabethæ nunc Reginae Angliæ, Franc', & Hibern', hered' & successoribus suis imperpetuum & c.

A grant of lands in generall taile, to be holden of the grauntor in Socage, with diuers remainders ouer in taile, with warranty against all men.

Sec. 85.

Essex. ff. **P**Recipe S. B. arm' quod ten' W. S. couenc' de iij. messuag' & c. cum p'tiñ in C. Et nisi & c.

¶ Et est concordia talis, scilicet, quod p'dict' S. concessit prefato W. tenementa predict' cum pertinentijs, & illa ei reddidit in eadem curia: Habend'

Habend' & tenend' eidem W. & hered' de corpore suo legitime procreat' de p'dict' S. & hered' suis in Socagio per fidelitatem tantum pro omnibus seruitijs & demandis quæ ad p'dict' tenementa pertinent imperpetuum. Et si contingat quod idem W. obierit sine hered' de corpore suo legitime procreat', tunc post decessum ipsius W. teñta p'd cum pertinentijs integre remanebunt I. S. Auo p'dict' W. & hered' de corpore ipsius I. legitime procreat'. Tenend' (*ut antea.*) Et si nullus heres de corpore ipsius I. fuer' legitim' procreat', tunc p'd teñta cum pertiñ integre reuertent ad p'd S. & heredes suos quiet' de al' hered' p'dictorum W. & I. Tenend' de capital' &c. Et præterea p'dictus S. & heredes sui warrant' p'dict' W. & hered' de corpore suo legitime procreat', & p'dict' I. & hered' de corpore suo legitime procreat' si idem W. obierit sine hered' de corpore suo legitime procreat' p'd tenement' cum pertiñ (sicut dictum est) contra omnes homin' imperpetuum. Et pro hac &c.

A graunt of 16. acres of moore in generall taile to be holden of the grantor by Knights seruice by suit of Court twice a yere, and vi. s. rent.

Essex. ff. **P**Ræc' I. G. gen', quod teñ P. I. coñ de sexdecim ac' moræ cum pertiñ in K. Et nisi &c.

¶ Et est concordia talis, sc. qd' p'd I. concessit pref. P. teñta p'd cum Sect. 86.
 pertiñ, & ill' ei reddidit in eadem Cúria: Habend' & tenend' tenement' prædict' cum pertinentijs p'fat' P. & heredibus de corpore suo legit' procreat': Tenend' de dicto I. & heredibus suis per seruitium militare & leat' Cúri suæ apud K. bis p' annum, ac reddend' annuatim p'fat' I. & heredibus suis sex solid' &c. ad festa &c. p' equales portiones annuatim imperpetuum soluend'. Et p'd I. warrant' teñta p'd cum p'tinentijs p'fato P. et heredibus de corpore suo legitime p'fat' (sicut dictum est) contra p'dict' I. et heredes suos imperpetuum. Et pro hac &c.

A Fine sur releas of Knights seruice, Castle gard, and Murage, upon a Writ of Customes and Seruices for a summe of money paied, saving all other Seruices made by consent of the King.

HEc est finalis concordia facta in Cúria domini Regis apud West- Sect. 87.
 monaster' a die Sanct' Michaelis in xv. dies, Anno regni Regis H. filij Regis I. quinquagesimo prim' coram G. de P. & R. de M. Iustic' & alijs domini Regis fidelibus tunc ibi p'æsentibus, inter W. de P. quer', & H. B. deforc', de consuetudinibus et seruitijs quæ idem W. exigerat de p'd H. de libero teñro suo quod p'dict' W. tenet in W. et W. scz. de vno feodo Militis & dimid' cum pertineñ. Et vnde idem W. exigebat de prædicto H. quod faceret ei ad Wardum Castri de B. quando euenerit, & ad muragi-

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muragium eiusdem castri cum necesse esset quantum ad prædict' tenementum pertinet. Que seruitia idem H. ei non cognouit. Et vnde placitum inter eos in eadem curia summonit' fuit, scilicet quod prædict' W. concessit pro se & hæredibus suis, quod prædict' H. & hæred' sui, & eorum tenent' de honore de B. sint quieti de prædict' seruitijs imperpetuum: Saluis eidem W. & hæred' suis, omnibus alijs seruijs ad prædict' tenement' pertinent'. Et pro hac concessione, fine, & concordia, idem H. dedit prædict' W. decem & octo marcas argent'. Et hæc concordia facta fuit ex assensu & voluntate eiusdem dom' Regis eam concedentis *This old fine is in Dyer. fol. 179. pla. 46.*

A Fine of a Manor in possession and other lands in reversion.

Sect. 88.

Salop. ff. **P**Ræcipe W. B. quod ten' F. R. conuenit' de maner' de R. cum pertinenc' &c.

¶ Et est concordia talis, scilicet, quod prædictus W. recogn' maner' & tenementa prædict' cum pertin' esse ius ipsius F. de quibus idem F. habet prædict' manerium cum pertin', duo mess. &c. cum pertin' in R. prædict' parcell' tenement' prædictor' de dono prædicti W. Et ill' remis. &c. Et concessit pro se & hæred' suis, quod duo mess. cum pertin' in R. prædict' residua tenem' prædictor' que A. B. vidua tenet ad terminum vitæ suæ de hæreditat' &c. post decessum ipsius A. integre reman' prædict' F. R. & hæred' suis. Tenent' simul cum prædicto manerio et tenement' parcel' quæ ei p' finem istum reman' de capitalibus dominis &c. Et prædict' W. B. et hæred' sui warrant' prædict' F. et hæred' suis prædict' maner' et tenent' cum pertin' sicut dictum est contra omnes homines imperpetuum. Et p' hac, &c.

Fine by the husband and his wife of manors, messuages, &c. of the advowson of a Church, of rent, part in possession, and part in reversion, with a render a gaine to the cognisor and his wife for their liues without impeachment of waste, and after to the heires of the bodies of the consors, and for default of such issue to the heires of the body of the wife of the consor, and for default of such issue, then to the right heires of T. the cognisor for ever.

Sect. 89.

Midd. ff. **P**Ræcipe T. M. armig' & M. vxori eius, quod iuste &c. ten' &c. A. S. armig' conuenit' de manerio de W. iuxta Y. W. in G. & S. cum pertinentijs, Ac de CCC. l. mess. &c. Necnon de aduocatione Ecclesiæ W. in G. in comitat' prædict', Et de manerio de D. cum pertinentijs, Ac de x. mess. &c. et vij. s. vij. d. ob. redd' cum pertin' in D. in com' G. Ac de manerio de S. cum pertin', Ac de sex mess. &c. cum pertin' in S. C. & V. in com' D.

¶ Et

¶ Et est concordia talis scilicet, quod pred' T. & M. recogn' maneria, tenement' & reddit' pred' cum pertinentijs, Ac Aduocationem pdict' esse ius ipsius A. de quibus idem A. habet pdict' maneria de W. iuxta Y. W. in D. &c. Ac Aduocationem pred' in pred' Cosm S. Ac predict' manerium de South C. cum pertinentijs. Ac predict' tenementa cum pertin' in South C. & V. pred', in pred' Cosm D. parcell' maner', tenement', & redd' pred', de dono pred' T. & M. Et ill' remis. &c. Et concesser' pro se & hered' ipsius M. quod pred' manerium de S. pred' in pdicto Comitatu S. * Ac etiam pred' manerium de D. cum pertinentijs in predicto Cosm G. residuum manerio', tenement', & reddit' pred' quæ F. S. armig' & E. vxor eius tenent ad terminum vitæ ipsius E. de hereditate predict' M. die quo hæc concordia facta fuit. Et quæ post decessum ipsius E. ad predict' T. & M. & hæredes ipsius M. debuer' reuertere post decessum ipsius E. integre remanebunt pred' A. S. & hæredibus suis. Tenend' simul cum pred' manerijs, tenementis, & reddit' quæ ei per finem istum reman' de capital' dn's feod' illius, per seruiç' quæ ad pred' manerium, tenementa, redd', ac aduocationem pertinent imperpetuum. * Et pdict' T. & M. & hered' ipsius M. warrant' pdicto A. & hæredibus suis pdicta maneria, tenementa, redd', cum pertinentijs, ac aduocatione pdict' sicut dictu' est contra omnes homines imppetuum. * Et p' hac &c. idē A. concessit pfatis T. & M. pred' maneria, tenementa, & redd', cum pertinentijs, ac aduocatione pdict'. Et ill' eis reddid' in eadem Cur'. Habend' & tenend' eisd' T. & M. de capitalibus dn's &c. tota vita ipsor' T. et M. et eor' alterius diutius viveñ absq; impetitione alicuius vasti. Et post decessum ipsorum T. et M. p' d' mania, tenementa, &c. integre remanebunt hæredib' ipsius T. de corporib' ipsorū T. et M. legitime procreat': Tenend' &c. * Et si nullus hæres ipsius T. de corporibus ipsorum T. & M. fuer' legitime p'çr, tunc pdicta mania &c. integre reman' hered' de corpore ipsius M. legitime procreat', Tenend' &c. Et si nullus hæres de corpore ipsius M. fuer' legitime procreat', tunc pdicta maneria &c. integre reman' rectis hæredibus ipsi' T. imppetuum. Tenend' &c.

A fine of a Reversion of a Rent, issuing out of a Manor, and sixe Mesuages.

Effex. ff. **P**Ræcipe &c. qd' iuste &c. teñ conuenc' &c. de quadraginta solidis reddit' cum pertinentijs, exeunt de manerio de F. ac de sex mesuag' &c. Et nisi &c. Sect: 90

¶ Et est concordia talis, sc. qd' pd' I. recogn' pd' redd' cum pertin' esse ius ipsius R. & concessit p' se & heredib' suis, qd' pd' reddid' cum pertin' quæ H. T. & A. vxor eius tenent ad termin' vitæ ipsi' A. de pd' I. die quo hæc concordia facta fuit exeunt de pd' manio &c. cum pertin' quem I. H.

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Miles modo tenet & qui post decessum ipsius A. ad p̄d̄ I. F. & heredes suos debuit reuertere post decessum ipsius A. integre remanebit p̄d̄ R. & hered' suis imperpetuū. Et p̄d̄ I. F. et heredes sui warrant' p̄d̄ R. & hered' suis p̄d̄ reddi' cum pertinentijs sicut p̄d̄ est, contra I. Abbat. Monasterij &c. et successores suos imperpetuum. Et ꝑ hac &c.

A fine of the Reuersion of a Rent.

Sect. 91.

Hec est finalis concordia facta in Curia dñi reg. apud W. a die P. in xv. dies, Anno reg. E. filij Regis E. decimo, corā W. B. H. S. I. B. & I. M. Iustic' dñi Regis & alijs fidelibus tunc ibi presentibus, inter R. P. queſ, & I. B. defore', de decem marcis red' cum pertin' in B. quem P. de A. tenet ad terminum vite, vnde placitum conuentionis lumīn fuit inter eos in eadem Curia, scilicet, q̄ p̄d̄ I. concessit pro se heredibus suis, q̄ p̄d̄ reddi' cum pertinentijs quem p̄d̄ P. tenuit ad terminum vite ex dimissione p̄d̄ I. in p̄d̄ villa die quo hæc concordia facta fuit, & qui post decessum ipsius P. ad p̄d̄ I. & heredes suos reuertere debuit post decess. ipsius P. integre remaneat p̄d̄ R. & hered' de corpore suo procreat': Tenend' de capital' dñis feodi illius per seruitia quæ ad p̄d̄ redd' pertinent imperpetuum. Et si contingat q̄ idem R. obierit sine herede de corpore suo proct, tunc post decessum ipsius R. p̄d̄ reddi' cum pertinentijs integre remanebit rectis heredibus ipsius R. tenend' de capital' dominis feodi illius per seruitia quæ ad p̄d̄ reddi' pertinent imperpetuum. Et pro hac concessione, fine, & concordia, idem R. dedit p̄d̄ I. centum marc' argenti.

A fine of Rent seruitice, and of the Homages and seruices of diners.

Sect. 92.

Nott. ff. **P**recipe quod iuste &c. ten' connenc' &c. de vndecim solidis reddi' cum pertinentijs in B. Et nisi prius &c.

¶ Et est concordia talis scz. q̄ p̄d̄ E. recogn' p̄d̄ reddi' cum pertinentijs esse ius p̄d̄ W. Et idem E. insuper concessit eidem W. reddi' illum cum pertinentijs simul cum homagio & totis seruitijs S. F. R. L. & I. D. & hered' suor', de tot tenementis quot ipsi seperatim de ipso E. prius tenuerunt in p̄d̄ villa: Habendum & tenendum eidem W. & hered' suis de capitalibus dominis feodi illius per seruitia quæ ad p̄d̄ reddi' pertinent imperpetuum. Et p̄d̄ E. & hered' sui p̄d̄ reddi' cum pertinentijs sicut p̄d̄ dictum est, p̄d̄ W. & hered' suis contra omnes homines war' imperpetuum &c.

A fine of 4. messuages, where the husband and the wife sell the wines Iointure or Dower absolutely to him in the reuersion.

Sect. 93.

Ebor. ff. **P**recipe T. G. armig', & B. vxori eius, quod ten' I. W. & E. vxori eius conuenc' de quatuor messuagijs &c.

¶ Et est concordia talis, scz. quod cum p̄d̄ T. & B. habeant &c.

& tenent tenementa p̄d cum p̄n̄ ad terminum vitæ p̄d B. reuerſione inde p̄d E. & hered' ſuis poſt deceſſum p̄d B. ſpectant, iſdem T. & B. con- ceſſ. p̄f. I. & E. tenementa p̄d cum p̄n̄, & totum & quicquid in p̄d tenementis cum pertinentijs ad terminum vitæ ipſius B. habent, eiſdem I. et E. in eadem Curia redd': Habend' et tenend' eiſdem I. et E. et heredib' ipſius E. durante tota vita ipſius B. de capital' dñis &c. Et p̄d T. et B. warrant p̄f. I. et E. teñta p̄d cum p̄n̄enē (ſic vt dictum eſt) contra p̄d T. et B. durante tota vita ipſius E. et pro hac &c.

Tenant for terme of life, and her husband granteth her eſtate for life in a manor meſſuages rent &c. to one B. who in conſideration thereof, granteth to the conuſor and his wife, for the life of the wife.

Suff. ſſ. **P**Ręcipe L. H. & D. vxori eius quod teñ B. B. cōn de manerio de S. cum p̄n̄tijs, ac de ſex meſſuag' &c. cum p̄n̄ in S. Sect. 94.

¶ Et eſt concordia talis, ſc. q̄ p̄d L. et D. conceſſ. manerium, tenementa, et redd' cum p̄n̄enē quę iſdem L. et D. tenent ad terminū vitę ipſi' D. reuerſione inde poſt mortem eiſdem D. cuidā R. R. et hered' ſuis ſpectant' p̄f. B. B. Habend' ſibi & aſſign' ſuis tota vita eiſdem D. Et p̄terea iſdem L. & D. conceſſ. q̄ ipſi warrant manerium, tenementa, et redd' p̄d cum p̄n̄entijs p̄f. B. et aſſignatis ſuis, tota vita ipſi' D. contra ipſos L. et D. imperpetuum. Et p̄ hac &c. idem B. conceſſit p̄f. L. et D. quendā annual' redd' xl. marc' legalis &c. exeunt de maner' & tenementis p̄d: Habend' et percipiend' eundem annualem redd' xl. marc' p̄f. L. & D. pro termino vitę eiſdem D. ad feſta &c. per equales porciones annuatim ſoluend'. Et ſi contingat p̄d annual' redd' &c.

A fine of a Reuerſion of one meſſuage &c. after the death of a tenant for life.

Norff. ſſ. **P**Ręc' P. A. qđ ten' E. S. conuenc' &c. de vno meſſuag' &c. Sect. 95.

¶ Et eſt concordia talis, ſc. q̄ p̄d P. recogn' tenementa p̄d cum pertinentijs eſſe ius ipſius E. Et conceſſit p̄ ſe et heredibus ſuis, quod predicta tenementa, quę W. B. et A. vxore eius tenent ad terminū vitę ipſius A. de hereditate ipſius P. die quo hec concordia facta fuit, Et quę poſt deceſſum ipſius A. ad p̄d P. et heredes ſuos debuerunt reuerſi, poſt deceſſum ipſius A. integre remanebunt p̄d E. S. et hered' ſuis imperpetuum tenend' &c. Et p̄d P. conceſſit p̄ ſe et hered' ſuis, quod ipſi warrant p̄d tenementa cum pertinentijs (ſic vt dictum eſt) contra omnes homines imperpetuum, Et p̄ hac &c.

D. ij *A fine*

Fines and Concords.

A Fine of a rent granted out of a Manor for life, with a clause of distresse for the same rent.

Se&t. 96.

Licc. ff. PRæc' A.C. vid' q' teñ H. C. geñ conuenc' de annuo reddit' xl.s. exeunt de manerio de S. cum pertinentijs in S. Et nisi &c. Et est concordia talis, sc. q' p' d' A. concess. p' H. p' d' reddit' cum pertinentijs. Et ill' ei reddidit in ead' Curia: Habend' & percipiend' p' d' xl.s. eidem H. & assignatis suis, ad festa Annunciationis beate Marię virginis & sancti Michaelis Archangeli p' æquales porciones annuatim soluend', tota vita ipsi' H. et. Et si contingat p' d' redd' xl.s. aretro fore &c. q' tunc bene licebit p' H. & assignatis suis, tota vita sua, in p' d' manerium cū pertinentijs intrare & distringere &c. Et p' d' A. & hered' sui warant' p' fact' H. & assignatis suis p' d' redd' xl. s. cum pertinentijs, sic vt dictum est, contra p' d' A. & hered' suos, tota vita ipsius H. imperpetuum &c. Et p' hac &c.

A Fine whereby three senerall Annuities be granted out of a Manor, and after the Manor also is granted to one E. for life, and after the death of the said E. the Manor &c. to remaine to the said E. and his heires.

Se&t. 97:

Staff. ff. PRæcipe E.B. vid', E.B. geñ, R.B. geñ, & R.B. geñ, q' teñ R. G. geñ conuenc' de manerio de H. cum pertinentijs, Ac de decem mesuagijs.

¶ Et est concordia talis, scilicet, quod p' d' Eliz. Ed. Baldw. Ra. & Rich. recogn' p' d' manerium, tenementa, & redd' cum pertinentijs esse ius ipsi' R. (cum Release and warrant.) Et pro hac &c. idem Rog. concessit prefat' Edw. quandum annuitatem, siue annualem redd' vj. li. xiiij. s. iiij. d. exeunt de & in manerio & ten'is predictis cum pertinentijs. Et ill' eis redd' in eadem Curia: Habendum & percipiendum eundem annualem redd' vj. li. xiiij. s. iiij. d. prefat' Edw. & assignatis suis tota vita sua ad festa Natiuitat' S. Ioh. Baptiste, & Annuntiationis beate Marię virginis, æquis portionibus annuatim soluend'. Et si contingat &c. Concessit etiam idem R. quendam annuitatem siue annualem redd' vj. li. xiiij. s. iiij. d. (vt supra cum claus. distri&t.) Et vlt'ius idem R. concessit prefat' R. quendam aliam annuitatem &c. vj. li. xiiij. s. iiij. d. modo & forma p' d'. Et preterea idem R. concessit pref. E. p' d' manerium, tenementa, & redd' cum pertinentijs. Et ill' eis redd' in eadem Curia: Habend' & tenend' pref. E. & assignatis suis tota vita ipsius E. de capitalibus dominis feodi illius &c. Et post decess. ipsius E. p' d' manerium, ten'ia, & redd' cum pertin' integ' reman' pref. E. & hered' suis. Tenend' de capit' &c.

A Fine

A fine of a rent out of Manors to one and his wife in taile generall, & for default of such issue to the right heires of the husband, with a paine of eight pounds for every five weekes that the rent is behinde, and for every weeke after the v. weekes to forfeit viij.li. nomine pœna with a clause of distresse.

ET pro hac &c. ijdem A. & B. concess. p̄fata W. & F. quendam annualem redditū nonaginta libr̄, de predict̄ manijs et tenementis cū pertinentijs. Et illas ei reddider̄ in eadem curia: Habend' et p̄cipiend' predict̄ annualem redditū nonaginta libr̄, eisdem W. & F. & hered' de corporibus ipsor̄ W. & F. legitime p̄c̄r, ad festa S. Mich. Archangeli, et Annunciationis beatæ Marię virginis, p̄ æquales portiones annuatim soluend'. Et si contingat q̄ ijdem W. & F. obierint sine hered' de corporibus suis legitime procreat̄, tunc post decessum ipsor̄, W. et F. idem annualis redd' nonaginta libr̄ integre remaneat rectis heredibus ipsius W. ad festa predict̄ annuatim soluend'. * Et si contingat p̄dict' annual' redd' nonaginta libr̄ aretro fore in parte vel in toto p̄ spacium quinque septiman', post aliquod festum festor̄ pred', quo vt presertur solui debeat, non solut̄, (si legitim' modo petatur apud C. predict̄) q̄ tunc et toties p̄d' W. T. et hered' sui forisfacient pred' W. & F. & hered' de corporibus suis legitime p̄c̄r, ac etiam rectis heredib' ipsi' W. si pred' W. et F. obier̄ sine hered' de corporib' suis legitime p̄creatis octo libr̄ nomine pœnæ. * Et sic qualibet septimana, post predict' quinque septimanas octo libr̄ quoties predict' annualis redd' nonaginta libr̄ aretro foret, qd. tunc et toties bene liceret pred' W. & F. & hered' de corporibus suis legitime procreat̄, ac etiam rectis heredib' ipsius W. si ijdem W. et F. obier̄ sine hered' de corporibus suis legitime procreat̄, in predict' maneria & tenentia cum pertinentijs intrare, & distringere, distractionesque sic ibidem captas & habitas, abducere, asportare, et effugare, ac penes se retinere, quousque tam de predict' annual redd' nonaginta libr̄, cum areragijs eiusdem (si quæ fuerint) quam de predict' octo libr̄, vt presertur, nomine pœnæ forisfact', post p̄dict' quinque septimanas, & pro octo libr̄ pro qualibet septimana post pred' quinque septimanas, vt presertur, eisdem plene fuerit satisfact' & persolut' &c.

Sect. 98.

A Fine wherein an Annuitie is granted out of five acres of land, to one in fee, with a clause of distresse for default of payment of the same Annuitie.

Ess. ff. **P**Recipe T. S. de Carmig', & A. vxori eius q̄ ten. W. D. con- Sect: 99.
uenē de quinque acris terræ cum pertinentijs in E. &c.

¶ Et est concordia talis, scilicet, quod pred' T. & A. recognouerunt

Fines and Concords.

tenementa pred' cum pertinentijs, esse ius ipsius W. vt illa quæ idem W. habet de dono p̄dictor' T. & A. Et ill' remiser' et quiet' clamauer' de se et heredibus suis prefato W. & hered' suis imperpetuum. Et præterea predict' T. & A. concess. pro se & hered' ipsius T. q̄ ipsi warrant pref. W. & hered' suis tenementa p̄dict' cum p̄tinentijs, contra omnes homines imperpetuum. Et pro hac &c. p̄dict' W. concessit prefato T. quandam annuitatem, siue annualem redditum 20.s. legalis monetæ Angliæ exeunt & exitur, de, & ex tenementis predict' cum pertinentijs. Et ill' ei reddidit in eadem curia: Habend', tenend', et percipiend' præd' annuitatem siue annualem reddit' 20.s. p̄d', prefato T. et hered' suis, ad festa S. Martini Episcopi in hyeme, & Pentecost', per æquales porciones annuatim imperpetuum soluend'. Et si, ac quoties, contingat predict' annuitatem siue annualem reddit' 20.s. pred' a retro fore in parte vel in toto post aliquod festum festor' predict', quo vt preferitur, solui debeat, non solut', p̄ spacium quadraginta dierum, quod tunc et toties bene liceat & licebit prefat. T. et heredib' suis in p̄dicta tenementa cum p̄tinentijs intrare, & distringere, distractionesq; sic ibidem cap̄, licite asportare, effugare, abducere, et penes se retinere, quousq; de tota præd' annuitate siue annual' redditu viginti solid' predict' vna cum arretragijs eiusdem, si quæ fuerint sibi sic plenariè satisfact' & persolut' &c.

A fine wherein an annuities is granted in fee, out of xx. acres of land, with suit of Court, & Heriot after decease, reccale, & alienation of any tenant, with a clause of distress for default of payment.

Sec̄t. 100.

South. ff. **P**Recipe A. B. & C. D. quod ten. F. G. conuenc' de vigint' acris terræ &c.

¶ Et est concordia talis, scz. q̄ pred'. A. B. & C. D. recognouerunt tenentia pred' esse ius (vt in fine sur recognisance de droit, Release, & Warranty) Et pro hac &c. predict' F. concessit pref. A. B. & C. D. quandam annuitatē, siue annualem reddit' xij. s. legalis monetæ Angliæ exeunt & exitur, de et ex tenentis pred' cum p̄tinentijs. Et ill' eis reddidit in eadem curia: Habend' & percipiend' predict' annuitatem siue annualem reddit' 12. s. eiusdem A. B. & C. D. et hered' ipsi' A. ad festa S. Mich. archang. & Annuntiationis beatæ Mariæ virginis, per æquales porciones annuatim soluend'. * Ac etiam præd' F. concessit p̄ se & heredibus suis pref. A. B. & C. D. & hered' ipsius A. ad faciend' lectam annuatim Cur' p̄dict' A. B. et C. D. et hered' ipsius A. apud manerium suum de C. bis in anno super licitam monitionem inde prehabitur'. Tenend' &c. Ac soluend' post decessum, recessum, et alienationem tam p̄dicti F. & hered' suorum, quā cuiuslibet alterius tenentis existēti liberi tenentis tenitorum predict', vel alicuius inde p̄cell', optimum animal cuiuslibet hūdi tenent, nomine Heriof.

Heriot'. * Et si contingat p̄d annuitat' siue annualem redd', aretro fore in parte, vel in toto, post aliq' fest' festo' p̄d, quo, vt p̄fertur solui debeat, non solue, aut se t̄a cur' p̄d non fieri, siue heriot' p̄d cū acciderit non solui aut deliberaf, q' tunc bene licebit p̄d A. B. & C. D. ac hered' ipsi' A. in teñta p̄d cum p̄tinentijs intrare, et distringere, distriktione s̄q; sic ibid' capt', licite abducere, asportare, ac penes se retinere, donec et quosq; tam de p̄d annuitate siue annual' redd' xij. ð. vna cum areragijs eiusd', si quæ fuerit, quam de fest' Cur' et heriot' p̄d aretro existen', eisd' A. B. et C. D. et hered' ipsi' A. plenarie fuer' solut', content', et satisfact' &c.

A Fine wherein an Annuity is granted out of a manor, messuages, and rent in fee, payable at a certain day, houre, and place, with a forfeiture Nomine pœna, for the default of payment of the Annuity and paine.

Warm. ff. **P** Recipe A. B. armig' qd' ten' C. D. conuenc' de manerio de Sect. 101.
L. cum pertinentijs. Necnon de quatuor mesuag' et decē solidis redd', cum pertinentijs in L. p̄d' &c.

¶ Et est conc' talis, sc. qd' p̄d' A. B. recog. (vt in fine sur recognisance de droit.) Et pro hac &c. idem C. concess. p̄f. A. quand' annuitat' siue annual redd' vij. libi. legalis moner' Ang. exeunt' & exitur' de et in man'io & tenem'is cū p̄tintijs. Et illā ei redd' in ead' cur': Habēd' et p̄cipiēd' p̄d' annuit' siue annualem reddiē vij. li. p̄fato A. hered' et assignatis suis, decimo die Sept. inter horam nonam ante meridiem, & horam tertiam post meridiē eiusdem diei annuatim, apud' domum siue mansionalem vulgariter nuncupatam S. situat' in foro suo vocatō le Parket Strad in villa C. in Com' D. soluend'. Et si contingat p̄dict' annuitatem siue annual' reddiē vij. li. aretro fore, in parte, vel in toto, per spacium xiiij. dierum, post p̄dictam decimam diem Sept. quo vt p̄fertur solui debeat, non solut', quod tunc p̄dict' C. et heredes sui forisfacient eidem A. et heredibus suis xiiij. s. iij. ð. nomine pœnæ, toties quoties p̄dicta annuitas siue annualis redditus, aut aliqua inde parcella, sic aretro fore contigerit, Et bene licebit p̄dict' A. et heredibus suis in p̄dict' manerium, et cetera premissa cum pertineñ, et in quamlibet inde parcell' intrare, et distringere, tam p̄ p̄dicta annuitate siue annuali redditu vij. li. et p̄ qualibet inde parcell', quam p̄ p̄dict' xiiij. s. iij. ð. nomine pœnæ eidem A. et heredibus suis forisfact' toties quoties sic aretro fore contigerit non solut', distriktione s̄q; sic ibid' capt', et habit', licite abducere, asportare, et effugare, et penes se retinere, quosque tam de p̄dict' annuitate siue annuali redditu vij. li. quam pro p̄dictis xiiij. s. iij. ð. nomine pœnæ toties forisfact' plenarie fuer' eidem A. & heredibus suis satisfact' & persolut' &c.

And D. qd' in fine p̄d' &c. A fine

Fines and Concords.

A Fine in which the Conisors grant to the Conusees in taile, an annual rent of foure pound issuing out of a Manor payable at two feasts in the yeare, with a clause of distresse for the said rent, and for twentie shillings

Nomine poena if the rent be not payd.

Sect. 102

Staff. ff. **P**Ræcipe &c. quod iuste &c. teñ conuenc' &c. de manerio de B. Et nisi &c.

¶ Et est concordia talis, scilicet, quod p̄d' I. B. & E. recogn' manerium p̄d' cum pertiñ esse ius ipsius R. vt ill' quæ ijdem R. & M. habent de dono p̄d' I. & E. Et ill' remisit & quiet' clam' de ipsis I. & E. & hered' ipsius E. p̄d' R. & M. & hered' ipsius R. imperpetuum: Et preterea ijdem I. & E. concessit p se & hered' ipsius E. qd' ipsi warrant' p̄d' manerium cum p̄tiñ prefat' R. & M. & hered' ipsius R. contra omnes homines imperpetuū. * Et pro hac recognitione, remissione, quiet' clamatione, warf, fine & concordia, ijdem R. & M. concessit, p se & hered' suis pref. I. & E. & hered' de corpore ipsius E. legitime procreat', quatuor libras redd', exeunt de manerio p̄d' cum pertinentijs. Et ill' eis redd' in eadem Curia: Habend' & percipiend' singulis annis, sc. vnam medietatē inde, ad festum S. M. & aliam medietatē inde ad festum Annunciationis beatę Marię virginis eisdem I. & E. et hered' de corpore eiusdē E. legitime procr', æquis porcionibus annuat' soluend' per man' tenentium qui idem manerium cum pertiñ impost' tenebunt. Et preterea ijdem R. & M. concessit, pro se & hered' suis, qd' si p̄d' redd' ad aliquem terminum, quo solui debeat, retro fuer' in pte, vel in toto qd' tunc bene licebit p' I. & hered' de corp' ipsius E. legitime procr', distriñ p̄d' R. & M. & hered' suos, ac illos qui idem manerium impostet tenebunt p oia bona & catalla in eod' manerio cum pertinentijs inuent', p xx. solid' nomine poenę, pro quolibet termino, sic arec' existent' p spaciu vni' mensis Et ea retinere vsq' ad plenam soluc' tam de p̄d' quatuor lib' redd', quam de p̄d' xx. solid' nomine poenę quæ eis sic arec' fuer' &c.

A Writ of Covenant for the King, for the Tith Corne of a Pariso, and the maner of the Endorsement thereof, by his Attorney Generall.

Sect. 103

Essex. ff. **P**Ræcipe A. B. et C. qten' nobis conuent' inter nos et p̄fat' A et C. factam de omnibus et omnimod' decimis granor' crescen', prouenien', siue renouan' infra parochiam de Hoton. Et nisi fecerint, sum'm per bonos summonit' &c.

Hoc breue indorsetur sic.

¶ Edwardus Coke armig' Attorn' domin' Reg. generalis pro eodem domino Rege sequitur hoc breue.

A Fine knowledged by T. W. to I. R. of one mesuage, one barne, of land, meadow and pasture, and warranty against all men.

Essex. ff. **P**Recipe T. W. ar q̄ iuste &c. teneat I. R. conuene' inf eos fact', de vno mesuagio, vno horreo, 25. acris terre, quatuor acris prati, et decem acris pasturæ cum pertin' in L. Et nisi &c. Sect. 104

¶ Et est concordia talis, sc. quod p̄d' T. recognouit teñta p̄d' cum pertinentijs esse ius ipsius I. vt illa quæ idem I. habet de dono p̄d' T. Et illa remisit et quiete clamauit de se et hered' suis imperpetuum. Et p̄terea id' T. concessit p̄ se et hered' suis qd̄ ipse warrant tenemta p̄d' cum p̄iñtjjs p̄f. I. et hered' suis cont' omnes homines imperpetuū. Et pro hac recogn' &c.

A Fine knowledged by T. B. and E. his wife, of a Manor, of two messuages, of land, pasture, wood and rent, and five shillings rent to I. K. with warranty against all men: and the said I. K. by the same Fine granteth and rendreth backe againe the premisses to the said Conusors, and to the heires of the said T. one of the said Conusors for euer.

PRecipe T. B. et E. vxori eius qd̄ iuste &c. teneant W. L. et I. K. conventiones inf eo fact' de maner' de W. cum p̄tin' ac de duob' mesuagijs, octaginta acris terræ, centum acris pasture, sexaginta acris bosci, & quinque solid' redditus cum pertin' in H. et B. Et nisi &c. Sect. 105

¶ Et est concordia talis, sc. quod p̄d' T. et E. recognouerunt maner' teñta et reddi' p̄d' cum pertin' esse ius ipsius W. vt illa quæ ijdem W. & I. habent de dono p̄d' T. et E. & illa remisserunt et quiete clamauerunt de ipsis T. et E. et hered' suis p̄fat' W. et I. et hered' ipsius W. imperpetuum. Et p̄terea ijdem T. et E. concesser' pro se & hered' ipsius E. quod ipsi warrant maneria, tenement' et reddi' p̄d' cum pertinentijs p̄fat' W. et I. et hered' ipsius W. contra omnes homines imperpetuum: Et pro hac recognitione &c. ijdem W. & I. concesser' p̄d' T. manerium teñenta et reddi' p̄d' cum pertin' et illa ei reddiderunt in eadem Curia: Habend' et tenend' eidem T. et hered' suis imperpetuum.

A Fine knowledged by H. K. and I. his wife, I. C. and K. his wife, to R. G. of one mesuage, one garden, of land and pasture, and the same Conusors for them and the heires of I. G. doe warrant two parts of the premisses in three parts, deuided to the Conusee and his heires against all men for euer.

PRecipe I. H. & I. vxor' eius q̄ iuste &c. ten' R. G. conuen' inter eos fact' de vno mess. vno gardin' 40. acris terr', & 4. acris pasturæ cum pertin' in &c. Et nisi &c. Sect. 106

¶ Et

Compromise and

¶ Et est concordia talis, q̄ p̄d̄ I. & I. recognō uēnta p̄d̄ cum p̄tin' esse ius ipsius R. ut illa q̄ idē R. habet de dono p̄d̄ H. & I. I. & K. & illa remis. & quiet' clam̄ de ipsis H. & I. I. & K. & hered' suis p̄f. R. & hered' suis imp̄p̄t. Et preterea ijdē H. & I. I. & K. concess. pro se & hered' ipsius I. q̄ ipsi war' duas partes tēntōr p̄d̄ cum p̄tin' in tres partes diuid' p̄f. R. & hered' suis contra omnes homines imp̄p̄t. Et pro hac &c.

A Fine knowledged by I. F. Knight and M. his wife, and R. H. of two messuages, one garden, one orchard, and of land, meadow and pasture, to T. P. and I. K. with warrantie against all men. And the Conusees by the said Fine grant, and render to the said R. one of the Conusors in the Fine sixe acres of land &c. parcell of the premisses for one month to come next, and afterwards the same to remain to one I. now the wife of R. N. and R. N. sonne of the said R. and I, during their lives, and the longer liuer of them. And after their deceases the said six acres of land to remaine to I. N. daughter of the said R. and I. his wife, during her life, reseruing a rent with clause of distresse for non payment thereof. And the residue of the premisses, viz. the two messuages, one garden, one orchard &c. the said Conusees grant and render to R. H. for one moneth, and afterwards to one R. N. and I. his wife. To haue and to hold to the said R. and I. during their liues, and the longest liuer of them, reseruing also thereupon a rent with a clause of distresse for non payment thereof. And lastly the said Conusees do grant and render the reuerfion of the whole premisses, and the seuerall rents reserued upon the said grants and renders unto the said I. F. and M. his wife, two of the said Conusors, and to the heires of the said I. F. for ever.

Sect. 107.

PRec' I. F. milit' ac M. vx' eius, & R. H. q̄ iust' &c. ten' T. P. & I. K. &c. de ij. mess. j. gard. j. poim, xxj. acris terre, viiij. acris prat', & lvij. acris pastur' cum reitin' in M. Et nisi &c.

Warrantie.

¶ Et est concordia talis, scz. quod pred' I. M. & R. recognouerunt tēnt' p̄d̄ cum p̄tin' esse ius ipsi' T. ut ill' q̄ id' T. & I. habēt de dono p̄f. M. & R. Et ill' remis. & quiet' clam̄ de ipsis I. M. & R. & hered' suis p̄d̄ T. & I. & hered' ipsi' T. imp̄p̄t. Et p̄terea ijd' I. F. M. & R. concess. pro se & hered' ipsi' I. q̄ ipsi war' tēnt' p̄d̄ cū p̄tin' p̄f. T. & I. et hered' ipsi' T. cōf oēs hoies imp̄p̄t. Et pro hac &c. ijd' T. & I. concess. p̄d̄ R. vj. acr' fre, iij. acr' part', & 46. acr' past. de tēntis p̄d̄ cū p̄tin' & ill' ei redd' in ead' Cur'. Hēd' & tēnd' eid' R. pro t̄m̄ vni' mēns iam prox' futur'. Et post t̄m̄ ill' finit' ead' 6. acr' fr̄x; 3. acr' prat'; 46. acr' past. cū p̄tin' integ' reman' eisd' I. modo vx' cuiusd' R. N. & cuiusd' R. N. filio eorund' R. & I. Hēnd' & tēnd' p̄f. I. & R. tota vita ipsos I. & R. & eor' alen' diuini' viuen'. Et post decess. eorund' I. et R. ead' 6. acras terrē, 3. acras prati, et 46. acras past. cū p̄tin' integre reman' I. N. filia p̄d' R. et I. vxor' eius: Hēnd' et tēnd' eid' I. filia tota

The render of the parcell of the premisses.

The rent.

vita.

vita eiusd' I. filie redd' inde annuat p̄d' T. & I. et hered' suis cent' & 8. s. 10. d. ad festum Annunc' &c. p̄ æquales porc' annuat' soluend'. Et si contingat p̄d' annualem reddi' Cviii. s. x. d. vel aliquam inde pcellā à retro fore in pre vel in toto p̄ aliqd. festum festorum p̄d' quo siue quibus (vt preferitur) solui debeat non solut. Qd' tunc bene liceat p̄d' T. et I. hered' & assign' suis tam tota vita naturali p̄d' I. & R. N. modo vxor' p̄d' R. & eorū alterius diut' viuen' quam tota vita p̄d' I. si' in pred' 6. acras terf' &c. cum prin' et in quamlibet inde parcell' intrare & distingere, & distriktionē sic ibid' capē liceat inde abducere effug' et penes se retinere quousque de p̄d' annuali reddi' Cviii. s. x. d. & de qualibet inde pcella vna cū arrerag' eiusd' si q̄ fuerint eis plenarie fuer' satisfact' & p̄solut'. Et vterius ijdem T. et I. concesser' p̄d' R. H. duo messuagia, vnum pomař, vnum gardiñ, 16. acf' terf', 3. acf' prati, & 12. acf' pastur' resid' cum pertiñ tenitor' p̄d'. Et illa ei reddider' in eadem curia: Habend' et tenend' eid' R. pro termino vnus mensis. Et post terminum ill' finit', eadem duo messuagia, vnū gardiñ, vnum pomař, 16. acf' terf', tres acf' prati, et duodecem acf' pastur' resid' integre remañ cuidam R. N. et I. vxori eius: Habend' et tenend' eisdem R. N. et I. tota vita ipsor' R. N. et I. et hered' eorū alterius diutius viuen'. Reddend' inde annuatim p̄d' T. et I. et hered' eorum 13. s. legalis monete Angel' ad festa pred' per æquales porcion' soluend'. Et si contingat pred' annual' reddi' 13. s. aut aliquam inde parcellam à retro fore in parte vel in toto post aliqd. festum festor' p̄d', quo vt p̄ferē solui debeat non solut. Qd' tunc bene licebit pref. T. et I. in p̄d' duo messuag', vnum gardiñ, vnum pomař, 16. acf' terf', 3. acf' prati, et 12. acf' pastur' resid' cum pertiñ, et quamlibet inde parcell' intrare et distingere, distriktionesque ibidem sic capē liceat abinde abducere, effugare, et penes se retinere quousq' de p̄d' reddi' 13. s. vna cum arrerag' eiusdem si que fuerint plenarie fuerint satisfact' & p̄solut': Concesser' etiam p̄d' T. & I. K. p̄d' I. F. et M. reuersionē omnium et singulor' tenitor' p̄d' cum prin' et oēs reddi' p̄d' superius reseruat, et illa eis reddider' in ead' curia. Habend' et tenend' eis I. et M. et hered' ipsi' I. impetuū de capital' dñis feodi illius p̄ seruitia quæ ad pred' tenē cū prin' p̄tinent imperpetuum.

A clause of distresse.

The rendes of residue.

Rent for the residue. A clause of distresse.

The render of the reuersion of all the premises and all the rents reserved.

A fine knowledged by G. H. and D. his wife. T. S. Esquire, and M. his wife of xl. acres of land to R. B. and W. N. with warrantie. And the conusees doe grant and render to the said D. and to his heires, all mines of coales in a close parcell of the premisses called Stanley field, with libertie to dig for the same.

P Recipe G. H. arm. & D. vxori eius, T. S. arm. et M. vxor' eius, quod iuste &c. teneant R. B. & W. W. conuentionem inter eos fact' de 40. acris terræ cum pertiñ in Stanley et Spendon. Et nisi &c.

Sect. 108.

¶ Et est concordia talis, sc. quod pred' G. D. T. et M. recognouer' tenementa pred' cum pertiñ esse ius ipsius R. vt illa quæ ijdem R. & W. habent

Fines and Concords.

The conusees doe graunt & render coale mines in part of the premises to two of the conufors and libertie to get them.

habent de dono p̄d̄ G.D.T. & M. Et illa remiserunt et quiet̄ clamauerunt de ipsis G. D. T. et M. et hered' suis p̄f. R. et W. & hered' ipsius R. contra pred' G.D.T. et M. & hered' ipsius T. imperpetuum. Et pro hac recognitione &c. pred' R. & W. concesserunt p̄f. G. D. omnes mineras carbonum vocat̄ all Mines of coales, existeñ in quodam campo parcell' teneñ p̄d̄ vocato Stanley field; nec non liber̄ ingressum & egressum in et super p̄d̄ camp' de fodend' in mineris illis pro carbonibus illis omni tempore Anni ad libetum ipsorum G. & D. et hered' eiusdem D. Et illa omnia eis reddiderunt in eadem cur̄. Habend' capiend' & percipiend' pred' miner̄, ingressus, egressus, ac libertat' p̄d̄ cum pertiñ p̄f. G. & D. et hered' ipsius D. imperpetuum.

A Fine knowledged by W. K. and K. his wife of the third part of one messuage, one barn, one garden &c. to I. K. and T. H. with warranty against all men: and the said conusees doe grant and render to the said S. one of the conufors, the said third part of the premisses from Mich. or Thannunciation &c. which first shall happen to be next after the death of one E. now the wife of W. T. for the terme of xxi. yeares, reseruing a rent yeerely to the conusees with a clause of distresse for the said rent. And lastlie, the said conusees grant and render the reuerfion of the said premisses to W. K. and K. his wife, beeing two of the said conufors in the said fine, and to the heires of the said K. for ever.

Sect. 109.

PRecipe W.K. & K. vxori eius quod iuste &c. teneant I. K. & T. H. conuentionem inter eos fact' de tertia parte vnus messuagij, vnus horrei, vnus gardini, xxx. acrarum terræ, duarum acrarum prati, et x. acrarum pasturæ cum pertiñ in &c. Et nisi &c.

Warrantie.

¶ Et est concordia talis, sc. quod pred' W. K. & S. recognouerunt tertiam partem pred' cum pertiñ esse ius ipsius I. vt illa quæ ijdem I. et T. habent de dono pred' W. K. & S. Et illa remiserunt & quiete clamauerunt de ipsis W. K. & S. & hered' suis p̄f. I. & T. & hered' ipsius I. imperpetuum. Et preterea ijdem W. K. & S. concesserunt pro se & hered' ipsius K. quod ipsi warrant' tertiam partem pred' cum pertiñ ijs p̄fat. I. & T. et hered' ipsius I. contra omnes homines imperpetuum. Et pro hac recogn' ijdem I. & T. concesser' pred' S. tertiam partem pred' cum pertiñ & illam ei reddiderunt in eadem curia. Habend' & teneñ eidem S. a festo Sancti Michaelis Arch. vel à festo Annunc' beatæ Mariæ Virginis quod prius & proximi contigerit vel erit post mortem cuiusdam E. modo vxoris W. T. & nuper vxor' R. C. defunct' vsque ad finem et terminum xxi. annorum extunc p̄xim' sequen' & plenar' complend': Reddend' inde per Ann' p̄d̄ I. & T. xiii

ad

The render.

¶ ad festū Annuntiationis beatæ Mariæ virginis & sancti Michael' Archang' p̄ æquales porciones soluend'. Et si contingat p̄d̄ annualem redd̄ xij d̄. vel aliquam inde parcellam a retro fore in parte vel in toto post aliquod festum festorum p̄d̄ quo ut prefertur solui debeat non soluit, qđ tunc beneliebit pref. I. & T. hered' & assign' suis in tertiam partem p̄d̄ cum pertinē & in quamlibet inde parcellam intrare & distringere, distractionesq; sic idid' capē liceat ab inde abducere, effugare, asportare et penes se retinere, quousq; de p̄d̄ annuali redd̄ xij. d̄. et de qualibet inde pcella vna cū arrearajis eiusd' si quæ fuerint, plenarie eis fuerit satisfact. et persolut. Concesser etiam p̄d̄ I. K. & T. H. p̄d̄ W. & K. reuersionē iij. partis p̄d̄ cum p̄iñ et redd̄ p̄d̄ superius reseruat. Et illa eis reddider in eadem Curia: Habend' et tenend' eisd̄ W. & K. et hered' ipsius K. imperpetuum de capitalibus dñis feod' illius per seruic' quæ ad eandem tertiam partem pertinent imperpetuum.

Clause of distress for the rent.

The grant of the reuersion and the rent reserved vpon the lease for 21. yeares.

A Fine knowledged by W. P. and M. his wife, of a Manor &c. one water mill, one winde mill, three douehouses &c. to E. B. and R. C. and the Conusses by the same Fine doe grant unto the said M. a yearely rent of xij. li. going out of the said Manor: Habendum from Michaelmas or the Annunciation next after the death of the said W. P. her husband, and one of the Conussors in the said Fine during her life, in the full recompence of her title of Dower or Ioynture in any of the Lands of her said husband, with a clause of Distresse for the said rent. And lastly the said Cognisces grant and render againe the said Manor &c. to the said W. P. the Conussor, and husband to the said M. and to his heires for euer.

ET est concordia talis, scilicet qđ p̄d' W. & M. recognouerunt manerium et tēnta p̄d̄ cum pertin' esse ius ipsius E. & R. vt illa quæ ijdem E. & R. habent de dono p̄d' W. & M. Et illa remisserunt et quiete clamauer de se et hered' suis pref. E. & R. et hered' ipsius E. imperpetuum. Et preterea ijdem W. & M. concesser p̄ se et hered' ipsius W. quod ipsi war' manerium & tēnta p̄d̄ cum pertin' p̄f. E. B. & R. & hered' ipsius E. contra omnes homines imperpetuum: Et pro hac recognitione &c. ijdem R. & E. concesser prefat' M. quandam annualem redd̄ xij. li. exeuñ de prefat' Manerio et tenementis cum pertin'. Habendum & tenend' et annuatim percipiendum p̄d̄ annualem reddit' xij. li. p̄f. M. & assign' suis a festo sancti Michaelis Archangeli vel Annunc' beate Mariæ virginis proximiñ & immediatē sequent' post mortem p̄d̄ W. pro & durante vita naturali eiusdem Mariæ ad duos anni terminos viz. ad festa sancti Michaelis Archangeli et Annunc' beate Mariæ virginis equalibus portionibus annuatim soluendum in plenam recompentionem totius tituli vel Iuncture siue dotis quæ eidem M. contingere debent de aliquibus

Sect. 110.

Warrantie

A grant of a rent in recompence of ioynture & dower.

terris.

Fines and Concordes.

terris vel tenentis p̄d W. P. Et si contingat p̄d annual' redd̄ xij. li. vel aliquam inde parcelam à retro fore p̄ aliquod testum festorum p̄d quo siue quibus vt preferatur solui debeat. Quod tunc & toties bene licebit p̄d M. et assign̄ suis in p̄d maner̄ & tenement̄ siue in aliquā inde p̄cellam intrare & distringere, & distric̄tion̄ siue distric̄tiones sic ibidem capē abducere, effugare, & penes se retinere quouſq; de p̄d annuali redd̄ xij. li. & de quilibet inde parcella vna cum areragijs eiusdem si quæ fuerint plenarie satisfact̄ fuerint & p̄solut̄: Ee ulterius ijdem E. & R. concesser̄ p̄d W. manerium et ten̄ta p̄d cum p̄tiñ & illa ei reddiderunt in eadem curia: Habend̄ & tenend̄ p̄d maner̄ cum p̄tiñ pref. W. & hered̄ suis imperpetuum. Tenend̄ &c.

The render of the manor &c. by the conuſees to the conuſor and his heires for euer

A fine knowledged by I. G. & M. his wife to R. R. Knight, Lord R. of one messuage, one barne, and c. v. s. rent, the parsonage of B. and the aduowson of the vicarage of B. with warrantie against the conuſor and his wife, and the heires of the husband

Sect. 111

PRæcipe I. G. alias G. & M. vxori eius qd̄ ipse &c. teneat R. R. milit̄ Domino R. conuentionem &c. de vno meluagio, vno horreo, xv. acris terræ vj. acris prati, xx. acris pasturæ, & v. s. redd̄ cum p̄tiñ in B. ac de rectoria de B. p̄d: Necnon de aduocatione vicar̄ Eccles. de B. Et nisi &c.

¶ Et est concordia talis, sc. qd̄ p̄d I. & M. recognouerunt p̄d ten̄ta redd̄ & rectoriam cum p̄tiñ ac aduocac̄ p̄d esse ius ipsius dñi R. vt illa quæ idem dñus R. habet de p̄d I. & M. & illa remiser̄ & quiete clamauer̄ de ipsis I. & M. & hered̄ suis pref. dñi R. & hered̄ suis. Et p̄terea ijdem I. & M. concesser̄ pro se & hered̄ ipsius I. qd̄ ipsi warrant̄ p̄d dño R. & hered̄ suis p̄d ten̄ta redd̄ & rectoriam cum p̄tiñ ac aduoc̄ p̄d contra p̄d I. & M. & hered̄ ipsius I. imperpetuum. Et pro hac &c.

A fine knowledged by I. S. & M. his wife of one garden &c. with two severall warranties: The first warrantie against the conuſors and their heires onely: and in the second, the said I. S. & M. his wife grant to warrant the premisses for them and the heires of the husband against all men.

Sect. 112

PRæcipe I. S. & M. vxori eius quod iuste &c. teneant N. W. conuenc̄ inter eos fact̄ de vno gardino, & decem acris terræ cum p̄tiñ in S. Et nisi &c.

The first warrantie

¶ Et est concordia talis, sc. quod p̄d I. & M. recognouerunt ten̄ta p̄d cum p̄tiñ esse ius ipsius N. Et illa remiserunt & quiete clam̄ de ipsis I. & M. & hered̄ suis prefat̄ N. & hered̄ suis imperpetuum. Et preterea ijdem I. & M. concess. pro se & hered̄ ipsius I. quod ipsi warrant-

tizabunt teñta pred' cum pertin' pref. N. & hered' suis imperpetuum. Et preterea ijdem I. & M. concesser' p se & hered' ipsius I. qd. ipsi warrant' predict' tenementa cum pertin' pref. N. & hered' suis contra omnes homines imperpetuum. Et pro hac &c.

The second warrantie.

A fine knowledged by E. R. of a manor, &c. twelve messuages, x. tostes, x. Gardens, two winde milles &c. and six pound rent, with warrantie against all men.

PRecipe E.R. armig', quod iuste &c. teneat H. W. gen', conventionem inter eos fact' de manerio de S. cum pertiñ, ac de xij. messuagijs, x. tostis, x. gardinis, duobus molend' ventilibus, 600. acris terre, 40. acris prati, 6. acris pasture, ducent' acf bosci, quingent' acris iampn' & brueræ & 6.li. reddit' cum pertiñ in &c. Et nisi &c.

Sect. 113.

Et est concordia talis, sc. quod pred' E.R. recognouit manerium tñta et reddit' præd' cum pertinentijs esse ius ipsius H. W. vt ill' quæ idem H. habet de dono præd' E. Et illa remisit & quiete clamauit de ipso E. et hered' suis præd' H. et hered' suis imperpetuum. Et præterea idē E. concessit pro se et hered' suis quod ipsi warrantizabunt præd' H. & hered' suis maner', tenem' et reddit' præd' cum pertinentijs, cōtra omnes homines imperpetuum. Et pro hac &c.

A fine acknowledged within the Countie of Chester by H. S. Esq. to W. F. & R. C. of diuerse manors, &c. with warrantie against all men. And the conusors by the same fine, graunt and render the same manors &c. unto the conusor and his heires males, and for default of such heires malet, then to certaine persons for the life of I. S. brother unto the said conusor, and after his death to his heires males. And if the said I. S. died vwithout heire male, then to diuerse other of the name and kindred of the conusor, and to their heires males, and for default of such heires, the last remainder in fee to the right heires of the conusor for euer.

Hec est finalis concordia fact' in curia domini Regis apud Cestriam die Lunæ &c. Anno &c. coram M. H. milite Iusticiario domini Regis et alijs domini Regis fidelibus tunc ibidē presentibus inter W. F. et R. C. quæ, et H. S. de O. in com' Cestriæ arm', de maner' de O et O. cum pertinentijs, ac de xiiii. messuagijs, 500. acf terf, 200. acf prati, 500. acf pasture, 60. acf bosci, C. acris more et marisci, et ij. s. reddit' cum pertiñ in O. O. in C. et W. ac de medietate manerii de E. cum pertiñ et de 6. messuagijs, C. acris terre, C. acf prati, xx. acf pasture, ij. acris bosci, xx. acris iampnorum et brueræ cum pertinentijs in E. Vnde

Sect. 114.

placit.

Fines and Concordis.

Warrantic:

The render.

Remainders

in tail:

The remainders after the death of I. S. the Conufors brother to the heires males of the faid I. S. The other remainders if the faid I. S. die without heire male.

The laft remainder in fee to the right heires of the Conufor for euer,

placitum conuentionis fupponit fuit inter eos. in eadem Cur, fcilicet, qđ pđ H. recogn maner teñta & reddit pđ cum pertin, ac pđ medietatem fuam manerij de E. & pdict' teñta in E. pdict' cum pertin' eſſe ius ipſius W. vt illa quæ iſdem W. & R. C. habent de dono pdict' H. Et illa remiſerunt & quiete clamauer de ipſo H. & hered' ſuis præf. W. & R. & hered' ipſius W. imperpetuum. Et preterea idem H. conceſſit pſe & hered' ſuis qđ ipſe & hered' ſui warrant maneria, teñta, & reddit pdict' ac præd medietatem pdict' manerij de E. & predict' teñta in E. predict' cum pertin' præf. W. & R. & hered' ipſius W. contra omnes homines imperpetuum, Et pro hac recogn, remiſſione, quiete clam, warrant, fine, & concordia predict' W. & R. in eadem Curia conceſſer præf. H. M. maner teñta & reddit pđ ac pđ medietat pđ maner de E. & pđ tenement in E. pđ cum pertin', & illa ei reddider in eadem Cur: Habend' eidem H. & hered' masculis de corpore ſuo legitime procreat. Et ſi contingat pđ H. obire ſine hered' masculo de corpore ſuo legitime procreat, Quod tunc pdict' maner, teñta & reddit, ac predict' medietas predict' manerij de E. ac predict' teñta in E. cum pertineñ poſt mortem predict' H. S. R. S. filio & hered' appareñ T. S. arm, R. S. filio E. S. R. B. & E. B. pro termino vitæ I. S. fratris predict' H. remaneant. Ita quod maner teñta & reddit predict' ac pdict' medietat predict' maner de E. & predict' tenementa in E. cum pertinentijs poſt mortem præd I. S. hered' masculis de corpore predict' I. legitime procreat remaneant. Et ſi contingat eidem I. S. ſine hered' masculo de corpore ſuo legitime procr obire, quod tunc maner tenementa & reddit pđ, ac pđ medietas pđ manerij de E. & pđ tenementa in E. pđ cum pertinentijs, T. S. de S. armig' & hered' masculis de corpore ſuo legitime procr remaneant. Et ſi contingat predict' T. S. ſine hered' masculo de corpore ſuo legitime procr obire, quod tunc predict' maner, tenementa & redd, ac præd medietas dict' manerij de E. & pdict' tenementa in E. pdict' cum pertineñ T. S. filio G. S. & hered' masculis de corpore eiufdem T. S. filij pdict' G. legitime procr remaneant &c. Et ſi contingat eidem G. ſine herede masculo de corpore ſuo legitime procr obire, quod tunc maner teñta & redd' pdict' ac pdict' medietas dict' manerij de E. & tenementa pdict' in E. pdict' cum pertin' rectis hered' præf. H. S. remaneant imperpetuum.

A Fine knowledged before the Juſtices of Cheſter by B. P. and E. his wife, of a Manor, &c. one Water-mill, one Dove-houſe, one Garden, two Orchards, &c. with Warrantic.

Seçt. 115.

PRæcipe B. P. & E. vxori eius quod iuſte &c. teneant I. S. Arm, conuencionem inter eos fact' de Maner de O. al' O. ac de vno molendino aquatico, vno columbario, vno gar-

gardino, duobus pomarijs, centum acf terre, sexaginta acf prati, ducent acf pasturæ, quadraginta acris bosc', centura acf bruer, trescent acris more, centum acris turbarie, quinquaginta acris marisci, triginta acris terræ aqua cooperi cum pertinentijs in O. Et nisi &c.

¶ Et est concordia talis, scz. quod p̄d B. E. recogn' manerium & tenent' p̄d cum pertiñ esse ius ipsius I. Et ill' remis. & quiet' clam' de se & hæredibus suis prefat' I. & hæred' suis imperpetuum. Et preterea prefat' B. et E. concess. pro se & hered' ipsius B. quod ipsi warrantizabunt maneria & tenementa predict' cum pertinentijs prefat' I. & hered' suis contra prefat' B. et E. & hered' ipsius B. imperpetuum. Et pro hac &c. Warrantie.

A Fine knowledged by an Earle and his wife of a manor, aduowson, liberties, free warren, and free fishing, and a fould course for 2000. sheepe.

PRecipe Tho. comiti Suffex & Fran. vxor' eius quod iuste Sect. 116
&c. ten' Will' Curson arin' conuenc' inter eos fact' de manerio de B. cum pertiñ ac de 80. messuagijs, 50. cotagijs, 10. cottis 100. gardinis, 60. pomarijs, 400. acris terræ, 60. acris prati, 200. acris pasturæ, 20. acris bosci, 40. acris iamprorum & bruer, 200. acris more, 100. acris alnei 20. s. redd' cum pertiñ in Billingsfod alias Billingsforth, Bylowe alias Bylingh, &c. necnon aduocatione Ecclesie de Bylingfoord, ac de libertate vnius Foldagij ad 2000. onium, libera warennæ, & libera piscaria in B. &c. Et nisi &c.

¶ Et est concord' talis, scilicet quod præd' comes & Francis. recognouer' predict' maneria tenent' et redd' cum pertinentijs ac aduocationem libertatē lib' warren' & liberā piscar' pred' esse ius ipsius W. ut illa quæ idem W. habet de dono pred' comitis & Fr. Et illa remisit & quiet' clam' de se & hered' suis imperpetuum. Et præterea ijdem comes & Fr. concess. pro se et hered' ipsius comitis qd ipsi warrañ man'iu tenementa & redd' p̄dict' cum pertiñ, ac aduocationem, libertatē, lib' warren', & liberam piscar' pred' pref. W. et hered' suis contr' oēs hoies impetuū. Et p' hac &c. Warrantie.

A Fine knowledged by the husband and the wife, and a third person of certain acres of land, meadow, and wood, and the husband and the wife warrant the land to the Conusees, and to the heires of one of them: and the same Conusees grants and render againe the land to E. wife of one of the Conusors from Michaelmas, past for the terme of 99. yeares without impeachment of waste, yeelding a rent to the Conusees, and to the heires and assignes of one of them with a clause of distresse for non payment

Fines and Concords.

of the rent: and afterwards they grant the rent and the reuerſion of the lands in fee to one W.W.

Sect. 117

PRecipe W. Walgrauē arm̄ & E. vxori eius & E. E. qđ iuste &c. teneant R. R. & T. G. conuenc' &c. de duab' ac' & dimid' prati & 70. aeris bosci, cum pertiñ in E. Et nisi &c.

Warrantie.

The render.

Rent

Clause of discharge.

The render of the rent & reuerſion of the land to one in fee.

¶ Et est concordia talis, scz. quod pred' W. E. & E. recognouer' p̄d tenementa cum pertiñ esse ius ipsius R. vt illa quæ idem R. & T. habet de dono pred' W. E. et E. Et ill' remisit & quiet' clamauer' de ipsis W. E. et et hered' suis p̄d R. & T. & hered' ipsius R. imperpetuum. Et p̄terea p̄d W. et E. concess. pro se et hered' ipsius W. quod ipsi warrantizab' pred' R. & T. & hered' ipsius R. predict' tenement' cum pertinentiis contra omnes homines imperpetuum. Et pro hac recognitionē &c. pred' R. R. & T. G. concess. pref. E. p̄d tēta cum pertinentiis & illa ei reddit' in eadem curia. Habend' et tenend' eidem E. a festo S. Michalis Archangeli iam vltimo p̄terit' vsq; ad finem & terminum 99. annorum tunc proximi sequē & plenarie complend' absq; impetitione alicuius vasti: Redd' inde annuat' prefat' R. et T. et hered' & assignat' ipsius R. durā toto termino pred' sexagint' solid' & vnum denar' legalis monete Angliæ ad festum Annunciationis beatæ Mariæ & S. Michaelis Archangeli æquis porciones soluend'. Et si contingat pred' reddit' 60. s. & vni' denarij retro fore in parte vel in toto post aliquod festum festorum pred' quibus vt p̄mittitur solui debeat non solut', quod tunc benelicebit prefat' R. & R. & hered' & assignat' ipsius R. in tēta p̄d' cum pertiñ intrare & distriñ & distriktiones ibidem sic cap' abducere & asportare et penes se retinere quousq; de pred' reddit' vna cum arreragijs eiusdem si quæ fuerint plenarie fuer' satisfact' content', & persolut'. Et vltērius ijdem R. R. et T. G. concess. pred' reddit' pred' 60. s. and vnius denar' ac reuerſionem tētorū pred' cum pertinentiis pref. W. W. & hered' suis imperpetuum.

Cap' & recognit' fuit coram me W. Bendlose seruicē ad legem apud S. in parochia de B. &c.

A fine knowledged by two vnto one, with warrantie against all men.

Sect. 118

A fine sur cog- nissance de droit.

The warrantie

ET est concord' talis, scilicet qđ pred' L. O. & T. B. recognouer' tēnt' predict' cum pertinentiis esse ius ipsius I. G. vt illa quæ idem I. habet de dono pred' L. & T. Et illa remisit & quiet' clam' de ipsis L. G. & T. & hered' suis imperpetuum. Et p̄terea ijdem L. G. et T. cōcess. pro se et hered' ipsius G. qđ ipsi warrant' p̄dict' I. et hered' suis tēntura pred' cum pertiñ, coner' oēs hoies imp̄petuū, Et p̄ hac &c.

A Fine knowledged of two messuages, and two gardens, &c. by the husband and the wife, and diuers others, to W.C. with seuerall warranties.

PRæcipe R. F. & E. vxori eius & G. C. & B. vxori eius qd ten Sect. 119
W.C. gen. conuenc' &c. de 2. messuag', 2. gard', vno pomar',
30. acris tetrae, 10. acris prati, 40. acris pasturæ, & 16. s.
redd' cum pertinentijs in W. D. Et nisi &c.

¶ Et est concordia talis, scz. qd predict' R. & E. G. et B. recogn' tenēta, predict' cum pertineñ esse ius ipsius W. vt illa quæ idem W. habet dedono pred' R. & E. G. et B. Et illa remisit & quiete clam' de ipsis R. & E. & hered' ipsorum G. E. et B. pref. W. et hered' suis imperpetuum. Et præterea ijdem R. et E. concess. pro se & hered' ipsius E. qd ipsi warrantizabūt tenēta p'd cum p'tiñ pref. W. & hered' suis contra omnes homines imperpetuum. Et vltorius ijdem G. et B. concess. pro se et hered' ipsius B. qd ipsi warrant' tenemē p'd cum p'tiñ pref. W. et hered' suis contra p'd G. & B. et hered' ipsi' B. imperpetuum. Et pro hac &c.

Generall warrantie.

Speciall warrantie.

A fine knowledged of foure messuages, one toft, three barnes, threc gardeins, threc orchard, &c. to W.S. and N.W. with warrantie.

INter W.S. & N.W. quiet', & O.B. & A. vxor' eius defore' Sect. 120
de 4. messuag', 1. tofē trib' horreis, trib' gardinis, trib' pomarijs, 20. acf' prati, 6. acf' pasturæ cum p'tiñ in K. et B.

¶ Et est concordia talis, scz. quod p'd O. et A. recognouit tenemēta p'd cum p'tiñ esse ius ipsius W. vt illa quæ ijdem W. et N. habent de dono predict' O. et A. Et illa remisit & quiete clamauer' de ipsis O. et A. & hered' ipsius A. pred' W. & N. et hæred' ipsius W. imperpetuum. Et præterea idem O. et A. concess. pro se & hæred' ipsi' A. quod ipsi warrant' pred' W. & N. & hered' ipsius W. pred' tenementa cum ipertineñ contra pred' O. & A. & hered' ipsis A. imperpetuum. Et p' hac &c.

Warrantie.

A fine knowledged by two husbands and their wives of two messuages, and two gardens, with seuerall warranties

PRæcipe G. F. & R. & vxori eius A. I. & K. vxori eius quod Sect. 120
tenant G. T. conuenc' &c. de duobus messuag', duobus gardinis cum p'tiñ in K. &c. Et nisi &c.

¶ Et est concordia talis, scz. quod p'd G. et R. et A. & K. recognouit tenement' p'd cum p'tiñ esse ius ipsius G. vt illa quæ idem G. habet de dono præd' G. et R. et A. et K. et illa remisit et quiete clamauerunt de ipsis G. & R. et A. et K. et hered' ipsorum R. & K. pred' G. et hered' suis imperpetuum. Et præterea ijdem G. et R. concessit p' se & hered' ipsi' R. quod

Warrantie.

Fines and Concords.

quod ipsi warrant predict' G. & hered' suis pred' tenita cum pertiñ cont' pred' G. & R. et hered' ipsius R. Et vterius ijdem A. & K. concess. pro se & hered' ipsius K. qd ipsi warrant pred' G. et hered' suis pred' tenemtu cum pertiñ contra predict' A. & K. et hered' ipsius K. imperpetuum. Et pro hac &c.

Nota que Dyer chiefe Iustice dit, quæ si les femes fuissent soers quæ adonques il ne besoigne double garrantie in forme auandit, mes single garrantie est assers bone.

A fine knowleged by the husband and his wife, to a man and his wife of one messuge, one gardein, one orchard, one barn, one stable, one wharfe, &c. with warrantie.

Secl. 122

PRæcipe R. I. & H. vxori eius quod iuste &c. teneant A. I. et K. vxori eius conuenit &c. de vno mesluagio, vno gardino, vno pomario, vno horreo, vno stabulo, vna wharfa, et vna ac' bosci cum pertinentijs in K. suepr K. Et nisi &c.

¶ Et est concordia talis, scz. qd predict' R. & H. recogñ tenita, predict' cum pertineñ esse ius ipsius K. vt illa quæ idem A. et K habent de dono pred' R. & H. Et illa remisit & quiete clam' de ipsis R. & H. & hered' suis p' d' A. et K. & hered' ipsius K. imperpetuum. Et præterea ijdem R. et H. concess. pro se & hered' ipsius H. qd ipsi warrantizabūt pref. A. & K. & hered' ipsius K. p' d' tenita cum pertiñ contra pref. R. et H. & hered' ipsi' H. imperpetuum. Et pro hac &c.

Warrantie.

A fine knowleged by an Earle and his wife to W. C. of a rent of sortie pounds, going out of diuers manors, with warrantie.

Secl. 123

PRecipe F. comiti H. & domine K. vxori eius comitisse H. quod iuste & sine dilacione tenat W. C. a' conuenit &c. de 40. li. redd' exeunt de manerijs de B. S. &c. Et nisi &c.

¶ Et est concordia talis, scz. quod pred' comes & comitissa recogno. ner' redditum p' d' cum pertiñ esse ius ipsius W. vt illa quæ idem W. habet de dono pred' comitis & comitissæ. Et ill' remisit & quiet' clama. uer' de se & heredib' suis pref. W. & hered' suis imperpetuum. Et prete. rea ijdem comes & comitissa concedunt pro se & hered' ipsius comitis quod ipsi warrant redd' pred' cum pertiñ prefat' H. & hered' suis contra omnes homines imperpetuum. Et pro hac &c.

Warrantie.

A:

A fine knowlegded by the husband and the wife, and one R. D. to R. B. of one manor, &c. one messuage called M. &c with warrantie, who grant and render the same againe to R. D. one of the conufors for terme of 21. yeres to begin at a time to come, reseruing a rent: and afterward the Conufees grant the reuerfion of the said manor &c. and the reuerfion to one of the Conufors and his wife, and to the heires of the husband, to hold of the chiefe Lords of the fee.

PRecipe I. F. et B. vxori eius & R. D. quod iuste &c. ten R. Sec. 124
 B. conuenc' &c. de manio de C. et I. cum pertiñ ac de duobus messuag', vocat' B. 20 messuag', 40. acrfiterf, 100 acrf praef 500 acrf pastur', 200 acrf bosci, & 40 acrf iampnoſ & brueræ cum pertiñ in W. F. Et nisi &c.

¶ Et est concordialis, scz. quod p̄d I. B. et R. recognouit p̄d maner' & tenement' cum pertiñ esse ius ipsius R. B. vt illa quæ idem R. habet de dono p̄d' I. et B. et R. & ill' remisit et quiete clamauit de se & hered' suis p̄d' R. et herad' suis imperpetuum. Et p̄terea ijdem I. & B. concesserunt pro se et hered' ipsius I. quod ipsi warrantizabunt p̄d' R. & hered' suis p̄d' manerium & tenementum cum pertinentiis, contra omnes homines imperpetuum. Et p̄ hac &c. idem R. concessit p̄d' R. p̄d' manerium & tenementum cum pertineñ, & illa eis reddidit, &c. Habend' & tenend' p̄d' R. a festo S. Michalis Archangeli, qđ erit in Anno Domini 1563. vsque ad finem termin' 21. annorum extunc proxim' sequen'. et plenarie complend'. Redd' inde annuatim p̄dict' R. & hered' suis quandam annualem reddidit 27. li. & 6. s. legalis monete Angliæ ad festu' Sancti Michaelis Archangeli, & Annuntiationis beatæ Mariæ virginis, per æquales portiones, annuatim soluend' proxima solutione inde incipiente ad festum S. Michalis Archangeli, quod erit in Anno Dom. 1563. Et si contingat p̄d' redd' 27. li. 8. s. a retro fore in parte, vel in toto post aliquod festum festorum p̄d' quo vt presertur solui debeat. Quod tunc bene licebit p̄d' R. & hered' suis in p̄d' manerium & tenementa cum pertiñ intrare & distringere, distriktionesq; sic inde capti et habē licit', abducere, asportare, et effugare, ac penes se retinere quousq; de p̄d' redd' de 27. li. 6. s. cum arref eiusdem si quæ fuerint plenarie fuerit satisfact' et persolut': Concessit etiam idem R. p̄d' I. et B. reuerfionem maneriorum & tenementorum p̄d', cum pertiñ ac p̄dict' reddidit superius express. et reseruat et ill' eis reddidit &c. Habend' & tenend' eisdem I. et B. et heredibus ipsius I. de Capitalibus dominis feodi illius per seruicia &c.

Warrantie

The terme & the beginning thereof.

Rent:

Clause of distress.

The grant of the reuerfion & the rent to the husband & the wife (being the Conufees) & to the heires of the husband.

Fines and Concords.

A fine knowledged by the husband and his wife to one I. L. Esquire of two manors, 4. messuages, 6. cottages, one dove house &c. with warrantie, in consideration whereof the Conussee granteth a rent of 30. li. to the husband and his wife, and to the heire of the husband, the said rent to begin to be paiable at Michaelmas, and the Annunciation of our Lady, which next shall happen after the death of the Conusor and C. his now wife, or any other which afterwards shall happen to be his wife, with a clause of distresse for the said rent if it be behinde, and having beene lawfully demanded.

Sect. 125

PRecipe R. P. & I. vxor. eius quod ten I. L. conuenit de manijs de A. et W. cum pertiñ. ac de 4. messuag. 6. cotag. 1. columbario, 200. acf terræ, 40. acf praef. 300. acf pasturæ, 20. acris bosc', 20. acf iampnoſ & brueſ cum pertinentijs in in W. et W. Et nisi &c.

A rent granted by the Conusors.

¶ Et est concordia talis, scz. quod p̄d R. P. & I. vxor eius recognouit maner' & tenementa p̄d cum pertiñ esse ius ipsius I. vt illa quæ idem I. habet de dono præd' R. P. & I. vxor' eius. Et ill' remisit &c. Et p̄terea &c. Et p̄ hac &c. idem I. L. concessit præf' R. et I. vxori eius & hered' p̄d I. annualē redd' 30. li. soluend' ad duos anni terminos consuet', viz. ad festum S. Michalis Archangeli, & Annuntiationis beatæ Mariæ virginis, per æquales portiones, prima solutione inde incipiente ad festum S. Michalis Archangeli, aut Annuntiationis beatæ Mariæ virginis qd̄ proxima contigerit post mortem præd' L. & C. nunc vxor eius existeñ vel alicuius alterius quam imposteriorum eius vxor' fore contigerit. Et si contingat præd' annualem redd' 30. li. retro fore in parte, vel in toto post aliquod festum festorum præd' quo vt præfertur solui debeat non solut' per spacium &c. si licite petatur, quod tunc &c.

When the rent shall begin to be payable.

A clause of distresse for the rent after it hath beene lawfully demanded.

A fine acknowledged by the husband and the wife to H. C. of the third part of a Rent issuing out of a manor, with a warrantie against all men.

Sect. 126

PRecipe R. & I. vxori eius, quod iuste &c. teneant H. C. conuenit &c. de 3. parte 5. li. 6. s. 8. d. denarioſ reddiſ cum pertiñ exeunt de manio de K. Et nisi &c.

¶ Et est concordia talis, scz. quod p̄d R. & I. recogn' tertiam partem reddit' p̄d cum pertiñ esse ius ipsius H. vt illa quæ idem H. habet de dono præd' R. et I. Et ill' remis. & quiet' clam' de se & heredib' ipsius I. præf' H. & hered' suis imperpetuum. Et preterea idem R. & I. concessit pro se & hered' ipsius I. quod ipsi warrañ præf' H. & hered' suis præd' tertiam partē redd' cum pertiñ contra omnes homines imperpetuum. Et pro hac &c.

Warrantie.

A fine

A Fine knowledged by the husband and his wife, to one T. H. of the third part of 34. acres of meadow by these words, viz. Concesserunt & redderunt &c. during the viue life, xi th warrantie also during her life.

PRæcipe H. P. & M. vxori eius quod teneant T. H. conueni- Sect. 127
&c. de tertiâ parte 34. ac̄. præf. 40. ac̄. pasturæ, & 6. ac̄
bosci cum pertinentijs in S. Et nisi &c.

A fine sur re-
lease de dower
per le husband
& le feme.
The estatc.
The warrantie

¶ Et est concordia talis, scilicet quod prædicti H. & M. concesserunt
& redderunt tenementa præd' cum pertiñ præfāt T. & hered' suis duran-
te vita ipsius M. Et præd' H. & M. warrantizaunt tenemento præ-
dict' cum pertinentijs præfāt T. & hered' suis durate tota vita ipsius M.
Et pro hac. &c.

*A Fine knowledged by V. K. knight, to I. S. knight, E. G. the Queenes At-
turney Generall, and others of two manors, 70. messuages, and cottages
&c. which the Lady V. widow bath for her life of the inheritance of the
Conusor the day of the concord made: and after her death si to reuert
to the Conusor, the which by this fine after the death of the said Lady V. is
wholly to remaine to all the Conusees in the fine, and to the heires of the
said I. S. knight the first of the Conusees in the said fine, with warrantie
against all men.*

PRecipe I. V. K. militi, quod ten' I. S. milit' E. G. Atturñat Sect. 128
nost' general' R. W. armig' & W. K. gener' conuentionem
&c. de manerijs de H. alias de Prior' H. & M. alias Prior' M.
ac 70. messuagijs & cotagijs.

A fine of reu-
erfion after
the death of
tenant in
Dower.

¶ Et est concordia talis, scz. quod prædict' V. recogā maneria, teñta,
& reddit' prædict' cum pertinen' esse ius ipsius S. Et concessit pro se et
hered' suis quod maner' tenementa & redd' præd' cum pertiñ que dñā V.
K. vidua tenet ad terminum vitæ suæ de hereditate per dñā V. die quo hæc
concordia facta fuit. Et quod post decessum eiusdem dominæ V. ad
præd' V. & hered' suos, debueret reuerti, quod post decessum ipsius I. S.
dominæ V. integre remanere præd' I. E. R. & W. & hered' ipsius I. S.
imperpetuum. Et præterea idem V. concess. pro se & hered' suis quod ipse
warrantizabit maner', teñta & reddit', præd' cum pertiñ præf. I. E. R. &
W. & hered' ipsius I. S. contra omnes homines imperpetuum. Et pro
hac recognitione &c.

The widowes
estate in the
Conusors in-
heritance.

The reuerfion
granted to the
said Conusees,
& to the heires
of one of them
&c.

Fines and Concords.

A fine knowledged by a widow and one other to the President and scholars of S. Johns Colledge in Oxon. of the Scite and principall house of the Colledge commonly called, the White Friers in the suburbs of Oxon. and 6. messuages, 6 gardens, 6 orchards &c. also in the same suburbs with warrantie.

Sect. 129
A fine sur cog-
nifans de droit

PRecipe I. P. viduæ & E. P. gen̄ qđ iuste &c. teneant W. E. Presidenti collegij S. Iohannis Baptistæ in Academia Oxon̄ & Scolasticis eiusdem collegij conuenc' de Scitu & principali domo collegij vulgarit̄ nuncupat̄ the White Friers in Suburbis ciuit̄ Oxon̄ cum pertiñ, ac de 6. messuagijs, 6. gardinis 6. pomarijs, 20. acf̄ terr̄, 2. acf̄ prati, et 6. acf̄ pastur̄ cum pertiñ in Suburbis ciuitat̄ pred̄ Et nisi &c.

Warrantie. ¶

¶ Et est concord̄ talis, scilicet quod præd' I. & E. recognouet̄ teneñta predict̄ cum pertinentijs esse ius ipsius Præsentis & Scholasticor̄ vt illa quæ idem Præses & Scholastici habent de dono pred' I. & E. Et illa remisit̄ & quiet̄ clam̄ de se & hered̄ ipsius E. pref. Præsid̄ & Scholasticis & successoribus suis imperpetuum. Et præterea ijdem I. & E. concess. pro se et hered' suis, qđ ipsi warrañ pref. Præsid̄ & Scholasticis & successorib' suis tenementa p̄dict̄ cum pertiñ contra pref. I. et E. & hered' ipsius E. imperpetuum. Et pro hac &c. •

A fine by two and the wife of them, of lands, meadow and pasture, with warrantie against the Conusors and the heires of the husband

Sect. 130
A fine sur cog-
nifance de
droit.

PRecipe R. B. gen̄ T. R. & M. vxori eius quod teneant T. B. gen̄ conuenc' &c. de 30. acf̄ terr̄, 2. acf̄ prati, 3. acf̄ pasturæ, & 6. acf̄ bosci cum pertinentijs in C. Et nisi &c.

¶ Et est concordia talis, scz. quod predict̄ R. T. & M. recogn̄ tēñta, predict̄ cum pertineñ esse ius ipsius T. B. vt illa quæ idem T. habet de dono pred̄ R. T. & M. Et illa remisit̄ & quiete clam̄ de ipsis R. T. & M. & hered̄ ipsius R. pref. T. B. & hered̄ suis imperpetuum. Et præterea ijdem R. T. et M. concess. pro se & hered̄ ipsius R. qđ ipsi warrantizabūt tēñta p̄d̄ cum p̄tiñ pref. T. B. & hered̄ suis contra p̄d̄ R. T. & M. & hered' ipsius R. imperpetuum. Et pro hac &c.

A Fine knowledged by T. N. knights, to G. T. Esquire of one manor, one messuage, &c. with warrantie against all men.

Sect. 131
A fine sur cog-
nifance de
droit,

PRecipe T. N. militi, qđ iuste &c. tēñat G. T. ař conuenc' &c. de maner̄ de T. cum p̄tiñ ac de 1 messuag', 100 acf̄ prati, 50 acf̄ pastur̄, et 30. acf̄ bosci cum pertiñ in T. et G. Et nisi &c.

Et

¶ Et est concordia talis, scz. quod pred' T. & N. recognouer' maner' & ten'ta cum pertiñ esse ius ipsius G. ut il' quæ idem G. habet de dono pred' T. Et ill' remisit & quiet' clamauer' de se & heredib' suis pref. G. & hered' suis imperpetuum. Et preterea idem T. concessit pro se & hered' suis quod ipsi warrant' maner' & ten'ta pred' cum pertiñ contra omnes homines imperpetuum. Et pro hac &c.

The warrantie

A fine knowledged by T. W. and K. his wife to G. S. of the third part of 8. messuages, 6. gardens &c. the which one M. B. widow holdeth for terme of her life and which is of the inheritance of the Conusors wife, the day of the concord made, and which ought after the death of the said widowe to reuert unto the Conusor and his wife, as in the right of his wife : and by this fine after the death of the said widow being tenant for life, is to come and remaine to the said Conusee and his heires for euer, with warrantie against all men.

PRecipe T. W. & K. vxori eius quod iuste &c. teneant G. S. Sect. 133
conuenc' inter eos fact. de tertia parte, 8. messuag, 6. gard',
6. ac' ter'f, decem acrarum prati 20 ac' pasturæ, 50. ac' bosci
cum ptiñ in A. B. C. &c.

¶ Et est concordia talis, scilicet quod præd' T. & K. recognouerunt tertiam partem predict' cum pertineñ esse ius præd' G. & concesser' quod eadem tertia pars cum pertinentijs quam M. B. vid' tenet ad termin' vitæ suæ dehereditate ipsius K. die quo hæc concordia facta fuit & quæ post mortem eiusdem M. ad ipsos T. et K. reuertere debet, rem' præf' G. & hered' suis imperpetuum. Tenend' &c. Et preterea ijdem T. et K. concesser' pro se & hered' ipsius K. quod ipsi war' præf' G. & hered' suis tertiam partem pred' cum pertiñ' sicut predict' est contra omnes homines imperpetuum Et p hac &c.

A fine of a reuersion after the death of tenant in Dower.

Warrantie.

A Fine knowledged by the husband and the wife, to one I. I. of 9. messuages, 9. gardens &c. and of the moitie of 20. messuages &c. one water mille one donehouse &c. with warrantie against all men.

PRecipe I. P. gener' & E. vxor' eius quod iuste &c. ten' I. L. Sect. 133
conuenciones inter eos fact' de nouem messuagijs, nouem
gardinis, trescent' acris terræ, centum acris prati, centum acris
pasturæ, viginti acris bosci, centum acris iampnorum &
brueræ &c. Ac de modietate viginti messuagioum, viginti gar-
dinatorum, vnius malendini aquatici, vnius columbarij, sex-
agint' acris terræ, ducent' acris prati, tricent' acris pasturæ,
sexagint' acris bosci, centum acris iampnorum & brueræ,

cum

Fines and Concords.

cum pertiñ in N. B. C. D. &c. Et nisi &c.

¶ Et est concordia talis, scz. quod pred' I. P. & E. recognouer' pred' tñta & medietatem cum pertiñ esse ius ipsius I. L. ut il' quæ idem I. L. habet de dono prædict' I. P. & E. Et ill' remisit & quiet' clamauer' de se & heredib' suis pref. I. L. & hered' suis imperpetuum. Et preterea idem I. P. & E. concessit pro se & hered' ipsius E. quod ipsi warrant' pref. I. L. & hered' suis pred' tñta et medietatem cum pertiñ contra omnes homines imperpetuum. Et pro hac &c.

The order of taking the knowledge of a Fine by Dedimus potestatem directed to diuers, but the knowledge taken onely by two of the Commissioners, and the certifying thereof by the Commissioners that tooke the knowledge.

After the fine is acknowledged, the Commissioners must write vnder the concord of the said fine as followeth.

Capit' et recogn' die &c. Anno &c. coram A. B. arñ, & C. D. virtute breuis dom' Reg. de *Dedimus potestatem* nobis & alijs direct'.

Commissioners } A. B.
C. D.

Then write vpon the backe of *Dedimus potestatem*.

Respons. A. B. arñ, & C. D. gener' duorum Commiss. infra nominatorum.

Executio istius Commissionis patet in quadam Scheda huic commissioni annex'.

Then must the Commissioners subscribe their names.

A fine knowlegded by W. D. and I. D. to I. R. and I. D. of one messuage and one cottage in Ipswich, with warrantie against all men: In consideration whereof the Conusors doe grant and render the premisses to the said I. D. one of the conusors for terme of seven daies next following, and afterwards the same premisses wholly to remaine to one M. G. for her life, and after her death the premisses wholly to remaine to the said W. D. one of the said conusors and his heires for ever.

Scct. 134.

PRecipe W. D. & I. D. quod iuste &c. teneant I. R. gen' & I. D. conuenc' de vno Messuagio & vno cotagio cum pertiñ in I. Et nisi &c.

¶ Et est concord' talis, scilicet quod præd' W. D. & I. D. recognouer' tenementa prædict' cum pertinentijs esse ius ipsius I. ut illa quæ idem I. & I.

& I. D. habent de dono predict' W. D. & I. D. Et illa remiserunt & quiete clām de se & hered' suis pref. I. & I. et hæredibus ipsius I. imperpetuum. Et præterea ijdem W. & I. concess. pro se & hæred' ipsius I. D. quod ipse warrant' pred' I. & I. & hered' ipsius I. tēnt' pred' cum pertiñ contra omnes homines imperpetuum. Et ꝑ hac re-cognitione, &c. ijdem I. & I. concesser tenementa præd' cum pertiñ pref. I. D. Et illa ei reddider' in eadem cur'. Habend' & tenend' eidem I. D. pro termin' septem dies extunc proxim' sequen'. Et post termin' illum finit' predict' tenementa cum pertiñ integre remanebunt cuidam M. G. Habend' & tenend' eidem M. tenend' de Capitalibus &c. tota vita ipsius M. Et post deceffum ipsius M, predict' tenementa cum pertiñ integre remanere prefat' W. D. & hered' suis imperpetuum. Tenend' de Capitalibus &c.

Warrantie.

The render.

A fine acknowledged by the husband and his wife to H. S. Esquire, of two messuages, two Wich-houses, two Shops, two Chambers, one Stable, and 10. acres of land &c. with warrantie against all men.

HEc est finalis concordia fact' in curia domini Regis apud Cestriam die Lunæ septimo die &c. Anno &c. inter H. S. querentem & W. G. & S. vxorem eius deforceā de duobus messuagijs, duobus Salimis vocat' Wich-houses, alias Salthouses, duobus Shopis, duobus cameris, vno stabulo, decem acris terræ, 4. acris prati, & sex aeris pasturæ cum pertineñ in &c. vnde placitum conuencionis sumñ fuit inter eos in eadem curia. Scilicet quod predict' W. & E. vxor eius recognouerunt tenementa predict' cum pertinentijs esse ius predict' H. S. vt illa quæ ijdem H. S. habet de dono predict' W. & E. Et ill' remiser' & quiete clamauerunt de se et heredibus suis pref. H. & heredib' suis imperpetuum. Et præterea prefat' W. & E. concesser' pro se & hered' ipsius W. quod ipsi et hered' predict' W. tenement', predict' cum pertiñ pref. H. & hered' suis warrantizabunt et hered' suis imperpetuum. Et ꝑ hac &c.

Sect. 135

A fine sur cognitione de droit.

A fine acknowledged before the Iustices of the Common pleas at Westminster of two messuages, one toft, 80. acres of land &c. with warrantie against all men.

HEc est finalis concordia fact' in Curia domini regis apud Westmonasterium in octabis sancti Martini, Anno &c. coram E. M. W. S. H. B. & I. H. Iustic' & alijs dñi Reg. fidelib' tunc ibi presentibus inter R. B. armig', I. L. gen', & R. L. gen'. Quæ, & H. D. deforc' de duobus messu-

Sect. 136

Fines and Concords.

messuagij, vno tosto, 80 acris terræ, 20 acris prati, 40 acris pasturæ & tribus acris bosci cum pertineñ in H. & W. vnde placitum conuencionis sumñ fuit inter eos in eadem curia: Scilicet quod predict' H. recognouit predict' tenementa cum pertinentijs esse ius ipsius R. B. vt illa quæ ijdem R. I. & R. habent de dono predict' H. Et ill' remisit & quiet clamauerunt de se et heredibus suis pred' R. I. et R. & hered' ipsius R. imperpetuum. Et preterea idem H. concessit pro se & hered' suis qd ipse warrant' I. et R. et hered' ipsius R. predict' tenement, cum ptiñ contra omnes homines imperpetuum. Et p hac remissione, quiet clam, warrant, fine & concordia ijdem R. I. & R. dederunt predict' H. 38. li. sterling'.

Warrantie.

A Fine knowledged by R. H. of P. to R. B. of the manor of I. with warrantie against the Conusor and bis heires.

Sec. 138

PRecipe R. H. de P. arñ qd iustē teneat R. B. R. H. & c. conuene inter eos fact' de manerio de I. alias I. cum pertin' ac de 20. messuag', 500. acf terr', 100. acf prat', 500. acf pastur', 100. acris bosci, 100. acf more, & marisci cum pertinentijs in I. alias I. W. et N. Et nisi & c.

¶ Et est concordia talis, scz. quod p d' R. H. recogn' maneria ac tenemñ p d' cum pertin' esse ius predict' R. B. vt illa quæ idem R. & c. habēt de dono ipsius R. H. Et ill' remis. & quiet clam' de ipso R. & heredibus suis prefat' R. & c. & hered' ipsius R. B. imperpetuum. Et preterea ijdem R. H. concessit pro se & hered' suis quod ipse warrantizabit maneria & tenementa pred' cum pertin' prefat' R. & c. & hered' ipsius R. imperpetuum. Et pro hac & c.

Warrantie.

This is the fine as it is ingrossed of Record, whereof the Fine next before is but the note.

Sec. 138

Hec est finalis concordia fact' in curia domini Regis Cestrie apud Cestri die Lunæ & c. viz. 4. die Septembris Anno & c. coram I. T. arñ, Iustic' dicti domini Regis Cestrie apud Cestriam & alijs dicti dñi Regis fidelibus tunc ibidem presentibus. Inter R. B. R. H. & H. H. Quer, & R. H. de P. arñ de forceñ de manerio de I. cum pertin' ac de & c. vnde placitum conuencionis summonitum fuit inter eos in eadem curia, scilicet, quod R. H. recognouerit maner' et tenementa pred' cum pertin' esse ius predict' R. B. vt illa quæ ijdem R. R. & H. habent de dono ipsius R. H. Et illa remiserunt & quiete clamauerunt de ipso R. & hered' suis pref. R. & c. et hered' ipsius R. B. Et preterea ijdem R. H. concessit pro se & hered' suis quod ipse warrant' manerium & tenementa pred' cum pertin' pref. R. B. & H. & hered' ipsius R. B. imperpetuum. Et

pro hac recognitione, warranto, fine, & concordia iidem R. & c. dederūt
 pref. R. H. 100. li. Argenti.

The nine Proclamations of the fine uert befoze made according to
 the statute of 2. Ed. 6. made for fines with Proclamations within the
 Countie Palantine of Chester.

¶ Prima Proclamaç fact' fuit die Mercurij ista eadem Sessione, Se-
 cunda Proclama facta fuit die Ionis ista eadem Sessione, Tertia Proclama
 fact' fuit in plena Sessione hic apud &c. tenē die &c. Anno &c. Et sic de
 cæteris &c.

Three Proclamations in euery Sessions.

*A fine knowledged by A. B. to T. F. and G. H. of a Manor with warrantie a-
 gainst all men: and the Conusees in the same fine grant and render againe
 the said Manor to the said A. B. for one weeke and afterward to N. M.
 for 21 yeares to begin after the feast of S. Martin the Bishop in Winter re-
 seruing a red Rose at Midsonier, if it be asked. And after the end of the
 said terme of 21. yeares the said Manor &c. wholly to remaine to the said
 A. B. the conusors and his heires for ever.*

PRecipe A. B. qd iuste &c. teneat T. F. et G. H. conuenc' de Sect. 133
 manerio &c. Et nisi &c.

¶ Et est concordia talis, scz. quod p̄ A. recognouit tenentium p̄d'
 cum pertiñ esse ius ipsius T. vt illa quæ iidem T. et G. habent de dono
 predict' A. Et illa remisit & quiete clamauer de se & hered' suis pref. G.
 et hered' suis imperpetuum, Et præterea idem A. concess. pro se & hæ-
 red' suis quod ipse warrant tenementa predict' cum pertiñ pref. T. & G. &
 hered' ipsius T. contra omnes homines imperpetuum. Et p̄ hac &c. ij-
 dem T. et G. concesser et in eadem curia reddid' teñta pred' cum pertiñ
 pref. A. p̄ vna Septimana. Et post termin' illum finit' teñta cum pertiñ
 integ' reman' N. M. & assignat' suis pro termino 21. annor' pro festum
 Sancti Martini Episcopi in hyeme proxim' futur' immediat' sequent' et
 plenarie complend'. Reddend' inde annuatim pref. T. et G. et hered' ip-
 sius T. durante toto term' pred' vnā rubram rosam ad festum Natiuitatis
 S. Ioh. Bapt. si petatur. Et post termin' illud finit' teñta pred' cum p̄iñ in-
 teg' rem' pred' A. et hered' suis imperpetuum &c.

The warrantie

The render.

Rent.

Remainder in
 fee to the co-
 nufor.

*A fine knowledged by R. B. of two messuages, &c. to I. A. with warrantie a-
 gainst all men: and the Conusee granteth the premisses againe to the Conu-
 sor for one weeke, and afterwards to one W. B. for life, reseruing a rent, and
 afterwards to the Conusor for his life, and after to S. B. his wife for her life,
 and after to I. B. sonne of the Conusor and his wife for life: and afterwards*

Fines and Concords.

the said Conusee granteth the reuerſion of the premiſſes and the rent to the ſaid R. B. the conuſor and his heires for ever.

Sec. 140

PRecipe R. B. gen qd iuste &c. teneat I. A. conuenc' &c. de duobus messuagijs, &c. Et nisi &c.

Warrantie.

The render.

Rent.

The grant of the reuerſion and the rent.

¶ Et est concordia talis, scz. qd pd' R. recognouit teñta pred' cum pertiñ esse ius ipsius I. A. vt illi' qd idem I. habet de dono predi' R. B. Et illa remisit & quiet' clam' de se et hered' suis p'fat' I. et hered' suis imperpetuum. Et preterea idem R. B. concessit p' se & hered' suis qd ipse war' teñta pred' cum pertineñ pref. I. A. & hered' suis cont' omnes homines imperpetuum. Et pro hac recognitione &c. idem I. concessit pref. R. B. &c. et illa ei reddid' in eadem curia. Habend' et tenend' teñta pred' cum pertiñ pref. A. R. B. p' termino vnus Septimanæ. Et post termin' illum finit reman' W. B. pro termino vite ipsius W. B. Reddend' inde per Annu' pref. I. A. et hered' suis 40. li. ad quatuor Anni terminos, viz. ad &c. per equales porciones solued'. Et post decessum ipsius R. B. resu' inde S. B. vxor' pred' R. pro termin' vite ipsius S. Reddend' vt supra. Et post decessum ipsius S. B. resu' inde I. B. filio pd' R. pro termino vite sue reddend' inde vt supra. Necnon pref. I. A. concessit pf. R. B. reuerſionē & reddit' teneñtorū pred' cum pertiñ, et illa ei reddidit in eadem curia. Habend' & tenend' reuerſionem & reddit' teñta predi' cum pertiñ' eidem R. S. & hered' suis imperpetuum. Tenend' de Capital' dñis feodi &c.

A fine of rent issuing out of 6. messuages, and 6. gardens with warrantie against all men.

Sec. 141

PRecipe W. A. et A. vxori eius qd iuste &c. teñ R. B. conuenc' de vno annual' redd' de 5. li. excunt' de & in sex messuagijs, 6. gardinis cum pertiñ in L. Et nisi &c.

¶ Et est concordia talis, scz. qd pd' R. recognouit maner' pred' cum pertiñ' esse ius ipsius H. vt illa quæ idem H. habet de dono pred' R. Et illa remisit & quiete clam' de se et hered' suis imperpetuum. Et pred' R. concessit pro se & hered' ipsius W. quod ipsi warrant' reddit' pred' cum pertiñ pref. R. B. et hered' suis imperpetuum contra omnes homines. Et p' hac &c.

A fine knowledged by R. L. of a Manor &c. to H. G. with warrantie against all men: In consideration whereof the conusee by the same fine granteth to the conuſor and his heires, one annuittie of 8. li. issuing out of the same manor, to be paid yearly at the mansion house of the said Conuſor, at a certain day and houre, imposing a paine of 18. s. to be forfeited in default of payment of the said annuittie with a clause of distresse for the said annuittie and paine.

Precipe

PRecipe R. L. quod iuste &c. teñ H. C. conuenc' &c. de maner' &c. in O. &c. Et nisi &c.

¶ Et est concordia talis, scz. quod p̄d' R. recogn' manerium & teñ-
 tum p̄d' cum pertiñ esse ius ipsius H. vt illa quæ idem H. habet de do-
 no p̄dict' R. Et ill' remis. & quiet' clam' de se & hæredibus suis imper-
 petuum. Et preterea R. concess. pro se & hered' suis quod ipse warrant'
 maner' predict' cum pertinentijs prefat' H. & hered' suis contra omnes
 homines imperpetuum. Et pro hac &c. pred' H. concessit pred' R. quan-
 dam annuitatem siue annualem reddit' 8. li. legalis monete Angliæ execuñ
 et execut' de et in maner' predict' cum pertineñ, & ill' eis reddit' in eadē
 curia: Habend' & precipiend' pred' annuitatem siue annual' reddit' 8. li.
 pref. R. hæred' & assignat' suis in 8. die Septembris inter horam nouam
 et duodecim ante merid' eiusdem diei apud domum suam mansionem in
 villa de R. in com' S. soluend'. Et si cōtingat pred' annuitatem siue annual'
 redd' 8. li. a retro fore in parte vel in toto p' spac' xx. dierum post pred'
 8. die Sep̄ in quo vt prefetur solui debeat non solut'. Qd tunc pred' H.
 & hered' sui forisfac' eidem R. et hæred' suis 18. s. legalis monete Anglię
 nomine pene toties quoties præd' annuitat' siue annualem reddit' aut ali-
 quam inde partem a retro fore contigerit. Et bene licebit prefat' R. & he-
 red' suis in pred' maner' cum pertiñ et in quamlibet inde parcellam intra-
 re & distringere, tam pro predict' annuali redd' 8. li. et pro qualibet inde
 parcella quam p' predict' 18. s. nomine pene eid' R. et hered' suis foris-
 fac' toties quoties sic a retro fore contigerit non solut', distinctionesq; sic
 ibidem cap' & habi' liceat abducere asportare, et effugare, & penes se
 retinere quousq; de pred' annuitate siue annuali reddit' 8. li. quam de p̄d.
 18. s. nomine pene quoties sic forisfac' fuerit idem R. & hered' suis fue-
 rint satisfact' et persolut'.

Sect. 143

Warrantie.

The grant of an Annuitie.

The day houre and place; of payment of the said annuities.

Clause of distresse for the annuities and the penaltie.

*A fine knowledged by A. B. Esq. of 2. messuages, &c. to S. H. in taile gene-
 rall to hold of the Conusor and his heires by the xl. part of a knight fee, and
 15. s. 4. d. rent, with warrantie against all men.*

PRecipe A. A. ariñ quod iuste &c. teneant S. H. conuenc' de duobus messuagijs &c. cum pertiñ in M. Et nisi &c.

Sect. 143

¶ Et est concordia talis, scilicet quod præd' A. B. concessit teñta præd'
 cum pertineñ prefat' S. & hered' de corpore ipsius S. legitime procreat'.
 Tenend' de dño A. et hered' suis per quadragesimam partem vni' feod'
 milit' & per reddit' 15. s. 4. d. per annum ad festum &c. annuatim soluend'.
 Et preterea predict' A. concessit pro se & hered' suis quod ipse warrant'
 teñta præd' cum pertiñ prefat' S. & hered' de corpore suo legitime pro-
 creat' sicut predict' est contra oēs homines imperpetuū. Et pro hac &c.

An estate in generall tails

The tenure rent;

Warrantie of the estate taile.

A

Fines and Concordes.

A Fine knowledged by A. B. and N. his wife of a manor, &c. to S. P. reciting that where the said Conusors hold the said manor for the life of the said M. the reuersion thereof to the said Conusee and his heires belonging, the said Conusors grant to the Conusee all that their estate in the said manor during the life of M. one of the Conusors, with warrantie against them during the life of the said M.

Sect. 144

PRecipe A.B.& M. vxori eius quod iuste &c. teneant S.P. conuene' &c. de maner' &c. Et nisi &c.

¶ Et est concordia talis, scilicet quod cum præd' A. & M. habeant & tenant pro termin' vitæ ipsius M. maner' p'd &c. cum pertinentijs reuersione inde præd' S.P. & hered' suis spectant, ijdem A. et M. concess. præd' S. maner' p'd cum pertiñ, & totum et quicquid in maner' præd' &c. habent eid' S. durante vita ipsius M. Et præd' A. et M. warrant' præd' S. manerium &c. cum pertiñ sicut præd' est contra præd' A. & M. durante tota vita ipsius M. Et pro hac &c.

A fine knowledged by I. C. and T. his wife of 2. messuages, 1. barne' &c. to one H.P. with warrantie: and the said H.P. in consideration of the said fine granteth and rendreth againe by the same fine, the premisses to the Conusors for one day, and afterward to I.P. widow for her life, and after her death the premisses wholly to remaine to H.P. and his heires for euer.

Sect. 145

PRecipe I.C. et T. vxori eius quod iuste &c. ten' H. conuene' &c. de 2. messuagijs, vno horreo, &c. Et nisi &c.

¶ Et est concordia talis, scz. quod p'd I. et T. recognouit tenement' præd' cum pertiñ esse ius ipsius H. vt illa quæ idem H. habet de dono præd' I. et T. et ill' remisit et quiete clamauer' de se & hered' suis præfat' H. et hered' suis imperpetuum. Et p'terea præd' I. & T. concesserunt pro se et hered' ipsius I. quod ipsi warrantizabunt tenement' præd' cum pertinentijs præf. H. & hered' suis contra omnes homines imperpetuum. Et p' hac recognitione &c. præd' H. concessit tenementa præd' cum pertineñ, præf. I. & T. & illa eis reddid' in eadem curia: Habend' & tenend' eisdem I. & T. pro termino vnus diei. Ita quod post eundem terminum finit, tenementa predict' cum pertineñ integre remaneñ I.P. vid' pro termino vitæ eiusdem I. Et post mortem predict' I. messuag' & horreum præd' &c. integre remaneñ H.P. & hered' suis imperpetuum. Tenend' de Capitalibus dominis feodi illius &c. Et quinq; ac' terræ & vnam ac' prati cum pertineñ resid' tenement' præd' integre remaneñ A. P. & hered' suis imperpetuum. Tenend' &c.

Warrantie.

The render.

The taking of the knowledge of the Fine:

CAp^t et recognit coram Iacobo Dier milite capitali Iustice de comuni banco, Anno regni Reg. nunc secundo.

Notes to be observed in Fines:

- 1 Nota que aucun foits plusors choses passa en le Præcipe que ne sont nosme en le concord.
- 2 Nota que vn clause de Reentrie ne poit estre en vn fine.
- 3 Nota que si home purchase diuers parcels de terre de diuers hōes il purtoit passer tous les parcels en vn common fine, mes couient que il auer seuerall garranties de chescun de les parties pour leur seuerall parcels.
- 4 Nota que Carlyn chiefe Justice del banke le roy dit que south nosme de bois, baut bois & Subbois passera en vn fine.
- 5 Nota que per Dyer vn Render ne poet estre fait mes tantum a luy que est nosme en le fine: mes vn remainder ne poet estre limited a vn per fine, coment que il ne soit nosme en le Præcipe.

A Fine knowledge by the husband and wife unto two of xxx. messuages, of lands, pasture, wood, lunge, heath, and rent in diuers places: the Conusees render the same againe to the said Conusors for terme of their two liues, with diuers remainders ouer after their deaths in generall taile to the children of the said Conusors. And for default of issue of the said Conusors to the right heires of the wife of the Conusor for ever.

HEc est finalis concordia facta in curia domini regis apud Westmonst in crastino Ascensionis dñi; Anno regni Henrici octauⁱ Dei gratia Anglię & Francię regis, fidei defensoris, et dñi Hiberna conquestu decimo nono coram R. B. A. F. T. E. & W. S. Iustice. Et postea in octabis S. Trinitat^{is} Anno regni eiusdem regis Henriciⁱ supradicti ibidem concessit & recordat coram eisdem Iustice & alijs domini regis fidelib^{us} tunc ibi presentibus: Inter W. H. & I. R. quer & I. C. & T. vxor eius deforc^{is} de triginta messuagijs, ducentis acris terrę, trescentis acris pasturę, decem acris bosci, ducentis acris iamprorum & bruerę, & trigint^{is} solidat^{is} redditus cum pertinentijs in P. F. & c. vnde placitum & ouencionis susu suie inf^{er} eos in eadem curia, scilicet, ip^s p^{re}dicti I. C. & T. recogn^{it} p^{re}dict^{is} ten^{er} cum pertinentijs esse ius ipsius I. R. vt illa que ijdem I. & W. habent de dono p^{re}dicto^{rum} I. C. & T. Et illa remisit & quiete clamauerunt de ipsis I. C. & T. & hered^{ibus} ipsius T. p^{re}dictis W. & I. R. imperpetuum. Et p^{re}terea ijdem I. C. & T. concesserunt pro se & hered^{ibus} ipsius T. quod ipsi warrant p^{re}dictis W. & I. R. & hered^{ibus} ipsius I. R. p^{re}dict^{is} tenement^{is} cum pertinent^{is} contra omnes homines imperpetuum. Et pro hac recogn^{it}ione, remissione, quiete clam^{is}, warrant^{is}, fine & concordia ijdem W. &

Sec^{us}. 146.

Warrantie general.

The Render.

F

I. R. con-

Fines and Concoords.

I. R. concesserunt prædictis I. C. & T. prædicta tenementa cum pertinentijs. Et illa ei reddiderunt in eadem curia: Habend' et tenend' eisdem I. C. & T. de capitalibus dominis feod' illius per seruitia quæ ad prædicta tenement' pertinent tota vita ipsor' I. C. et T. et alterius eorum diuicius uiuentis. Et post decessum ipsorum I. C. et T. præd' tenement' cum pertiñ integre remañ I. C. filio p'dictor' I. C. et T. et hered' de corpore suo legitime procreat', tenend' de capitalibus dominis feod' illius per seruitia quæ ad præd' tenement' pertinent imperpetuum. Et si contingat quod idem I. C. filius obierit sine hered' de corpore suo legitime procreat', tunc post decessum ipsius I. p'dict' tenentia cum pertineñ integre remañ R. C. alteri filior' p'd' I. C. patris et T. et hered' de corpore suo legitime procreat', tenend' de capitalibus dominis feod' illius per seruitia quæ ad præd' tenent' pertinent imperpetuum. Et si contingat idem R. obire sine hered' de corpore suo legitime procreat' tunc post decessum ipsius R. præd' tenentia cum pertiñ integre remanere hæred' de corporibus p'd' I. C. patris et T. legitime procreat'. Tenend' de capitalibus dominis feod' illius per seruitia quæ ad prædict' tenent' pertinent imperpetuum. Et si nullus hæres de corporibus prædictorum I. C. patris et T. fuerit legitime procreat' tunc prædict' tenement' cum pertineñ integre remañ rectis hæredibus p'd' T. Tenend' de capitalibus dominis feod' illius per seruitia quæ ad prædict' tenement' pertinent imperpetuum. *

¶ Adjuncts of Concoords.

Sec. 147.

Referuation.
Nomine poenæ
Distress.

Warrantie.

The Adjuncts of a conoord, be also of two sorts: Internall, and Externall. Internall be such as be contained within the very Conoord it selfe. Of which sort be the clause of reseruation of seruice, rent, or other thing, the clause of nomine poenæ, the clause of distress, and the clause of warranties: All which clauses of reseruation, nomine poenæ, distresse, and warrantie, are to be made in such wordes, and in such formes, as the like are made in Instruments extraudiciall: for which see Leases and Graunts of rents charge in the first part of Symboleography. If the following example doe not sufficiently satisfie your desire herein.

And Warranties be sometimes generall, that is to say, against all men: Some against all, except certaine persons: some against certain persons only: some against euerie Cognizor, and his heires seuerally: and some against one of the Cognizors, and his heires only: some of all the lands in fine: some of all, except part: and some of part onely, certainly expressed.

The Externall Adjuncts of Concoords be the licence of alienation, the Dedimus potestatem, the examination of the parties, and the cog-

cognisance. The licence of alienation is a power or authoritie given by his Maiestie to the parties, that lands may be alienated without incurrin the danger of contempt.

Licence:
Alienation

And euery such licence is either to alien lands holden in Capite, or to alien lands into Mortmaine.

The licence of alienation of lands holden in Capite, may vary from the fine, and be good, 32. H. 8. Br. Alienations 4. 30.

For the obtaining of which licence, the Clerke of the licences doth vse to draw a docket in paper, containin the effect of the fine, feoffment, or other deedes, whereby the alienation is to be made.

Docket

And thereupon Affidavit or composition must be made for the value of the lands, which are to passe thereby, which is to be signed by the Doctor of the Chancerie that hath power to take oath: Then the kings fine is to be payed to the Receiuor of fines who will signe the docket: And afterwards the same is to be signed by two of the Commissioners of the office of fines and licences: and vpon that docket, the Clerke of the licences is to make the licence, and get it sealed with the great seale: which licence is to be made in forme following.

Affidavit

A licence of Alienation of lands holden in Capite.

[Iacobus Dei gratia &c. Omnibus, ad quos presentes literæ peruenerint, salutem. Sciatis quod nos de gratia nostra speciali, ac pro tribus libris nobis solut in Hanaperio nostro, concessimus, ac licentiam dedimus, ac per presentes concedimus, ac licentiam damus pro nobis & heredibus nris quantum in nobis est, dilecto nro I. F. quod ipse totam medietat manerij de C. cum pertinentijs, ac quadraginta messuagij, viginti cotag, quadragint gardin, quinquagint acras terre, quadragint acr prati, trescent acr pastur, 30. acr bosci, trescent acr more, & viginti libr reddit, cum pertinentijs in W. & alibi in Comitatu nostro N. eidem mediet ptinent siue spectant, parcell inde reputat aut accept existen, q de nobis tenentur in Capite, dare possit et concedere, alienare, vendere, bargainare, feoffare, warranzizare, aut cognoscere per finem in Curia nra coram Iusticiarijs nostris de Comuni banco, aut aliter, seu aliquo quocunque modo dilecto nobis E. R. Habend et tenend eidem E hereditibus & assignatis suis, de nobis & heredibus nostris, p serui inde debita & de iure consueta imperpetuum: Et eidem E. q ipse dictam medietat manerij predicti, ac ceterorum pmissorum cum ptinentijs a prefato I. recipere possit, & tenere sibi, hered & assignatis suis, de nobis & heredibus nostris, per seruitia predict imperpetuum, sicut predictum est, tenore presentium similiter licentiam dedimus, ac damus specialem: Nolentes quod predict I. aut heredes sui, vel pdict E. hered vel assignati

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Fines and Concords.

Tui p̄d', ratione p̄missorum, p̄ nos hæredes vel successores nostros, Iusticiar', Eschaetor', Vicecom̄, Balliuos, aut alios officarios seu ministros nostros, heredum vel successor' nostrorum quoscunque inde occasionentur, molestentur, perturbentur, vexentur, in aliquo, seu grauentur, aut eorum aliquis occasionetur, molestetur, perturbetur, vexetur in aliquo, seu grauetur. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste me ipso apud Westmonaster' vltim' die &c.

A licence to alien in Mortmaine.

Sec̄t. 149

Iacobus Dei gratia &c. Omnibus &c. Sciatis quod nos de gratia nostra speciali, ac p̄ 40. solid' nobis solut in hæmperio nostro, concessimus, ac licentiam dedimus, ac licentiam damus, p̄ nobis & hered' nostris, quantum in nobis est, R. S. q̄ ipse aduocationem de L. Abbati & Conuentui de L. in Comitatu E. dare possit et concedere: Tenendum sibi et successoribus suis de dict' domino Rege et heredibus suis, in liberam, puram, et perpetuam Eleemosynam imp̄petuam. Ac eisdem Abbati et Conuentui, q̄ ipsi Aduocationem illam a p̄fato R. S. recipere, et Ecclesiam illam appropriare, et eam sic appropriatam in proprios vsus tenere possint sibi et successoribus, de ipso Rege & heredibus suis, in liberam, puram & perpetuam Eleemosynam imp̄petuam: Nolentes &c.

ut supra.

Quod permittant finem leuari.

Sec̄t. 150

Ad after that such licence is had, the vse was (which is not now in vse) to haue a writ, mentioning the licence and the effect of the fine, directed to the Iustices of the common place, commanding them, q̄ permittant finem illum leuari, Register' fol. 176. a. 1. E. 3. ca. 12: 34. E. 3. ca. 15: 33. H. 6. fol. 2. The forme of which succeedeth.

Rex, Iusticiarijs suis de Banco, salutem: Cum p̄ literas nostras patentes, de gratia nostra speciali, concesserim^o I. S. q̄ ipse de manerijs suis de F. & W. cum pertin', quæ de nobis tenentur in Capite, seoffare possit K. &c. (recitando totam cartam) p̄ut in literis nostris p̄d' plenius continetur, ac breue nostrum de conuencionem pendeat coram vobis in banco p̄dicto, inter pred' I. et K. de manerijs p̄dictis, ad finem inde inter eos secutund' legem et consuetudinem regni n̄ri Angliæ leuand', vt accepimus: Vobis mandamus, quod finem illum inter partes p̄d' de manerijs p̄dictis, coram vobis in eodem banco leuari p̄mittatis, iuxta tenorem literarum nostrarum p̄dictarum. Teste &c.

But before 20. H. 3. the Kings tenant in Capite might haue aliened his free lands without licence, 14. H. 4. 3. 20. Ass. Plac. 17. as it seemeth.

The.

The Writ of Ad quod damnium.

But befoze the graunting of any such licence, either to alien lands, Sect. 151. holden in chiefe, or, to alien lands in *Portmaine*, or release right in *Portmaine*, or exchange, the ancient vse was to haue a writ of Ad qd damnium, conteining the substance of the kings licence out of the Chancerie, directed to the Escheator in the countie wherein the lands lie, to be aliened, to enquire and certifie into the Chancerie what damage or preiudice the alienation thereof will be to the King, or the other chiefe Lord, of whom they are holden. And of what tenure & value the lands be. And whether there remaine sufficient free land besides those to the alienor, to sustaine publike charges, and to be in Assises and Juries &c.

And this is as well where the alienation is made by the King, or by a Corporation, or a feme covert, as by any other.

The like inquirie by writ of Ad quod damnium, hath bene vsed befoze the King made any graunt or pardon, for alienation, lease, release, confirmation, or licence, and after the Inquisition returned and certifi- ed into the Chancerie, to effect the same accordingly, F. N. bre. fol. 221. et inde vsque fol. 227.

But now experience is to the contrarie, in lieu whereof the vse at this day is, to put in the Kings patents these words: Absque aliquo breui de Ad quod damnium, seu aliquibus alijs breuibus, seu mandatis superinde habendis, fiendis, aut prosequendis.

And one writ of Ad quod damnium will serue for diuers purchases, And a licence to alien in *Portmaine* of one King, will serue in the time of another.

But not so of lands holden in chiefe, 22. E. 3. Fitz. Nat. bre. in breui de Ad quod damnium.

I purposely omit here the forme of such writs de Ad quod damnium, because they be so growne out of vse.

Of a pardon for Alienation.

Sect. 152.

But if perchance any alienation of land holden in Capite, be made without licence, a pardon must be sued, the fine of which is the value of lands by one yeare, and the meane profits betwene the Inquisition and the pardon, 31. H. 8. Br. Alienation 29. unless the Commis- ioners will more fauourably compound for the same, as in some cases upon reasonable cause shewed, they vse to do, which pardon being purchased, the purchaser is to hold his land still, 14. H. 6. 26. 30. All. p. 2. 1. E. 3. cap. 12. 34. E. 3. cap. 15.

A Fine of pardon.

But the fine of a licence to alien lands holden in Capite, is, the third part of the yearely value thereof, 26. H. 8. Br. Alienation 29.

Fine of a licence.

But if alienation of lands into *Portmaine* be made without licence,

Mortmaine

Fines and Concords.

the King may seise them as forfeited or escheated, Magna charta cap. 36. Westm. 2. cap. 32. And for a licence thereof to be granted, the fine thereupon to be paid, is the value of the land by three yeares; 26. H. 8. Br. Alienation 29.

Variance.

But variance betwene the licence and the fine is not materiall, if it be all one alienation, 32. H. 8. Br. Alienation 30.

Release.

And it seemeth that a fine for releas or other releas, is none alienation, and therefore no fine due for the same, P. 37. H. 8. Br. Alienation 31.

Recoueries.

But fines are payable, and licences to be sued upon common Recoueries, 39. H. 6. 32. H. 8. ca: 14. E. 3.

Will.

Deuise by will is an alienation, 3. Ma. 1. Br. Alienation 37.

Of the Dedimus Potestatem to take cognizance of a fine.

Sec. 153.

A Dedimus potestatem to take knowledge of a fine, is, as aforesaid, a writ Commissionall directed to one, or more, giuing them power to take and certifie to the Iustices of the common Place, the cognizance of the Cognizors, when they cannot conueniently trauell to doe it in Court, and it ought to recite the substance of the Writ of Couenant, And beare Teste or date after it, Fitz. nat. fol. 146. g. The forme of the writ of Couenant, and Dedimus potestatem, with the returns thereof ensue:

The Writ of Couenant.

Jacobus dei gratia, Anglie, Scouar, Franciar, et Hiberna Rex, fidei defensor &c. Vicecom Ebor Salutem: Præcipe T. B. armig', et A. vxori eius quod iuste et sine dilatione teneant V. P. gener, conuencionem inter eos factam de manerio de T. cum pertinentijs: Ac de duobus messuagijs, cotagijs, quinque toftis, vno columbar, quinque gardinis, quinque pomarijs, centum et decem acris terr, quinquaginta acris prati, quinquaginta acris pasturæ decem acris bosci, cent acris iampnorum & brueræ, quadraginta solidat reddit, & communia pastur pro omnimodis animalibus, cum pertinent in W. et B. Et nisi fecerint, et prædictus W. fecerit te securum de clamore suo prosequend, tunc sum'm per bonos summonit prædictis T. et A. q' sint coram Iusticiarijs nostris, apud Westmonasterium in Octab, Sancti Michaelis, ostensuri quare non fecerint, & habeas ibi sum'm & hoc breue T. &c. xij. die N: anno regni nri &c.

Fine.

And the fine thereof is entred vnder the writ, thus:

Pro vigint solid solut firmat fin dñi Regis virtute warrant regij.

Then must the writ of Couenant be indozced thus:

Indorsment.

Per E. S. pro fine infra fact, q' affid' quod teneant infra fact non exec' val' lib' x. p annum.

E. S.

The.

The Sheriffes Returne.

Pledg' de prof.

Iohannes Doo:
Richardus Roo.

Summā

Iohannes Den.
Richardus Fen.

The Committ. of Fines.

W. L. T. W.
R. Eure armig. Vic.

The Dedimus potestatem thereof.

Iacobus Dei gratia Angliæ, Scotiæ, Franciæ, & Hiberniæ Rex, fidei defensor &c. Charissimo consanguin' nostro Gilberto Comiti Salop', ac prædilecto ac fideli nostro I. D. militi domino D. Necnon dilect' &c fideibus suis G. S. militi, & C. C. militi, Ac dilecto nobis W. West. armig', Salutem: Cum breue nostr' de conuencione pendeat coram Iustic' nris, de banco, inter W. P. gen', & T. B. armiger', & Annam vxorem eius, de man'rio de T. cum p'tin': Ac de duobus messuag', tribus cotag', quinq' cott', vno columbar', quinq; gardiñ, quinq; pomar', centū et decē acf' tre, quinquaginta acf' prati, quinquaginta acris pastur', decē acf' bosci, centū acf' iampnorum & bruerē, quadraginē solidat' reddit', et communia pastur' p' omnimodis animalibus cum p'tin' in W. & B. in Com' Ebor', ad finem inde inter eos coram Iustic' nostris p'dict' in banco p'd', secundum legem & consuetudin' regni nostri Angl' leuand': Ac præfat' T. & A adeo impotentes sui existunt, q' absq; maximo corporū suorum periculo vsq; Westm' ad diem in dicto breui contentum, ad cognitiones, quæ in hac parte requiruntur, faciend', laborare non sufficiunt vt accepimus. Nos statui corundem T. & A. compatientes in hac parte, dedimus vobis, quatuor, tribus vel duobus vestrum, potestatem recipiend' cognitiones, quas idem T. & A. coram vobis, quatuor, tribus, vel duobus vestrum facere voluerint de præmissis: Et ideo vobis, quatuor, tribus, vel duobus vestrum, mandamus quod ad præfat. T. & A. personaliter accedentes, cognitiones suas prædictas recipiatis, & cum eas reciperitis, præfat' Iustic' nostros, inde sub sigillis vestris, quatuor, trium, vel duorum vestrum, distinctè & apertè reddatis certiores, vt tunc finis ille inter partes prædictas de præmissis coram Iustic' nostris prædictis in banco prædicto leuari possit, secundum legem & consuetudinem suprædict', mittentes eisdem Iustic' hoc breue, teste meipso apud Westm' 14. die N. Anno regni nostri secundo.

Garth.

The name of the Curstitor.

The said Dedimus potestatem must be indoxed thus: Per dominū custodā magni sigilli Angel' ad instanc' peten'.

Fines and Concords.

The Lord Keepers name;

The Iustice of the Circuit.

Io. Puckering Chancel^r.

Fr. Beaumont.

Return.

Executio istius breuis patet in quã schedula eid' annexa.

The Precipe and Concord which must be filed to the Dedimus potestatem.

Bre conuenc

Ebor. ff.

PRECIPE T. de P. armiger, & A. vxori eius, quod iuste &c. teneant W. P. gen, conuencionem &c. de manrio de T. cum ptiñ: Ac de duobus messuag', tribus cotag', quinque toft, vno columbar, quinq; gardiñ, quinq; pomar, centũ et decẽ acf tře, quinquaginta acf prati, quinquaginta acris pastur, decem acf bosci, centũ acf lampnorum & bruerę, quadraginta solidaf reddit, et communia pastur p omnimodis animalib' cum ptiñ in W. & B. Et nisi &c.

¶ Et est concordia talis, scilicet, quod prædict' T. & A. recognouit prædict' manerium, columbare, tenementa, redditum, & communiam pasturæ cum pertinentijs esse ius ipsius W. vt illa que idem W. habet de dono pã T. & A. Et illa remisit & quiete clamauerunt de ipsis T & A. & hered' ipsius T. pã W. & heredibus suis imperpetuũ. Et præterea ijdem T. & A. concesserunt pro se & hered' ipsius T. quod ipsi warrant pã W. & heredib' suis pãdict' manerium, columbar, tenement, reddit & communiam pasturæ cum pertinentijs, contra se & hered' & assign' ipsius T. ac contra hered' & assign' I. B. armig', ac contra omnes homines clamant' seu habent' aliquod ius, titulum, statum, vsu, interesse, aut demand', de aut, in eisdẽ maner, columbar, tenement, reddit, & communia pastur' cum ptiñ, aut de, aut in, aliqua inde parcel' p, de, vel, sub eisdem T. & I. hered' vel assign' suis, vel hered' seu assign' eorum alterius. Et pro hac &c.

Capit & cognit' apud K. in Com' Ebor', decimo nono die Ianuarij, Anno reg. Iacob. &c. secundo coram

The Commissioners names

G. Shrew.

W. West.

The names of the parties

T. B.

A. B.

Dedimus potestatem super breue de consuetud' & seruitijs pro sine inde leuand'.

Rex &c. dilecto & fideli suo R. H. vni Iustic' suorum de Banco, Salutem: Cum breue nostrum de consuetudinibus & seruitijs, pendeat coram vobis, & socijs vestris Iustic' nostris de banco, inter W. B. armigerum, & E. A. armigerum de consuetudinibus & seruitijs, q̄ idem E.

eidem.

eidem W. facere debet, de libero tenemento suo, quod de eo tenet in N. vt in homagijs, fidelitate, relcuijs, & alijs, in Comitatu S. Nosq; ad petitionem predict' W. & E. licentiam nostram eis dederimus inde concordand', ac prefat' W. & E. adeo impotentes sui existant, q; absque maximo corporum suorum periculo, vsq; Westmonaster', ad diem in dicto breui nostro contentum, ad cognitiones, que in hac parte requirunt, faciendas laborare non sufficient, vt accepimus, nos statim eorundem W. & E. compatiens in hac parte, dedimus vobis potestatem recipiendi cognitiones quas ijdem W. & E. coram vobis facere voluerint de pmissis: Et ideo vobis mandamus, quod ad pref. W. & E. personaliter accedentes, cognitiones suas præd' recipiatis: Et cum eas receperitis, præfatos socios vestros inde distinctè & aperte reddatis certiores, vt tunc finis ille int' partes p'd de premissis, coram vobis & socijs vestris predictis in banco præd', secundum legem & consuetudinem reg. nostri Angl' leuari possit. Et habeas ibi tunc hoc breue T. &c.

Of the Kings siluer.

The Kings siluer is the fine which is paid vnto his Maiestie for his highnesse licence of Concord, which vpon writs of Couenant, be tared after the rate following: That is to say for lands of the yearely Sect. 154.

| Li. s. d. | is paid | Li. s. d. |
|------------|-----------|-----------|
| 3. 6. 8. | } is paid | 0. 6. 8. |
| 5. 6. 8. | | 0. 10. 0. |
| 7. 13. 4. | | 0. 13. 4. |
| 8. 13. 4. | | 0. 16. 8. |
| 11. 0. 0. | | 1. 0. 0. |
| 12. 0. 0. | | 1. 3. 4. |
| 14. 6. 8. | | 1. 6. 8. |
| 15. 6. 8. | | 1. 10. 0. |
| 17. 13. 4. | | 1. 13. 4. |
| 18. 13. 4. | | 1. 16. 8. |
| 20. 0. 0. | | 2. 0. 0. |
| 22. 0. 0. | | 2. 3. 4. |
| 24. 6. 8. | | 2. 6. 8. |

Every 7. markes and 20. shillings, payeth fine — 6. s. 8. d. From 5. markes and 20. s. vnto 5. markes, and 40. s. payeth — 10. s. And aboue 5. markes & 40. s. vnto 10. markes and 20. s. payeth — 13. s. 4. d. And in like proportion for all other fines.

And

Fines and Concords.

And it is commonly entred by the Clerke of the Kings sliuer, in this forme.

Entrie of the Kings sliuer.

Ebor. ff. I. W. dat Reg. x. s. pro licencia concordandi. cum E. W. armiger & I. vxor eius, de placito conuentionis, de vno messuag', decem ac' terr', decem ac' prati, & decem ac' pasturæ, cum pñ in D. reciting the substance of the Writ. Et habent Cirographum per pacem admil. coram R. V. vno Iusticiar' dñi Reg. de banco, Iusticiar' in patria.

Observations necessary at the knowledge of Fines.

Sect. 155
The tytling of the note.

When a fine is to be knowledged, it is meet, that befoze the parties come befoze the Judges o2 Commissioners, the tytling of the writ of Couenant and Concord, be faire wytten, accordyng to the parties minds, and duly examined, and also signed, o2 subscribed by all the Cognizors.

Knowledge of the Cognifos.

It is also requisite that either of the Cognizors be knowonen to the Justices o2 Commissioners, that must take the Cognifance thereof, o2 that some other credible person, knowen to hem which taketh the cognifance, who knoweth the partie, be present: And doe sufficiently enforce the Judge, that they be the selfe same parties, against whom the writ is brought: for some wil couenously knowledge fines in the name of others that be owners of the land, 34. H. 6. fol. 19.

Examination of Wiues.

And if a Feme couert be Cognifoz, she must bee perswaded to yelde her consent and be fully agreed with, befoze she be examined, for in all cases, where a feme couert is to depart with any thing by fine, shee must bee examined by the Justices o2 Commissioners that take the cognifance, and confesse that shee doth make cognifance freely, and not throught feare o2 compulsion of any, befoze the cognifance will bee accepted. But where the shee is to take benefit by a fine, she shall neuer be examined, 42. Ed. 3. 7. 3. H. 6. 42. 46. Ed. 3. 15. 8. H. 6. 2. 4. Ed. 3. 62. Statu' de finibus 18. Ed. 2.

Valuc.

Also the verely value of lands should bee set downe vnder the Concord, and some honest person which knoweth the land, brought thither to make oath for the value thereof: For without such oath, o2 composition the fine cannot passe.

Oath.

Composition.

And composition with the Commissioners wil not readily be made without oath, o2 some late fine, licence, o2 other matter of record, to enforce the Commissioners of the value thereof. Which being done, the writ of couenant is againe there to be entred, & the fine thereof (if it be fineable) must there be paid to the receiuer, and the writ must be signed by the said Commissioners, & that done, the said writ must be sealed,

led, and returned with the Concord and Dedimus potestatem; if cognisance was taken by Dedimus potestatem, and then the said writers must be taken out and signed by the Custos breuium, and thence they must be caried to the Clerke of the Kings siluer, who must take a note thereof for the entry of the R. siluer, and signe the same again, and then must they be deliuered to the Chirographer of fines, to be ingrossed and proclaimed. The examples whereof appeare in their apt places.

How, and when cognisances of fines must be certified, and what may hinder the same.

If they, which haue taken cognisance of a fine, will not certifie the same in conuenient time, a Certior is to be awarded vnto them, comprehending the matter of the Dedim^o potest^o; and commanding them to certifie &c. which if they do not, there lieth against the Commissioners an Alias, Pluries, and Attachment &c. Fitz: nat^o br^o 147. b.

Sec^o. 156.
Certificat.

But they are not bound to certifie such recognisances, but within the yeare after such captio thereof, but if they doe, it is good enough, 23. Eli: ca: 3. And with euerie such certificat they must certifie the day and yeare wherein the same was knowledged, Thus, cap^o apud R. in com^o Ebor^o 29. die Octob. Anno reg^o Iac^o Regis &c.

Time,

Else no Clerke or officor may receive the same, but shall forfeit for euerie writ otherwise received v. li. 23. Eliz. cap. 3. If any of the parties to a fine die after recognisance thereof, & before it be certified, it ought not to be certified; 1. H. 7. 9. 33. H. 6. fo. 52. Dyer fo. 146. pl. 68. 7. El.

Forfaiture.

But if such cognisance of a fine be certified, and the Kings siluer entered, the fine is good, and may afterwards be engrossed, though it be in another Terme, Thus:

K. siluor.

Hæc est finalis concordã facta &c. in crast^o Pur^o beatę Marię, et postea concess. et recordat^o in quind^o Pasche, Dyer fo. 220. pl. 15. et f. 254. pl. 104

Iustice or com^o mission dieth.

If the Iustice or Commissioner, that hath taken the knowledge of a fine, die before it be certified, their executo^os or administ^oato^os may certifie the note of the fine, to the Iustices of the Common place by writ of Certior out of the Chancerie to them directed, 8. H. 4. 5. 1. H. 7. 9. Fitz: nat. br. fol. 147. b. The forme of which Certiorari is such.

Rex dilectę sibi B. W. vid^o executrici testamenti T. W. nuper vnus Iustic^o nforum de Banco salut^o; volentes certis causis certiorari sup. quasdã cognitiones cuiusdam finis in^o T. D. & I. G. de vno mess. cum p^ori^o in T. in com^o E. per pred^o nuper Iustic^o cap^o, ac in custodia tua ratione excec^o testamenti præd^o existē vt dicis, tibi percipimus qd^o cognitionem præd^o Iustic^o nris apud West. sub sigillo tuo distincte et a pre sine dilatione mittas, & hoc bre, vt ijdem Iustic^o vlt^oerius ad finem illum leuand^o fieri fac^o quod:

Certiorari
exec^o Iustic^o su^o
p^o cognitionē
finis.

Fines and Concords.

quod de iure, et secundum legem et consuetudinem regni nostri Angliæ tuit faciendū, T. &c.

Justice discharged.

In like maner, if a Justice hauing taken cognisance of a fine, be discharged of his office, befoze he haue certified the same, he may not certifie it without a like writ, notwithstanding that he be restozed to his place againe, 8. H. 4. 5. 1. H. 7. 9.

And thereupon it hath bin vsed that a writ hath bin directed to the said Justice to receive the same cognisance, but I see no vse thereof at this day, F. N. 147. b.

The Kings death.

But if the King die after the cognisance taken, and befoze the certifying thereof, the Justices cannot then certifie, Nam per mortem seu dimissionem regis, cessat potestas iudicis, 1. H. 7. 9. yet learne, for I thinke the statute of 1. E. 6. cap. 7. doth remedie this mischiefe, for the wordes thereof be these in effect, viz.

By the death and demise of any King, no action, bill, or plaint that shal depend betwæn partie and partie in any court of record, shalbe discontinued or put without day. But if the King die after the Kings siliuer is entred, and befoze the fine be ingrossed, the writ of Couenant may be resummoned, and the fine ingrossed, 1. H. 7. 9.

Feme.

If a feme sole by Dedimus potestatem, knowlege a fine, and befoze the returne thereof marrie, this fine may be certified and ingrossed as of a feme sole, because the taking of her husband after the fine knowledged is her owne voluntarie act, and such fine shall barre her and her heires for euer, Dyer fol. 246. pl. 68. Mich. 7. & 8. Eliz.

Signed.

Euery writ of Dedimus potestatem, to speciall Commissioners for the taking of the cognisance of fines, ought to be signed by the L. Chancellor, or L. Keeper, or chiefe Justice of the common place, or the Justice of the circuit where the land lyeth.

Of the inrolment of writs of Couenant, Dedimus potestatem, and knowledges thereupon, which is termed the foot of the fine.

Sect. 157

Inrolment.

Custos breuium
Fec.

Imbeselling.
Proclamations.
The foot of
the Fine.

BEfoze the ingrossing of the fine by the Chirographer, the writ of Couenant, the writ of Dedimus potestatem, with the knowledges and notes of the same, must be inrolled in a roll to be of record for euer, to remaine in the safe custodie of the chiefe Clerke of the common place (which is Custos breuium) and his successors, who must haue xxij. d. for entring of the Concozd, to the intent that if the notes of the fines in the custodie of the Chirographer be imbeselled, execution may be had vpon the said roll, 5. H. 4. cap. 4. Upon this roll the Proclamations are endozsed, and these notes are termed the foot of the fine, Dyer fol. 321. pl. 19. 15. Eliz.

Of the note of the fine.

The note of the fine, is a note thereof made by the Chitographer before it be ingrossed, which beginneth thus :

Sect. 158
The note of the fine.

Ebor. ff. Inter A. B. quef. et C. D. de fore' de duobus messuagijs, duobus cotagijs, centum acf' terræ, quadraginta acf' prati, viginti acf' pasturæ, vna acf' bosci, octo acf' iampnor' & brueræ, & vno denario reddit' cum pertiñ in A. vnde placit' conuenc' sumñ fuit inter eos &c. scz. quod p̄d' C. recogn' teñta & redd' p̄d' cum pertiñ esse ius ipsius A. & concess. p̄ se & hered' suis, q' p̄d' teñta & redd' cum p̄tiñ, quæ p̄d' G. & I. tenent ad termiñ vitæ ipsius I. de hered' pred' C. die quo hæc concordia facta fuit, & quæ post decessum ipsius I. ad p̄d' C. & heredes suos debuerunt reuerti, post decessum ipsius I. integre reman' pred' A. & hered' suis tenend' de capitalibus dominis feodi illius, per seruitia, quæ ad prædict' teñta & reddit' pertinent, imperpetuum : Et p̄ hac recogn', concessione, fine, & concordia, idem A. dedit p̄d' B. 100. marcas sterl. Upon which note, before the ingrossing of the fine (if it bee of a remainder, reuersion, rent, or seigniorie) writs of Quid iuris clamat, per quæ seruitia, or, quem redditum reddit, must be sued as the case requireth, Plo. fol. 43. b. 22. H. 6. 13.

Quid iuris clamat.

Quid iuris clamat, is a iudiciall writ, and issueth out of the Record of the fine, remaining in the keeping of the Custos breuium of the Common place, Plo. 43. b. before it be ingrossed, for after ingrossing, it cannot be had, Plo. fol. 43. 1. b. 22. H. 6. 13. F. Nat. br. 147. a. which lieth for the graunt of a reuersion or remainder, when the particular tenant wil not attorne to enforce him to attorne, 22. H. 6. 13. Plo. 43. 1. b. And it is made in this forme.

Sect. 159

Rex vicecom' salutem. P̄ tibi quod venire facias coram Iustic' nr̄is Sec. tali die G. & A. vxorem eius, ad cognoscendum quid iuris clamant in vno messuag', & decem bouatis terræ cum pertiñ in B. quæ teñta cum p̄tiñ M. quæ fuit vxor G. in Cur' nostra &c. concessit A. de B. per fines ibi inde inter eos factum. Et habcas &c.

Summons.

And the final cause of this writ of Quid iuris clamat, is, that þ' grantee or cognisee of the reuersion or remainder, may by that attournment of the particular tenant, be enabled (if cause be giuen) to bring an action of waste, or, to auoid for rent reserved, or seruices behind, which hee cannot doe without attournment, Plo. fol. 43. 1. b. 22. H. 6. 13.

Tenant in dower shall attorne though the writ suppose her to be tenant for life; because she claimeth no greater estate then franktenement Hil. 3. 1. E. 3. Fitz. Quid iuris clam 3. yet it seemeth she thereby loseth her warrantie, and aduantage to be newly endowd, if she be euicid, 10.

Tenant in dower.

E. 3.

Fines and Concords.

E. 3. Fitz. Quid iuris clamat &c. 41

Briefe

If a gift be for life, the remainder for life, the writ must mention the remainder, Hill 3. E. 3. 15. E. 3. Fitz. Fines 9

It is met therefore to learne who are compellable hereby to attorne, and who not, and by whom.

What persons may obtaine attournment by Quid iuris clamat, and what not.

Sect. 160
Grauntee de reuerfion.
Infant

The grantee of a reuerfion void of impediments, 34. H. 6. b. Fi. na. br. fol. 168. b. Fitz. nat. br. 147. a

But an Infant cannot, because if a lease for life without impeachment of waste be pleaded in barre, he cannot confesse it, 43. E. 3. 5. contra 23. E. 3. Fitz. Quid iuris &c. 42.

Nothing in the reuerfion
Feme couert,

If the cognisor haue nothing in the reuerfion, the tenant shall not attorne, Lib. Int. fol. 536.

A feme couert without her husband, albeit the fine was leuied when she was sole, 11. H. 4. 7.

Diuers

If there be diuers pleas, and one die hanging the plea, yet shall the tenant attorne to the rest, 48. E. 3. 32

Diuers

Or if diuers sue the writ, and one be nonsuit, yet attournment shall be vnto the other without summons & seuering of the other, 46. Ed. 3. 32.

Abbot

Abbot ayera attournment dun ten pur vie sans mfe licence, & nest forfeiture, 17. E. 3. 7.

Diffeisor

If cognisor disseise the tenant of part, he shall haue no attournment 19. E. 2. Fitz. Quid iuris &c. 46.

What persons be compellable to attorne by Quid iuris clamat, and what not.

Sect. 161

T. for life

Feme couert

The writ of Quid iuris clamat, lyeth against the particular tenant of the land for life, 34. H. 6. b. Nat. br. fol. 168. b. Fitz. nat. fol. 147. a 49. h. though he bee but a tenant for life of land holden in Capite, or a feme couert, 45. E. 3. 11.

T. for yeares

T. in taile

T. in taile after poss.

And a tenant for yeares shall attorne, 3. H. 4. 3.

But tenant in taile is not compellable because of the estate of inheritance which is in him, 38. E. 3. 20. For tenant in taile, after possibility of issue, extinct for the inheritance which was once in him, 43. E. 3. 1. 46 E. 3. 13. & 27.

T. for life of lands in capite

A particular tenant of lands holden in Capite, is not compellable to attorne without sight of licence of alienation, lest his lands should bee subiect to a fine for the alienation without licence, 45. E. 3. 6.

Executors:

If A. and B. haue an estate for ten yeres, as executors, and B. haue fine

five yeares in reuerſion in his owne right, he muſt atturue, becauſe he is poſſeſſed of the whole terme, and the atturment of one executoz of a terme is good enough, 3 2. E. 3. Fitz. Quid iuris claſſ 5. p Stanhoppe.

But if A. leaſe to B. and C. ſoz vs. yeres, and after confirm the eſtate of B. ſoz life, the note of the fine ſhall make mention of B. onely, p Seco- con, 3 2. E. 3. Fitz. Quid iuris claſſ 5.

T. pur vie oue
A. pur ans.

If tenant in Dower, oz by curteſie, grant their eſtate, yet the Quid iur claſſ lyeth againſt them, ſoz none but they can be tenant in dower, oz by the curteſie, 1 8. E. 3. 5.

T. Dower.
T. Courteſie:

If a leaſe ſoz yeares with liuerie, be vpon cendition, that if the leſſe pay x.li. ſuch a day, oz the leſſoz die within the terme &c. he ſhal haue ſix: If befoze the day the leſſoz alien by fine, this tenant ſhall atturue (Saluis aduantage) And yet if he pay the ten pound at the day, oz the leſſoz die during the terme, the leſſe ſhall haue ſix, 6. R. 2. Fitz. Quid iuris clamar 20.

T. for yeares
vpõ condition.

If a Quid iuris clamat be againſt two, as tenants in common, hæ which appeareth muſt atturue, if he plead not that they are ioint tenants, 1 6. E. 3. Fitz. Quid iuris claſſ 2 1.

Vers T. in com-
men.

If a particular tenant grant ouer his eſtate after the note leuied, yet muſt he atturue, 1 7. E. 3. Fitz. Quid iuris claſſ 1 1.

After assigne-
ment.

If the tenant atturue once vpon the grant of the cognoſoz, he ſhall atturue no moze, 4. E. 2. Fitz. Quid iuris clam' 4 5.

Once attorne.

If a ioynt tenant, oz tenant in commen of a reuerſion, graunt his part by fine, the particular tenant ſhall not be compelled to atturue, 5. E. 3. Fitz. Quid iuris claſſ 40.

Joint Tenant.
Tenant in
commen.

Upon a leaſe ſoz life vpon condition, that if the leſſe die, within xx. yeres, that his executozs, adminiſtratozs, oz assignes, ſhall hold vnto the end of xx. yeres, the leſſe ſhal atturue as tenant ſoz life, with prote- ſtation to ſaue his intereſt, 1 6. E. 3. 20. E. 3. Fitz. Quid iur claſſ 2 2. 3 1.

Tenant for life
vpõ condition.

If the reuerſion of two ioint tenants ſoz life be granted by fine, ſup- poſing the one to be ſole tenant, the tenant is not compellable to attur- 3 2. E. 3. Fitz. Quid iuris claſſ 5. per Seco.

Joint tenant of
a reuerſion.

But tenant by ſtatute oz Elegit ſæmeth not compellable to atturue, becauſe the cognoſoz cannot compell him to accompt, and he may hold the lands after his ſumme ſatiſfied, vntill he haue leuied his damages, 6. E. 3. 53. Fitz. Fines 99. E. 3. Fitz. Quid iuris clam' 47.

T. by Elegit.

Soz a tenant ſoz life, where the husband ſole is cognoſoz of his wiues land: ſoz if he doe atturue, the wife ſuruiuing her husband may enter ſoz ſozſeiture, 27. E. 3.

Baron ſole
cognoſor.

And a Clerke, which hath no lay ſæ, is not compelled to atturue, 3 8. E. 3. 28.

A Clarke.

Soz a tenant ſoz life in reuerſion oz remainder, 34. H. 6. b.

Reuerſion:

Fines and Concordes.

Frankmarriage. For tenant in frankmarriage, Lib. inter, Quid iuris clamat 11.
 Infant. For an Infant, 43. E. 3. 1.
 Ideor. For a Lunatike, madman, or Ideot, as it seemeth, because of their disabilities.

But attournement made by such persons, as are able, but not compellable to attourne, is good, 12. E. 4. Nat. br. fol. 170. b.

with exceptio. And an attournement may be with an exception, if the tenant haue a lease for life without impeachment of waste, as he may attourne sauuing his aduantage, and it shall be so entred, 45. E. 3. 11. 24. E. 3.

Couenants. If the tenant haue couenants to repaire &c. 48. E. 3. 32. Or haue an Annuitic out of the land, 48. E. 3. 32. Or covenant of warrantie or acquittall, 41. E. 3. 18. Or to sell trees, he may attourne, sauuing these aduantages.

Graunt. If A. seised of lands in fee, thereof in fee to the vse of the said A. for life, and after to the vse of his executors and assigns for xx. yeres after his death: And then to thuse of C. in fee, Quare, if A. shall be compelled to attourne in Quid iur clamat, supposing him tenant for life onely, and not mentioning the terme, without sauuing of his terme by protestation, Dyer fol. 309. pl. 77. 14. Eliz.

For view lyeth in Quid iuris clamat, 15. E. 4. 28.

What ples will barre the plaintife of attournement.

Sect. 162. If the tenant pleade that he is seised in fee the day of the note leuied
 Seisin in fee. without that, that he was then seised for life, without shewing how he is so seised, 15. E. 4. 38. 1. H. 7. 27.

The conusor had nothing. Or if the tenant for life plede, that befoze the fine, an estranger was seised in fee, and released vnto him in fee. Without that, that the recognisor had any thing in the lands, the day of the note leuied, 3. H. 4. 3.

Nontenure. If a particular tenant plede, he holdeth not of the cognisor the day of the note leuied, he must shew what estate he claimeth, & from whom, 3. E. 3. 6. Fitz. Quid iuris clamat 6. 14. E. 3. Fitz. Quid iur 9.

Seisin in fee. But if he claime fee, he shall not shew how, 14. E. 3. 3. Fitz. Fines 7. but traueser that he holdeth for life, 1. H. 7. 27.

Seisse. de tali statu qual' &c. Lessor for big. yeares vpon condition, that if the lessor alien within the terme, he shall haue fee, cannot alleage that, and say that he claimeth estate according to the tenour of his deed, but must plede his estate certainly, 2. E. 2. Fitz. Quid iuris clamat 38.

For parcell. If the tenant confesse for part, and plede a ple which may forfeit his estate therein, he must attourne by and by, 11. H. 4. 57. Contra 21. E. 3. 18. Fitz. Fines 33.

Releas. Release of the cognisor befoze the cognisance, to the heire, or his ancestors in fee, is a good barre, 44. E. 3. 34.

If lettē pur ans claime pur vie, & taile de ceo, il fozeit son terme, 6. Forfeiture per
R. 2. Fitz. Quid iur̄ 20. Pleingtons case. 2. pur ans,

What proesse lie in a Quid iuris clamat.

The proesse in a Quid iuris clamat, is summons and distresse in Sect. 163
finite, Natur. br. 169. a. but if the tenant appeare, and pleade no Proesse.
good barre, and yet will not atturn, he shal be imprisoned, 37. H. 6. 14. Correction.
But if the tenant disclaime, and if it be found against him, hee shall Disclaime.

atturne, 4. E. 3. 27.
But if the tenant foze life, yeares, in dower, by curtesie, or extent, by
plea claime sē, or sē taile, and it be found othertwise, hee dooth fozeit
his estate, 15. E. 4. 28. Natur. br. fol. 168. b.

And the tenant may atturne by Dedimus potestatem, the foyme Att. by De. Po.
whereof ensueth, Regist. 167. b.

Rex dilecto & fidelisuo I. M. militi &c. Cum breue nostrum de con-
uencione pendeat coram vobis et socijs vestris iusticiarijs nostris de ban-
co, inter R. et P. de centum acris &c. quas I. tenet ad vitam suam de pre-
fato P. ad finem inde inter præfatos R. et P. secundum legem et consue-
tudin' regni nostri Angl' leuand', per qd. vicecomiti nostro Norff. p bre-
ue nostrum mandauimus, q̄ venire faciat coram prefatis iusticiarijs no-
stris p̄dictum I. ad diem in breui illo contentum, ad cognoscendū quid
iur̄ clamat habere in terra prædicta, ac pref. I. adeo impotens sui existat
q̄ vsque bancum prædict', ad diem sibi datum absque maximo corpo-
ris sui periculo laborare non sufficit, ad cognoscendū quid iuris clamat
habere in terra p̄d' : Nos statui ipsius I. compatiens in hac parte dedi-
mus vobis potestatem recipiendi cognitionem, & testificandi atturna-
mentum q̄ pref. I. coram vobis facere voluerit in hac parte : Et ideo vo-
bis mandamus, q̄ ad p̄f. I. personaliter accedentes, cognitionem quam
coram vobis in hac parte facere voluerit, recipiatis : Et cum eam recepe-
ritis, et ipse coram vobis, prout moris est, se atturnauerit, p̄d' socios ve-
stros de cognitione p̄d' distinctè et apertè certificetis, p̄d' atturnamē-
tum testificantes, vt finis ille inter partes p̄d' de terra p̄d' coram vobis
& socijs vestris p̄dic' in banco p̄dicto leuari possit, secundum legem
& consuetudinem supradictas. Et habeatis &c.

By default appearance Distring' ad atturnand' shall be awarded, Default,
2. E. 3. 9.

Non suit in Quid iuris clam̄, is not peremptory : 18. E. 3. 6. Fitz. Quid Non suit.
iur̄ 27. 24. E. 3. Fitz. quid &c. 39.

The writ of Summons in Quid iuris clamat, is after this manner.

Iacobus dei gratia &c. vic' Eboꝝ salutem : P̄ tibi, quod venire fac' Sect. 164.
coram Iustic' nostris de banc. à die. Paschæ in xv. dies, A. B. ad cog- Summons.
noscent' G.

Fines and Concords.

noscent quid iur' clam' in vno messuagio, et decem ac' terr', cum pertiñ in B. quæ M.N. in cur' nostra &c. concessit C. D. per finem ibi inde inter eos factum, et habeas ibi. T. &c. Upon which writ none essoine lyeth, 9. H. 6. 22. 33. H. 6. 5.

Essoine.

At the return of which writ, the Sheriffe doth return him summoned, thus endorced upon the back of the writ.

Pleg. infra nominat A. B. } I. P.
 } K. L.
 E. R. viē'.

Default.

And if the pl' appeare, and the tenant make default, the entrie is thus: P' fuit vic' Eb quod venire fac' hic à die Pasch. in xv. dies, A. B. ad cogñ quid iur' clam' in vno messuagio &c. cum pertiñ in B. quæ M. N. in cur' Reg. hic concessit C. D. per finem hic inde inter eos factū: Et modo ad hunc diem ven' p'd C. per H. I. ac' suū, & pred' A. B. non ven' et manucap' fuit per I. M. & R. L.

Distresse.

Ideo ipse in omnia &c. Et p' est q' distr' eum per omnes terr' et catalla sua &c. Et q' de exitib' &c. Et q' habeat corpus eius hic a die s. trin' in 3. sept, ad cogñ in form' pred' &c. Et idem dies datur pred' C. hic &c.

Essoine.

At the returne hereof none Essoine lieth, because it is Iudiciall, 9. H. 6. 22. 33. H. 6. 5.

The distresse in Quid iuris clamat.

Iacobus dei gratia &c. vic' Ebor' salutem: P' tibi, qd. distr' A. B. per omnes terr' et catalla sua in balliua tua. Ita quod nec ipse. nec aliquis per ipsum, eis manum apponat, donec aliud a nobis inde habueris pceptum et qd. de exitibus eorundem nobis respondeas, ita quod habeas corp' eius corā Iustic' nostris apud West, a die sanc' Trinit' in tres sept, ad cognoscend'. Quid iuris clamat in vno messuagio &c. cum pertiñ in B. quæ M. N. in cur' nra coram Iust' nris apud W. concessit. C. D. p finem inde ibid' inter eos factum, et ad audiend' inde iudicium suum pro pluribus defaltis. Et habeas ibi hoc breue. Teste &c.

If at the day of the returne hereof the parties appeare, the entry is thus:

Alias, prout patet termino S. Trinitatis vltimo præterito, Rot' 60. cōtinetur sic, ff. P' fuit vic' E. quod distr' A. B. per omnes &c. *ut supra* in breui inde, vntill (& ad audiendum &c.) And then, Et modo hic ad hunc diem ven' tam p'd C. D. p acturū suum pred', quam pred' A. B. in propria persona sua, & super hoc idem E. B. petit audir' breuis pred', et ei legitur, petit etiam auditum notē. vnde breue pred' emanauit, et ei legitur in hæc verbā. E. ff. inter C. D. querent' &c. as the note is: And then if the tenant will atturue generally, the entry further is: Qua audita & intellecta, idem A. B. dicit, quod ipse clamat tenere predict' messua-

Atturment.
 general.

messua-

messuagium &c. ad terminum vite sue, prout per notam predictam supponitur, quodque ipse paratus est se præfati C.D. inde attornare, & se ei in Curia hic inde attornauit, & recogn &c. Et fecit fidelitatem: ideo finis inde ingrossetur.

Q if attornment be made out of the Court, the cognisè may infozne the Court thereof, and at his suit then this entrie shall be, videlicet.

Et modo hic ad hunc diem veni predictus C. D. in propria persona sua, & dicit quod predictus A. B. attornauit ei inde in propria persona, & petit quod finis inde suo periculo ingrossetur, ideo finis periculo suo ingrossetur &c.

But if the cognisè appere, and will attorne specially, it may be done in this maner, viz. Præc' fuit &c. vt supra. Reciting the Proesse, and the tenant demanding and hauing Oyer of the Writ, and note of the fine, he may pleade thus, viz. Attornement speciall.

Et supra hoc, idem A. dicit, quod ipse tenet tenementa predicta cum pertinentijs ad terminum vite sue, ex dimissione M. N. per quamdam chartam suam indentatam, Cuius alteram partem sigillis predicti M. N. signat idem A. hic in Curia profert, cuius tenor sequitur in hæc verba. This Indenture made &c. rehearsing the whole Indenture, & saluis sibi omnibus aduantijs & condicionibus scripte predicte, dic', quod ipse paratus est præfati C. D. de tenementis predictis, virtute notæ predictæ attornare. Et predicti C. D. non cogn' scripte predicte dic', quod ex quo idem A. B. tenet tenementa predicta cum pertinentijs, ex dimissione predicti M. N. secundum vim & effectum notæ predictæ, petit quod idem A. B. se inde ei attornet &c. Et predictus A. B. dic' quod, saluis sibi omnibus aduantijs & beneficio scripti predicti, paratus est se inde eidem C. D. de tenementis predictis attornare &c. Et postmodo idem A. B. saluis sibi aduantijs scripti predicti, se præfati C. D. hic in Curia attorn', & cogn' &c. Et fecit ei fidelitatem &c. Ideo finis inde ingross. &c.

But if the tenant will plead in Bar, he may doe it thus, if he be tenant in frankmarriage, Præ fuit &c. vt supra. Barre. i

Et predictus A. C. dicit, quod quidam P. N. pater predicti M. N. cuius heres ipse est &c. per chartam suam dedit tenent' predicti cum pertiñ eidem A. B. in libero maritaggio cum E. filia sua, saluand' sibi reversionem &c. qui quidem E. obiit sine exit' de corpore suo procreat', Et sic dicit quod ipse tenet tenementa predicta per formam charte predictæ. Et quod reuer' inde post mortem suam spectat ad predictum R. M. & petit iudicium si ipse de tali statu suo se alicui inde attornare debet &c. & profert hic in curiam chartam predictam, quod donu' predictum in forma predicta testatur &c. Et predicti C. D. dicit, quod die, quo nota finis predicta leuauit, scilicet 9. die &c. predicti A' tenet predicta tenita ad terminum vite sue

Fines and Concords.

prout per notam p̄d̄ supponitur, absq; hoc quod ipse tunc tenuit tenementa p̄d̄ in liberum maritagium, prout ipse superius allegauit. Et hoc petit quod &c. Ideo 12. &c.

¶ Thus if the tenant claime s̄e: or be not tenant.

Quibus lectis, idem A. B. dicit, quod ipse, virtute notæ p̄d̄, se p̄f. C. D. attornare non debet, quia quod vnum mess. &c. quæ sunt in p̄d̄ villa de S. de teneñtis p̄d̄ in nota p̄d̄ contentis, idem A. B. dicit, q̄ ipse, tempore leuationis notæ illius, fuit seiscitus de predicto messuagio &c. in dominico suo vt de feodo, ex dono et feoffamento cuiusd' L. T. sibi inde facto: Absque hoc, quod ipse tempore leuationis notæ illius, tenuit medietatem illam ad terminum vitæ tantum, prout per notam illam supponitur. Et hoc &c. vnde petit iudicium, si ipse, virtute notæ p̄d̄ se p̄f. C. D. de p̄d̄ messuagij &c. attornare debet &c. Et quoad teneñtia p̄d̄, residua tenementorum in nota predict' contentorum, idem A. B. dicit, q̄ ipse, nec tempore leuationis notæ predict', nec vnquam postea tenuit eadem tenementa, imo quod, W. A. qui adhuc in vita existit, ad tunc fuit inde tenens, vt de libero teneñto suo, & adhuc existit. Et hoc &c. vnde &c. *vt supra.*

Et predictus C. D. dicit, quod ipse ab Attorn' p̄d̄ A. B. virtute notæ predict' habend' p̄cludi non debet, quia quoad pred' messuag' in L. pred', idem C. D. dicit, quod predictus A. B. tempore leuationis notæ illius, tenuit messuag' illud cum pertinentijs ad terminum vitæ suæ tantum, prout p̄ notam illam supponitur. Et hoc petit q̄ &c. Et p̄dict' A. B. similiter: Et quoad tenementa p̄d̄ residua dicit, q̄ tempore leuationis notæ p̄d̄, predict' A. B. fuit tenens eorundem ad terminum vitæ suæ, prout p̄ notam illam supponitur. Et hoc paratus &c. vnde petit iudicium & qd' pred' A. B. se inde atturnet.

Et predictus A. B. dicit quod ipse, tempore leuationis notæ predict', non fuit tenens predictoꝝ residuoꝝ tenementorum ad termin' vitæ suæ, p̄t &c. Et de hoc &c: Ideo 12. &c.

¶ Thus where the Cognizoꝝ hath nothing in the reuerfion.

P̄f fuit Vic' E. &c. *vt supra.* Quibus lectis et auditis, idem A. B. dicit quod ipse virtute notæ predict', se p̄f. C. D. attornare non debet, quia dicit; quod pred' M. N. qui recognouit tenementa predicta cum pertin' esse ius ipsius C. D. &c. nihil habuit in Reuerfione eorundem tētoꝝ cum pertinentijs, tempore leuationis notæ predict', Et hoc paratus est verificare vnde petit &c. *vt supra.*

Et predictus C. D. dicit, quod predict' A. B. tempore leuationis notæ predictæ, scz. in octabis Sancti Hillar' &c. tenuit tenementa predict' cum pertinentijs ad terminum vitæ suæ, Reuerfione inde post eius mortem p̄f. M. N. qui recogn' &c. & hered' suis spectant', prout per notam predict' supponitur, Et hoc petit quod inquiratur per patriam.

Et

Et prædictus A. B. similiter. Ideo 12. &c.

But if the tenant claims an estate Taille by devise thus:

Quibus lectis & auditis &c. idem A. B. dicit qd ipse, virtute notæ illius, se præf. C. D. de tenementis prædicti attornare non debet, quia dicit, qd antequam præd' M. N. aliquid habuit in tenentis prædictis cum pertinentijs, quidam I. E. fuit seifitus de deñtis prædicti in dñico suo vt de feodo, quod quæ eadem tenēta cum pertinē tenentur, & tempore leuacionis notæ prædictæ tenebantur de W. S. in focagio per fidelitatem ei &c. idemque I. E. inde seifitus existens, primo die Maij vltimū pterito condidit testam̄ & vltimam voluntatem suam in scriptis, & per eadem legauit præf. A. B. tenēta prædicti per nomina &c. habendū sibi et hered' de corpore suo legitime pcreat: Et postea ibm̄ obiit, post cuius mortem prædict' A. B. in tenementa prædicti cum pertinē intrauit, et fuit inde seifitus in dominico suo vt de feodo talliato, viz. sibi et hered' per formam statui et vltimū voluntatis prædicti. Et hoc &c. vnde &c.

Et prædictus C. D. dicit, quod ipse, per aliqua preallegata ab attornamento prædicti A. B. virtute notæ prædicti præcludi non debet, quia dicit quod bene et verum est, quod prædict' I. E. fuit seifitus vt supra, put in breui prædicti superius allegatur: Sed idem C. D. dicit qd idē I. E. per idem testamentum et vltimam voluntatem suam, inter alia legauit tenementa prædicti cum pertinentijs &c. per nomina prædicti, præf. A. B. p termino vitæ suæ, Et postea idem I. E. obiit, post cuius quidē I. E. mortem idem A. B. in tenementa prædicti cum pertinentijs intrauit, & fuit inde seifitus in dominico suo vt de libero tenemento per formam testamenti & vltimæ voluntatis prædicti, Absque hoc, quod idē I. E. per testament & vltimam voluntatem suam prædicti legauit præf. A. B. &c. *vsupra*, prout prædict' A. B. superius allegauit. Et hoc &c. vnde &c. Et prædict' A. B. vt prius dicit &c. (*vt supra in breui*) put ipse superius allegauit. Et de hoc. &c.

The tenant may attorne for parcell excepting the rest, and pleade thereunto.

Et modo ad hunc diem hic in curia venit, tam prædictus E. I. per W. W. Attornatum suum, quam prædict' I. E. in propria persona sua, et sup hoc prædict' E. I. per attornatum suum præd' petijt, quod p̄d I. E. ei inde atturnet &c. Et prædict' I. E. petit auditum breuis prædicti & ei legitur &c. Petit etiam auditum notæ finis vnde bñe prædicti emanauit & ei legitur in hæc verba: Inter R. querentem, & P. deforciant &c. rehear-
Attornment
for part, and
plea to the
rest
sing the whole note. Quibus lectis & auditis, idem I. E. quoad tenē prædicta exceptis decem acris in D. inde parcel', dicit quod ipse parat' est p̄fato R. inde attornare; Et se ei in curia hic atturn' de tenentis prædictis, exceptis præd' decem acris terræ, Et cogñ &c. & fecit fidelitatem &c. Et quoad præd' decem acras terræ in D. idem I. E. dicit quod ipse, tem-

G 3

pore

pore leuationis notæ p̄ dict' fuit seifitus de eisdem x. acris terræ, cum per-
tin in dñico suo vt de feodo; absque hoc q̄ ipse p̄d' tempore leuationis
notæ p̄ced' eisdem x. acris terræ cum pertin' tenuit p̄ termino vitæ tan-
tum p̄ut &c. Ideo finis inde ingrossetur. Dyer foli. 12. p. 3. 5. 4. Eliz.

And when the tenant doth attorne, the note of the fine is to be deli-
uered to the Chirographer: And then it must be written upon the
backe side of the same note ouerthwart, these words:

Infrascript' A. B. attornauit se infrascript' C. D. virtute huius notæ, p̄-
ut parte Trin' 39. Eliz. Rot. 9.

Attorney in Quid iuris clamat.

Sect. 165

Vpon such a plea pleaded, that the tenant may forfeite his estate, he
may make an atturney, 2 I. E. 3. 48.

Or if the tenant suggest in Chancery, that he will pleade so as hee
forfeit his estate, he may make atturney by Ded. pot. in forme follow-
ing.

Jacob' dei gratia &c. dilecto et fideli suo Fr. B. &c. cum bñe nostrum
de conuen' pendeat coram vobis et socijs viris Iusticiarijs nostris de bā-
co, inter R. et P. de centū acf &c. quas I. tenet ad vitam suā de pref. B. ad
finem inde inter pref. R. et P. secund' legem et consuetudinem regni n̄ri
Angl' leuand', p̄ q̄ vic' n̄ro Ebof' p̄ breue nostrū mandauim' q̄ venire
fac' coram p̄fatis Iustic' nostris, p̄d' I. ad diem in breui illo cōtentum, ad
eognoscencend' quid iuris clamat habere in t̄ra p̄d', Et ex parte dicti I.
datum est nobis intelligi, q̄ ipse sup' finem p̄d' atturnare nō debet, eo q̄
ante leuationē notæ finis p̄d', quidam S. existē seifit' de t̄ra illa in dñi-
co suo vt de feod'; illam dedit p̄f. I. et hered' de corpore suo. Et ipse ad
diem sibi datū in banco p̄d' materiam illam ad bre. p̄d' placitabit. Et ta-
men adeo impotens est et senio confectus, q̄ vsque bancū p̄d' ad diē sibi
datū, absq; max' corporis sui periculo, laborare non sufficit ad placitād'
placitum illud, nos statui eiusdem I. compatiētes in hac pte, dedimus
vobis potestatem recipiend' atturnat', quem coram vobis in loco suo at-
turnare voluerit in hac parte, ad lucrandum vel perdendum, Et ideo vo-
bis mandam' q̄ ad p̄f. I. personaliter accedent', atturnat', quem loco suo
atturnare voluerit in hac parte, recipiatis, & de nomine eiusdem atturna-
ti, nobis in cancellaria nostra, sub sigillo vestro, distinctē et aperte con-
stare faciatis, remittentes nobis hoc breue. Teste meipso &c.

The returne of the same
I. ponit loco suo A. B. atturnatum suum versus R. in placito in quid
iuris clamat, ad lucrandum vel perpendum.

An atturnment by Dedimus potestatem.

And as the tenant may make an atturney by Dedimus potestatem,
so he may atturne, The forme whereof followeth:

Rex dilecto & fideli suo I. & M. salutem, Cum breue nostrū de conuentione pendeat coram vobis & socijs vestris iusticiarijs nostris de banco, inter R. & P. de centum acris &c. quas I. tenet ad vītam suam de prefato P. ad finem inde inter prefatos R. & P. secundum legem & consuetudinē regni nri Angl' leuand', per q̄ victorini nro Norff. p̄ breue nostrum mandauimus, q̄ venire faciat coram prefatis iusticiarijs nris p̄d' I. ad diem in breui illo contentē, ad cognoscendum quid iuris clamat habere in terra p̄d', ac p̄x̄f. I. adeo impotens sui iustit'at, q̄ vsque bancum p̄d' ad diem sibi datum, absque maximo corporis sui periculo laborare non sufficit, ad cognoscendū quid iuris clamat habere in terra p̄d'. Nos sciant ipsius I. compatiētes in hac parte: dedimus vobis potestatem recipiēdi cognitionem, & testificandi atturamentum, quā p̄x̄f. I. coram vobis facere voluerit in hac parte: Et ideo vobis mandamus, q̄ ad p̄x̄f. I. personaliter accedentes, cognitionem quam coram vobis in hac parte facere voluerit, recipiatis: Et cum eam recipieris, & ipse coram vobis, prout moris est, se atturauerit, p̄d' socios vestros de cognitione p̄d' distinguat & aperte certificetis, p̄d' atturamentum testificantes, ut finis ille inter partes q̄d', de terra p̄d', coram vobis & socijs vestris p̄d', in banco p̄d' leuari possit, secund' legem & consuetudinem supradict'. Et habeatis &c.

After issue ioyned, the tenant may be assigned thus:

Ebor' ff. A. B. vers' C. D. in placito quid iuris clamat in vno messuagio &c. vnde iur' per W. C. in quindenā Hill' &c.

If the issue be found with the plaintife, the iudgement is in this forme. Iudgement.

Et super hoc, visis premissis, & per iusticiarios plenius intellectis, considerat' est, q̄ p̄d' C. D. pro se iura, de ten' p̄d' cum pertinentijs, versus p̄f. A. B. occasione clam' & placiti p̄d', forista' habend' (si voluerit) prosequatur, ac etiam, q̄ finis p̄d', si voluerit, ingrossetur; & p̄d' A. B. in misericordia &c.

But atturaments entred vpon record, befoze the partie mentioned to atturme, doe first appere in Court in person, or by atturney, warranted by the hand of one of the Iustices of the one Bench or of the other, or one Iustice of Assise vpon a Writ of Quid iuris clamat, quem redit redd', or per quā seruicia, as the case requireth, is void without Writ of Error, 23 Elizic. 3.

Upon which iudgement the cognisee may haue execution by habere facias seisinam in this forme:

Rex, vic' Ebor' salutem: Sciatis quod, cum C. D. in Curia nra coram iusticiarijs nris apud W. per considerationem eiusd' Curie, recuperauit seisinam suam versus A. B. de vno messuagio cum pertinentiā in L. q̄ M. N. in eadem Curia concessit prefato C. D. per finem inde inter eos factum, ideo tibi precipimus, quod eidem C. D. plenaria seisinam de messuagio

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p̄d cum pertineñ sine dilacione habere facias, & quid inde feceritis, scire facias prefatis Iusticiarijs nostris apud W. in Octabis S. Martini, & habeas ibi hoc breue T. &c.

Distingas ad atturnandum.

And vpon the iudgement to atturne, doth issue a Distingas ad atturnandum, after this maner.

Iacobus Dei gratia &c. vic' salutem. P̄ tibi quod distingas A. B. per omnes terras &c. Ita quod sit coram Iustic' nostris de banco ad atturnandū C. D. in placito de quid iuris clamat in vno mess. cum pertinen' in L. quod M. N. in Curia nostra &c. concessit prefato C. D. per finem inde inter eos factum. Et vnde consideratum est in eadem Curia, q̄ p̄d A. B. se pref. C. D. inde atturn. Et habeas ibi hoc breue. Teste &c.

Quem redditum reddit.

Sect. 166

Having thus perused the Writ of Quid iuris clamat, in euerie circumstance, we are now in like manner to peruse the Writ of Quem redd' reddit.

Definition

The Writ of Quem redd' reddit, is a Writ iudicial, and issueth out of the note of the fine against the tenant of the land, to compell him to atturne to the cognisee, vpon the grant of a rent charge, or rent secke issuing out of the land, Nat. Br. f. 170. b. The forme whereof insueth.

Vici.

Iacobus Dei gratia &c. vic' E. salutem. P̄ &c. tibi, quod venire facias hic a die 9. Mich. in quindecim dies E. F. ad cognoscendū quem reddit reddere consuevit, exeun de vno messuag' cum pertiñ in E. quem A. B. in Curia nostra coram Iusticiarijs nostris de banco concessit C. D. per finem inde inter eos fact'. Et habeas ibi hoc breue. Teste &c.

If vpon this Writ, the defendaut appere not, a Distingas goeth forth in this forme.

Rex vic' Ebor' salutem. P̄ tibi q̄ distingas E. F. p omnes terras &c. Et q̄ de exit eorundem respond', & habeas corpus eius hic &c. in octab. S. Mich. proximo futuro: Ad cognoscendū quem reddit &c. exeun de vno messuagio cum pertiñ in L. q̄ A. B. in Curia nra &c. concessit C. D. p finem inde inter eos fact', & ad audiendū iudicium suum inde de pluribus defaktis. Et habeas &c.

At which day if the tenant appere, the entry may be in this forme: E. F. in mia pro pluribus defaktis &c.

P̄ fuit vic' E. quod distingeret p̄d E. F. &c. *Et in alijs breuibus de distring. supra.* Et modo hic ad hunc diem venit tam p̄d C. D. per W. W. Atturnat suum, quam p̄d E. F. in propria persona sua. Et p̄d C. D. pet', q̄ p̄d A. B. se ei de redditu p̄d atturnet &c. Et p̄d E. F. petit audire breuis p̄d & ei legitur. Petit etiam audire notę finis vnde idem breue emanauit, et ei legit in hec verba. Inter C. D. quec' &c. reciting the note in latin &c.

In which case if the tenant atturne, the entry shall be, as in a *Quid iuris clamat*, and so shall the iudgement and execution be also *Mutatis mutandis*. But the atturment must be in Court, 9. H. 6. 2 1. 8. H. 6. 15.

Atturment
entred,
Diuertenaats

If this Writ be against diuers defendants, and some appere and some make default, these, which appere, shall not atturne without the rest, vntill they appere, and after make default, 8. H. 6. 15.

If the tenant once appere, and after make default, a *Distring' ad atturmand* shall be awarded, 9. H. 6. 2 1. 8. H. 6. 15.

Default,

Cognisæ of a rent charge, or rents for yeares, shall not haue atturment, *Quare*, Dyer f. 140. pl. 37. & 38.

The tenant cannot plead by Attorney, but *ex consensu querentis*, 1. H. 7. 27.

Attorney.

In *Quem redd' reddit*, the tenant appering, is to demand what the plaintife hath to shew for the rent, and then he must shew the commencement thereof, and his title thereunto, which the plaintife may answer, 3 1. H. 6. 8. 35. H. 6.

In *Quem redd' reddit*, if the tenant will disclaime, he may pleade that he was not tenant of the land the day of the note leued: for this Writ lyeth against none but him, which is then tenant, 8. H. 6. 15.

Disclamer,

I write thus briefly of this Writ, because it so much resemblith a *Quid iuris clamat*.

Per que seruitia.

PER que seruitia is a iudiciall Writ, issuing from the note of a fine, and lyeth for the cognisæ of a Manor, Seigniorie, chiefe rent, or other seruices, to compell him that is tenant of the land at the time of the note of the fine leued, to atturne vnto him, 43. Edw. 3. 8. H. 6. 17. Plow. 46. b. which is made thus.

Secl. 167.

Rex &c. vic' K. salutem. Precipimus tibi, q' venire facias coram Iudiciarijs nostris apud W. in crastin' &c. S. F. R. L. &c. ad L. &c. ad cognoscend' per que seruitia tenent tenementa sua com pertin in B. quæ seruitia E. L. in Curia nostr' coram Iustic' nris apud W. concessit W. B. per finem ibi inde inter eos factum. Et habeas ibi hoc breue. Teste &c.

The writ,

If the Lord grant the seruices of his tenant by fine, or otherwise, the Lord before atturment shall haue such things as ly in prender: as the ward of the body of the heire and of the land, escheats &c. But not such things as ly in render: as, rents and reliefe, heriots and other seruices for he cannot auow for them before the atturment.

If a man grant the seruices of his tenant for life, this Writ lyeth, *Et Per que seruitia*

Sur graunt for life.

Fines and Concords.

If seruices be granted to J.S. for life, the reuerſion to P.P. and J.S. die befoze atturment, he in reuerſion ſhall haue Per quę ſeruicia 20. H. 6. 7.

If Per quę ſeruicia be brought againſt diuers, of which ſome onely appeare, they are compellable to atturne, 21. Ed. 3. 48. T. 3. 2. E. 3.

Vpon whoſe alienations the tenant is not compellable to atturne.

Seſt. 168.
T. in taile.

If tenant in taile of ſeruices leuie a fine thereof, the tenant of the land, is not compellable to atturne, 48. E. 3. 23. Becauſe that if the cogniſor die, the tenant is ſubiect to the diſtreſſe both of the cogniſor and of the iſſue in taile, 24. E. 3. 25. 43. E. 3. Neuertheleſſe vpon a fine with Proclamation in ſuch caſe, which barreth the iſſue in taile, the tenant ſeemeth compellable to atturne.

Cogniſor neuer ſeiſed.

If a fine be leuied by him which was neuer ſeiſed of the ſeruices, the tenant is not compellable to atturne, H. 6. E. 2.

To a particular tenant.

If the tenant for life, or any other particular tenant of ſeruices, which haue them not in fee, leuie a fine thereof, the terre tenant is not compellable to atturne, Icin North. 3. E. 3.

Iointenant

If one ioint tenant of a Seignioꝛie grant &c. the tenant is not compellable to atturne, 9. E. 2.

Againſt whom a Per quę ſeruicia lyeth, and whom not.

Seſt. 169.
Terre tenant

Lyeth againſt him onely that is tenant of the land at the time of the note of the fine leuied, 8. H. 6. 17. 18. E. 4. 10. And therefore muſt not varie from the fine, 18. E. 4. 10. 25. E. 3. 35. E. 3. 50.

Therefore it ſeemeth that if he, which is tenant at the leuying of the note die, or alien befoze atturment had, that neither his heire nor the alienee is compellable to atturne, H. 26. E. 3. 6. 18. E. 4. 25. E. 3. 50. 10. yet this atturment is good, Ibidem M. 31. E. 3.

A Reclufe

A Proceſſe reclufe is compellable to atturne, 43. E. 3. And an infant 26. E. 3. 62. And a man onely dumbe, by wꝛiting or ſignes, 26. E. 3. 62.

Mute,
Deafe,
Madneſſe.

But a man ſurde et mute, is not compellable to atturne, 26. E. 3. 62. For a man non ſanæ memoriæ, as a mad man, a lunatike, an ideot, 26. E. 3. 62.

T. by curteſie
Late ſcoffment

For a tenant by curteſie for the ſebleneſſe of his eſtate, 9. E. 3. 31. He that is infeſſed by the Lord poſt ſtat. Quia improbes &c. is not compellable to attur, for he holdeth of the L. per antient, 39. E. 3. 19.

Quantitie

The Writ of Per quę ſeruicia, ought to ſhew the quantitie of the tenancie, H. 14. E. 3. for it is traueꝛſable, T. 20. E. 3. H. 26. H. 6.

Countie,

All perſons that may be cogniſors, may haue this Writ. Per quę ſeruicia, ought to be in the County where the fine is knowledged, albeit the Danoꝛ be in one County and the ſeruices in another County,

Countie, 21. E. 3. 18. Nonsoit in this action is not peremptorie, 24. E. 3. 25. nor the death of the Cognisor after the note leuied. Nonsuit.

Per quæ seruicia lieth a yere or moze after the note leuied, 29. E. 3. 46. Time.
 After peremptory issue ioyned, the tenant in Per quæ seruicia, may make Atturney, for if the issue be tried against him, if dooth counteruaile atturment, and then he may be distrained befoze atturment, 48. E. 3. 24. 39. E. 3. 26. Atturney.

Nontenure the day of the note leuied, is a good barre in Per quæ seruicia, 8. H. 6. 17. 21. H. 4. 72. Nontenure.

It is also a good plea, that befoze the note leuied, the Cognisor granted the seruices to another, and that he therupon did atturn, 9. E. 3. 31. Former grant.

The tenant in Per q̄ seruicia, cannot disclaime, but may plead Non tenure, vt supra, 21. H. 4. 72. Disclaime.

After iudgement proccesse is Distringas ad atturnandum, 4. E. 3. 2. E. 3. 9. 5. E. 4. 2. Proccesse post iudicium.

If the mesne leuy a fine of his mesnaltie, to A. for life, the Remainder to B. in fee, A. byingeth a Per quæ seruicia, and the tenant atturneth, sauing his acquitaile, yet shall not he in the remainder auowe, befoze he also acknowledge the acquitaile, 18. E. 4. 7. Atturment with an exception.

But a feme couert cannot confesse acquitaile in Per q̄ seruicia, because she is not examinable in this suit, 9. E. 2. 45. E. 3. Feme couert. Acquitaile.

And the tenant may atturne sauing Acquitaile and warrantie according to a deed thereof. M. 15. E. 3. 5. H. 5. E. 3. Itinere North.

A man may graunt seruices, befoze he haue seisin thereof in fait, H. 6. E. 2. Fitz. Per quæ seruicia 22. Seisin.

It seemeth vpon the grant of a Manor cū p̄m̄, the seruices passe without atturment, as parcell of the Manor, and that the Lord may auow without atturment, 26. H. 6. Fitz. Per q̄ seruicia 21. A Manor.

If the tenant in Per q̄ seruicia, appeare and cōfesse the action at the Distringas ad atturnand after iudgement, & will not atturne, hee is punishable by imprisonment, or fine, at the discretion of the Court, as it seemeth, 3. E. 3. Itin North. Fitz. per q̄ seruicia 17. Fine. Imprisonment.

Coparceners, Jointenants, and tenants in cōmon, may not fourch by essoine, to essoine seuerally, but haue onely one essoine, as one sole tenant might haue. W. 1. cap. 42. 3. E. 1. Rast' essoine 4. Essoine.

Of the ingrossing of Fines.

When the note of the Fine is made with the Custos breuium, if it be of lands in possession, or when atturment is made, if it be of a reuerfion, remainder, rents, or seruices, then may it be ingrossed by the Chirographer, Sect. 170.

And

Fines and Concords.

Ingroſſing.

And the ingroſſing of a fine, is nothing elſe but the entering of the concord thereof with the Chirographer, and the writing and deliue-
ris of the indentures thereof. Firz. nat. 147. a. 5. H. 4. cap. 14. which bee
called the Chirographe of the fine, & is made in ſozme following, viz.

Fine en taile
de reuerſion
de rent,

Hæc eſt finalis concordia, facta in curia dñi Reg. apud Weſtm̄, à die
Paſch. in 15. dies Añ regni Iac. &c. 3. coram Edmundo Anderson, T.
Walmſley, R. O. et R. B. Juſtic' dñi Reg. et alijs fidelibus tunc ibi pſen-
tibus, inter A. B. queſ & L. C. deſorc' de decē mercat' reddit' cum pertiñ
in B. quem P. de A. tenet ad terminum vitæ, vnde placitum conuention-
nis ſum̄ſi fuit inter eos in eadē cur', ſcz. quod pred' L. conceſſit pro ſe &
hered' ſuis, quod pred' redd' cum pertiñ' quem pred' P. tenuit ad ter-
minum vitæ ex dimiſſione pred' L. in pred' vil' die quo hæc concordia
facta fuit, et qui poſt deceſſum ipſius P. ad pred' L. & heredes ſuos de-
buit reuerti, poſt deceſſum ipſius P. integre remaneant pred' A. et
hered' de copore ſuo procreat', tenend' de capital' dominis feodi illius
per ſeruitia quæ ad pred' redd' pertinent imperpetuum, Et ſi contingat,
quod idem A. obierit ſine hered' de corpore ſuo procreat', tunc poſt de-
ceſſum ipſius A. pred' redd' cum pertiñ' integre remanebit rectis heredi-
bus ipſius A. tenend' de capitalibus dominis feodi illius per ſeruitia quæ
ad pred' redd' pertinent imperpetuum: Et pro hac conceſſione fine, &
concordia, idem A. dedit p̄f. L. centū marcas argenti. And ſo of others
according to the diuerſitie of their caſes.

Rem. ad heires
de corps,

Rem. as droit
heires,

Of the tabling of Fines ingroſſed.

Sec. 172
Tables,

The Chirographer of fines of the cōmon p̄ces, ſoz euer muſt write
and make one table ſoz euery countie, where his maielties writ
runneth, containing the contents of euery fine, that ſhall paſſe in any
one terme, as the name of the county, towne, and places, wherein the
tenements mentioned in any fine be, the name of the plaintife and de-
fozceant, & of euery manoz named in any fine. And the firſt day of the
next terme after the ingroſſing of euery ſuch fine, ſhall ſire euery of the
ſaid tables in ſome open place of the Court of Common p̄ces, and ſo
euery day of the ſaid terme during the ſitting of the ſaid court: and the
ſaid Chirographer ſhall deliuer to euery ſherife of euery Countie, his
vnderſhirife, oz deputy, ſaire written in parchment, a perfect content
of the table ſo to be made ſoz that ſhire in the terme that ſhall be next
befoze th' aſſiſes to be holden in the ſame county, oz els meane between
the terme and the ſaid aſſiſes, to be ſet vp the firſt day & euery day of the
next aſſiſes in ſome open place of the court, where the Juſtices of Aſſi-
ſes then ſhall ſit, to continue there ſo long as they ſhall ſitte in the ſaid
court: ſeith' the chirographer oz ſherife faile herein, he ſozſeiteth v. li.
and the chirographers ſæ, ſoz euery ſuch table is uij. d. 23. Eliz. cap. 3.

Contents,

How

How many Proclamations are to be made upon Fines, and when.

Four Proclamations onely are now to be made upon cuertis fine with Proclamation, that is to say, one in the Terme in which the fine is ingrossed, and in euery one of the thre termes next ensuing the ingrossing thereof, one Proclamation, 13. Eliz. c. 2. Sect. 172.

But if any of the same Proclamations faile, by reason of the adiournement of any of the said Termes by Writ of adiournement duly made, yet is such fine good, and a good fine with Proclamations, as if the same had ben proclaimed, 1. M. c. 7. Adjournment.

But if any Proclamation be made upon a Sunday, it is Error, because it is not dies Iuridicus, Dyer fol. 128. pl. 53. 55. 2. Eliz. Sundaies.

Of the Proclamations of Fines at the Assises and generall Sessions how they must be certified.

The end better notice of fines may come to them, to whom it appertaineth, it is ordeined by the said Sta. of 4. H. 7. c. 24. That the Just. of the Common place shall send a transcript of such fines to the Just. of Assise in the Counties where the Land doth ly, to be proclaimed openly and solemnely at all the Assises, which shall be therein holden, within one yere after the ingrossing of such fines: and that the like transcript be made to the Just. of Peace, there to be proclaimed at foure generall Sessions in the said Counties, and both the same Proclamations to be made and certified into the common place the second day of the returns of the Terme then next following: and it is to be noted, that while the said fines are read, all pleas must cease, 4. H. 7. c. 24. Sect. 173.
Sessions.
Assises.

The forme of euerie such Proclamation in thus: After the Cryer hath made an Oyes for silence, saying: Oyes les fines lies, or to that effect, the Chirographer or his deputie, readeth the fines thus: Proclamation.
Eboz. A Fine with proclamations betweene A. B. plaintife, and C. D. deforciant, of tenements in D. &c.

If the Cognisees in fines die, befoze the ingrossing thereof, no Proclamation shall be made, because they had their election to haue the fine with Proclamations or without, which election is now by their death determined, Dyer fol. 254. pl. 104. 8. Eliz. Plow. fol. 266. b. Cognisee dead.

Of the inrolment of all the part of Fines after the engrossing thereof and Proclamations passed.

By the Statute of 23. Eliz. c. 3. it is ordeined, that there shall be for euery an office of Inrolment, called the office of Inrolments of fines and reconeries: and the Just. of the Common pleas, for the time being other then the cheife Just. shall haue & take the care and charge of and for the Inrolments aforesaid, see the examinations thereof, and write their Sect. 174
Office of Inrolment of Fines &c.

Fines and Concords.

their names vnto the rolls thereof, & haue & enioy the said office & the disposition thereof, & carefully see & looke to the execution thereof. And haue soz the inrolment and examination of euery such fine vj.s. viij.d.

Exemplificatō. And soz euerie exemplification of euerie such inrolment of any fine v.s. soz one yeare search iij.d. soz euerie sheet of paper containing xiiij. lines iij.d.

Punishment. And the Iustices of the Common place haue power to take order in all thinges conuenient soz the said inrolments, and vpon examination in the said Court to assesse fines and amerciaments vpon persons offending, soz their mispziſion, contempts, oꝛ negligences soz not doeing oꝛ misdoing of any thing, of, in, oꝛ concerning any such fines, as they shall think meete and conuenient, 23. Eliz. c. 3.

Inrolment of fines.

And euery Writ of Couenant, and other Writ, wherupon any fine is leuied, the returne thereof, the Dedimus potestatem made soz the knowledging thereof, the returne thereof, the concord, the note, and soote of eury such fine, the Proclamations made thereupon, and the Kings siluer vpon the request, oꝛ election of any person, may be inrolled in the said office: and the inrolments of the same, oꝛ of any part thereof, shall be of as good force and validitie in the Law, to all intents soz so much of any of them so inrolled, as the same being extant and remaining were oꝛ ought by Law to be, 23. Eliz. c. 3.

Of the exemplification of the parts of Fines inrolled.

Sec. 175.

When any of the parts of a fine be inrolled according to the said Statute, then may the same be exemplified, either vnder the Seale of the office, oꝛ vnder the great Seale of England: but to exemplifie such a fine vnder the great Seale hath this discōmoditie, that if any errors remaine in the Record of the same fine, they be not amendable after the exemplification thereof, 23. El. c. 3. but if someth this extendeth onely to fines leuied befoze the same Statute of, 23. El. c. 3.

These inrolments and exemplifications seeme very necessary, because that the pziuitie and warrant of the said Court, many errors happening in the former Records thereof may be amended, and these inrolments will suffice, if the former Record thereof oꝛ any part thereof, be imbeſelled oꝛ otherwise defaced, 23. Eliz. c. 3.

The exemplification of a fine inrolled according to the Statute of 23. Eliz. c. 3.

Eliz. Dei gratia &c. Omnib⁹ ad quos plentes heere puenierint, salutē: Sciatis, qđ int Irrotulata breuium & alioꝝ dependē⁹ p finib⁹ secundum formā statuti, de imino Paschæ, apud W. añ reg. nostr⁹ 29. rotulo 7. continet sic, N. Essex fil. El. dei gratia Angl, Franc, et Hibern, reg. fidei defēſor &c. vic⁹

vic' Essex salutem. Præcipe E. W. armig', & I. vxori eius, quod iuste & sine dilatione teneant I. W. & I. S. conuentionem inter eos factam, de duobus messuagijs, duobus gardinis, duobus pomar', 20. acr' terræ, 20. acris prati, xl. acris pastur', & C. acris iamprorum & brueræ, cum ptin' in B. & W. Et nisi fecerint, et p'd I. & I. fecerint te securum de clam' suo prof. tunc summ' p' bonos summ' p'dictos E. et I. quod sint coram Iusticiarijs nostris apud Westm' in Octabis sancti Michaelis, ostensuri, quare non fecerint, Et habeas ibi summ', et hoc breue. T. meipsa apud Westm' 17. die Septembris, Ann' regni Reg. nunc 40. * Pleg' de prof. Iohan Doo, Richardus Roo, * Summ' Iohannes Den, Richardus Fen. * Georgius T. ar. vic' ss. * I. W. dat domiñ Reg. sex solidos et octo denarios pro licen' concord' cum E. W. armig', et I. vxore eius de placito conuencionis de duobus messuagijs, duobus gardinis, duobus pomarijs, 20. acris terræ, 20. acris prati, 10. acris pastur', et centum acr' iamprorum et brueræ cum pertin' in B. & W. Et habet Citr' per pacem admittit. * Coram R. H. vno Iustic' domin' Reg. de banco Iustic' in patria ss. * Elizabeth dei gratia Angliæ, Franciæ, et Hibern' Reg. fidei defensor &c. dilecto et fideli suo R. H. vni Iustic' suorum de Banco, Salutem. Cum breue nostrum de conuen' pendeat coram vobis & socijs vestris Iustic' nostris de banco, inter I. W. & I. S. E. W. arm', et I. vxorem eius, de duobus messuagijs, duobus gardinis, duobus pomarijs, 20. acris terræ, 20. acris prati, in B. et W. in comitat' Essex, ad finem inde inter eos coram vobis et socijs vestris predictis in banco predicto secundum legem et consuetudinē Regni nri Angi', leuand', Ac ijdem E. et I. adeo impotentes sui existunt, quod absque maximo corporum suorum periculo vsque Westm' ad diem in breui predicto content', ad cognitiones, que in hac parte requirunt' faciend' laborare non sufficiunt, vt accepimus: Nos statui corundem E. et I. comparietes in hac parte, dedimus vobis potestatem recipiend' recognitiones quas pred' E. et I. coram vobis facere voluerint de premissis, Et ideo vobis mandamus quod ad pref. E. et I. personaliter accidentes, cognitiones suas predictas recipiatis: Et cum eas receperitis, præfatos socios vestros inde sub sigill' vestris distinctè & apertè reddatis certiores, vt tunc finis ille inter partes prædictas de premissis, coram vobis et socijs vestris predictis in banco predicto leuari possit, secundum legem & consuetudinem supradictas. Et habeatis ibi tunc hoc breue. T. meipsa apud Westmoñ xvij. die Septembris Anno regni nostri 40. * Respons. infranominati R. H. ad hoc breue. Execuc' istius breuis patet in quadam sedula huic breui annex'. * Et est concordia talis, scilicet, quod E. & I. nominat' in breui huic sedul' annex', recogñ ten' in dicto breui specific' cum pertinentijs esse ius I. W. in eodem breui nominat', vt ill' que ijdem I. & I. S. in dicto breui nominat' habeant de dono predict' E. et I.

Et.

Fines and Concords.

Et ill' remisē & quiet' clam' de se et hered' suis p̄fat' I. et I. & hered' ipsius I. W. imperpetuum. Et preterea ijdem E. et I. conc' pro se & hered' ip̄si' I. quod ipsi warrant tenementa predicta cum pertinentijs p̄fat' I. & I. & hered' ipsius I. W. contra omnes homines imperpetuum. Et pro hac &c. ijdem I. W. & I. S. concess. tenementa p̄dictā cum pertinentijs p̄f. E. et I. * Et ill' eis reddider' in eadem Curia: Habend' & tenend' eisdem E. et I. hered' de corpore ipsius E. per p̄dictam I. legitime procreat', et pro defectu talis exitus, tenementa p̄dicta cum pertin', integre reman' p̄f. I & hered' de corpore ipsius I. legitime procreat', & pro defectu talis exitus, tenementa p̄dicta cum pertin', integre reman' relictis hered' ipsius E. imperpetuum. Tenend' &c. R. H. ff. * Hęc est finalis concordia facta in curia Dominę Reginę apud Westm̄ in Octabis sancti Michaelis Anno regni Elizabethę, Dei gratia, Anglię, Francię, & Hyberñ Reginę, fidei defens. &c. à conquestu decimo, coram I. D. R. W. I. W. & R. H. Iustic' & alijs dōm Reg. fidelibus tunc ibi presentibus, Int' I. W. et I. S. que' & E. W. ar̄m, & I. vxor' eius defoc' de 2. mess. 2. garđ, 2. poñ, 20. acr' prati 40. acris pastur', & C. acris iam p̄nor' et brucere; cum pertinentijs in B. & W. vnde placitum conuenac' summ' fuit inter eos in eadem cur', sc. quod p̄d' E. & I. recogñ p̄d' tenementa cum pertin', esse ius ipsius I. W. vt ill' que' ijdem I. & I. S. habeant de dono p̄d' E. & I. Et ill' remis. et quiet' clam' de ipsis E. & I. & hered' suis, p̄d' I. & I. & hered' ipsius I. W. imperpetuum. Et preterea ijdem E. & I. concesset pro se et hered' ipsius I. quod ipsi warrant p̄d' I. & I. et hered' ipsius I. W. p̄d' tenementa cum pertin' contra omnes homines imperpetuum. Et pro hac recogñ, remissione, quiet' clam', warrant, sine et concordia, ijdem I. & I. concesset p̄dictis E. & I. p̄dicta ten' cum pertinent'. Et ill' eis reddider' in eadem Cur', Habed' et tenend', eisdem E. & I. & hered' de corpore ipsius E. per p̄dictam I. legitime procreat', de capitalibus dominis feod' ill' per seruiç, quę ad p̄d' tenem' pertinent, imperpetuum. Et si contingat quod ijdem E. & I. obier' sine hered' de corpore ipsius E. per p̄d' I. legitime procreat', tunc post decessum ipsor' E. & I. p̄dict' tenementa cum pertin' integre reman' hered' de corpore ipsius I. legitime procreat', Tenend' de capitalibus dominis feod' ill' per seruiç, quę ad p̄d' tenementa pertinent, imperpetuum. Et si nullus heres de corpore ipsius I. fuerit legitime procreat', tunc p̄dicta tenementa cum pertinentijs integre reman'eb. relictis hered' ipsius E. Tenend' de capitalibus dn̄is feod' ill' per seruiç quę ad p̄d' tenem' ta pertinent, imperpetuum, secund' form' statut'. * Prima proclam' facta fuit 22. die Nouemb' termin' sanct' Michael' Anno vñdecimo Reg. inf̄scr. Secunda proclam' xxiiij. die Nouemb. eodem termino. Tertia p̄clam' xxvj. die Nouemb. eod' termin'. Quarta p̄clam' 29. die Nouem eod' term'. Quinta proclam' facta fuit septimo die Feb. term' sanct' Hill'

Hill' Anno 11. diei Reg. infrascr. Sexta procl' 9. die Febr. eod' termin'.
 Septima procl' die Febr. eod' term'. Octava procl' 12. die Febr. eodem
 termin'. Nona pcl. fact' fuit 14. die Maij termin' Pasc' ann. 12. Reg. infrascr.
 Decima pcl' 17. die M. eod' termin'. Vndecim pcl' 23. die M. eod' termin'.
 Duodecim pcl' 23. die M. eod' termin'. Tertia decima pcl' fact' fuit 23.
 die Iunij termin' Sanct' Trinitat' ann. vndecim Reg. infrascr. Quartadecim
 pcl' xxv die Iunij eod' termin'. Quintadecim pcl' 27. die Iunij eod' termin'
 Quæ omnia & singula ad requisitionem W. W. generos. tenore p'sentium
 duximus exemplificand'. In cuius rei testimon' sigill' n' ad breuia in
 banco sigilland' deputat' p'sentib' apponi fecimus T. F. W. W. & F. R. Iu-
 stic' de Banco pred' apud Westm' die &c. ann. reg. nunc 20. &c.

W. P. & R.

How Fines executorialie be executed.

The execution of a fine, is the obtaining of actuall possession of the Seco. 176.
 things contained in the same, by vertue therof, and it is either by
 entrie into the lands, or by writ.

By entrie into the landes, as if vpon a fine sur cognizance de droic
 come ceo q' il ad de son done, If the cognisor remaine stil in possession,
 And the cognizæ by vertue of such fine enter vpon him, as he lawfully
 may, without any writ of habere fac' seisin, because such fine is execu-
 ted, 4. E. 3. 14. 4. E. 3. 5. And if a fine be leuied to the husband & wife
 in speciall taile, the rest to the heires of the body of the husband, and
 the wife die th' without issue, the remainder is executed in possession in
 the husband, for the estate taile meeteth with the freehold, and doth
 neth it, 7. H. 4. 23.

Execution of Fines by Writ.

Execution of Fines by Writ, is either by Habere facias seisinam, or Seco. 177.
 by Scire facias.

A writ of Habere facias seisinam, in this case is a writ iudiciall, issu-
 ing out of the Record of a fine executory, directed to the Sheriffe of the
 Countie where the land lieth, commaunding him to giue the cognizæ
 or his heires seisin of the land, wherof the fine is leuied, And this writ
 lieth within the yeare, after the fine, or iudgement vpon a Scire facias
 And may be made in these formes:

Rex vic' &c. Præcipimus tibi, q' sine dilatione habere facias B. K. sei-
 sinam suam de mesuag' cum p'tin' in N. q' A. T. in Cur' nostra &c. reddi-
 dit pred' B. per finem inde inter eos fact' secundum. Teste &c.

Duodecim & c. de visu &c. Et quia nec E. nec R. & A. vxor eius ali-
 qua &c. ad cognoscend' si tempore leuationis cuiusdam finis lenati in

Venire facias
 en Scire fa-
 cias sur fine
 sur issue & les.

H

Curia

Fines and Concords.

partes fueront
seifse al temps
del fine leuic
&c.

Concess.& re-
cordat.

Fine de rent.

Curia domini E. nuper Regis &c. apud Westm̄ in crastiñ &c. anno &c.
coram R. B. & socijs suis nunc Iusticiarijs ipsius nuper Reg' de banco.
Et postea in crastiñ animarū &c. anno &c. ibid' concess. & recordat'
coram eisdem nuper Iusticiarijs & alijs eiusdem nuper Regis fidelibus, tūc
ibi p̄sentibus, inter T. K. & R. F. querentē, & I. B. & I. vxor' eius de-
forc', de quatuor solidis redditus cum pertinentijs in S. vnde p̄dict'
G. in Curia nostra &c. petit executionem versus p̄satos R. & A. virtute
finis p̄dict', ac de alijs tenementis & redditibus in eodem fine conten-
tis, p̄dict' T. K. & R. & p̄dict' I. B. et I. qui fuerunt partes fini illi, fue-
runt seifsi de p̄dictis quatuor solidis redditus cum pertinentijs, prout
per eundem finem supponit, per quod p̄dict' E. executionem p̄-
dict' quatuor solid' redditus cum pertinentijs versus p̄satos R. & A.
virtute finis p̄dict' habere debeat, sicut idem E. dic' vel non, imo nec
p̄dict' T. K. & R. nec p̄dicti I. B. & I. qui fuerunt partes fini p̄di-
cto, tempore leuationis eiusdem finis aliquid habuer' in p̄dict' quatu-
or solid' redditus cum pertinentijs, nec in messuag', vnde supponit red-
ditum illum prouenire, per quod p̄dict' E. ab executione p̄dict'
quatuor solid' redditus cum pertinentijs versus p̄satos R. & A. virtut'
finis p̄dict' habend' excludi debeat, sicut idem R. & A. dicunt, quia
tam &c.

Habere facias
seifinā sur rec'
en scire facias
hors de fine p
confession.

Scias, quod est conf. in Curia nostra, quod W. L. & alij &c. habeant
executionem versus W. T. de decem acris terræ cum pertinentijs in D.
virtute cuiusdam finis inde leuati in Curia Domini E. nuper Regis &c. a-
pud W. à die &c. anno &c. coram R. B. & socijs suis tunc Iusticiarijs eius-
dem progenitor' nostri de Banco, inter I. G. iuniorem & W. G. queren-
tes, & E. P. & M. vxor' eius deforc', de p̄dictis decem acris terræ cum
pertinentijs, ac de alijs terris & tenementis in eodem fine contentis, per
cognitionem p̄dict' W. T. actionis p̄dict' W. L. & al', & ideo
tibi p̄cipimus, quod eisdem W. L. & al'. de p̄dictis decem a-
cris terræ cum pertinentijs sine dilatione plenariam seifinam habere fa-
cias &c.

Habere facias
seifinam sur
recovery p def.
en Scire facias
hors de fine.

Scias quod considerat' est in Cur' nostr' &c. q̄ T. B. confang' et heres W
fratris P. filius W. & M. vxoris eius, hēat executionem versus R. R. &c.
de 40. ac' bosci cum p̄ineñ in B. virtut' cuiusdam finis in Curia Domi
E. nuper regis &c. apud W. &c. inter p̄satos W. & M. quer', & W. de B.
& R. fil' W. &c. deforcianē &c. de tēntis p̄d' leuatis per defalt ipsorum
&c. Et ideo tibi p̄cipimus, quod eidem T. B. de p̄dictis tēntis cum
pertinentijs sine dilatione plenariam seifinam & executionē habere facias.
Teste &c.

Habere facias
seifin sur rec' p
defen Scire
fac' hors de fin'

Rex vic' salutem Scias, quod consid' est in Curia nostra coram Iustici-
arijs nostris apud W. quod T. B. confanguin' et heres W. B. habeat exe-
cutionē versus R. D. de manerio de A. cum p̄tineñ in com' tuo, virtute
cuius-

cuiusdam finis leuati in Curia dñi E. nuper Reg. Angliæ &c. apud W. à die &c. anno &c. coram R. B. & socijs suis tunc Iusticiarijs ipsius nuper Regis de Banco. Et postea in octab. &c. anno &c. ibm concess. et recordat, inter p̄fat W. querentem, & A. deforciant de manerio pr̄d' per default ipsius R. Et ideo tibi precipimus, q̄ eidem T. B. de manerio pr̄d' cum pertiñ sine dilatione plenariam seisinam et executionem habere facias. Teste &c.

Concess. et recordat.

Scias q̄ considerat est in Curia nra &c. q̄ R. M. et R. A. consanguin' & hered' H. de B. & M. vxoris eius, habeant executionem versus I. C. &c. de duabus partibus manerij de Y. cum pertinentijs, virtute cuiusdam finis leuati in Curia domini E. nuper regis &c. apud W. in crastino &c. anno &c. coram T. W. et socijs suis tunc Iusticiarijs &c. de banco, inter H. B. & M. vxor' eius quef, & B. D. et B. vxor' eius deforciant, de pr̄dict' manerio cum pertiñ, ac de aduocatione Ecclesie eiusdem manerij, p̄t p̄ quandā iurata coram dilectis & fidelib' nostris I. T. & W. A. duobus Iust. nris de Cōmuni banco, per formam statuti nri inde p̄uisi, die &c. apud R. inde inter eos capē, compertū fuit: Et ideo tibi p̄cipimus, q̄ eisd' R. et R. de duab' partibus p̄d' cum p̄iñ, sine dilatione executionē & plenariam seisinam habere facias. Teste &c.

Habere facias seisinam sur recouery per ver dict en Scire facias hors de fine.

Nisi prius.

Of execution of Fines by Scire facias.

A writ of Scire facias vpon a fine, lieth in the same case that a writ of Habeere facias seisinam, doth, sauing that it is to be sued a yeare and a day after the fine is leuied, whereby the Sherriffe is commanded to warne the tene tenant to appeare, and shew cause if hee can, why the Cognise or his heires should not haue execution. At the returne whereof, if the tenant appeare, and shew no cause to the contrary, the plaintife shall haue an Habere facias seisinam, *ut supra*. And the forme of diuers Scire facias in like case ensue.

Sect. 178

Rex vic' saluē. Cum quidam finis leuasset in Curia dñi E. filij Regis H. p̄genitoris nri scz, apud W. in octab. &c. anno regni sui tricesimo quarto, coram R. H. & socijs suis tunc Iusticiarijs ipsius p̄genitoris nost' de banco inter G. P. & I. vxor' eius quef, per W. F. poliē in loco eorum ad lucrand' vel perdend', & S. H. deforciantē, de manerio de C. cū p̄tiñ, vnde placitum conuencionis summonitum fuisse inter eos in ead' Curia, scz. q̄ pr̄dict' G. recogn' maneriū p̄d' cum pertiñ esse ius ipsius S. vtilud quod idem S. habuisset de dono p̄p' G. Et pro illa recognitione, fine, & concordia, idem S. concessisset p̄dict' G. & I. pr̄dict' manerium cum pertinentijs, & illud eis reddidit in eadem curia: habend' et tenend' eisdem G. & I. & heredibus quos idem G. de corpore ipsius I. p̄ceasset, de pr̄dicto S. & hæredibus suis imperpetuum, reddendo inde p̄ annū

Scire facias hors de fine for the heires in taile.

Attorney in fine.

Render to the husband and wife, & to the heires of the husband of

Fines and Concords.

the body of the
wife begotten,
rendering rent
and forreine
seruice.

Rem in taile.

vnam Rosm ad festum &c. pro omni seruitio, concess. & astione ad prædict' S. & hered' suos pertinent, & faciend' inde capitalibus dominis feodi illius, pro prædict' S. & hæredibus suis, omnia alia seruitia, quæ ad manerium illud pertinerent: Ita quod si contingeret, quod prædict' G. obierit sine hærede de corpore ipsius I. procreat, tunc post decessum ipsorum G. & I. prædictum manerium cum pertinentijs integre remaneret W. fratri eiusdem G. & hered' de corpore suo procreat, tenend' de prædict' S. & hæredibus suis per prædicta seruitia, sicut prædictum est, imperpetuum. Et si contingeret quod prædictus W. obiret sine hærede de corpore suo procreato, tunc post decessum ipsius W. prædict' manerium cum pertinentijs integre remaneret I. fratri eiusdem W. & hæred' de corpore suo procreat, tenend' de prædicto S. & hæredibus suis per prædicta seruitia, sicut prædictum est, imperpetuum. Et si contingeret prædict' I. obire sine hærede de corpore suo procreat, tunc post decessum ipsius I. prædictum manerium cum pertinentijs integre remaneret E. fratri eiusdem I. & hæred' de corpore suo procreat, tenend' de prædict' S. & hæredibus suis per seruitia prædict', sicut prædict' est, imperpetuum: Et si contingeret quod prædictus E. obiret sine hærede de corpore suo procreato, tunc post decessum ipsius E. prædict' manerium cum pertinentijs integre reuertatur ad prædict' S. & hæredes suos, quæ de alijs hæred' ipsorum C. & I. W. J. & E. tenend' de capitalibus dominis feodi illius per seruitia, quæ ad illud manerium pertinerent, imperpetuum: Ac iam ex insinuatione I. L. & M. vxoris eius vnus, ac T. V. & T. vxor eius, alterius, necnon H. B. tertij, consanguin' & hered' prædict' G. & I. de corporibus suis procreat accepimus, quod prædict' G. & I. mortui sunt, Et quod quidam T. L. & R. I. prædict' manerium cum pertinentijs modo ingressi sunt, & illud tenent contra formam finis prædicti, Et quia volumus ea quæ in Cur' pgenitoris nostri acta sunt, debite executioni demandari, tibi præcipimus, quod p ppos & legales homines de balliua tua Scire facias prædict' T. L. & R. quod tunc coram Iustic' nostris apud W. in octab. &c. ostens. si quid pro se habeant aut dicere sciant, quare prædict' manerium cum pertinentijs, quod ipsi tenent in forma prædicta, post mortem prædict' G. & I. prædict' M. T. & H. consanguin' & hered' ipsorum G. & I. de corporib' suis procreat, remanere non debent, iuxta formam finis prædicti, si sibi viderit expedir, Et habeas ibi nomina eorum, p quos eis scire fecer, & hoc breue, Teste &c.

Scire facias
pur le heire de
cestuy in le
reue.

Rex Vicecom' salutem: Cum quidam finis leuassit in Cur' domini E. nuper Regis Angl' aui nostri, tali die, & anno, coram A. & socijs suis tunc Iust. eiusdem aui nostri de Banco, inter W. quærent, & R. deforciant, de manerio de T. cum pertinẽ, vnde placitum conuentionis summonitum fuit inter eos in eadem Curia, scilicet, quod prædict' R. recogn' prædict' manerium cum pertinẽ esse ius ipsius W. vt illud quod idem W. habuisset

habuisset de dono prædicti R. & p̄ illa recognitione, sine & concordia, idem W. concessisset præd' R. præd' manerium cum p̄t̄n̄, habend' & tenend' eidem R. de prædict' W. & hered' suis masculis de corpore suo p̄creatis tota vita ipsius R. reddend' inde per annum &c. Et post decessum ipsius R. prædict' manerium cum p̄t̄n̄ integre reuertat ad prædict' W. & hæred' suos, quiet de hæred' prædict' R. tenend' de capitalibus dominis feodi illius, per seruitia, quæ ad illud manerium p̄tinerent, imperpetuum, & si contingeret quod prædictus R. obiret sine herede masculo de corpore suo p̄creat, prædict' manerium cum p̄t̄n̄ integre remaneret T. fratri ipsius W. & hæredibus masculis de corpore suo p̄creat, tenend' de capitalibus dn̄is feodi illius per seruit' prædict' imp̄petuum: Ac iam ex insinuatione A filij & heredis præd' T. accepimus, quod præd' R. iam obiit, & q̄ præd' W. obiit sine hæred' masculo de corpore suo procreato, & quod I. vnum messuagium &c. cum p̄t̄n̄ent, quæ fuerunt parcella manerij præd' modo ingressus est, & illa tenet contra formam finis præd'. Et quia volumus ea &c. ostens. si quid p̄ se habeat aut dicere sciat, quare p̄dict' tenementum cum p̄t̄n̄, præd' A. filio & heredi prædicti T. remanere non debeat, iuxta formam finis prædicti, si sibi viderit expedire &c. Et habeas &c.

Rēder pur vie oue reuertur luy in taile & remainder ouer en taile.

Et modo hic ad hunc diem venit tam prædictus I. S. per S. Attornatum suum, quam prædict' W. & A. per F. Attornatum suum, & vicecom̄ mand' quod scire fecerit eis dē W. & A. essendi hic ad hunc diem ostens. separatim in forma prædicta, per R. & S. probos &c. Et super hoc prædict' I. dicit, quod ipse est consang' & hæres prædict' I. & E. videlicet &c. & petit versus prædict' W. & A. separatim executionem in formā prædict' &c.

Scire facias vers seueral tenants. Retur' scire fecit. Cousinage allegē.

Et iam prædicti W. & A. quoad prædicta tenementa, vnde executio versus eos secuta est, quam prædict' R. & I. quoad prædicta tenementa, vnde executio versus eos separatim petita est, singularim dicunt quod nec præd' I. nec præd' W. & B. quos per finem p̄dict' supponit esse partes finis illius, nihil habuer' in tenementis p̄d' cum p̄t̄n̄, vnde executio versus W. & A. separatim petita est, tempore leuat' eiusd' finis, imo quidam I. C. fuit inde seiscitus tempore leuationis finis illius, cuius quid' I. C. statum in testis illis, vnde executio versus eos petita est, quam præd' R. & I. separatim habent in tenementis præd', vnde executio versus eos singularim petita est, separatim petunt iudicium, si præd' I. executionem inde versus eos habere debeat &c. Et præd' I. dicit quod tempore leuationis finis illius, præd' I. & I. qui fuerunt partes finis illius, fuerunt seisciti de tenentis præd' cum p̄t̄n̄, vnde executio versus præd' W. & A. separatim in forma & modo prædict' secuta est, p̄t̄ per finem illum supponitur, & hoc petit &c. Ideo 1 2. &c.

A barre that the parties to the fine had nothing in the land at the time of the fine, but I. whose estate the tenant hath.

Issue that I. was seised at the time of the fine leuied

Fines and Concords.

Scire facias
super fine.

Cum quidam finis leuasset in Curia domini E. quondam regis Anglⁱ aui nostri, à die Sanctę Trinitatis in quindecim dies, anno &c. coram I. de B. & socijs suis tunc Iusticiarijs ipsius aui nostri itinerantibus apud Eboř, inter Alanum querentē, & A. defendē de decem libratis terrę cum pertinentijs in A. in manerio de L. in Comitē de N. vnde placitum conuentionis summonitum fuisse inter eos in eadem curia, scilicet quod p̄d̄ Adam recogn̄ p̄d̄ict̄ tenementa cum pertinentijs, vt in dominicis, redditis &c. & omnibus alijs rebus ad p̄d̄icta tenementa pertinentib⁹, esse ius ipsius Alani, p̄terea idem A. dedit & concessit p̄d̄icto Alano quinque marcas redditus cum pertinentijs in A. in Comitatu K. & totū manerium de B. cum pertinentijs in Comitatu tuo, vt in dominicis &c. habendum & tenendum eidem Alano & vxori eius, & hæredibus de corporibus ipsorum Alani & E. procreat̄, de capitalibus dñis feodorum illorum imperpetuum, faciendū inde omnia seruitia, quę ad p̄d̄ict̄ tenement̄ pertinerent, & p̄d̄ictus A. & hæredes sui war̄ eisdem Alano & E. & hæredibus suis p̄d̄ictis, omnia p̄d̄ict̄ tenementa cum pertinentijs, p̄ p̄d̄ict̄ seruitia contra omnes gentes imperpetuū, & si contingerit quod p̄d̄ict̄ A. & E. obirent sine herede de corporibus ipsorum Alani & E. p̄creat̄, de capitalib⁹ dominis feodorū illorū imperpetuum faciendū, inde omnia seruitia quę ad p̄d̄ict̄ tenementa p̄tinent: & p̄d̄ict̄ A. & heredes sui war̄ eisdem Alano & E. & heredibus suis p̄d̄ict̄ omnia p̄d̄ict̄ tenementa cum pertinentijs per p̄d̄ict̄ seruitia contra omnes gentes imperpetuum, & si contingeret quod p̄d̄icti A. & E. obirent sine herede de corporibus ipsorum Alani & E. procreat̄, post decessum ipsorū Alani & E. p̄d̄ict̄ tenementa cum pertinentijs ad p̄d̄ictum Adam & heredes suos integre reuenterentur quita de alijs hæredibus ipsorum A. & E. imperpetuum: Ac iam ex insinuatione Anthonij de L. & I. consanguineorum & hered̄ p̄d̄ict̄ Adę accepimus, quod p̄d̄ict̄ Alanus & E. iam obierunt, & quod Iohannes filius & hęc esorundem Alani & E. obiit sine hered̄ de corpore suo procreato, & etiam Wilhelmus filius p̄d̄ict̄ Alani & E. & frater & heres p̄d̄ict̄ Iohannis iam obiit sine herede de corpore suo p̄creato, & quod quedam Iohanna, quę fuit vxor Iohannis de W. p̄d̄ict̄ manerium de B. cum pertinēn̄ ingressa est, & illud tenet contra form̄ finis p̄d̄ict̄. Et ideo tibi preceperimus, q̄ p̄ bonos & legales homines de comitatu suo scire faceres p̄d̄ict̄ Iohannę, qđ esset coram Iusticiarijs nostris apud Westm̄ à die Sancti Michaelis in quindecim dies proxim̄ p̄terito, ostensura si quid pro se haberet vel dicere sciret, quare p̄d̄ict̄ manerium de B. cum pertinēn̄, p̄d̄ict̄ Anthonij & I. consanguineis & hæred̄ p̄d̄ict̄ Adę reuerti non deberent, si sibi vidisset expedire, ac p̄ eo quod idē I. postea in eadem cur̄ n̄ra dixit quod p̄d̄ict̄ Anthonius sequeretur executionem finis p̄d̄ict̄ de medietate p̄d̄ict̄

prædicti manerij de B. cum pertinentijs, versus prædictam Iohannam: Eadem Iohanna venit in eadem Curia & dixit, quod ipsa tenet prædictum manerium de B. cum pertinentijs p nomen manerij de R. ex dimissionē N. de C. & quod reuersio inde post mortem eiusdem Iohannæ ad prædict. N. spectat, sine quo non potest prædict. Antonio de prædict. medietate manerij præd' respondere, & petit auxilium de ipso Nicholao. Et ideo tibi præcipimus, quod per bonos &c. scire facias prædicto N. quod sit &c. apud Westm̄ a die &c. ad respondend' præfat. A. simul cum prædicta Iohanna de prædicto placito si voluerit. Et habeas ibi nomina &c. Teste &c.

Cum quidem finis leuasset in Curia dñi E. nuper Regis Angliæ aui nostri xv. termino Triñ, anno &c. coram A. & socijs suis tunc Iusticiarijs ipsius aui nostri itinerantibus, apud E. inter B. quer' & C. de fore', de decem libras reddit' cum pertinentijs in B. in manerio de S. in Comitatu E. vnde placitum conventionis sum̄ fuisset inter eos in eadem Curia, sc. quod præd. C. recogn' tenem̄ra præd' cum p'tinen', vt in dominicis, reddit' &c. & omnibus alijs rebus ad præd' ten̄ta p'tinen' esse ius ipsius B. Præterea idem C. dedit & concessit prædict' B. quinq; marc' reddit' cum p'tinentijs in A' in Comitatu S. & totum manerium de D. cum p'tinentijs in eodem Com̄ vt in dominicis: habend' & tenend' eidem B. & E. vxor eius, & hæred' de corporibus ipsorum B. & E. exuntibus, de capitalibus dñis feodi illius imperpetuum, faciend' inde omnia seruit' que ad præd' ten̄ta pertinerent: Et præd' C. & hæred' sui warrant' eidem B. & E. & hæred' suis prædict', omnia prædict' maner' cum suis p'tinen' per præd' seruitia contra omnes gentes imp'petuum: Et si contingat quod præd' B. & E. obierint sine hæred' de corp' ipsorum B. & E. procreat' tunc post decessum præd' B. & E. præd' tenem̄ cum p'tinentijs ad præfat. C. & hæred' suos integre reuerterentur quiet' de alijs hered' ipsorum B. & E. imperpetuum: Ac iam ex insinuatione R. & K. consang' & hered' præd' C. accepimus, quod præd' B. & E. iam obierunt, & quod I. filius & hæres eorundem B. & E. obiit sine hærede de corpore suo p'creato, & etiam W. filius prædict' B. & E. frater & hæres præd' I. iam obiit sine hærede de corpore suo exeunt'. Et quod quædam I. que fuit vxor I. W. prædict' maner' de D. cum pertinentijs modo ingressa est, & illud tenet contra formam finis præd'. Et ideo tibi præcipimus, quod per probos &c. scire fac' præfat. I. quod esset coram &c. tali die ostensur' si quod &c. quare prædict' manerium cum pertinentijs, prædict' R. & K. consanguin' & hæred' prædicti C. reuerti non deberet, si sibi vidisset expedire, ac pro eo quod idem K. postea in eadem Curia nostra ven' & dic' quod præd' R. sequeretur executionem finis præd' de medietat' manerij præd' de D. cum p'tin' versus præd' I. eadem I. tali die ven' in ead' cur' nostr', & dicit q'

Scire facias
sur ayde.

Fines and Concords.

ipfa tenet maner' p̄d de B. cum p̄iñ p̄ noñ manerij de R. ex dimiffiõn N. C. & quod reuerfio inde per mort' p̄d I. ad p̄diõ' N. (pect', fine quo non potest p̄d' R. de p̄d' medietate manerij p̄d' respondere, & petijt auxilium de ipfo N. Et ideo tibi p̄cipim', quod p̄ p̄bos fcire facias p̄fat' N. quod fit &c. ad respondend' p̄d' R. simul cum p̄d' I. de p̄d' placit' fi voluer'. Et habeas &c.

Mittimus del transcript del fine, et Scire facias inde.

Scire facias for the heire of him in the remainder against the terre tenant.

Seuerall Scire fac' into seuerall counties vpon one fine.

Scire facias for him in the rest.

Render to the husband and wife, & to the heires of the body of the husband.

Rem. in tail.

Rem. to the eight heires.

Dominus Rex mand' Iusticiarijs suis hoc breue suum clausum in hec verba. Edwardus &c. (*recitand' totum breue.*) tenor p̄d' finis vnde in breue p̄d' fit mentio, (*vel sic*) Transcript' p̄d' finis, vnde in breue p̄d' fit mentio, sequitur in hec verba. Hæc est finalis concordia' &c. *recitand' totum &c.* Et modo scz. tali die isto eodem termin' venit hic in Cur' A. ex parte p̄d'ict' T. & dicit quod p̄d' R. mortuus est, & similiter q' p̄d' W. obiit sine hered' masculo de corpore suo p̄creat', & quod I. in vnum mes. &c. cum p̄iñ, quæ sunt parcel' manerij p̄d'ict', modo ingressus est, & il' tenet contra form' finis p̄d'ict'. Et petit breue Vic' S. dirigend', ad p̄muniend' p̄d'ict'. I. essendi hic ostent. si quid &c. quæ ead' messuag' &c. cum p̄iñ, q' d'ictus T. clamat in form' p̄d', post mortē p̄d'ict' W. p̄f. T. consang' & hæred' p̄d' R. remanere non debēt iuxta form' finis p̄d'ict', eo q' p̄d'ict' W. mortuus est sine hered' masc' de corpore suo p̄creato, & ei conceditur returnabil' hic tali die, *vel sic*, Et p̄separalia b̄ria, viz. vnum vicec' d'icti com' B. aliud Vic' N. tertium Vic' H. dirigend', ad p̄muniend' eundem. I. essendi hic, ostensur' &c.

Præcept' fuit Vicecom', cum quidam s̄iñ leuasset in Cur' dñi reg. &c. die &c. anno &c. cor' &c. Iusticiarijs ipsius p̄genitoris dñi regis nunc de Banco, inter W. & I. vxor' eius querent', & I. E. defore' de vñ messuag' &c. cum p̄iñ in L. vnde placitum conventionis sum'm fuisse, inter eos in ead' curia, scil. quod p̄d'ict' W. recogn' ten'ta p̄d'ict' cum p̄iñ esse ius ipsius I. vt illa quæ idem I. habuisset de dono p̄d'ict' W. & p̄ illa recognitione fine & concordia idem I. concessisset p̄d'ict' W. & I. p̄d'ict' cum p̄iñ, & illa eis reddidisset in eadem Cur', habend' & tenend' eis d' W. & I. & hæredibus ipsius W. de corpore suo p̄creat', de capitalib' dñis feodi illius p̄seruitia quæ ad p̄d'ict' tenement' pertinerent imperpetuum, & si contingat quod idem W. obiret sine hærede de corpore suo procreat', tunc post decessum ipsorum W. & I. p̄d'ict' tenementa cum pertinentijs integre remanerent I. filio eiusdem W. & hæredibus de corpore suo procreatis tenend' de capitalibus dominis feodi illius per seruitia, quæ ad p̄d'ict' tenementa pertinerent imperpetuum. Et si contingat quod idem I. obiret sine hærede de corpore suo p̄creato, tunc post decessum ipsius I. p̄d'ict' tenementa cum pertinentijs integre remanerent relictis hæredibus ipsius W. tenend' de capitalibus dñis feodi &c. vt supra. Ac iam ex insinuatione T. consang' & hæred' p̄d'ict' I. fil' W. acceperat Rex quod idem

idem W. mortuus est sine herede de corpore suo pcreat, & quod præd' I lam obiit, & quod quidam A. tēta prædicta cum priñ, modo ingressus est & ea tenet contra formā finis p'd', Et quia &c. quod p p'bos &c. Scire facias præf. A. quod esset hic ad hunc diem &c. ostensur si quid &c. quare p'd' tēta cum priñ, quæ ipse tenet in formā præd', post mortem præd' W. & vxor' eius p'f. T. ut consang' & hæred' præd' I. fil' W. remanet nō debent iuxta formā finis præd', si &c. eo quod præd' W. obiit sine hærede de corpore suo exeunt &c. Et modo hic ad hunc diem venit tam præd' T. per A. atturnatū suum quam p'd' A. p S. atturnatū suum, & vicecoñ mandauit quod preceperat I. L. balliuo libertatis &c. cui &c. qui idē vic' sic respond', quod scire fecit p'fat' A. essendi hic ad hunc diem, ostensur in formā p'dict' p T. & G. p'bos &c. Et super hoc præd' T. dicit, q' ipse est consang' & hæres præd' I. fil' W. viz. fil' I. fil' ipsius I. fil' W. &c. et petit versus p'f. A. executionem &c.

Et super hoc, prædict' W. H. dicit quod præd' W. frater G. in fine p'd' Cousinage. nominaf apud S. in Coñ N. quandam E. P. ad ipsam in vxor' ducend': eademque E. ipsum W. ad eum in virū habend', insimul affidarunt: Et post banna inter eos p tres dies festiuos à se distantes in ecclesia &c. publice pclam', fuer' desponsalia inter eos in facie ecclesiæ illius solem' celebrat', infra quæ desponsalia, ijdē W. & E. habuerunt exit' inter se T. apud H. in eodem coñ N. genitum & natum. Qui quidem T. apud T. in coñ N. in ecclesia sanct' A. ibid' duxit in vxor' quandam N. ijdemq; T. et N. post sponsalia inter eos ibid' celebrat', habuerunt exit' inter eos quandam H. ibid' genitum & natum, ac idem H. apud dictā villam N. in eod' coñ in præd' ecclesia &c. duxit in vxorem quandā I. ijdemque H. & I. post sponsalia inter eos ibid' celebrat', habuerunt exitum inter eos p'd' W. H. qui nunc sequit' genitū & natum, et sic idem W. H. qui nunc sequitur dic' quod ipse est consang' & hæres p'd' W. fratris G. de corp' ipsi' W. fratris G. p'f, viz. fil' præd' H. fil' dicti T. fil' eiusd' W. fratris G. & petit versus prædict' R. S. scñ &c. execu' &c.

Præc' fuit vic' cum quidam finis leuasset in curia domini E. nup Regi; Fine leuied to
one by agar-
dein. Angl' &c. in oct' &c. anno &c. coram &c. per breue ipsius nuper Regis inter S. P. & I. vxor' eius & S. fil' eorundem S. & I. quef p E. custodem ipsius S. fil' eorundem S. P. & I. ad lucrand', & W. P. personam eccles. de T. & I. H. capellan' deforc', de duobus mesluagijs &c. cum pertiñ in T. S. & W. vnde placif. conuencionis suñ fuit inter eos in eadem Curia, sc. quod præd' S. P. recogn' tenementa prædict' cum pertiñ' esse eius ipsi' W. ut illa quæ ijdem W. & I. tunc habuerunt ex dono p'dict' S. P. & pro eadem recognitione, sine & concordia, ijdem W. & I. concess. predict' S. P. & I. & S. filio eorund' S. & I. præd' tenementa, cum pertiñ, & illa eis reddiderunt in eadem Curia, Habend' & tenend' eisd' S. P. & I. & S. filio
eorum.

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eorundem S. & I. & heredibus ipsius S. filij eorundem S. & I. de corpore suo procreat, de capitali dñis feodi illius per seruitia quæ ad prædicta tenementa pertinerent imperpetuum, & si contingeret quod idem S. filius eorundem S. & I. obiret sine herede de corpore suo procreat, tunc post decessum ipsorum S. & I. S. filij eorundem S. & I. prædicta tenementa cum pertinentiâ integre remanerent heredibus masculis de corporibus ipsorum S. & I. exeuntibus, tenendâ de capitali dominis feodi illius per seruitia, quæ ad prædicta tenementa pertinerent imperpetuum, & si nullus heres masculus de corporibus ipsorum S. P. & I. foret procreatus, tunc prædicta tenementa cum pertinentiâ integre remanerent M. sorori prædicti S. filie prædicti S. & I. & heredibus de corpore suo procreatis, tenendâ de capitali dñis feodi illius per seruitia quæ ad prædicta tenementa pertinerent imperpetuum, & si contingeret quod eadem M. obiret sine hæredibus de corpore suo procreatis, tunc post decessum ipsius M. prædicta tenementa cum pertinentiâ integre remanerent I. sorori eiusdem M. & heredibus de corpore suo procreatis, tenendâ de capitali dñis feodi illius per seruitia quæ ad prædicta tenementa pertinent imperpetuum, & si contingeret quod eadem I. obiret sine hæredibus de corpore suo procreatis, tunc post decessum ipsius I. prædicta tenementa cum pertinentiâ integre remanent heredi prædicti S. P. tenendâ de capitali dominis feodi illius per seruitia quæ ad prædicta tenementa pertinent imperpetuum, ac iam ex insinuatione I. A. consanguinei & heredi prædicti M. de corpore suo procreato, acceptat Rex, quod prædicti S. P. & I. mortui sunt sine hæredibus masculino de corporibus suis procreatis, & prædicti S. filius prædicti S. & I. mortuus est sine hæredibus de corpore suo procreatis, quod quæ prædicti M. similiter obiit, & quod quidem R. L. & alij, meum &c. prædicti cum pertinentiâ modo ingressi sunt, & illa tenent contra formam finis prædicti, & quia &c. scire faciunt prædicti R. L. & alij, quod essent hic ad hunc diem, scilicet a die &c. ostensurum, si quid &c. quare meum prædicti cum pertinentiâ que ipsi tenent in forma prædicti, post mortem prædicti S. P. et I. S. &c. ac prædicti M. prædicti I. A. consanguinei et heredi ipsius M. de corpore suo procreato, remanere non debeant iuxta formam finis prædicti, eo quod prædicti S. P. & I. mortui sunt sine hæredibus masculino de corporibus suis procreatis, & prædicti S. filius prædicti S. & I. mortuus est sine heredibus de corpore suo procreatis, si &c. Et modo hic ad hunc diem veniunt tam prædicti I. A. per T. B. attornium suum, quam prædicti R. L. & alij per I. K. attornium suum, & viciniam mandatum quod scire fecit eisdem R. L. & alijs essendi hic ad hunc diem, ostensurum in forma prædicti per I. C. & alios probos &c. super quo idem I. A. dicit quod ipse est consanguineus & heredi prædicti M. de corpore suo procreato, videlicet filius I. filii W. filii S. filii prædicti M. Et petit executionem de tenementis prædicti sibi adjudicare &c. Et prædicti R. L. & alij dicunt, quod ipsi non possunt deditur finem prædicti, nec quin prædicti S. P. per finem illum recognoscant tenementa prædicti cum pertinentiâ esse ius prædicti W. P. ut illa quæ idem W. ac prædicti I. tunc habuerunt de dono prædicti S. P. nec quin per eadem recognoscant, sine & concordia iudicis W. & I. per finem illum concesserit tenementa illa, tenendâ prædicti S. P.

Scire facias for
the heire of
him in the
Rem.

Confession of
the fine.

P. & I. S. fil' eorund' S. & I. et illa eis reddiderunt in eadē Curia, habend' & tenend' eisdē S. P. & I. & S. filio eorund' S. & I. & her' ipsius S. fil' eorundem S. & I. de corpore suo proci. Ita quod si contingeret, q' idem S. fil' eorund' S. & I. obiret sine hered' de corpore suo p'creat, tunc post decessum ipsos S. P. & I. & S. fil' eorund' S. et I. p'cedit' tehta cum p'tiā integre remanet hær' mascul' de corporibus ipsorum S. P. & I. exeunt, & si nullus hær'es masculus de corporibus ipsorum S. P. & I. foret p'creat, tunc tehta p'dict' cum p'tiā integre remaneret p'tat' M. sorori p'cedit' S. fil' p'cedit' S. P. et I. & hered' de corpore suo p'f, nec quin p'ced' S. P. & I. mortui sunt sine hered' masulo de corporib' suis p'cr', nec quin p'ced' S. fil' p'cedit' S. P. et I. mortuus est sine hered' de corpore suo p'creat, nec quin p'ced' M. similiter mortua est, nec quin p'ced' I. A. est contanguin' & hær'es p'cedit' M. in foriū qua idem I. A. superius supponitur, sed omnia & singula p'missa bene concedunt. Ideo cons. est q' p'ced' I. A. habeat executionem versus p'cedit' R. L. & al' de tenementis p'cedit' cum pertinent' &c.

Judgement
dauet execut.

Et modo hie ad hunc diem venit tam p'cedit' E. in propria persona sua, quam p'ced' T. B. per W. aturnatum suum, Et vic' mand' quod scire fecit &c. Et super hoc p'ced' E. dicit, quod ipse est consanguin' & hær'es p'cedit' E. videlicet fil' R. fil' I. fil' A. fil' W. fratris R. patris ipsius E. & petit versus p'cedit' T. B. execut' &c. Et p'ced' T. dicit, quod p'ced' E. executionem &c. virtute finis p'ced' versus eum habere non debet, quia dicit quod quidam R. pater ipsius R. patris E. quandam I. R. ad eam in vxor' ducend', ac eadem I. ipsum R. ad eum in virum captend', apud R. in Comitatu N. ad inuicem affidarunt, Et post modum bannis inter ipsos per tres dies festiuos a se distantes in Ecclesia Parochiali de R. solemniter proclām, cæterisque concurrent' in ea parte canonice requisitis, sponsalia inter eosdem R. & I. in facie Ecclesiæ eiusdem fuerunt legitime ac solemniter celebrat', infra quæ sponsalia ijdem R. & I. apud R. p'cedit' habuerunt exitum inter eos ibidem genitum & natum p'cedit' patrem p'cedit' E. ac quendam S. medium, & post ipsius S. natiuitatem, p'cedit' W. in sine p'ced' nominat', ipso W. iunior', cui p'cedit' E. se facit consanguin', & hær', & p'dict' R. pater R. & I. postea obier', & p'cedit' R. fil' R. fil' R. habuit exitum ibidem p'cedit' E. & obijt, ipsaque E. postea obijt sine herede de corpore suo exeunte, dicto W. E. viro suo in dicto sine nominato ipsam superuivente, & ipse W. postea obijt, post cuius mortem p'cedit' T. & M. in p'cedit' messuagium &c. in p'cedit' villis de E. & M. intrauerunt vt in remanere suo p'cedit', & inde seisiiti fuerunt in dominico suo vt de feodo talliato virtute finis p'cedit' & obierunt sine hered' de corporib' suis exeunt, post quorum mortem, quidam I. R. vt consanguin' & hær'es p'd E. viz. fil' S. fratris R.

Sci. se. return'

Cofinage al-
leaged.

Barre que au'
fuit heir' que
estate il ad.

patris

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patris prædicti E. in tenent illa cum p̄t̄n̄ intrauit, & inde fuit seifit in domino suo vt de feod' virtute finis p̄d̄, cuius quidem I. R. statum p̄d̄ T. B. modo habet in eisdem, Et hoc &c. vnde p̄t̄ &c. si execuc' &c.

Cofnage
maintaine: 5

Et p̄d̄ E. dicit, q̄ ipse ab executione mess. &c. in p̄d̄ villis de E. & M. versus p̄f. T. hēd̄, per aliqua p̄allegata, excludi non debet. Quia dic' q̄ diu ante p̄d̄ sponsalia int̄ p̄f. R. patrem R. & I. R. vxor eius celebrata, idē R. pater ipsius R. ipsam I. ad eam in vxor' ducend' ac eadem I. ipsum R. ad ipsum in virum captend' apud M. in p̄d̄ Coñ B. ad inuicem affidarunt, ac concurrentib' omnib' & singulis de iure in ea parte canonice requisit. sponsalia inter ipsos R. & I. in facie ecclesie &c. fuerunt solemniter ac legitime celebrata, infra quæ sponsalia, p̄d̄ R. pater R. & I. vxor' eius apud p̄d̄ villam de M. habuerūt exitū inter se, viz. patrem p̄d̄ E. & p̄d̄ W. in fine p̄dicti nominatū filium suum medium, cui p̄d̄ E. se facit consang' & hæf, & p̄dict' S. fil' suum iuniorem, Abtq; hoc q̄ p̄d̄ S. fuit fil' p̄d̄ R. patris R. & I. vxor' eius seniof p̄d̄ W. p̄t̄ p̄d̄ T. B. superius allegauit. Et hoc &c. vnde p̄t̄ iudicium & executionē &c. Et p̄d̄ T. B. dicit q̄ p̄d̄ S. fuit fil' p̄dicti R. patris R. & I. vxor' eius seniof p̄d̄ W. in forū qua ipse superius allegauit. Et de hoc &c. Et p̄dictus E. similiter, & quia Iustic' hic nondum auisantur, an dicitur exitus placiti p̄d̄ triari debet p̄ homines de visu de M. in dicto Comitatu E. vel p̄ homines de visu de R. in dicto Comitatu W. aut p̄ homines de vno visu & alio, dies datus est partib' p̄d̄ ad audiend' iudicium suum, hic in octabis Hill' &c.

Venue.

Cofagne alle-
ge in sei. fac'.

Et super hoc p̄d̄ W. L. dicit quod ipse est consang' & hæres p̄d̄ M. videlicet fil' I. fil' I. fil' I. fil' ipsius M. geniti & nati apud T. in Comitatu N. inter I. L. de T. quondam virum p̄dicti M. & ipsam M. post sponsalia inter eos ibidē celebrata, & petit versus p̄d̄ W. & A. execuc' &c. Et p̄d̄ W. & A. non cogñ aliqua in breui p̄d̄ p̄ p̄d̄ W. L. p̄allegata contenta, ac protestando quod ipsi ad genitū & natiuitatē p̄d̄ I. fil' M. tam suspecta extra modum & tempus superius allegat' necesse non habent nec per legem terræ tenentur r̄ndere, protestand' etiam quod p̄d̄ M. primo cepit in virum quēd' I. L. de M. qui quidem I. & M. habuerunt exitum inter eos quēd' I. idemque I. postea obiit sine hæf male' de corpore suo & corpore p̄d̄ M. procreat', pro plac' dic' quod p̄d̄ W. vt consang' & hæf p̄d̄ M. execuc' p̄d̄ manerij de W. cum p̄t̄n̄, vnde &c. virtut' finis p̄d̄ versus eos habere non debet, quia dicit, q̄ diu post mortē p̄d̄ I. L. de M. & ante aliqua sponsalia inter p̄d̄ I. L. de T. & M. habi' seu celebrat', tam I. de H. p̄f. M. ad ipsam in vxor', quā ead' M. ad ipsum I. ad eum in virum habend', apud C. in Coñ S. infimul affidarunt, ibidemq; post banna inter eos in eccel' &c. per tres dies festiuos à se distant' solē proclām, fuerunt desponsalia inter ipsos I. de H.

&c

& M. in facie eiusdem Ecclesiæ celebrat, & ipsi ibidem legitimo matrimonio copulati, infraque desponsalia tota vita ipsius I. de H. ibidē continuata, & ante aliqua sponsalia inter præf. I. L. de T. & M. habiit leu celebrat, prædict I. de H. & M. habuerunt exitū inter eos quendam N. apud C. prædicti genitum & natum, & finem prædicti in forma prædicti leuauit, & prædicti A. quæ fuit vxor W. postea obiit, post cuius mortem prædicti I. de H. & M. fuerunt seisis de prædicto manerio de W. cum pertinentijs in dominico suo vt de feodo talliato, feodo & iure simplici in psona ipsius M. quiescente virtute ipsius finis prædicti, & de tali statu inde obierunt seisis, & de ipsis I. de H. & M. descendit idem manerium de W. cum pertinentijs eidem N. vt fil' & hæred' ipsorum I. & M. Qui quidem N. in manerium illud cum pertinentijs intrauit, & inde fuit seisitus in dominico suo vt de feodo talliato feodo & iure simplici inde in persona ipsius N. vt fil' & hered' ipsius M. quiescent' per formam finis prædicti, & habuit exitū quendam H. apud C. prædicti genitum, & obiit, & de ipso N. descendit prædicti manerium de W. cum pertinentijs vnde &c. eidem H. vt fil' & hæred' eiusdem N. qui quidem H. in manerium illud cum pertinentijs intrauit, & inde fuit seisitus in dominico suo vt de feodo talliato, feodo & iure simplici inde in persona ipsius H. quiescente per formam finis prædicti, & sic inde seisitus feoffauit quosdam I. & E. &c. de eodem manerio cum pertinentijs, habend' eis, & hæred' suis imperpetuum, virtute cuius &c. in feod', quorum quid' I. &c. statum prædicti W. & A. modo habent in eodem manerio &c. & hoc &c. vnde petit iudicium si prædicti W. L. executionem eiusdem manerij de W. cum pertinentijs, virtute finis prædicti versus eos habere debeat &c. Et prædicti W. L. non cogn' aliqua per præf. W. & A. præallegat esse vera, immo minus vera & imaginata, & protestando etiam quod genit' & natiuitas prædicti I. L. fil' M. p ipsum W. L. in dicta declarac' sua de consanguinitate quo modo est consang' & hæres ipsius M. contenta sunt & fuerunt vere & legitime & non suspectiue allegata, prout per diuersa recordat' tam in Cancellar' coram Cancellario, & in Scaccario coram Barronibus, quam in Thess. domini' Regis inter recorda de placit' armorum coram nuper Constabulario Angli' tencis residen', necnon & quamplura euidencia, munimenta vera, iusta & sufficien', ac pro talibus in lege approbata & confirmata plene liquet, Pro plac' dic', q' ipse ab executione dicti manerij de W. cum pertiñ virtute finis pred' habend' per aliqua per præf. W. & A. inde præallegat, excludi non debet, quia dicit quod pred' I. L. de M. & pred' I. L. de T. fuerunt vna & eadem persona & non diuerse persone, & qd idem I. tota vita sua, tam per nomen I. L. de T. quam per nomen I. L. de M. nominatus & cognitus fuit, quodque dict' sponsal' inter præf. I. L. de T. & M. concurrentibus prius, q' in ea parte de iure canonice requirebant, apud præd' villam de T. in facie Ecclesiæ parochialis eiusdem villæ.

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ville fuer̄ solemniter celebrata infra quę sponsalia ijdem I. L. & M. habuer̄ exitum inter se predict̄ I. L. fil' et hered̄ pred' M. ibid' genitum & natum, in forma qua pred' I. L. per dictam declarac' consang' predict̄ supponitur, quę quidem sponsalia inter ipsos I. L. & T. M. sic celebrat̄ ibidem continuat̄ fuer̄ tota vita eiusdem I. et post mortem eiusdem I. prædict̄ M. cepit in virum pred' I. de H. absq; hoc quod pred' desponsalia inter præfat̄ I. de H. et M. per præd' W. et A. præallegat̄ habita seu celebrata fuerunt ante dicta sponsalia inter predict̄ I. L. de T. et M. celebrat̄ p̄ur ijdem W. & A. superius allegarunt, et hoc &c. vnde petit iudicium si executionem &c. Et præd' W. et A. dicunt, quod prædicta desponsalia inter pred' I. de H. et M. per prædict̄ W. et A. præallegata, habita & celebrata fuerunt ante dicta desponsalia inter prædict̄ I. L. de T. et M. celebrata in forma qua ijdem W. et A. superius allegat̄, & de hoc poñ &c. Et præd' W. similiter, Ideo præc' est tam vic' N. quam vic' S. quod &c.

Barre que le demandant fuit nec hors des espousals.

Et præd' P. dic', quod præd' W. execut' versus eum habere non debet quia dicit quod, vbi præd' W. per breue suum predict̄ supponit et asserit se fuisse filium et hæredem præd' T. idem W. natus fuit extra omnia sponsalia, & hoc paratus est verificare, vnde petit iudicium si predict̄ W. vt filius & hæres predict̄ T. seu alterius cuiuscunque &c. verius eum habere debeat &c. Et prædict̄ W. dicit quod prædict̄ T. pater suus habuit quandam vxorem sibi desponsat̄ A. nomine, de qua ipse natus fuit infra sponsalia inter eos T. & A. celebrata, et hoc paratus est verificare, vnde petit iudicium si &c. Et executionem sibi adiudicari &c. Et præd' P. dicit, vt prius, quod præd' W. natus fuit extra omnimoda sponsalia, et non infra sponsalia præd', p̄ur præd' W. superius allegauit. Et de hoc poñ se super patriam. Et prædict̄ W. similiter. Ideo duodecim &c.

Borne before mariage.

Et prædict̄ I. P. et A. non cogñ quod ipsi, qui fuerunt partes fini predict̄, nec aliquis eorum vnquam aliquid habuerunt vel habuit in testis & aduocation̄ in præd' sine content̄, dic' quod præfat̄ E. vt filius et heres præd' W. execut' de test̄ & aduocation' versus eos habere non debet. Quia dic' quod idem W. cepit in vxor̄ quandam M. quę quidem M. desponsata fuit eidem W. apud E. in Com̄ S. & ibidem desponsalia inter eos celebrata fuerunt, & dic' quod idem E. natus fuit apud C. in Com̄ S. ante desponsalia. Et hoc parati sunt verificare per patriam de predict̄ Com̄ S. & qualiter Curia hic conf. vnde petit iudicium si idem E. execut' de test̄ & aduocac' præd', vt fil' vt hæf præd' E. in hac parte versus eos habere debeat &c. Et pred' E. non cogñ aliqua per p̄d' I. P. & A. superius allegat̄ dic' quod ipse per aliqua p̄allegat̄ ab executione de test̄ & aduocac' præd' virtute finis præd' precludi siue repelli non debet, quia dicit quod p̄d' W. pater ipsius cepit in vxor̄ præd' M. viz apud M. in dicto

dicto Com̄ E. & ibid̄ desponsalia inter eos modo legitimo et secundum forum ecclesiasticum celebrat̄ fuerunt, et dicit quod ipse ibid̄ infra desponsalia alia inter ipsos W. & M. celebrata natus fuit et procf, & hoc &c. per patriā de pred̄ Com̄ E. & qualiter Cuf hic conf. vnde p̄f̄ iudicium et executionē &c. et p̄d̄ I. P. &c. dic' quod pred̄ E. natus fuit apud C. in pred̄ Com̄ S. ante desponsalia inter præd̄ W. et M. celebrat̄, et hoc vt prius parat' fuit verificare per patriā, et qualiter Cuf hic conf. &c. Et pred̄ E. dicit quod ipse natus fuit et procf̄ fuit infra desponsalia inter præd̄ W. & M. celebrata, videlicet apud M. in prædiō' Com̄ E. et hoc vt prius paratus est verificare per patriā de pred̄ Com̄ E. et qualitercunque cuf hic conf. & quia videtur Curiaē hic q̄ exitus placiti p̄d̄ per homines de vtroq; Com̄ pred̄ triari debet. Ideo p̄ec' est vtrifq; vicecom̄ Com̄ pred̄ quod vterque eorum venire faciat hic tali die, duodecim &c. per quos &c.

Triall.

Rex Io. ead' gratia L. Episcopo salutē, cum I. M. filius P. fratris G. B. in Curia nostra coram nobis p̄ quodd' breue n̄f̄ vnde sci. fac. quosd' I. A. & P. G. de quodam mess. cum pertiñ in F. implicauerit, ipsique I. A. & P. iuxta debi't premunic' virtute dicti breuis nostri sibi fact', coram nobis comparentes allegauerunt ipsum I. fore bastard', hoc pretendendo verificare, & quia huiusmodi causā cognitio ad forum mere spectat ecclesiast' vobis mandamus, quod vocat̄ coram vobis, quos in ea parte fore viderit̄ euocand', diligenti' inde faciat̄ inquisitionem, et plenariam veritatem inde per literas vestras sub sigillo vestro sigil' nobis in o'ia' &c. vbi cunq; tunc fuerimus in Angl', reddat̄ certiores, et hoc breue nobis nunc remittentes. Teste &c.

Briefe al euesq̄ to certifie bastardie.

Et modo hic ad hunc diem venit tam pred' I. B. per B. atturñ suum, quam prædictus I. H. in propria persona sua, & vic' mand' q̄ scire fecer̄ eid' I. H. essendi hic ad hunc diem &c. ostensur̄ in forñ pred' per N. B. &c. probos &c. et super hoc pred' I. E. petit versus pred' I. H. execut' &c. Et p̄d̄ I. H. dic' q̄ pred' I. B. execut' de mess. pred' cum priñ virtute finis pred' vertus eum habere non debet, qua dicit quod ead' I. fuit seisisa de eisdem messuag' cum pertiñ in dñico suo vt feodo talliario virtute finis illius, cuius quid' I. statū pred' I. H. modo habet in messuag' illis cum pertineñ, et sic dicit quod finis pred' executus fuit in persona pred' I. per seisinam suam virtute finis illius, & hoc paratus est verificare, vnde petit iudicium si pred' I. B. execut' mess. pred' cum priñ virtute finis pred' in forñ p̄d̄ executi in hoc casu versus eum habere debeat &c. et pred' I. B. dicit q̄ ipsa ab execut' mess. p̄d̄ cum priñ versus p̄f. I. H. habed̄ p̄ aliqua prealleg' excludi non debet. Quia dicit quod pred' I. non fuit seisisa de pred' mess. cum pertiñ virtute finis p̄d' in forma qua pred' I. H. superior allegauit, et hoc p̄f̄ quod inquirat̄ per patriam, & pred' I. H. similiter, Ideo 1. 2. &c.

Returñ Scire facias.

I. to whom the plain. maketh himselfe heir. was seised, whose estate the tenant hath.

Et

Fines and Concords.

Et pred' T. R. quoad octo ac' bosci cum pertinentijs in pred' villa de H. vnde executio modo secuta est versus eum, dicit quod prædict' R. vt H. qui fuerunt partes fini pred'; tempore leuationis eiusdem finis ante, seu, post, nihil habuerunt in eodem bosco cum pertinentijs vnde &c. vt de libero tenemento, immo quædam I. M. tunc fuit inde seifita in dominico suo vt de feodo, cuius quid' I. statum inde, pred' T. R. modo habet, & die impetrac' pred' breuis de Scire facias habuit in bosco illo cum pertinentijs, & hoc paratus est, verificare, vnde petit iudicium si pred' P. fil' P. executionem eorund' octo acrarum bosci cum pertineñ virtute finis prædict' in hoc casu vers. cum habere debeat &c. Et quoad præd' centum solidatos redditus cum pertinentijs in eadem villa de H. vnde executio similiter modo secuta est, idem T. vltcrius dicit, quod ipse non est inde tenens, perceptor neque deforc' redditus illius cum pertineñ, neque tenens teñtorum, vnde idem redditus illius cum præd' prouen, vt de libero tenemento, nec fuit die impetrac' præd' breuis de Scire facias aut vnquam postea, Et hoc paratus est verificare, vnde quoad reddit' illum cum pertineñ petit iudicium de breui &c. & pred' P. fil' P. quoad dictum redditum centum solid', dicit q' die impetrationis breuis sui de Scire facias, sc. die &c. anno &c. pred' T. R. fuit tenens vt de libero teñto de viginti acris terræ cum pertinentijs in pred' villa de H. vnde redditus ille cum pertinentijs prouenit. Et dicit quod idem T. tunc fuit deforc' eiusdem redditus cum pertinentijs vt de libero tenemento; prout per idē breue supponitur: Et petit suo periculo executionem eiusdem redditus cum pertinentijs versus eum audiciari &c. Ideo &c. quoad redditum illum cum pertinentijs, conf. est quod prædict' P. fil' P. habeat inde executionem suo periculo versus pref. T. R. virtute finis prædict' &c. Et quoad prædict' octo acras bosci, cum pertineñ, vnde &c. idem P. fil' P. dicit, quod tempore leuationis finis prædict', prædict' T. & G. qui fuer' partes fini illi, fuerunt seifiti de eodem bosco, cum pertineñ, vnde &c. in dominico suo vt de feodo &c. prout per eundem finem supponitur. Et hoc petit quod inquirat per patriam et pred' T. R. similiter, Ideo quoad hunc exitum 12. &c.

Scias quod conf. est in Curia nra &c. quod P. B. filius & heres P. B. habeat executionem versus T. R. de centum solid' redditus cum pertineñ in H. virtute cuiusdam finis inde leuat' in Curia domini E. quondam Regis &c. apud W. in oct' &c. anno &c. coram W. B. & socijs suis tunc Iusticiarijs eiusdem &c. de Banco inter R. &c. quef, & T. P. & B. vxorem eius deforc', de redditu præd' cum pertineñ, ac de alijs terris & teñtis in eodem sine contentis per defalt' &c. Et ideo tibi præcipimus, quod eidem P. de reddit' præd' cum pertineñ sine dilacione plena executionem & seifinam habere facias T. &c.

Scias quod conf. est in Cur' &c. quod R. filius & heres R. habeat seifinam

nam & execut' versus R. D. de manerio de A. cum pñ in com suo per defalt p̄dict R. virtute notæ cuiusdam finis nuper leuati in curia p̄dict R. nuper Regis &c. apud W. a die &c. anno &c. coram R. B. et locijs suis Iusticiarijs p̄dict nuper Regis de Banco, & postea in oct. &c. anno &c. ibidem concess. et recordat' coram eisdem Iusticiarijs et alijs eiusdem nuper regis fidelibus tunc ibi p̄sentibus, inter R. de A. &c. que et I. de S. et E. vxor eius desorciant, de manerijs de O. et R. cum pertinentijs in com N. et de p̄dict manerio de A. in comitat' tuo, et ideo tibi p̄cipimus, quod eidem R. fil' R. de p̄dict manerio de A. cum pertinen' sine dilacione plenar' seisinam et executionem habere facias. T. &c.

Habere facias seisinam sur recovery sur defalt in Scire facias.

Postea die et loco &c. venit R. W. infranominat' in propria persona sua et W.N. infranominat' solemniter exactus non venit, sed I. vxor eiusd' W. infranominat' in propria persona sua venit, et dicit quod mania infra specificat' sunt ius ipsius I. et quod ipsa parata est ostendere, quod p̄d' R. W. execut' de manerijs illis virtute finis infrascript' habere non debet, vnde ex quo venit ante iudicium redd' parata p̄f. R. inde respondet et ius suum defendet, p̄t' quod ipsa per defalt' p̄f. W. viri sui non amittat inde ius suum, sed q' admittat inde ad defensionem iuris ipsi' I. Ideo &c.

Receite of a feme couert vpon her husbands default

Certaine cases of the nature and forme of a Scire Fac. vpon a fine.

A p̄d a Scire fac' to execute a fine, must agree with the fine, & then it is not materiall, if one thing be twice demaunded thereby, as a manor, and a hundred parcell of the same manor, 27. H. 8. 2.

Secd. 179. Surplusage.

A Scire facias may be sued vpon the note of the fine, before it be ingrossed by the Chirographer, 22. H. 6. 13.

Vpon the note

But of a fine leuied before time of memorie, a man shall not haue execution by Scire facias, 1. E. 4. 6. Contr' 16. H. 7. 9.

A fine before memorie.

Where a fine executory is leuied of a Seigniorie, if the land of the heat or the tenant be foreiudged &c. the Cognizor shall haue a Scire facias of the land in lieu of the seruices, 48. E. 3. 11.

Of land in lieu of the seruices.

A Micimus maketh no mention whether the fine be ingrossed or no, but; cum quidam finis leuasset &c. 22. H. 6. 13.

If a fine be leuied to A. in taile, the remainder to B. in taile, the remainder to C. in fee: And the record is sent into the Chancery, and the first tenant in taile dieth without issue, and the record commeth backe into the Bench by Micimus, at the suit of him in the first remainder, and thereupon he had a Scire facias to execute the fine, and died without issue before execution had, he in the remainder in fee shall not hereupon haue a Scire facias, without a new commandement, because the record was once out of the Court, and came againe at the suit of him in

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the first remainder, vnto whō he in the remainder in sē is an estrang. yet thistue of him, which remoued the record, in this case might haue a Scire facias, without any new commaundement, because he is pziue, 14.H.7.16. 9.E.4.15. 11.E.4.13.

If to sue a Scire fac' to execute a fine, and the one dieth, the suruiuoꝝ shall haue a Scire fac' without any new commaundement, 1.E.4.13.

But if diuers persons, as heires vnto A.B. pray a Scire fac' it is not grantable, vntill they haue sued seuerall writs to the Iustices of the bench, commanding them to make execution, 11.E.4.13. T.21.E.4.

Cement cosin & heire.

In a Scire fac' to execute a fine, as cosin and heire to him in the remainder oꝝ reuerſion, after the death of the particular tenat, the plaintife needeth not to shew how cosin and heire, so long as the plea hath continuance, by Idem dies &c. giuen to the tenant, noꝝ at his appearance, noꝝ vntill the plaintife pray execution: And then the cement cosin & heire, is to be entred thus in the Roll only: Et predictus I. dicit quod ipse est consanguineus & heres I. W. videlicet, filius, et heres T. W. fratris & heredis eiusdem I. W. 33.H.6.54. 41. Ed.3. 13. & 24.8. H.4.21.

Bastardy.

In Scire fac' by him in the remainder vpon an estate taile vers A.B. supposing the donee to be dead without issue, if A.B. plead that he is issue to the donee, and the plaintife replieth that he is a bastard, it is a good replication, 40.E.3.16.

vpon estate executed.

Scire facias vpon a fine leuted to W. R. & W. and to the heires of the bodie of R. the remainder to the right heires of the said W. T. died, and R. died without issue, and W. suruiued and died, his heires need no Scire facias to execute this fine, because it is executed in his life, by the vniou of the fee and frank tenement in W. 40.E.3.20. And so if a fine be leuted to a baron and feme, and to W. & his heires, and he dieth, and then y baron and feme do die, the fine is executed foꝝ one moitie in the life of W. Fitzh. Scire facias 19.43.E.3.9.24.E.3.57.

Ayde.

Tenant foꝝ life in Scire facias had aide of him in remainder, 41.E.3. fol. 16. & 20. 22.E.3.12.

Death shewed.

In Formedon in reuerſer oꝝ remainder, the demandant must mention the death of euerie one, which had estate and suruiued his ancestor, but not so in a Scire facias sur fine, 42.E.3.19.

Seuerall estates.

If the plaintife haue seuerall estates, created by one fine, he needeth but one writ of Scire fac' 43.E.3.11. though it be of seuerall things against seuerall tenants, 11.H.4.15. 21.E.3.14. 24.E.3.25.

Default.

If in a Scire facias the Sberife returne, the pattie summoned, and he appeare not, execution shall be awarded, 43.E.3.13.

Reuerſion.

If a fine sur cognisance de droit come ceo &c. be leuted of a reuerſion by the name of the land, it is not executed, 43.E.3.15.

If the seruices escheat after a fine leuied of the seignioꝝ, the Cognizæ shall haue execution of the land escheated, 48. H. 3. 11. Seignioꝝ

A Scire facias lieth sometimes of things not comprised in the writ: as if in a fine sur releas, the Cognizæ render rent in taile, 48. Ed. 3. 8. Of things out of the writ.

If land be giuen by fine for life, the remainder to baron and feme in taile, and the Baron dieth, and then the tenant for life dieth, and the feme entrech, the fine is executed, so as their issue needeth no Scire fac' 49. E. 3. 12. Execution by entry of him in remainder.

Scire facias lieth for the donoꝝ in taile against any that abateth after the death of the donoꝝ in taile by fine without issue, 22. E. 3. 12. Of a reuersion

Upon generall Nontenure pleaded, the plaintife may take execution at his perill: But speciall Nontenure seemeth a good plea, 7. H. 6. 25. Nontenure generall or speciall.

A man shall not haue execution vpon nihil returned, because the tenant may be summoned in the land demanded, 24. E. 3. 25. Nihil returned

If a fine be leuied to husband and wife in taile, the remainder to his right heires, and they hauing issue, the husband dieth, the wife hath issue by another husband and dieth, the issue by the first husband entrech and dieth without issue, and his next heire entrech, as into the remainder in s^c, against whom the issue by the second husband byingeth a Sc' facias, and recouereth by reason that the s^c could neuer execute in possession in the elder brother, during the state taile, 24. E. 3. 30. and 62. Demy sank:

Ffeoffment with warrantie from the plaintifes ancestoꝝ, is a good plea in Scire facias vpon a fine, 2. H. 6. 39. Ffeoffment.

The heire shall haue his age in Scire facias Com^o Westm 2. cap. 45. 24. E. 3. 28. and 60.

What fines with proclamations barre not the issue in taile.

No fine leuied by tenant in taile barreth his issue maintenan, but where the tenant in taile is cognisoꝝ, as if tenant in taile bying a writ of covenant against an estranger, and he recognize the land to be the right of the tenant in taile, as that which he hath of his gift &c. and the tenant in taile grant and render the land to the cognisoꝝ for yeres, yelding rent &c. and die, this fine is void against the issue in taile, M. 10. and 11. Eliz. Dyer fol. 279. p. 7. 36. H. 8. Br. fines 118. Sect. 180

A fine with proclamation leuied by tenant in taile, the reuersion or remainder being in the king, bindeth not this issue in taile, as it seemeth Br. fines 121. But if such landes were entailed by the king, such fine barreth not the issue in taile, 32. H. 8. cap. 36.

If an Estranger leuy a fine to tenant in taile sur cognifance de droit come ceo que il ad de son done, and he render to him a rent in s^c, and die after proclamation, yet the issue in taile may auoid it, for hee is re-mitted, and the rent is another thing then the land, 15. Eliz. Plo. tol. 435. b. per Thornton.

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If tenant in taile of an aduolwson, grant and render by fine the nomination of the Clerke, it is void, 15. Eliz. Plo. f. 435. b. per Thornton.

If tenant in taile of a rent disseise the tenant of the land, and leuy a fine with proclamation of the land, thissue in taile is not barred for the rent, because the fine was not leuied of the rent but of the land, per Thornton, and granted 15. Eliz. Plo. f. 435. b.

If tenant in taile grant a rent by fine, his issue may auoid it. 15. El. Plo. 436. 14. Ass. p. 4.

What time after a fine leuied, and proclamation made, any man hath to enter or claime by action, or otherwise, and who are thereby barred forthwith, and who not.

Hitherto of the formes and execution of fines, now let vs see how they may be auoyded.

Sec. 181

TD know what time persons that haue cause to enter or claime, may enter or claime, after a fine leuied; many things are to be weighed: for some persons haue moze time, and some lesse: for the discussing of which question, wee must not onely consider the qualitie of the persons which should claime or enter, but also the qualitie of their rights and estates: And the persons be either such, as are void of impediments, or such as haue impediments: and the same be either parties, or priuies to the fine, or estrangers to the same: And againe, they haue either present right, or future right: And vnto these which haue future right, such haue the same, either wholly after the fine, or partly befoze and partly after: and some of them haue but one title, and some diuers: and others haue no right to the tenements comprised in the fine, but to some things therein, or issuing out of the same.

Parties:

Parties to fines, void of impediments at the time of the leuying of the same, and their heires, are thereby barred presently, and haue no time at all to auoid the same, by entry, or claime, 1. R. 3. ca. 7. 4. H. 7. ca. 24. whether they be persons hauing naturall capacities, or ciuill.

If they be such ciuill bodies or corporations, as haue in themselves absolute estate and authority of their possessions, so as they may maintaine a writ of right thereof, as Maior and Comminaltie, Deane and Chapter, Colledges, societies corporate and such like, and their successors, and barred by fines presently, Plo. 338. a. T. 20. Eliz.

But Deanes, Bishops, Priors, Abbots, Masters of hospitals, Parsons, Vicars, Prebendaries, Chauntrie Priests, and such like, which may not haue a writ of right, but either a *Luris viū*, Fitz. Nar. fol. 48. r. or, sine assensu capituli Fitz. Nar. fo. 118. i. are not barred by such fines if the patron and ordinary ioyne not with them, Plo. 538. a. 20. Eliz. 375. b. 11. Eliz.

How

How priuies in blond are bound in fines.

And by the same statutes 1.R.3.c.7.4.H.7.c.24. Priuies in blond Sec. 182.
 As heires of the cognizoꝛs, claiming by the same title that their an- Priuies.
 cestoz had that leuied the fine, be barred presently thereby, whether
 they be void of impediments, or no. As if lands of Socage tenure be gi-
 uen to baron & feme, in speciall taile, the remainder to the right heires
 of the baron in fee, and the baron sole leuie a fine with proclamation
 to his owne vse in fee, and after deuise the same lands to A. in fee, and
 hath issue, and then the baron and feme die, the issue in taile is barred,
 because he cannot otherwise conuey himselfe to the title and discent in
 taile, then the heire of the bodie both of his father and mother, Tr. 18.
 Eli: Dyer: f. 251. p. 24. 9. H. 8. Dyer: f. 3. p. 6. 3 2. H. 8. Br. Fin. 109.

So if husband and wife, tenants in speciall taile, haue issue, and the Priuies;
 wife die, and the husband marie another wife and haue issue, and leuie
 a fine sur cognisance de droit come ceo &c. and by the same fine take es-
 tate in speciall taile, the remainder ouer &c. and die, thissue by the first
 wife is barred, because he is priue in blond, the continuance of the pos-
 session in the husband notwithstanding, 3 2. E. 3. Dyer pl: 16. Eli: f. 3 3 4
 p. 3 1. & 3 2.

But if my fathers brother disseise him, and leuie a fine with procla- Priuies.
 mation, and my father and vnclie within v. yeares after proclamation
 die, yet may I auoid it by entry, at any time before the end of the said
 v. yeares, notwithstanding that I am priue in blond vnto my vnclie,
 for that my title to the land groweth by my father, and not as heire
 vnto my vnclie, P. 19. H. 8. Dyer fol: 3. p. 2.

Peuertheles, if my father disseise my grandfather of an estate in fee,
 & therof leuie a fine with proclamation, & first my grandfather, & then
 my father die, I am now barred, as priue, because I cannot otherwise
 conuey my selfe to the lands then as heire vnto my father the cognizoꝛ,
 P. 19. H. 8. Dyer f. 3. p. 3.

Of strangers hauing present right, and no impediment.

But Strangers to fines (which be all persons, not parties nor pri- Sec. 183.
 uies) and being void of impediments naturall and legall, and ha-
 uing present right to the lands in the fine, haue only v. yeres after pro-
 clamations, to enter and claime their right, 1. R. 3. c. 7. 4. H. 7. c. 24.

As if one haue a remainder, or a reuerſion, depending vpon an estate
 for yeres, or by statute Staple, statute Merchant, or Elegit, and y ter-
 moꝛ be disseised, and a fine leuied &c. and v. yeres passed, they be all bar-
 red thereby: for that these termozs might presently haue entred, & he in
 the reuerſion or remainder for such disseisa might haue had an Alsife:
 So the statute 4. H. 7. c. 24. seemeth to barre the termozs thzough neg-
 ligence, by this word interest, which comprehendeth a terme. Plo. f. 374. a

Tenant in re-
 mainder or re-
 uerſion vpon
 estate for yeres
 or at will.

Fines and Concords.

And if a tenant in taile be disseised, and a fine leuied with proclamation, and 6. yeares past, and the tenant in taile dyeth, this fine in taile is bound for euer, p Dyer and Caclin, for the right was present to the tenant in taile at the time of the fine leuied, and he cannot claime, but by the same title, which his father had, which was barred in his life time, Plo. fo. 374. a. Dyer. fo. 3. pl. 6. 19. H. 8. 7. The like it is of the laches of him in the remainder or reuerston, for it barreth him and his heyres, Plo. fol. 374 a. Dyer. fol. 3. p. 6.

Of Estrangers hauing present Right, and impediment.

Sect. 184.

But Estrangers to fines, pestered with impediments of Infancie, Couerture, madnesse, ideocy, lunacy, imprisonment, or absence out of the Realme at the leuying of fines, and hauing then present right, or interest, haue yet liberty five yeares after such infirmity remoued to make entrie or claime &c. 1. R. 3. ca. 7. 4. H. 7. ca. 24.

Infants.

And therefore an Infant hath 6. yeares, after he accomplisheth his full age (though he be in his mothers womb) Plo. fol. 367. a. because the law intendeth that infants by reason of their tender yeares, doe want vnderstanding, to know their right, and whether their entries be lawfull or no, And how to make their entries and claime, or bring their actions according to their title, Plo. fol. 359. 4. H. 7. ca. 24.

Yet if my fathers brother disseise him, and leuy a fine with proclamation, and a yeare after the proclamation my father dieth. And after and within 5. yerres my vnckle dieth, I by reason of my Infancy haue onely so much time to auoid the same, as at the death of my father remained to come of the five yeares next after the Proclamation, and not new five yeares, because I claime by the same title that my father had, in whom the first five yerres were attached and begun, Dyer. fo. 3. p. 2. In like maner, and for the same reason, if the father, or other ancestor be disseised, and the disseisor leuie a fine with proclamation, and within five yeares after the proclamation, the ancestor dieth, his heyre being within age, yet if he make not his entry, or claime within the first five yeares after the proclamation, he is barred, Plo. fol. 367. b. 377. a. And it is there abindged.

Non sanæ
memorig.

Madmen, and lunatickes, estrangers to fines, haue the like liberty to enter or claime, that Infants haue for their indiscretion, 1. R. 3. c. 7. 4. H. 7. c. 24. Yet as it seemeth, if non sanity of memozy happen after the fine leuied, and befoze the last proclamation be made, the parties be not tied to make claime or entry, during the first 6. yerres, but shal haue 6. yeares after they be cured of their said maladies, because they grow by the act of God, Plo. fol. 375. a. & 366. a.

Couerture.

And a feme couert, being an estranger to a fine, hath five yeares after she be discouert, to pursue her right, for that during the couerture

the

she wanted power to do the same without her husbands consent, who perchance would neither doe it, nor suffer it to be done: Howbeit if a feme sole, being an Estranger to a fine, and haue present right &c. take a husband, who suffereth the fine yeres to incurre, she is thereby barred for ever, because it was her own voluntary act and folly to marry such an husband, Plo. fol. 336. a

Estrangers to fines, imprisoned at the time of the fine leued, haue the like liberty to avoid fines that infants haue, because the law intendeth, that prisoners are so closely and straitly kept from the conference of others, y they know not what hapneth abroad: and do also want liberty to take counsel, and make their entries and claims, and therfore no laches is in this behalfe imputed to them, Pl. f. 360. a. & 366. a. But if such imprisonment happen after the fine leued before the last proclamation made, it seemeth he shal haue five yeres after his enlargement, because the imprisonment is not his voluntary act, Pl. 375. a. 366. a

Imprisonment

An Estr. to a fine, being out of the realme at the leuying thereof, hath five yeres after his returne to enter or claim. But if he had bin in Engl. at the leuying of the fine, and after had gone beyond the seas, and suffered the five yeres after proclamation to passe he had bin barred, Pl. f. 366. a. 7. El. 4. H. 7. c. 24. But if he be sent beyond the seas in the kings seruice by his commandement, it seemeth otherwise.

Out of England.

And such ciuil bodics or corporations as haue in themselves absolute estate and authoriy of their possess. io as they may maintaine a writ of Right thereof, as Parior and communalty, Dean and chapter, colleges, societies incorporate, and suchlike, they and their successours, are barred by fine and nonclaime by five yeres, Plo. f. 538. T. 7. 20. Eliz.

Corporations.

But Deanes, Bishops, Bishops, Abbots, masters of hospitals, Parsons, Vicars, Prebendaries, Chantry Priests, and such like, hauing ioint power, and which may not haue a writ of right, but either a Iuris utrum, Fitz. Nat. f. 48. r. 02. sine assensu capituli, Fitz Nat. f. 118. i. are not barred by such fines, and nonclaime by five yeres, Plo. 538. 2. 20. Eliz. 375. b. 11. Eliz.

Corporations.

Of Estrangers hauing diuers defects.

And mozeouer, estrangers to fines, hauing diuers defects or infirmities, as infancy, coverture, nonsanitie of memozy, imprisonment, absence out of the realme, to avoid fines, must haue five yeres after the last of the said infirmities removed, Plo. 375. a

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But if they haue diuers impediments, which be al, once after y proclamation, wholly removed, and after they fall into the like again, & die, their heires are not to haue new 5. yeres, but the first 5. yeres begun in their ancestours, immediately after their first impediments so removed, shal proceed, & nonclaime of their heires, during all the residue of the

said

Fines and Concords.

said five yeares, bindeth them as their said ancestors should haue been bound thereby, if they had remained void of such impediments during all the said five yeares, Plow. f. 375 a

Of Estrangers, without impediments, hauing future right for cause precedent.

Sect. 186 Thus much of Estrangers to fines, hauing present right, now of such as haue future right: which right is of two sorts: for it groweth either wholly before the proclamation, or partly before, and partly after the same.

And therefore Estrangers to fines, void of the said impediments, whose right, title, claime, or interell first groweth, remaineth, descendeth, or cometh to them after the proclamation, by force of any matter or cause had or made before the same, haue onely five yeares, after such right, &c. first groweth, descendeth, remaineth, or cometh vnto them, 1 R. 3. c. 7. 4 H. 7. c. 24. As if a Mortgagee be disseised, and the disseisor doth leuy a fine with proclamation, and the five yeeres after the proclamation the mortgagee payeth or tendereth the money according to his bargain, he may lawfully enter at any time within five yeares after the said payment or tender, because his title first accrueth thereby after the proclamation, by reason of the condition and mortgage made before the same, Plow. fol. 378. a. b.

In like maner, and for the like cause, hee which hath a Remainder or Reuerſion, depending vpon an estate of freehold, hath five yeares, after that his remainder or reuerſion accrueth, to enter &c. And his heire if he die before entry &c. hath onely five yeares, after the death of the particular tenant, to enter. Plow. fol. 374. a. b.

And if the tenant in taile leuy a fine with proclamation, after the five yeeres he dieth without issue, the donor hath five yeares after his death, to bring his formedon in Reuerter, because he is the first vnto whom the right cometh after the proclamation for cause precedent, Plow. fol. 374. a.

And if tenant in taile discontinue in fee, and the discontinue leuieth a fine with &c. and five yeeres do passe, and the tenant in taile dieth, yet his issue hath five yeares after his discontinue, to bring his formedon in discontinue, because hee is the first to whom the right of the entaile cometh after proclamation by force of the gift in taile made before the fine. Plow. 374. a. 19 H. 8. 7. Dyer f. 3. p. 5.

Of Estrangers with Impediments hauing future right.

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Ad estrangers to fines, hauing future right for any cause precedent the fine, being affected with such impediments, when their right first accrueth, haue five yeeres after such impediments remoued, to pursue for the same, 1 R. 3. c. 7. 4 H. 7. c. 24. As infants, as well those which

which be bozne, as those which be in their mothers womb, when such right hapneth to them, Plo. fol. 367. a. Femmes couert, mad men, lunatickes, prisoners, perions beyond the sea, as appeareth before where it is spoken of them hauing present right. Plo. 366 a. 7. Eliz.

As if man haue issue a son and a daughter, which sonne purchaseth lands and dieth; and the daughter entreteth as his heire, and is disseised by A. who leuieth a fine, and five yerres passe without claime. And ten yerres after the father hath another son, which is heire to his brother, he shal haue new five yerres after he come to his full age, because he is the first to whom the right descended after the proclamation, by reason of the dissent which was before them. Plo. fol. 374. b.

But if an estranger to a fine, to whom a remainder, or other title, first accrueth after the fine, do not pursue his right within five yerres, he and his issue are barred for ever. 16 H. 8. Dyer fol. 3. pl. 6.

And in like maner, if the first issue in taile, to whom the title of the intaile first accrueth, neglect his five yeares, the whole estate taile is thereby barred for ever. 32 H. 8. Br. Fines 100.

If he which abatech after the death of a tenant in fee, make a feoffment upon condition, and the feoffee leuy a fine, and five yeares after proclamation passe without entry or claime made by his heire, y heire is barred: But if after wards the condition be broken, and the abator thereof enter, then the heire may haue an Assise of mortdauinceter against the abator, or entry upon him at any time, & he hath no defence. If he pleade in barre of thalisse the fine leuied to the cognisor, and that he hath his estate, the speciall matter of the abatement, condition, and reentry may be pleaded in defence thereof, for hee can neuer challenge priuiledge by the estate of the cognisor, which he himselfe defeated, Plo. fol. 358. b. 7. Eliz.

Of Estrangers hauing no right for any cause before the fine.

But Estrangers to fines, hauing neither present, nor future right at the leuying thereof, by reason of any matter had before the fine whose right groweth either intirely after the proclamation, or partly before, or partly after, may enter or claime when they please within the time of the prescription.

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As if the father die seised, his eldest sonne being professed, and the yonger sonne entreteth, and is disseised, and a fine with a proclamation leuied, and after the elder sonne is detraigned, if sometime he is bound to no tunc. Plo. fol. 337. a.

So if the husband leuy a fine of his owne lands, whereof his wife is dowable, and die, and five yerres passe after his death, she is not barred of her dower, because her title to be endowed accrued after the fine leuied,

Dower.

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leued, nameſy by the death of her huſband, ſoꝛ before his death ſhe had onely poſſibility of dower, and not any right, title oꝛ intereſt therunto
Plo. fol. 373.

And if a tenant ceaſe one yeare, and then a fine with proclamation is leued: And afterwards a tenant ceaſeth another yere. The Lord may haue his ceſſaue per biennium xx. yeares after the proclamation made, becauſe his right and title groweth partly before the fine, and partly after the fine leued, that is at the ende of the two yeares of his tenants ceaſer, Plo. fol. 373. b

Of Eſtrangers, hauing diuers future Rights by diuers titles.

Sec. 189

But if Eſtrangers to fines haue ſeueral future Rights, by diuers titles growing at ſeueral times, it ſeemeth, that they ſhall haue ſeueral fine yeares, to make entry oꝛ claime, commencing from ſuch time as their ſeueral titles firſt accrew vnto them: As if tenant ſoꝛ life, the remainder in ſe make a ſcoffement in ſe: And the ſcoffe leue a fine with xc. and he in the remainder ſuffer the firſt fine yeares to paſſe, hee is by his laches barred of his entry, ſoꝛ the ſoꝛfeiture growing by the alienation of his tenant during his tenant ſoꝛ life, becauſe hee had preſent right at the leuying of the fine to enter ſoꝛ the ſame, yet if after the tenant ſoꝛ life doe die, he hath other fine yeres to bring his Formedon in Remainder, becauſe that is a new title oꝛ right by which hee could not haue his Formedon during his tenant ſoꝛ life. And hee had his election to take aduanſage of the ſoꝛfeiture oꝛ not, Plo. fol. 573. b. Quere, ſoꝛ there Carlyn thinketh otherwiſe, becauſe his to the land by the ſoꝛfeiture accrued to him in the life time of his tenant ſoꝛ life.

If J. S. be tenant pur aucter vic. the remainder to another ſoꝛ life, the remainder to the ſame J. in ſe, and J. S. is diſſeiſed, and the diſſeiſoꝛ leuieth a fine with proclamation, and the fine yeres paſſe, J. S. is bound ſoꝛ his future and preſent eſtate ſoꝛ life: But if ceſtuy qui vic and he in the meane remainder die, now J. S. ſhall haue other fine yeres to enter ſoꝛ his remainder in ſe, ſoꝛ it then firſt remaineth vnto him by the death of him in the meane remainder, and ceſtuy qui vic, ſoꝛ cauſe growen wholly before the fine, that is, the ſtate ſo made before, which is another title, Plowden 367. b. per Welſhe, and diuers Juſtices, Plo. 367. b.

In like maner, if land be giuen to J. S. ſoꝛ the life of A. the remainder to him ſoꝛ the life of B. the remainder to him ſoꝛ life of C. and hee is diſſeiſed, and the diſſeiſoꝛ leuieth a fine with proclamation, now J. S. ſoꝛ his preſent right, hath five yeres by the firſt Sauing of the St. 4. H. 7. ca. 24. And five yeres after the death of A. by the ſecond Sauing, which is of future right, and other 5. yeres after the death of B. ſoꝛ his
ſecond

second remainder, for quando duo iura in vna persona concurrunt, & quom est ac si essent in diuersis, Plow. 368.a.

If a man disseise a feme sole, and after marrie her, and haue issue by her, & the baron is disseised befoze marriage or after, and a fine with proclamation leuied, first by baron, and after by feme die within the v. yerres, the issue being of full age, the v. yeares passe, & then the wife dieth, the heire is barred of his entry for the condition as heire to his father, but hath other v. yerres after the death of his mother, to enter, for albeit it is but one selfe same land, yet the heire hath severall rights thereunto growing at severall times, thone as heire to his father, thother as heire to his mother, in regard whereof he hath severall times, Plow. 367.b.

So if by husband maketh a feoffment of his wiues lands, upon condition, which is broken, he leuieth a fine with &c. by husband hath issue by his wife, and dieth, the first v. yerres passe, & then the wife dieth, the heire is barred of his entry for the condition as heire to his father, but shall haue five yeares after the death of his father, to claime &c. because it is a title differing from that which did descend from his father ascending to him first by the death of his mother, Plow. 367.a.

Estrangers to fines, having neither present, nor future right, to the tenements in the fine, at the leuying thereof, but only
unto rents, common &c. issuing out of
the same.

And estrangers to fines, having neither present, nor future right to the tenements in the fine, but to som thing, in, or issuing out of the same, seeme not barrable at all, by any such fine and nonclaime. As if a tenant in ancient demesne leuie a fine with &c. at the common law of his land in ancient demesne, the lord in ancient demesne may haue his writ of Decept, and thereby auoid the fine at any time, and thereupon his tenant shall be restozed to the land, because the Lord claime the land, whereof the fine is leuied, but his ancient Seigniozie and seruices issuing out of the same, Plow. 370.b.

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It seemeth, such fines doe not barre such Estrangers, as haue rent, common, way, estouers, nor any such charge out of the land, for it seemeth that these fines extend only to bind the state, title, right, claime, entrie, and interest, in, and to the land, and no partes to be taken out of the lands, nor to take any power given to executors or others to sell the land, Brooke iii. Fines 123.

Pleas to auoide Fines.

It is a good plea to say, that A. S. was seised tempore leuac, and before the fine leuied, without that that the parties to the fine, had any thing.

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thing therein at the time of the fine leuied, 9.H.4.27. 3.H.6.27.

Or so say, that the parties to a fine had nothing &c. but A.B. whose estate he hath, Et de hoc ponit se super priam, 33.H.6.18. 26.H.6.f.9. 42.E.3.20. 4.H.4.8. 14.H.4.33. 4.H.7.ca:24.

If there be two K.D. of one name, and the one leuie a fine of y land of thother, thother may auoid the fine by pleading, that there be two of one name, & thother K.D. leuied the fine, and not he: And in like manner if any stranger leuie a fine in the name of another, that is owner of the land, 34.H.6.19. Confr ten 19.H.6.44. because it is a matter of record, therefore he hath no other remedie in such case, but an action of deceit.

Neither parties to fines, nor their heires may pleade in auoydance thereof, that befoze the leuying, and at the leuying of the same, & since the demandant, or plaintife, or their heires, were alwaies selsed of the lands contained in the fine, or parcell thereof, Stat de finib^o 27.E.1.c.1. 12.E.4.15. & 19. yet by Fairefax, if tenant in taile, the remainder in fee, leuie a fine sur cognisance de droit come ceo &c. he in the remainder may auerte the continuance of possession, not withstanding the fine and statute, because he is neither the partie, nor his heire, and so may a feme couert, where her husband sole leuieth the fine, 12.E.4.12.

The issue in taile may auer continuance of possession against a fine sur cognisance de droit tantum, or surrender, but not against a fine sur cognisance de droit come ceo que il ad de lon done, because that fine is executed, and the other executorie, 12.E.4.15. & 19. 11.H.4.85.

Of a writ of Error.

Sec. 192.

A Writ of Error to reuerse a fine, lieth where there is Erroz in any fine, and thereby not the Record of the fine if selfe shall be removed, but the transcript thereof, vpon which transcript of the note of the fine, the plaintife may assign his errors: And if the Iustices think, that the point assigned for erroz, is erroz, they may send for the note of the fine, & reuerse the same. Fitz.nat. fo. 20.f. As if a baro & feme leuie a fine to an estranger, the feme being within age, they may haue a writ of erroz to reuerse the fine, for this cause during her nonage, Fitz. nat. 21.d. 27. all. pl. 17. 50.E.3.4. And when a fine is to be reuersed by erroz, the course is for the plai^r use in the writ, to haue seuerall writs of Erroz, one directed vnto the chiefe Iustice of the court of Common plæes to certifie the record and procelle of the fine, another vnto the Custos br. of the same Court to certifie the transcript of the foot of the fine, and the thid vnto the Chirographer to certifie the transcript of the record and proces of the fine: the seuerall formes wherof be as followeth.

A

A Writ of Error directed vnto the chiefe Iustice of the Court of Common plæes.

Rex &c. dilecto & fideli suo Edm. Anderlon militi, Salutem. Quia in record & processu, ac etiam in leuatione cuiusdam finis in Curia nostra cor vobis & socijs vris Iustic' nris de Banco, apud Westm in octab. S. Michaelis vltimo preteritis, per breue nostrum de conuentione inter I. G. seniore armig' & M. vxor' eius, & I. G. iuniorem genef querent' & G. H. deforc', de manerio de G. cum pertinen', ac de vno mess. 15; coragijs, quindecim tostis, quatuor horreis, quindecim gardinis, duobus pomarijs, ducent' acf' terræ, octaginta acr' prati, centum aeris pasturæ, sex aeris bosci, trescentis acf' moræ, & communia pastur' pro omnibus auerijs cum pertiñ in G. in com' Ebor' leuat', error interuenit manifestus ad graue damnum ipsius G. sicut ex querela sua accepimus: Nos errorem, si quis fuerit, modo debito corrigi, & eid' G. plen' & celerem Iustic' fieri volentes in hac parte, vobis mandamus quod recordum & processum finis pred', cum omnibus ea tangen', quæ in custodia vestra existunt, vt dicit, nobis sub sigillo vestro distincte & aperte mittatis, & hoc breue, Ita quod ea habeam' in Octabis S. Hill', vbicunq' tunc fuerimus in Angl' vt inspectis recordo & processu finis pred' vltorius inde pro errore illo corrigendo fieri faciamus, quod de iure & secund' legem & consuetud' regni nostri Angl' fuerit faciend' &c.

A Writ of Error vnto the Custos breuium of the Court of Common plæes.

Rex &c. dilecto sibi Tho. Spencer armig', custodi breuium suorum de Banco, salutem, quia in recordo & processu, ac etiam in leuat' cuiusd' finis in cur' nostra de Banco apud Westm in Oct' S. Mich. vltimo preteritis coram Ed: Anderl. Milite & socijs suis Iustic' nris de Banco p'd per breue nostrum de conuentione inter &c. de &c. Vobis mandamus quod transcriptum pedis finis p'd', cum omnibus ill' tangen' quæ in custod' v'ra existunt vt dicitur, nobis sub sigillo vest' &c. vt inspect' transcript' pedis finis p'd' vltorius inde &c.

A Writ of Error vnto the Chirographer of fines.

Rex &c. dilecto sibi: Tho. Crompton Armig' Chirographario suo de Banco salutem, quia in recordo & processu, ac etiam in leuatione cuiusdam finis in Curia nostra de Banco apud W. in oct' S. Mich. vltimo preteritis, coram Ed. Anderson milite, & socijs suis Iustic' nostris de Banco p'd per breue nostrum de conuenc' in' &c. de &c. vobis mandamus qd' transcript' recordi & processus finis pred', cum omnibus ill' tangen' q' in custod' v'ra existunt vt dicitur, nobis sub sigil' v'ro distincte & aperte mittatis & hoc breue &c. vt inspect' transcript' recordi & processus finis pred' vltorius inde &c.

And note that a writ of Error, is not maintainable by an infant, to reuerse

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reuerse a fine for his Infancy, but during his Infancy, 50. E. 3. 4. 17. E. 3. 52. 78. 27. Lib. Ass. 53.

For what errors, fines and proclamations bee not reuerfable.

No fines or proclamations vpon fines or common recoueries, shall be reuerfable by writ of Error, for false or incongruous latin, razure, interlining, misentring of any warrant of attorney, or of any proclamation, misreturning or not returning of the Sheriffe, or other want of forme of words, and not of matter of substance, 23. Eliz. ca. 3.

Of Error in the Proclamation of a fine.

If Error be in the proclamation of a fine, they shall be reuerfled by plea without writ of Error, but that fine neuerthelesse remaineth of good force still, for they are seuerall matters of record, yet if error be in the fine, the proclamations are void, because the fine is the first record whereupon the proclamations depend, and *lublacio subiecto tollitur eius accidens*, Plo. 166. a. Dyer fol. 216. pa. 54. 4. Eliz.

Of a Certiorari.

Sec. 193

If a man haue recovered, and before he haue execution, the Records thereof be remoued into the receipt or Treasury, the plaintife may haue a Certiorari out of the Chancery to the Chamberlain and Treasorer, to remoue the tenor of the Record, and Prozesse thence into the Chancery. And when it is there, it may be sent thence by *Micimus* into the Court whence it came, as the Kings Bench, if it came thence: or into the Common place, if it came thence, and there may execution be sued, 37. H. 6. 16.

A Certiorari with a *Micimus* to remoue a fine, bearing date before the fine come into the Chancery, is good enough, 1. R. 3. 4.

In a Writ of Error to reuerse a fine, the Record it selfe shall not be removed, but the transcript thereof, because a record, which commeth into the Kings Bench, shall not be remanded: And if the iudgement be affirmed, there is no Chirogr. to ingrosse the fine, 40. Ass. 19. 29. Ass. 43.

Pet 5. May it is holden that in a writ of Error vpon a fine, the record it selfe shall be certified, so that no more proclamations shall be made thereupon, for if it be reuerfled, that endeth all: and if the fine bee affirmed, the record shall be sent into the Common place by *Micimus*, to be proclaimed and ingrossed: For if the transcript onely should be removed, they might neuertheles proceed in the Common place, B. T. Rec. 79. *Ideo quere.*

A Certiorari of the transcript of the foot of a fine.

Rex, Thesaurario & Camerarijs, salutem: Quia quibusdam certis de causis Certiorari volumus, vel volentes certis de causis Certiorari, vel quibusdam certis de causis Certiorari, super tenore pedis cuiusdam finis leuati

leuati in curia nostra, coram Iusticiarijs nostris dudum vel vltimo itinerantibus apud N. in com tali per breue nostrum, vel in curia dñi Ed. nup regis Angl' aui nostri, vel patris nostri, anno regni sui decimo, &c. coram I. et socijs suis tunc Iustic' eiusdem aui nostri, vel patris nostri, de banco per breue suum int' A. petentem & B. tenent, de vno messuagio cum pertiñ in N. vobis mandam' qd scrutatis pedibus finium de eodem itinere tempore pdict' leuatorum, vel finium coram pfatis Iusticiarijs anno pd' leuatorum, qui sunt in Thesaurario nost' sub custodia vestra vt dicunt, transcriptum pedis finis pdict' nobis in Cancellar' nostram sub sigillo seaccar' nostri distincte et aperte sine dilatione mittatis, et hoc breue, Teste &c.

Alii de tenore notæ finis.

Rex dilecto clerico suo W. salutem, volentes certis &c. sup tenore notæ cuiusdam finis leuati &c. anno &c. inter A. petentem, et C. tenentem &c. vobis mandamus quod, scrutatis notis finium penes vobis residentium, transct notæ pred' nobis in Cancellar' nostram sub sigillo vestro distincte et aperte sine dilatione, mittatis, es hoc breue. T. &c.

Alii coram Iustic' nunc de banco.

Finis leuat in curia nra anñ regni nri decimo, coram W. et socijs suis tunc Iustic' nostris de banco per breue nostrum, inter &c.

A Memento of the Transcript of a fine out of the Chancery into the Common place.

Sect. 194.

Domin' Rex mand' Iustic' hic breue suum elam, in hæc verba, Hen' &c. Iustic' suis de banco salutem, transct pedis cuiusd' finis leuat in cur' domini E. nuper Reg. fil' Regis H. nuper Regis Angl' pgenitoris nostri, coram R. H. et socijs suis tunc Iustic' ipsius progenitoris nostri de banco apud W. per breue suum inter G. P. et J. vxor' eius que et S. P. de fore, de manerio de C. cum pertiñ, nobis in Cancellar' nostra de mandato nostro missum vobis mittimus presentibus interclus. mandantes qd inspect' pd' vltetius ad prosecutionem I. L. et M. vxor' eius vnus, et T. V. et T. vxor' eius alterius, nec non H. B. tertij consang' et hered' prædict' G. et J. de corpore suis procc', fieri facias quod de iure et secundum legem et consuetudinem regni nri Angl' fuerit faciend'. Teste me ipso apud W. octauo die Ianno regni nostri decimo septimo. Transct pedis finis, vnde in breui prædict' sic mentio, sequitur in hæc verba: Hęc est finalis concordia facta in cur' domini Regis apud W. in oct' S. Mich. anno &c. coram R. H. W. B. P. M. W. H. L. T. & H. S. Iusticiarijs, et alijs dom' Regis, fidelibus tunc ibidem præstantibus, inter G. P. & J. vxor' eius que et S. P. de fore, de manerio de C. cum pertinentijs, vnde placitum conuentionis summonis suis inter eos in eadem curia, scilicet quid prædict' G. recogn' præd' maner' cum pertinentiis suis ipsius S. vt illud quod idem S. habet de dono prædict' G. & pro hac recogn' sine & concordia, idem S.

Attorney in fine.

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concessit præd' G. et I. præd' manerium cum pertinentijs & illud eis reddidit in eadem curia, habend' & tenend' eisd' G. & I. & hæc quos idem G. de corpore ipsius I. procreauerit, de præd' S. et hered' suis imperpetuum, reddend' inde per annum vnâ rosam ad festum Nat. S& Ioh. Bap. p' omni seruitio considerac' & exactione ad præd' S. & hered' suos pertin': Et faciend' inde capital' dominis feodi illius, pro prædict' S. & hæc suis omnia alia seruitia, quæ ad illud manerium pertinent: Et si contingat quod præd' G. obiret sine hered' de corpore ipsius I. procreat, tunc post decessum ipsorum G. et I. maner' præd' cum pertinentijs integre remanebit W. fratri eiusdem G. et hered' de corpore suo procreat, tenend' de præd' S. et hæred' suis per prædict' seruitia, sicut præd' est, imperpetuum: Et si contingat quod præd' W. obiret sine hered' de corpore suo procreat, tunc post decessum ipsius W. præd' manerium cum pertin' integre remanebit I. fratri eiusdem W. et hered' de corpore suo procreat, tenend' de præd' S. & hæc suis p' præd' seruitia, sicut præd' est, imperpetuum: Et si contingat, quod præd' I. obiret sine hæc de corpore suo procreat, tunc post decessum ipsius I. præd' maner' cum pertin' integre remanebit E. fratri eiusdem I. & hæc de corpore suo procreat, tenend' de præd' S. et heredibus suis per præd' seruitia, sicut præd' est, imperpetuum: Et si contingat quod præd' E. obiret sine herede de corpore suo procreato, tunc post decessum ipsius E. præd' manerium cum pertinentijs integre reuertatur ad præd' S. & hæc suos, quicq' de alijs hæc ipsorum G. I. W. I. & E. tenend' de capitalib' dominis feodi illius p' seruitia, quæ ad illud manerium pertinent imperpetuum.

A Mittimus.

Sec. 195.

Rex, Iustic' de banco salutem. Mittimus vobis sub pede sigilli nostri &c. *vel sic*: Transcriptum pedis, *vel sic*: Tenorem pedis cuiusdam finis leuati in curia dom' Ed. nuper Reg. Angl' aui nostri anno regni sui decimo, cor' W. & socijs tunc Iusticijs ipsi' aui nostri de banco apud W. p' breue nrm, inter I. querentem, & W. deforc' de tanto &c. quos vel quæ coram nobis in Cancellaria nostr' venire fecimus, vobis mittimus sub pede sigilli nostri, vt in loquela, quæ est coram vobis p' breue nrm int' I. filiu I. petent' & E. tenent' de eod' mess. &c. securi' p'cedere valeatis &c. T. &c.

A Mittimus for the foot of a fine.

Rex Balliuis suis S. salutem. Quia in leuatione diuersorum finium coram I. S. & W. W. nuper balliuis ville S. inter W. R. & M. vxor' eius quæ, & W. T. Cappellanum deforc', de oct' mess. &c. & decem solidat redd' cum pertin' in S. Anno &c. iuxta libertates burgenfisibus villa' prædict' per chartas progenitorum nostrorum quondam regum Angl' concess. leuat, error interuenit manifestus, sic per inspectionem teno-

rum

rum finium pred̄, nec non recordi & processus leuationis eorundem, que coram nobis postea ad festam W. M. et H. W. de S. consanguineorum et hered' pred' M. venire fecimus, nobis constat: Et nos in curia nostra coram nobis, ob errores in leuatione finium pred̄, ac in recordo & processu eorundem compertos, considerauimus quod pedes finium pred̄ a filicijs finium p̄d̄ extrahantur & cancellantur: Et ideo vobis mandamus, quod pedes finium p̄d̄, qui in custodia vestra existunt, mittatis coram nobis tali die vbicunq; &c. cancel' iuxta confid̄ n̄ā supradict'. Et habeatis ibi hoc breue. T. &c.

Error by the heire vpon a fine.

Whether any but he which reserueth a fine, may reape benefit thereby.

If the estate contained in a fine, be once within 5. yeres after proclamations lawfully defeated. That party hath thereby lost his whole estate both against him which did reuerse the same, & all others which had right or title paramount, and made no claime within the 5. yeares: Albeit he which brought his action haue not iudgement and execution within 7. yeres after the proclamations, Plo. fol. 358. b.

Sect. 196.

In like maner, if there be tenant for life, the remainder for life, the remainder in fee, and the first tenant for life alien, and the alienee leuie a fine with proclamations, and y second tenant for life enter or claime (as he may) he defeateth the fine against himselfe, and him in the remainder also, Plo. fol. 359. a. 7. Eliz.

Warrantia chartæ.

A writ of Warrantia chartæ, lieth where a man by deed of graunt, or by exchange, bindeth himselfe and his heires to warrant the land to another, who being tenant of the land is impleaded for the land, or rent out of the same, in an Assise, or writ of Entrie in nature of an Assise, or in a Scire facias vpon a fine, or in any other action reall, wherein the tenant may not vouch, he may sue a Warrantia chartæ, against him & his heires which made warrantie. And for a tenant by homage auncestrel, or any particular tenant vpon reseruacion of rent, or for egalty of seruices vpon partition, Fitz. Nat. fol. 134. d. f. g. h. Fitz. Nat. 135. c. 31. E. 3. 8. E. 4. 11.

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Rex &c. quod iuste &c. warrantizet D. vnum messuagiū cum pertinentijs in R. q̄ tenet & de eo tenere clamat, et vnde chartam suam habet vt dicit. Et si &c. *vel sic.* Manerium de N. cum pertinentijs, et aduocationem eiusdem ville quæ tenet &c. *vsque ibi,* vnde chartam suam habet, vel chartam R. patris, vel matris, vel alterius antecessoris predicti H. cuius heres ipse est, vt dicit. Et nisi &c. *vel*

Briefe de warrantia Chartæ.

De eo quod idem A. warrantizet prefato D. maneria de N. & K. et hundreda de F. & G. cum pertinentijs, & aduocationem Ecclesie de N. & ideo vobis mandamus &c.

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But if a man infeoffe another with warrantie by deed, and the feoffee infeoffe another, and take estate from him in fee, the first warrantie is determined, because hee is now in of a new estate, Fitz. nat. folio. 135. a.

So if A. disseise B. and infeoffe C. with warrantie, who infeoffe D. with warrantie, vpon who an estranger entreteth, in whose possession B. the disseisor releaseth his right, now all former warranties are extinct: And albeit D. is impleaded, yet shall hee not haue Warrantia chartæ, because he is in of another estate by wrong, Fitz. nat. 135. g. 21, H. 6. 41. 22. H. 6. 22.

Releas per
Ioinctenant,

If there be three Jointenants, and the one releas to the rest, they may deraigne the former warrantie by vouches, or Warrantia chartæ, for they be in a third part by the release, 40. E. 3. 41.

Villenage,

Warrantia chartæ lyeth against a villaine. 48. E. 3. 17.

The writ of Warre chartæ must be sued hanging the principall plea, and before iudgemēt; as of Assise or Entrie in the nature of Assise, 48. E. 3. 22. Registr orig', fo. 158. a. for then if the warrantier doe die, yet the writ shall not abate, but his heire shall be resumonned to answer vpon the same, yet may a Warre chartæ be sued before hee be impleaded, quia timet implacitari, & v' pl. shall recouer in value p loco et tempore, of such lāds as the def. had at the purchasing of the writ, Fitz. na. f. 134. k. 12. H. 4. 12. 21. H. 6. 41. 22. H. 6. 22. 24. E. 3. 35. But hee must not haue execution, but if after wards he be put out by iudgemēt, he shall haue his warrantie vpo his first recovery, 21. H. 6. 41. 21. H. 6. 22. 12. H. 4. 12.

Nontenure.

In Warre chartæ, it is a good plea for the defen. v' hanging the plea, the demandant in the principal plæ hath entred vpon the plaintife, being then tenant of the land, or v' the pl. in this action had nothing in the land, the day of the first writ purchased, nor at any time after, 21 H. 6. 49. 3. E. 3. 45. E. 3. 5.

Countie.

Warre chartæ may be brought in any County, if the deeds beare not date in a place certaine, 31. E. 3.

Tenant in cō-
men.

Tenants in common may ioyue in Warre chartæ, 28. E. 3. 90.

Count per Ba-
ron & feme
sur sine oue.
garr.

I. H. fil' et h'x Isabel' que fuit vxor R. summ' fuit ad respond' I. T. & I. vxori eius, de placito quod warre eis vnum mesuag' cum pertinentijs in S. quod de eo tenet, et de eo tenere clam', et vnde cartam Isabel' matris predict' I. H. cuius heres ipse est habet &c. Et vnde &c. die' quod quendam finē leuauit in curia domini reg' nunc in oct' S. Hill, ann' &c. coram T. B. & socijs suis tunc Iustic' ipsius domini regis de banco, in ipsos I. T. & I. que', & R. de B. et prædict' Isabel' ad tunc vxor' eius deforc', de mes. præd' cum pertin' inter alias terras et tenēta, per nomē &c. cum pertin' in S. in com' præd', per quem finē, p'd' R. et I. concessit pro se & hered' ipsius I. quod quatuor ac'r. terr' cum pertinē de p'd' tenement',

Inter alia per
nomen.
Finis de reuer-
sion.

quas.

quas G. & M. vxor eius tenuerunt ad terminum vitæ ipsius M. de hæreditatē p̄d̄ I. ab. in S. p̄d̄, die quo hæc concordia facta fuit, & quæ post decessum ipsius M. ad p̄d̄ R. & I. & hæc ipsius I. ab. reuerti debuerunt post decessum ipsius M. integre remanerent p̄d̄ I. & I. & hered̄ suis p̄d̄ tenend̄ simul cum p̄d̄ tenement̄ quæ eis p̄ finem illum remanserunt, de p̄d̄ R. & I. ab. & hered̄ ipsius I. p̄d̄ seruic' sicut p̄d̄ est, imperpetuum: Et ijdem R. & I. ab. similiter concesserunt pro se & heredibus ipsius I. quod ipsi war̄ p̄d̄ I. & I. & hered̄ suis p̄d̄ tenement̄ cum pertinentijs sicut p̄d̄ est, contra omnes homines imperpetuam: Et si contingeret quod ijdem I. & I. obirent sine hered̄ de corporibus suis exeuntibus, tunc post decessum ipsorum I. & I. p̄d̄ tenement̄ cum pertinent̄, sicut p̄d̄ est, integre reuert̄ ad p̄d̄ R. & I. & hered̄ ipsius I. quicquid de alijs heredibus p̄d̄ I. & I. tenendum de capitalibus dominis feodi illius, per seruitia quæ ad p̄d̄ tenement̄ pertinent imperpetuum, & p̄d̄ R. & I. postea obierunt, per quod ad ipsos I. T. & I. pertinuit habend̄ de prefat̄ I. H. vt fil' & hered̄ ipsius I. war̄ suam p̄d̄, Ac quidam I. R. arrain' quandam assisam noue disseisin' coram T. W. & I. Iusticiar' Domini Regis nunc ad assisas in Comit' p̄d̄ capiend̄ assign', versus ipsos I. T. & I. de p̄d̄ tenementis, & ijdem I. T. & I. sæpius requisier' ipsum I. H. vt fil' & hered̄ ipsius I. ab. ad war̄ eisdem I. T. & I. p̄d̄ tenement̄, & idem I. H. tenementa illa sic war̄ contradixit & adhuc contradicit, vnde dic' quod deteriorat' sunt, & damnum habent ad valentiam centum libraꝝ. Et inde producut' se etiam &c.

Talle.

I. T. sum fuit ad respondend̄ H. W. de placito, quod redd̄ ei vn' mess. &c. cum pertinent̄ in B. quæ de eo tenet, & de eo tenet clauis, & vnde cartam suam habet, & vnde &c. dic' quod cum p̄d̄ I. seisit' fuisset de tenement̄ p̄d̄ cum pertin' in dominico suo vt de feodo, & sic iade seisit' per quandam cartam suam, quam idem H. hic in Curia profert, cuius dat' est apud B. tali die, anno &c. dedisset, concessisset, & confirmasset eidem H. tenementa p̄d̄ cum pertinentijs, inter alia terras &c. per nomen, vt in carta &c. habend̄ eidem H. hered̄ & assign' suis imperpetuum, & obligasset se & her' suos, ad war̄ eidem H. hered̄ & assign' suis, tenita p̄d̄ cum pertin' contra omnes homines imperpetuum: Ac idem H. virtute doni illius, de tenitis p̄d̄ seisitus fuisset in dominico suo vt de feodo, quidamq; T. arrain' vers' ipsum H. quandam assisam noue disseisinæ de p̄d̄ mess. & terris cum pertin' coram I. M. & I. &c. Iustic' dñi regis ad assisas in Comit' p̄d̄ capiend̄ assign', per quod idem H. pendente assisa ill' sæpius requisit' pref. I. quod ipse p̄d̄ mess. &c. cum pertinentijs eidem H. war̄, & idem I. messuag' ill' &c. eidem H. huc vsq; war̄ contradixit, & adhuc contradicit, vnde dic' &c. & inde producut' se etiam &c.

Count sur fait
oue gar.Inter alia per
nomen.

Et prædict' I. T. in propria persona sua ven', & defend̄ vim & iniuriam quando &c. & dicit quod ipse non potest dedicere, quin cartam prædictam sit

Confession)

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Judgement.

factum ipsius I. nec quin ipse dederit per cartam illam pref. H. teñta p̄d̄ cum pertinentijs, nec quin ipse teneat teñta illa eidem H. warrantizare in forma qua idem H. superius versus eum narravit. Ideo conf. est quod p̄d̄ I. warrantizet pref. H. messuag' p̄d̄ & terr' cum pertin', pro loco & tempore &c. Ideo idem I. in m̄ia &c.

F. W. generosus suū fuit ad respond' I. B. generoso, & E. B. fil' suo, de placito quod warrantizet eis 6. messuag', 3. gardina, &c. 3. pomaria cum pertin' in Ciuitate B. quæ tenent & de eo tenere clām, et vnde cartam suam habent &c. Et vnde ijdem I. et E. per H. C. accournat suum dic', qd cum p̄d̄ F. nuper seifitus fuisset de teñt' p̄d̄ cum pertin' in dominico suo vt de feod', Et sic inde seifitus existens, quēdam finē leuauit in Cur' dñi regis nunc hic scilicet apud West. in Octab. Sancti M. anno regni dicti dñi regis nunc scđo, coram I. D. H. B. A. B. et R. W. Iustic', Et postea a die Paschæ in 15. dies anno regni eiusd' reg. 3. ibidem concess. & recordat' coram eisdem Iustic' & alijs dicti dñi reg. fidelibus tunc ibi p̄sētibus, inter p̄d̄ I. et E. quer', & p̄d̄ F. deforc' de teñt' p̄d̄ cum pertinentijs vnde placitum conuentionis suū fuit inter eos in eadem Curia, scilicet quod p̄d̄ F. recogn' ten' p̄d̄ cum pertinentijs esse ius ipsius E. vs ill' quæ ijdem E. & I. ad tunc habuer' de dono p̄d̄ F. & ill' remis. & quiete clām de se & heredibus suis, p̄d̄ I. & E. & hered' ipsius E. imperpetuum: Et preteria ijdem F. concessit pro se & heredibus suis, quod ipse warrant' p̄d̄ I. & E. & hered' ipsius E. p̄d̄ tenementa cum pertinent' contra omnes homines imperpetuum: Qui quidem finis in forma p̄d̄ leuat', habet' & leuat' fuit ad opus & vsū eorundem I. et E. et hered' eiusdem E. imperpetuum, Cuius p̄textu, ijdem I. et E. fuer' seifit' de eisdem tenement' cum pertinē, vix. idem E. in dominico suo vt de feodo, ac p̄d̄ I. in dominico suo vt de libero tenemento: Et sic inde seifit' existen' quidam H. O. coram maiore et vic' villæ p̄d̄, die lunæ, videlicet, 28. die Aprilis, anno regni dicti domini Regis nunc quarto, apud Guilhaldam Ciuitatis p̄d̄ arrain' quandam assisam frisce forcie secund' consuetudinem Ciuitatis illius, in natura assisæ nouæ disseisinæ ad communem legem, versus eoldem I. B. & E. de tenement' p̄d̄ cum pertinē, per quod ijdem I. & E. penden' assisa illa, sapius requisuerunt p̄d̄ F. quod ipse tenement' p̄d̄ cum pertinē eisd' I. B. & E. & hered' eiusdem E. imperpetuum warrantizet. Et idem F. tenementa illa cum pertinē eisdem I. & E. huc vsque in forma p̄dicta warrantizare contradicit, vnde dic' quod deteriorat' sunt, & damnum habent ad valenc' ducentarum librar', & inde produc' sectam &c.

Et p̄d̄ F. in propria persona sua ven' & defend' vim & iniuriam quandam &c. & dic' quod ipse non potest dedicere actionem p̄dict' I. & E. p̄dict', nec quin finis p̄d̄ in forma p̄d̄ leuat' fuit, nec quin ipse per finem illum teneatur ad warrantizand' teñt' p̄d̄ cum p̄tin' p̄f. I. & E.

E. et hered' ipsius E. imperpetuum, in forma qua ijdem I. & E. superius versus cum narrauer' : Ideo consider' est quod pred' F. warrantizet pref. I. et E. et hered' ipsius E. imperpetuum, tenement' pred' cum pertin' pro loco et tempore &c. Et nihil de mia pred' F. quia ven' primo die per surm' &c. M. 8. et 9. Eliz. Reg. Rot. 1822.

W. C. armig' sum' fuit ad respōd' E. B. gener', de placito, quod warrantizet ei quinquaginta et quatuor acf' terr', quadragint' acf' pasturæ, et sex acf' bosci cum pertinentijs in E. quas tenet et de eo tenere clamat, & vnde cartam suam habet &c. Et vnde idem F. in propria persona sua dic', q' cum ipse seiscitus fuisset de p'dictis ten'is cū prinētijs in dominico suo vt de feodo, (et sic inde seiscit' existens) pref. W. per nomen W. C. de I. in com' N. alias dict' W. C. de W. in com' Suff. armig' x. die I. ann' reg: Dñæ Reginæ nunc 13. per quoddam scriptum suum, q' idem E. sigillo pred' W. signat' hic in curia profert, cuius datum est eisdem die et anno, recitand' p' idem script' q' cum idem W. C. p' nomen W. C. de I. in comitatu N. alias dict' W. C. de W. in com' S. armig', simul cum fratre suo C. C. de Lincolnes Inne in com' Middl' gen', per quandam Indent' inter pref. W. et C. ex vna parte, et E. B. de Lincolns Inne pred' generos. ex altera parte confect' gerent' dat' x. die F. anno regni Eliz. dei gratia Angl' Fr. et Hiberñ Reg. fidei defensoris &c. decimo, barganizauit et vendiderit prefa. E. totum statum et interesse sua, de et in illis p'cell' terræ continent' p' estimationē septē acf' siue plus siue minus inde habeatur, iacen' et existē in parochia de E. in com' K. modo, vel nuper in tenuera vel occupatione cuiusdam W. S. vel assign' suorum, quorum quidem parcell' vnde parcell' vocat' little S. alias dict' Q. & continē per estimationem sex acf', siue plus siue minus inde habeat, habend' & tenend' omnia pred' terras et omnia alia p'cessa, cum omnibus et singulis suis pertin' pref. E. B. hæred' & assign' suis ad solum et proprium opus & vsum ipsius E. B. hered' & assign' suor' imperpetuum, prout per pred' Indent' plenius apparet, cunq; etiam idem W. postea per nomen W. C. de I. in com' N. armig' alias dict' W. C. de W. in com' S. arm' simul cū prædict' fratre suo C. C. de Lincolns Inne in comitatu M. gen' per quandam Indenturam inter pref. W. et C. ex vna parte, et pref. E. B. de Lincolns Inne in com' M. generos. ex altera parte, confect', gerent' dat' 19. die Octob. ann' regni Eliz. dei gratia Angl', Franc', & Hiberniæ Reginæ fidei defensoris &c. decimo, etiam barganizauerit, & vendider' pref. E. omnia terras, boscos, et terras boscales ac cetera hæreditamenta subscrip't, per quodcunque nomen seu quecunq; nomina vocat', reputat', seu cognit', videlicet, omnia illa terr' vocat' S. alias dict' Q. alias dict' great D. and the byome, alias dict' S. and the byom, ac omnia alia terras & hereditamenta quæcunq; continent' p' estimationē quindecim acf' siue pl' siue min' inde hēat p' quodcunque nomen seu p' quecūque noia

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eodem sint voc', reputat seu cognit', modo vel nuper in tenura vel occu-
 patione eiusdem T. B. ex dimissioe cuiusdam I. C. de I. pred' armig' ad-
 eunc nuper defunct' quæ quidem parcell' iacent et existunt in E. in com'ā
 K. ac omnes illas terr' modo vel nup' in tenura vel occupationē cuiusd'
 P. W. de E. in p'd com' K. iacē et. existeñ in E. pred' ration' cuiusd' di-
 mission' eidē P. fact' p' p'f. I. C. continen' p' estimatiōn' quinq; acr', siue pl'
 siue min' inde habeat, ac etiā oēs ill' terr' modo vel nup' in tenura vel oc-
 cupac' cuiusd' I. I. ex dimissioñ pref. I. C. eidē. I. I. fact', continen' p' estim'
 quadragint' et octo acr' siue pl' sine min' inde hēat, iacē et existeñ in
 diuersis separabil' p'cell' in E. p'd vnde quēd' p'cell' sunt voc' seu cognit'
 p' nomē de P. alias dict' B. quædam aliæ parcell' inde sunt voc' seu cog-
 nit' p' nomen de R. quædam alia parcell' inde sunt voc' seu cognit' p'
 nomen de S. Dane: Ac etiā oīa ill' bosc' et terr' boscales infraspec', viz.
 E. W. continen' p' estim' duas acr' siue pl' siue min' inde hēat, le woodlād
 iacē apud Knowel gate in E. pred', continen' per estim' 3. rodas siue pl'
 siue min' inde habeat, S. continen' per estim' tres rodas siue plus siue min'
 inde hēat, L. alias dict' K. contin' p' estim' vnā acr' & tres rodas, siue plus
 min' inde hēat, quæ oīa sunt iacē et existeñ in E. p'd hēnd' et tenend'
 omnia p'dict' terras boscos et terras boscales ac oīa alia premissa cum oī-
 bus & singulis suis p'tin' p'f. E. B. hēf' & assign' suis, ad solum et proprium
 op' et vsum ipsius E. B. hēf' et assign' suorum imperpet', Cumque etiam
 idem W. simul cū p'f. C. fratre suo postea scz. in cur' dict' dñæ Reg. hic
 apud West. in oct' S. M. ann' reg. dictæ dñæ Reg. vndecimo in p'te cō-
 pleñti quarund' concess. et conuēc' in p'd Indentur' specificat, recogn'
 oīa p'd' terr' boscos, et hered' cum suis p'tin', per nomen siue nomina 54.
 acr' terr', 40. acr' pasturæ, & 6. acr' bosci cū pertinen' in E. p'd, esse ius p'd
 E. B. vt ill' q' diem E. ad tūc habuit de don' p'd W. et p'f. C. fratris sui, et
 ill' ad tunc remiserit et quiet' clamauit de se p'f. W. et hēf. suis, p'f. E. et
 hēred' suis imperpet', & pred' W. per idem script' hic in cur' p'lat' ad tūc
 approbauit, ratificauit & confirmauit eidem E. B. ad tunc in sua plen' &
 pacifica possession' et seisinā p'miss', existen' totum ius, titulū, statum, et
 interesse sua de & in p'missis, quæ oīa terr' p'rad', pastur', bosc', terr' bosca-
 les, & ceter' oīa & singula p'missa cū oīb' & singulis suis p'tin', pref. E.
 hēf' et assign' suis, ad solū et propriū opus et vsum ipsius E. hēf' et assign'
 suorum imperpetuū Et in super p'rad' W. C. p' script' illud obligasset se &
 hēf' suos, ad war' eidē E. hēf' & assign' suis imperpetuum, omnia p'rad' terr',
 pastur', boscos, & terras boscales, ac cetera oīa p'missa cum suis p'tin' cōtra
 oēs hoīes imperpetuū. p'ut per p'rad' script' hic in cur' p'lat' plen' appa-
 ret, Et idē E. dic' q' p'd' tēnta in breui p'd' spec', sunt ead' tēntura in p'rad'
 script' hic cur' p'lat' mēcion', et nō alia neq; diuisa, ac quidā H. R. ipso
 E. detēntis p'd' cū p'tin' in for' p'd' seisit' existeñ, in curia hic p'secut'
 est versus ipsum E. B. quoddam breue dñæ Reg. de ingressu sup' dilectiōn'
in

in le quibus, de tēntis p̄d cum pertin', per quod idem F. pendente breui illo ſæpius requiſiuit pref. W. C. quod ipſe tēnta cum pertin' eidem E. hucvſque warrantizaſ & eidem W. p̄d tēnta cum pertin' eidem E. huc vſque warrantizaſ contradixit & adhuc contradicit, vnde dicit quod deterioraſ eſt & damnum habet ad valentiam treſcentarum librarum, et inde producit ſectam &c.

Et p̄d W. C. per T. B. atturñ ſuum ven' & defend' vim & iniuriam quando & c. et dicit quod ipſe non poteſt didicere aſtionē p̄d E. p̄d, nec quin p̄d ſcripſi hic in Curia prolaf, ſic factum ipſius W. C. nec quin ipſe per idem ſcripſi confirmauit pref. E. tēnta p̄d cum pertin', nec quin ipſe p̄d W. per ſcriptum illud teneatur tēnt' p̄d cum pertin' eidem E. warrantizare, in formā qua idem E. ſuperius verſus eum narrauit, Ideo conf. eſt q̄ p̄d W. C. warrantizet pref. E. tenement' p̄d cum pertin' pro loco & tempore & c. Et nihil de Mia ipſius W. quia ven' priſm die per ſuñ & c. Hill' 13. Eliz. Ro. fiat ſimilis intratio verſ. C. C. mutaf mutandis F. W. gen' ſuñ fuit ad respondend' W. R. de placit' q̄ war' ei octo meſuag', ſex gardina, tria poſm, quatuor ac' terf, ſex ac' prati, & duas ac' paſt. cum pertin' in B. & B. que tenet & de eo tenere clamat, & vnde terram ſuam habet & c. Et vnde idem W. per W. C. atturñ ſuum dic' quod p̄d E. nuper fuit ſeiſtus de tēntis p̄d cum pertin' in dominico ſuo vt de feodo, & ſic inde ſeiſtus exiſtens idem F. 19. die S. anñ Reg. dñæ Reg. nūc 25. apud B. p̄d per quandam cartam ſuam, quam idem W. R. ſigillo p̄d F. ſignaſ hic in Curia proferet, cuius dat' eſt eiſdem die & anno, dedit & conceſſit ten' p̄d cum pertin' pref. W. R. hēnd' ſibi & hæf ſuis imperpetuum, & alteri p̄d F. per cartam p̄d tenement' p̄d cum pertin' eidem W. & hæred' ſuis contra omnes homines warran' prout per cartam illam plen' apparet: virtute quorum quidem don' & conceſſionē idem W. fuit & adhuc eſt ſeiſit' de ten' p̄d cum pertin' in dominico ſuo vt de feodo, Et ſic inde ſeiſit' exiſtens, quidam D. D. arrain' verſus ipſum W. quandam aſſiſam nouæ diſſeiſinē de p̄d tēntis cum pertin' coram I. C. vno baron' Scaccar' dominæ Reg. & F. R. vno ſeruien' ipſius dñæ Reg: ad legem luſtic' eiufd' dñæ Reg. ad aſſiſas in com' p̄d capiend' aſſign' per formam ſtatuti & c. per q̄ idem W. R. pendente aſſiſa illa ſepius requiſiuit pref. F. q̄ ipſe p̄d tenement' cum pertin' eidem W. war' & idem F. ten' illa cum pertin' eidē W. hucvſque war' contradixit & adhuc contradicit, vnde dic' quod deterioraſ eſt & damnum habet ad valentiam centum librarum, & inde producerit ſectam & c.

SYMBOLEOGRAPHY.

Of Recoueries for assurances &c. called *common, or feigned Recoueries.*



¶ euerie Recouerie ate to be regarded the demandant, the tenant of the land and the vouchée, as the efficient causes thereof. The land demanded, as the matter, which must as certainly be set downe in Writs of Entree, as in Writs of Couenant, whereupon fines are leuied. The end and effect of such recoueries, is to discontinue and destroy estates tailles, remainders and reuerfions, and barre the former owners thereof.

The demandant is he that bringeth the Writ of Entree, and may be termed the recoueroꝝ.

The tenant is he against whom the Writ is brought, and may be termed the recouereé.

The vouchée is he whom the tenant voucheth, or calleth to warrantie for the land in demand.

And such persons may be demandants, tenants, and vouchées, in these recoueries, as may be cognisozs and cognisees, in Writs of Couenant, and by such names, Mutatis mutandis. Sauiug that if any recouerie be had against any tenant in taile, the reuerfion or remainder being in the King, or the gift of the King, or of any of his Heiresses, progenitoꝝ, Kings of England; such recouerie will neither barre the issue in taile of his Entree, nor discontinue his estate, nor pluck such reuerfion or remainder out of his Heiressie, 34. H. 8. c. 20. Queretamen si tiel recouerie barre lissue in taile, during the continuance of the estate taile, Dyer fol. 132. pl. 1.

Item, befoze such persons, by such meanes, and in such maner may warrants of Atturney be knowledged and certified, as fines knowledged in the Countie; sauiug that the recognisance of warrants of Atturney may be taken by any Justice or Serieant, without a Writ of Dedimus potestatem. And fines must be paid vpon Writs of Entree, as vpon Writs of Couenant. And all such Writs of Entree, must be signed by the Kings Atturney befoze they can be sealed.

In a recouerie with double vouchet, the fine must be sired first, to make him tenant at the time of the Writ of Entree brought, for euerie Writ of Entree must alwaies be brought against him that is tenant of the freehold of the land demanded at the time of the Writ brought. 28. R. 2. & Dyer fol. 252. pl. 98. for that that the estate of the tenant

in taile which is vouchee, is barred in respect of the assets only which is, or may be recovered in value, Plow. Basset vers Manxel fol. 11. a. and of execution sued by the tenant against him.

And if the tenant haue but an estate for life, or in dower, or by the curtesie: then to haue a good recovery thereof, it is meet that such tenant make a conditionall surrender of his estate to him in the reuerſion, or remainder, to the end he may be a perfect tenant of the inheritance, and then to bring the writ of Entry against him: and after that the recovery is executed, the particular tenant for breach of the condition may enter and enjoy his terme notwithstanding such surrender.

See the like Surrender in the Chapter of Surrenders, in the first part of Symboleography.

Of what things Writs of Entre may be brought, and by what names.

Sec. 2.

PRæcipe quod reddat l'eth, de vna acra terræ aqua cooperta, vel de ac' ter' 12. H. 7. fol. 4. de gurgite 10. E. 3. & 14. Ed. 3. 842. Fitz. na. br. fol. 191. h. Et de passagio ultra aquam Fitz. na. br. fol. 191. i. de balliua 34. Ed. 3. 423. de officio 27. H. 8. fol. 12. de aduocac' Eccl', aut de quarta parte decimar' 34. Ed. 3. de portioñ de cimarum Dyer fol. 84. pla. 83. de quadam parcella terræ, Dyer fol. 84. pla. 83. de custod' terræ & hered', siue custod' terræ, Register 161. 2. 2. Ed. 3. fol. 19.

Præcipe quod reddat l'eth of all maner of Ecclesiasticall or Spirituall profits: vt de rectoria, vicaria, poreionibus, pensionibus, decimis &c. per statuf 32. H. 8. c. 7. de omnibus, & omnimodis decimis maiorib' mixtis & minutis infra villam siue hamlet de Bin paroch' de A. quoquo modo crescent, contingen', ac annuatim renouan', &c. The' lib. 8. c. 9. S. 2. de quarta parte decimar' & oblationum Eccl' sanct' P. &c. 16. Ed. 3. de quad' porcione decimar', or terræ, not shewing how much, 1. H. 4. fol. 1. Dyer fol. 84. pl. 83. 84. 85. & 86. In old time de hida terræ, p Glanville, de caruca terre, 4. E. 3. 161. de bouat' terre, 6. Ed. 3. 291. de sex pedibus tre in longitudine, & quatuor pedibus in latitud' 14. Ass: 13.

Præcipe quod reddat l'eth de toſco & ſitu molendini 14. Ed. 3. de hundredo de C. & balliuat' de B. 34. Ed. 1. 3. E. 3. de past. ad sex boues 3. Ed. 3. f. 23. 4. E. 2. de roda terre 3. E. 5. de aduocatione 34. E. 1. de quadam portione terræ 11. H. 4. fo. 40. 5. H. 7. fo. 9. de medietate vnus rodē terræ 41. E. 3. de shopa, Register f. 3. a. de 4. ac' alnet' 11. Ass. 13. de turbañ, by the name of More 8. Ed. 3. f. 387. and if l'eth in a Towne and not in a Hamlet, 8. E. 3. f. 557. E. 3. 9.

Of

Recoueries.

Of what things a Writ of Entre lyeth not.

Sect. 3.

PRecipe quod reddat lyeth not de fossato nec de stagno, nec de piscaria 8.E. 3. 387. nec de aduocatione decimarum vnius carucaꝝ terræ, Registꝛ fol. 29. nec de communia past. 27. H. 8. f. 12. de estouerijs 2.E. 3. de homagio & fidelitat, nec de seruitijs faciendis, 6.E. 2.

A Precipe quod reddat lyeth not de bouat marisci 13. E. 3. fol. 3. de selione terræ E. 1. foꝝ the incertaintie, because a Selon which is a land, sometime containeth an acre, sometime halfe an acre, sometime moze, and sometimes lesse. It lyeth not of a garden, cottage, oꝝ cress, 14. Ass. 13. 8. H. 6. 3. 22. E. 4. 13. de virgata terræ, 41. 43. 13. E. 3. de fodina, de minera, de mercatu, 13. E. 3. foꝝ they lye not in Demesne, but in Gaine, nec de superiori camera 3. H. 6. fol. 1.

A Writ of Entre ought not to containe one selfe thing twice, as a messuage, and a house parcell of the same messuage, 2. Ed. 4. fol. 28. 76. E. 3. f. 26. Poꝝ to name a towne and a hamlet within the same towne, 22. E. 3. fol. 14. 41. Ed. 3. fol. 22.

In euerie warrant of Atturney, it is good to put two Atturneys at the least foꝝ feare of death.

In a Countie Palantine, as Lancaster, Durisme, Chester, &c. may be put in a warrant one Atturney, and one of the Iustices Clarkes.

If the Writ of Entre be returnable Crastin Martiñ, the Writ of Summons ad warꝛ thereupon must beate Telle from the returne of Crastin Martiñ, and be returnable nine Returnes after the returne of the Writ of Entre, inclusive: that is, accompting Crastino Martini foꝝ one of the nine returnes, and tres Paschæ, which is the ninth returne after Crastino Martini foꝝ another. And the Telle of the Writ of Seisin must be the day of that ninth returne, and be returnable fiftene daies after. Then the Writ of Seisin may be returned, that seisin was deliuered by vertue thereof to the demandant, by the Sherife of the Countie where the lands lye vpon any day (not being Sunday) betwene the Telle and returne of the said Writ of Seisin. When the Writs of Entre, Summons, and Seisin must be returned and filed with the Custos breuium, and the iudgement entred by the Prothonotarie, and the warrants of Atturney by the Clarke of the warrants.

If a single recouerie and a fine be against the tenant, the Writ of Entre must beate date and Telle, befoze the Writ of Couenant, and be returned befoze.

If a Writ of Couenant be brought against the tenant, and a Writ of Entre against the demandant: then the Writ of Couenant must beate date, and be returned befoze the Writ of Entre, and this is called a double voucher.

A Certiorari to the executor of the Justice, before whom the warrants were acknowledged.

ELiz. dei gratia Angl' Franc' et Hibern' Regn', fidei defensor &c. dilecto sibi I. R. arm' executori testamenti Fr. R. nuper vnus Iustic' nostrorum de banco salutem. Volentes certis de causis certiorari tam super quodam warrant' atturñ per quod H. S. posuit loco suo W. B. & R. C. coniunctim & diuisim versus R. P. alias W. & R. H. de placito terr' in comitatu E. quam super quodam alio warrant' atturñ per quod H. L. & I. L. quos pred' H. S. voc' ad warrant', posuerunt locis suis A. B. & F. R. coniunctim & diuisim vers. pred' R. & R. H. de placito terræ in dicto comit' E. per pref. F. R. nuper capē, ac in custod' tua ratione executionis testamenti pred' existen', vt dicitur. Tibi precipimus quod warf' pred' Iustic' nostris de banco apud Westm' sub sigillo tuo distinctè & aperte sine dilacione mittas & hoc breue, vt iisdem Iustic' inspect' warrant' p̄d' ulterius in quodam breui nostro de Ingr' p̄den' coram pref. Iustic' nostris apud Westm' inter pref. R. et R. H. et pred' H. S. de vno messuag' &c. cum pertinentijs in T. et D. in comit' prædicto, & process. inde fieri fac', quod de iure, et secundum consuetudinem regni nostri Angl' fuerit faciend'. T. meipsa apud Westm' 29. die Nouemb. Anno regni nostri 34.

Sect. 4.

It is returned thus.

Respons. infranominati I. R. ad hoc breue.

Execuc' istius breuis patet in quadam schedula huic breui annex'.

Ebor. ff. Præc' H. S. quod iuste &c. redd' R. P. alias W. & R. H. vnum messuagium &c. cum pertinentijs in T. & D. qd. clam' &c.

Ebor. ff. H. S. po: lo: suo W. B. et R. C. coniunctim & diuisim versus R. P. alias W. & R. H. de plac' terr'.

Ebor. ff. H. L. et I. L. quos H. S. voc' ad warf' po: lo: suo A. B. & F. R. coniunctim et diuisim versus R. P. alias W. & R. H. de placito terræ.

Capf & cognit' apud W. in comitatu C. xvij. die Febru. anno regni dominæ Eliz. &c. 34.

I. R.

A Recouerie with single voucher.

Ebor. ff. **P**Ræc' G. C. armigero, quod iuste &c. redd' R. C. & R. I. vnum messuagium & quatuor acras terræ cum pertin' in T. quæ clam' &c. Et in que &c. Et nisi &c.

Sect. 5.

G. C. po: lo: suo N. M. et M. M. attorn' suos coniunctim & diuisim versus R. C. et R. I.

A. Re-

Recoueries.

A Recouerie with double voucher.

Sect. 6.

Derby. ff. **P**Ræc' N.L. et M. vxori eius, quod iuste &c. redd' T.S. & T. C. maneria de N.M. et P. cum pertin', ac 30. mess. 30. tosta, 5. molendina, 30. gardin', 30. pomaria, 1000. acr' terr', 1000. acr' prati, 50. acr' pastur', 40. acr' bosci, 1000. acr' moræ, 200. acr' iampnor' et bruere, et 3. libras reddi' cum pertin' in N.M.P.P. et B. que clām esse ius et hered' suam, et in quæ idem N. et M. non habet ingress. nisi post disseisinam quam H.H. iniuste et sine iudicio fecit p̄tā T. et T. infra 30. Annos iam vltimo elapsos &c. vt dic', vnde quer' &c. Et nisi &c.

Derby. ff. N. L. et M. vxor eius po: lo: suo, T. B. et W. B. attorn' suos coniunctim & diuisim versus T. S. & T. C. de placit' terr' ad lucrā d' vel perdendum.

Derby. ff. W. B. et T. F. quos N. L. et M. vxor eius vocant ad warā, po: lo: suo, P. P. et Q. Q. attorn' suos coniunctim et diuisim versus T. S. et T. C. de placit' terre ad lucrandum vel perdendum.

A Recouerie with treble voucher.

Sect. 7.

Essex. ff. **P**Ræc' R. B. et C. S. quod iuste &c. reddant A. T. armiger', maner' de B. et Q. cum ptin', ac 20. messuag', duodecim tosta, quatuor columbar', mille acr' terræ, cent' acr' prati, centum acr' pastur', C. C. acr' iampnor' et bruere, centum acr' moræ, et triginta solid' et vnum obul' reddi', ac reddi' vnus libræ et dimidij piperis, et vnus grañ piperis cum ptin' in B. et Q. Ac liberam piscariam in aqua de W. necnon aduocac' eccles. de B. quæ clām &c.

Essex. ff. R. B. et C. S. po: lo: suo, W. W. et R. R. attorn' suos coniunctim et diuisim versus A. T. de placito terræ.

Essex. ff. M. M. gen' quem R. B. et C. S. vocant ad warrant' po: lo: suo, I. I. et L. L. attorn' suos coniunct' et diuisim versus A. T. de placito terræ.

Essex. ff. G. W. gen' quem M. M. voc' inde ad warrant' po: lo: suo R. G. et R. S. attorn' suos coniunct' et diuisim versus A. T. de plac' terr'.

A Recouerie of aduowson in the Countie Palatine of Chester.

Sect. 8.

PLacita apud Cestri coram R. T. Milif' Iustic' dñe Reg. apud Cestri de Sessione cent' ibid' die Lunæ vltim' die Septemb. anno regni Eliz. dei gratia Angl', Franciæ, et Hibern' Reg. fidei defensor', et in terr' Eccles. Anglicañ et Hibern' supremi capitis 35.

Chestr. ff. H. S. armig' per T. B. attorn' suum, petit versus H. G. armig' aduocationem Eccles. de T. quam ei iniuste defore' &c. Et vnde dic' quod

quod ipsemet fuit seifitus de aduocac' Ecclesie p̄d vt de feodo & iure infra 30. annos iam vltimo elapso, tempore pacis, tempore dñi Reg. nunc & sic inde seifit eodem tempore ad eandem Ecclesiam presentauit quendam R. A. Clericum suum, qui ad presentationem suam fuit admissus, institutus, & inductus in eadem: Capiendo inde explec' vt in grossis decim, minutis decim, oblationibus, & obuencionibus ad valenc' &c. vt de iure Ecclesie sue p̄d &c. Et q̄ tale sit ius suum offert &c.

All the parts of a Recouerie in a Writ of Right de Præcipe in Capite exemplified.

Iacobus Dei gratia &c. Omnibus ad quos presentes littere patententes peruenierint salutem. Scias quod I. Comes S. in Curia nostra coram Iusticiariis nostris apud Westm̄ per breue nrm de Redio de Præcipe in capite, petijt versus T. B. senior & I. vxor eius maner de C. cum pertin', ac vnum messuag', 50. acr terre, 50. acr prati &c. cum pertin' in C. B. & H. iuxta T. vt ius & hered' suam: Quod quidem breue vna cum retorñ eiusdem, ac placitum super idem breue cum omnibus alijs placitum illud tangentibus sequitur in hæc verba.

Sect. 9.

Iacobus Dei gratia &c. Vicecom̄ Heref. salutem. Præcipe T. B. seniori, & I. vxori eius, q̄ iuste & sine dilacione reddant I. Comiti Salop̄ manerium de C. cum pertin', ac vnum messuag' &c. cum pertin' in C. B. & H. iuxta T. quæ clamat esse ius & hered' suam, & tenere de nobis in capite. Et vnde queritur q̄ p̄d T. & I. ei iniuste deforceant. Et nisi fecerint, Et p̄d Comes fecerit te secur' de clamore suo prosequen', tunc sum̄ p̄ bonos summoñ p̄d T. & I. q̄ sint coram Iustic' nostris apud West. a die Pasche in quindecim dies, ostens. quare non fecer. Et habeas ibi sum̄, et hoc breue. Teste meipso apud W. 2. die Aprilis Anno Reg. nostri tertio.

Le briefe.

Pleg' de prosequend' R. D. & I. R.

* Responso I. S. Militis Vicec' : Sum̄ T. B. & I. vxor eius infra script' H. F. & R. L.

Returne inde.

Placit' apud West. corum I. P. & socijs suis Iustic' dñi Reg. de banco de termino Pasche anno Reg. &c. 3. Rotulo C. C.

* Heref. ff. Ioh. Comes Salop̄ p̄ I. S. Attorn' suum pet' versus T. B. sen' & I. vxor eius, manerium de C. cum pertin', ac vnum mess. &c. cum pertin' in C. B. & H. iuxta T. p̄ breue dom̄ Reg. de precipe in capite &c.

Le dñ.

* Et vnde dicit q̄ ipsemet fuit seifitus de manerio, messuag', terris &c. cum pertin', in dominico suo vt de feodo & iure tempore pacis tempore dom̄ Reg. nunc, capiendo inde explec', ad valentiam &c. Et quod tale sit ius suum offert &c.

Le Count.

* Et p̄d T. & I. per W. B. Attornatum suum, vener' & defendunt ius

Le defea.

p̄d

Recoueries.

Le dd: p̄d Comit̄is & seisinam suam, & maxime de manerio, mesuag' &c. ei warf &c. & super hoc p̄d Comes petit versus ipsum W.P. manerium, mesuagium &c. cum pertin' in forma p̄d &c. Et vnde dic' quod ipsemet fuit seisinus de p̄d manerio, mesuag' &c. cum pertin' in dominio suo vt de feodo & iure, tempore pacis, tempore dñi regis nunc capiend' inde explec' ad valentiam &c. Et quod tale sit ius suum offert &c.

Le defence. * Et p̄d W.P. tenens per warrant suam defendit ius p̄d Comit̄is & seisinam eius & maxime de manerio, mesuag', terris &c. cum pertin' & totum &c. Et ponit se inde in magnam assisam domin' reg. & petit recog' fieri vtrum ipse maius ius habeat tenend' manerium, mesuag', terras &c. cum pertin', vt tenens p̄ warrant suam, vt ea tenet, an p̄d Comes habend' manerium, mesuag', terras &c. cum pertin', vt ea superius pet' &c. * Et p̄d Comes petit licentiam inde interloquend' &c. Et habuit &c.

Issue ferra le
graund assis.

Li. lo.

Default &
iudgment.

* Et postea idem Comes per Atturnatum suum p̄dicit' reuen' hic in Curia, & p̄d W.P. licet solemniter exact', non reuen', sed in contempt' Cur' default fec'. Ideo considerat' est quod p̄d Comes recuperet seisinam suam versus p̄d T. & I. de p̄d maner', mesuag' &c. cum pertin', tenend' eidem Comiti & hered' suis quiete de p̄d T. & I. & hered' suis imperpetuum.

Et p̄d T. & I. habeant de terris p̄d W.P. ad valentiam manerij mesuag', terrar' &c. p̄d cum pertin'. Et p̄d W.P. in misericordia &c.

Warrant. Atturnat. inde sequitur in hac verba.

Heres. A. Iohn. Comes Salop. po. lo. suo I.S. versus T.B. seniore[m] & I. vxor' eius de placito terrar'.

Heres. A. T.B. senior & I. vxor' eius, po. lo. suo W.B. versus Io. Com' Salop. de placito terrar'.

Quæ omnia & singula ad requisitionem p̄d Comit̄is exemplificari, fecimus, & magnum sigillum n̄m, quo vtimur ad h̄ndi exemplificationes, nec non ad quecunq; breuia iudicialia extra bancum p̄d exeunt sigilland', presentib' apponi fecimus. Teste I.P. apud West. 18. die Maij anno regni nostri tertio.

Remissio Curia in breui de Recto.

Sec. 10. **E**Xcellentissimo Principi domino I. Dei gratia &c. T.W. salutem in Eo per quem reges regnant, et Prineipes dominantur. Quia A. in cur' v̄ra coram Iustic' vestr' de banco per bre' vestr' de recto D.E. de vno mesuag' cum pertin' in S. quod de met enetur, licentia mea mediante proponit implacitare, vestræ celsitudini regie, tenore presentium significo me Cur' meam vobis inde hac via' remisisse. Saluo mihi alias iure dñij casu consimi-

consimili cum acciderit. In cuius rei testimonium has literas meas feci patentes, sigillo meo signat. Dat. 3. die Maij, Anno regni &c.

The exemplification of a Recoverie inrolled according to the Statute of xxiiii. Eliz. cap. 3

Elizabeth dei gratia Angl' Franc' et Hiberniæ, regina fidei defensor &c. Omnibus ad quos presentes literæ nostræ peruenerint salutem. Sciatis quod inter irrotulamenta bñum et aliorum dependen' pro communibus recuperationibus secund' formam statuti de termin' Paschæ apud Westm' Ann' reg. nostri 29. Rotul' primo continetur sic. Essex ff.* Elizabeth dei gratia, Angl', Franc' & Hiberniæ reg. fidei defensor &c. vic' Essex salutem, Præc' I.W. et I.S. quod iuste et sine dilatione redāt Io. St. et R. P. quatuor mesuag', quatuor gardina, 200. acras terræ, 100. acras prati, 300. acras pasturæ, 40. acras bosci, & 300. acras iampnor' et brueræ, cum pertin', in B. T. T. C. D. et H. quæ clamant esse ius et hæc suam. Et in quæ idem I. W. et I. S. non habeant ingres. nisi post disseisinam quam H. H. inde iniuste et sine iudicio fecit pref. I. S. et T. infra triginta annos iam ultimo elapsos ut dicunt. Et vnde queruntur quod pred' I. W. et I. S. eis deforc'. Et nisi fecerint et pred' I. S. et Th. fecerit secun' de clamore suo prof. tunc summ' per bonos summ' pred' I. W. et I. S. sint coram Iustic' nostris apud Westm' a die S. Mich' in quindecim dies, ostensuri quare non fecerint. Et habeas ibi summ' et hoc breue T. me ipsa apud Westm' 24. die Septem. anno regni nostr' decimo *Gibon.* pleg', de prof. Io. Doo. Rich. Roo. * Summ' Ioh. Den. Rich. Fen. * G. T. armig' vic' ff.

* Eliz. dei gratia Angliæ, Franciæ, et Hiberniæ regina fidei defensor &c. Vic' Essex salutem, Summ' per bonos summ' E. W. armigerum & vxor' eius quod sint coram Iusticiarijs nostris apud Westm' a die S. Hillarij in xv. dies ad war' Ioh. W. & I. S. quatuor mesuag', quatuor gardin', 300. acras terræ, 100. acras prati, 300. acras pasturæ, 40. acras bosci & 300. acras iampnorum & brueræ, cum pertin' in B. T. T. C. D. et H. quæ Ioh. St. et Tho. P. in curia nostra coram Iustic' nostris apud Westm' clam' vt ius suum per breue nostrum de ingres. super disseisinā in le post vers. eos. Et vnde ijdem Ioh. W. & I. S. in eadem curia nostr' voc' pred' Edm. et Ioh. summ' in comit' tuo ad war' versus eos. Et habeas ibi summ' et hoc breue. T. I. D. apud Westm' xvj. die Octobris, anno regni &c. decimo. * Lone. Summ' Iohannes Den, Richardus Fen. * T. L. arm' vic' ff. * Io. St. & Tho. po: lo: suo R. E. versus Iohannem W. & I. S. de placito terræ ff. Iohannes W. & I. po: lo: suo I. A. versus Io. S. & Tho. P. de placito terræ ff. Edm. W. armig' et Ioh. vxor' eius quos Iohan. W. et I. S. voc' ad war' po: lo: suo R. C. versus Io. S. et Tho. P. de plac' terræ. Quæ omnia et singula ad requisitiōem W. W. gener' tenore presentium duximus

The Doctor
which took
the Affid. for
the value.
Pledges.
Summoners.
The Sherifes
name.
Summons and
warrant.

The Protho-
notarie in
whose office
it is entred.
Summoners.
The Sherife.
The warrants
of attorney,

Recoueries.

duxim exemplificad. In cuius rei Testim sigill' nostr' ad bria in banco sigilland deputat presentibus appon fecimus T. F. W. P. et F. R. Iustri de banco prædict' apud Westmoñ xvj. die Iunij anno regni nostri vicessimo nono.

M. The Judges which examined
their inrolment.

M. W. P.
and R.

Pardon alien super terr' per breue de Ingressu recuperat.

Sect. 12

Regina, Omnibus ad quos &c. salutem. Cum prædilectus et fidelis consanguineus nostr' T. Dux Norff. Com. Marechal' Angliæ, & prænobilis ordinis garter. Mil', ac dilecti et fideles nostri W. C. Miles principal' Secretar' nostr', R. Carl' miles, nuper scilicet term' &c. anno Reg. nostr' &c. recuperauer' versus predilectum et fidelem consiliarium nostrum N. B. Militem dñum custod' magni sigil' nostri Angl', ex eius assensu & ad eius requisitionem per bre' nostrum de ingressu super deffensiam in le post, scdm' cursum formam et usum communium recuperation' man' de Redgrau' &c. in com' nostr' Suff. ad diuersos seperales vsus, intention', condition' et propolite specificat' et declarat' in quibusdam Indentur' factis inter ipsum N. ex vna parte et prefatos duces W. R. &c. ex altera parte gerent' dat' secundo die Octob. anno Reg. nostri prim' prout per eandem Indentur' plenius appar', cumque etiam iudem dux W. R. &c. in maner', terr', tenement', et cetera premissa cum pertin' virtute recuperac' predict' intrauer', licentia nostr' Regia inde prius non obtent', Et de eisdem premissis fuerunt seisit' in dominico suo vt de feodo, ad vsus, intentiones, & proposita in præd' Indentur' specificat' & declarat'. Quæ quidem Maner', messuag', terræ, tenement', & cetera premissa de nobis tenent' in capite, vt dicitur, Sciatis quod nos de gratia nostra speciali ac ex certa scientia et mero motu nostris, saluo nobis homag' nostr' perdonamus, remittimus, et relaxamus pro nobis hered' et successor' nostr' transgress. in ea parte fact' ac omnimod' intraciones, et ingressus in predict' Maner', terr', tenement' et cetera premissa, seu aliquam inde partem siue parcel', tam ante presentem diem quoquo modo fact', siue perpetrat', quam impostert' ration' alicuius vsus in predict' Indentur' specific' seu declar' fiend' seu habend'. Et vterius concessimus, ac pro nobis hered' & successoribus nostr', quant' in nobis est, per presentes concedimus præfat' duci W. R. &c. quod ipsi maner', messuag', terr', et tenement' prædicta ac cetera premissa cum omnibus et singulis suis exit', reddit', proficuis et prin' quibuscunq', (except' præ except') habeant et teneant sibi a hered' et assign' suis ad vsus, intentiones et proposita in Indentur' predict' content' & specificat', de nobis hered' et successoribus nostris per seruitia inde debita, et de iure consueta imperpet', absque impet', molest', vexacin', impedimento, seu grauamine nostri heredum vel successor' nostr',

noſtr', aut aliquoꝝ Iuſtic', Eſcãctoꝝ, vicecoꝝn, balliuorum, aut aliorum officiaꝝ miniſtroꝝ ſeu ſubditoꝝ noſtroꝝ, aut hæred' vel ſucceſſoꝝ, noſtroꝝ quorumcunqꝛ. In cuius rei &c.

And it is to be noted, that of all licences to alien tempoꝝall land in *Hortmaine*, the fine to the King is five yeares value of the ſame.

Of all licences to alien ſpirit uall land, (as appropriations of Churches, or other beueſices ſpirit uall) the fine to the King is ſoure yeeres value thereof.

Of all licences of alienation made of lands holden of the King in *Capite*, the fine is the third part of the value, the tenth deducted.

Of all pardons of alienation by the Kings tenant in *Capite*, the fine is one yeares value thereof.

Of all licences of *Marriage* of the Kings *Widow*, the fine is the 3. part of the value of her dower by a yeare.

Of all pardons of the Kings *Widowes* married without licence, the fine is the whole value of her dower by a yeare.

Exemplification of a recovery with double voucher out of the Prothonotaries office.

Iacobus Dei gratia Angliæ, Scotiæ, Franciæ, & Hiberniæ, Rex fidei defenſor &c. Omnibus ad quos præſentes litteræ noſtræ puenierint ſalutem. Seçt. 13.
Sciatis qꝛ inter placita terræ irrotulã apud Weſt. coram E. A. Milite & ſocijs ſuis Iuſtic' noſtris de banco. Termin' S. Hill' anũ Regnũ noſtri 2. Roꝝ x. continetur ſic.

Eborum. ff. Fr. W. & R. S. in proprijs perſonis ſuis, peꝛ verſus I. R. duodecim acꝛ prati cum pertineñ in M. & K. vt ius & hereditatem ſuam, Et in quas idem I. non habet ingreſſum, niſi poſt diſſeiſinã, quam H. H. inde iniuſte & ſine iudicio fecit præfat' Fr. & R. infra trigint' anũ &c.
* Et prædict' I. per W. W. Atturñat' ſuum venit, & alias voc' ad warrañ Voucher.
T. R. Armigerum, qui modo per ſum' ei in com' pꝛã fact' per T. L. Atturñatum ſuum, venit & gratis' prædictas duodecim acras prati cum pertinentijs ei warrant' &c. * Et ſuper hoc prædict' Fr. & R. peꝛ verſus ipſum Le dd' verſ. le 1. voucher.
T. teneñ per warrant' ſuam prædictas duodecim acras prati cum ptiñ in forma prædicta &c. * Et vnde dic' quod ipſimet fuerunt ſeiſiti de prædict' Le count.
duodecim acꝛ prati cum pntencijs in dominico ſuo vt de feodo, & iure, tempore pacis, tempore Domini Regis nunc capiendo inde explec' ad valenc' &c. Et in quas &c. Et inde product' ſectam &c. * Et prædict' T. Vouch ouſtr.
tenens per war' ſuam defendit ius ſuum quando &c. * Et vterius voc' Le defence.
inde ad war' R. H. qui præſens eſt, hic in Curia in propria perſon' ſua. Et gratis prædict' duodecim acras prati cum pertinentijs ei warrant' &c. Dd' verſ. 2.
* Et ſuper hoc prædict' Fr. & R. S. peꝛ verſus ipſum R. H. teneñ per war' Voucher.
ſuum

Le Count;

Le defence.
Non dissei-
suis.Default.
Judgement;Recoverie in
value.
Misericordia.

suam prædictas duodecim acr' prati cum pertinentijs in forma prædicta &c. * Et vnde dic' q' ipsimet fuerunt seisiiti de predic' duodecim acr' prati cum pertinentijs in dominico suo de feodo & iure tempore pacis, tempore Doñi Regis nunc capiendo inde explec' ad valentiam &c. Et in quas &c. Et inde produc' sectam &c. * Et prædic' R.H. tenens per war' suam defendit ius suum quando &c. * Et dic' qd' præd' H. non disseisuit præf. Fr. & R.S. de pred' duodecim acr' prati cum pertinentijs, ꝑut ijdem Fr. & R. per breue & narrationem suam prædic' super ius supponunt. Et de hoc ponit se super patriam &c. Et prædic' Fr. & R.S. pet' licentiam inde interloquendi. Et habent &c.

Et postea ijdem Fr. & R. reueñ hic in curia isto eodẽ termino in proprijs person' suis. Et prædictus R. H. licet solemniter exact' non reueñ, sed in contemptum curiæ recessit, & defaultam fecit. * Ideo considerata est quod prædic' Fr. & R.S. recuperent seisinam suam versus præf. I: de prædictis duodecim acr' prati cum pertinent'. Et quod idem I. habeat de ter' prædict' T. ad valentiam &c. Et quod idem T. ulterius habeat de ter' predic' R.H. ad valentiam &c. * Et idem R. in misericordia &c. * Et super hoc prædicti Fr. & R.S. petunt breue doñi Regis Vicecom' comitatus præd' dirigend' de habere faciend' eis plenariam seisinam de p'd' duodecim acr' prati cum pertinentijs. Et eis conceditur, returnabile hic a die Paschæ in quindecim dies &c. Quæ omnia & singula ad requisitionem prædic' Fr. & R.S. tenore p'sentium duximus exemplificandum. In cuius rei Testimonium. sigillum nostrum ad breuia in banco prædic' sigilland' deputat' p'sentibus apponi fecimus. Teste E. A. apud Westm' duodecimo die Februarij, Anno Regni nostri &c.

When the writ of Seisin is returned, the returne thereof must be entred vpon the same Roll, whereon the iudgement was entred, as appeareth in the end of the next section.

Another to the like effect.

Sect. 14.
Dd' vers terf.

Iacobus Dei gratia Angliæ, Scotiæ, Franciæ, & Hiberñ Rex. fidei defensor &c. Omnibus ad quos presentes literę nostrę peruenerint salutem. Sciatis quod inter placita terrę irrotulat' apud Westm' coram E. A. milite & socijs suis Iustic' nostris de banco. Termin' Mich. añ regn' nostri 2. Roñ 12. continetur sic.

Le Count;

Notting. ff. R.T. & R.B. in proprijs personis suis, pet' versus P. T. generosum, & W. H. generosum, maneria de H. & M. cum pertinentijs, ac viginti messuagia, decem tosta, vnum molendinum equinum, duo columbar', triginta gardina, quingenta acras terrę, ducent' acras prati sexcenta acras pasturę, trescent' acras bosci, mille acras iampnerum

&c.

& brueræ, quingent' acras more, & 20. solid' redd' cum pertin' in H. M. D. &c. vt ius et heredit' suam, Et in quæ ijdem P. & W. non habent ingressum nisi post disseisinam, quam H. H. inde iniuste & sine iudic' fecit prefat' R. & R. infra triginta annos &c. * Et vnde dicunt quod ipsimet fuerunt seisciti de manerijs, tenementis, & redditu predict' cum pertin', in dominico suo vt de feodo, & iure, tempore pacis, tempore domini Regis nunc, capiendo inde explec' ad valenc' &c. Et in quæ &c. Et inde producunt sectam &c.

Defence per
les terres,

* Et pred' P. & W. in proprijs personis suis venerunt & defend' ius suum quando &c. Et voc' inde ad war' G. M. generosum, qui presens est hic in Curia in ppria persona sua. Et gratis maneria, tenementa, & redditus pred', cum pertinentijs eis warrant' &c.

Demand' vers
Vouchee,

* Et super hoc pred' R. & R. pet' versus ipsum G. tenen' per warrant' suam maneria, tenementa, & redditus pred' cum pertin' in forma predicta' &c. * Et vnde dicunt quod ipsimet fuerunt seisciti de manerijs, tenementis & redditu predict' cum pertinentijs, in dominico suo vt de feodo, & iure, tempore pacis, tempore domini Reg' nunc, capiendo inde explec' ad valentiam &c. Et in quæ &c. Et inde producunt sectam &c.

Count.

* Et pred' G. tenens per warrant' suam defendit ius suum quando &c.

Defence per
vouchee.

* Et vterius voc' inde ad warrant' D. H. qui similiter præsens est hic in Curia in propria persona sua, & gratis maneria, tenementa, & reddit' predict' cum pertinentijs ei warrant' &c.

Le reuoucher.

* Et super hoc predicti R. et R. petunt versus ipsum D. tenen' per warrant' suam maneria, tenementa, & reddit' predicta cum pertinentijs in forma predicta &c. * Et vnde dicunt quod ipsimet fuerunt seisciti de manerijs, tenementis, et reddit' predictis cum pertinentijs in dominico suo, vt de feodo, & iure, tempore pacis, tempore domini Regis nunc, capiendo inde explec' ad valentiam &c. Et in quæ &c. Et inde producunt sectam &c.

Dd' vers 2.
Vouchee.

Le Count vers
2. vouchee.

* Et predictus D. tenens per narrationem suam defendit ius suum quando &c. * Et dicit quod predict' H. non disseisuit præf. R. & R. de manerijs, tenementis, & redditu pred' cum pertinentijs, prout iidem R. & R. per breue et narrationem suam predictam superius suppon'. Et de hoc ponit se super patriam &c. * Et pred' R. & R. petunt licentiam inde interloquendi. Et habent &c.

Defence per 2.
vouchee.

Non diss.

Li. Lo.

Et postea iidem R. & R. reuen' hic in Curia isto eodem termino in pprijs personis suis. Et predictus D. licet solemniter exat' non reuen', sed in contemptum curiæ recessit, & defaltam fecit. * Ideo consideratum est quod predict' R. & R. recuperent seisinam suam versus præfatos P. & W. de manerijs, tenementis, & redditu predictis, cum pertin'. * Et quod iidem P. & W. habeant de terra pred' G. ad valentiam &c. Et quod idem G. vterius habeat de terr' predict' D. ad valentiam &c.

Le default.

Judgement
inde.

Recouerie in
valuc.

Recoueries.

Misericordia. * Et idem D. in misericordia &c. Et super hoc predicti R. et R. petunt breue domini Regis Vicecomiti comitatus prædicti dirigend, de habere faciend eis plenariam seisinam de maneriis, tenementis, et redditu præd cum pertinentiis. Et eis conceditur, returnabile hic à die S. Martini in quindecim dies.

Ad quem diem hic venerunt præd R. et R. in propriis personis suis. Et vicecom, scilicet, I. B. miles, modo mandat quod ipse virtute breuis illius sibi directi vicefimo quarto die No. ultimo præterit, habere fecerit præf. R. et R. plenariam seisinam de maneriis, tenementis, et redditu prædictis, cum pertinentiis, prout per breue illud sibi preceptum fuit &c. quæ omnia et singula ad requisitionem præd R. et R. tenore presentium duximus exemplificandum. In cuius rei testimonium sigillum nostrum ad breuia in banco predicto sigilland, deputat, presentibus apponifecimus. Teste &c. Anni Regni nostri &c.

*A. Dedimus potestatem; to take knowledge of a warrant of
Attorney of the Vouchee.*

Señ. 15.

REX & Regina dilecto & fideli suo Ra. Ro. seruienti ad legem salutem. Cum breue nostrum de ingressu super disseisinam in le post pendeat coram Iustic' de Banco in W. S. & R. C. gener peten, & G. T. milite dominum T. de fore, de Manerio de W. cum pten ac de vno messuag' ducent' acris terræ 60. acf prati, 100. acf pastur, 100. acris bosci, 50. acf moræ, et quinque solidat' reddit' cum pertinen in W. & L. in com' Salop, & præd G. in plena Cur' nostr' ibidem coram Iustic' nostris predict' comparens vocauit W. C. ad war' ei Maner' prædict' cum ptenen, super quo tunc et ibidem emanauit breue nostrum de sum ad war' vic' com' predict' direct' versus eund' W. C. returnabile, cor' Iustic' nris pã in quindena S. Hill' prox' futur'. Et qui predict' W. C. adeo impotens soi & senio confect' existit q' vsque West. cor' Iustic' nostris pã ad diem in dicto breui nostro de sum ad war' content' laborare non suffic' vt accepimus. Nos statui eiusd' W. compatibles in hac parte, Deã vobis potest' & plen' auctor' Attorn' vel attorn' quẽ vel quos idem W. C. ad war' vocand' lucrand' vel perdend' in placito predicto coram Iustic' nris pã loco suo coram vobis ponere aut constituere voluerit recipiend', Nosque inde in Cancel' nostra de nomine huiusmodi Attorn' vel Attornator' debic' certificand'. Et ideo vobis mandamus quod ad præf. W. C. si comẽd' ad vos laborare non sufficit personaliter accedatis, Attorn'que suum vel Attorn' suos coniunctim vel diuisim in forma præd recipiatis Et cum Attorn' illum vel Attorn' illos sic receperitis, nos inde in Canc' nostr' in xv. S. Hillarij vbicunq; tunc fuerit sub sigillo vestro debite certificetis, hoc breue nobis remittentes. T. &c.

It is returned thus.

Respond' infra nominat' R. R. ad hoc breue.
Execuc' istius breuis patet in quadam schedula
huic breui annex' R.R.

Salop. ff. **P**Recipe G. T. militi domini F. quod iuste &c. reddat W.
S. & R. maner' de W. cum pertiñ ac vnum messuag' &c.
(vt sup' in le Dedimus potestatem verbatim) cum pertiñ
in W.L. quæ clamat &c.

Salop. ff. **V**oc' ad war' po: loco suo A.B. & F. R. coniunctim & di-
uisim versus W.S. & R. C. in placito terræ.

¶ Capta & cognit' apud Firbecke in com' Ebo' decimo die Februarij,
Anno regni dñæ nostræ Eliz. &c. 36.

Ra. Ro.

*Dedimus potestatem de attorn' rec' in breui de ingressu super dissei-
sinam in le post pro tenent'.*

REx dilecto & fideli suo H.W. militi. Salutem Cum per breue no- Sect. 16.
strum de ingressu super disseisinam in le post pendens coram Iustic'
nostris de com' banco nostro in H.D. & T. H. de 20. acris terræ, trib'
ac' prati, & 12. acris pasturæ cum ptin' in M. in comitatu N. Et quia
idem T. adeo impotens & senio confect' exillit quod absque maximo
corporis sui periculo coram Iusticiari' nostris p'd ad diem in dicto breui
nostro contentū laborare non sufficit, vt accepimus. Nos statui eiusd' T.
pie compatiētes in hac parte, ded' vobis plenam potest' & autoritatē
attorn' vel attornatos coniunctim vel diuisim, q̄ vel quos idem T. ad lu-
crand' vel perdend' in placito pred', coram Iustic' nostris pred' loco suo
coram vobis ponere aut constituere voluerit recipiend', nosque inde in
Canc' nostra de nomiñ hūdi attorn' vel attornatorum debite certificād'.
Et ideo vobis mandamus quod ad p'f. T. si commode ad vos laborare nō
sufficiat personaliter accedatis, attornatumq; suum vel attorn' suos con-
iunct' & diuisim in forma pred' recipiāt. Et nos in Canc' nostra de nomi-
ne hūdi attorn' vel attornatorum ipsius T. in Crast' Sancti I. prox' futur'
vbicunq; tunc fuerit sub sigili' v'ro debite certificetis hoc breue nobis re-
mittentes, T. 5. die Aprilis Anno regni Regis &c.

It is returned thus.

Respondend' infanominat' H.W. ad hoc breue, execuc' i-
stius breuis patet in quadam schedula huic breui annex'
H. W.

Not. ff. **P**Recipe T. H. quod iuste &c. reddat H. D. 20. acras
terræ &c. vt s'ura in le Dedimus potestatem verbatim

L 3

cum

Recoueries.

cum pertinentijs in M. quæ clamat &c.

Notting. ff. T. H. po: lo: suo A. B. & F. R. coniunctim & diuisim versus H. D. de placito terræ.

¶ Capta & cognit' apud Firbeeke in com' Ebof decimo die Februarij, Anno regni dñi nostri Ia. &c.

H. W.

*Aliud breue de Ded' potest' rec' attorn' ten' super
breue de ingressu.*

Sect. 17:

Rex reuerendo in Christo patri Cuthberto Episcopo D. & W. B. Salutem. Cum breue nru de ingressu super dilectis in le post pendeat coram Iustic' nris de Banco inter A. B. milit' petentem, & C. D. armig' tenentem de quarta parte Manerij de F. cum pertiñ ac 800. ac' terræ, 20. acris prati, 220. acris pasturæ, 300. ac' bosci, & quadragint' lib' reddit cum ptiñ in F. p'd' in com' Essex. Et quia idem C. adeo impotens sui & senio confect' existit q' absq; maiximo corporis sui periculo vsque West. ad diem in dicto breue contē ad personaliter cōparend' & ad id qd' in eod' tunc ibid' fieri expediens foret faciend' & agend', laborare non suffic', vt accepimus. Nos statui eiusdem C. compatiētes in hac parte, Ded' vobis & vtriq; vrm coniunctim & diuisim plen' potest' & autho' recipiendi Attorn' predict' C. quē vel quos idem C. personalit' cōf vobis vel vno vrm versus p'f. A. in breui p'dict' penden' coram p'f. Iustic' nris loco suo ponere, attorn', vel constituere voluer' ad placitā placitand', war' vocand', lucrand', vel perdēd' in breui illo. Et ideo vobis & vtrique vrm coniunctim & diuisim mandamus qd' ad p'f. C. si commod' ad vos laborare non sufficiat, personaliter accedentes Attorn' vel Attorn' quem vel quos idem C. personalit' cōf vobis vel vno vrm in breui p'dict' coram p'f. Iustic' nostris penden' versus p'f. A. ad placita ibid' ad p'f. terminum placitand' war' vocand', lucrand', vel perdend', loco suo ponere Attorn' & constituere voluerit, recipiatis vel vn' vest' recipiat. Et cum attorn' vel attorn' hñdi sic receperitis, vel vnus vrum receperit, nos in Canc' nostra de nomine vel nominib' hñdi attorn' vel attorn' ipsius C. in O & Sancti Hill' prox' futur' vbiunq; tunc fuerit, sub sigill' vris vel vnus vrum debite certificetis, vel vn' vrum certificet, hoc breue nobis remittentes, Teste &c.

**The forme of a Recovery with single voucher.*

PRecipe S. H. quod reddat A. B. & C. D. 40. messuagia cum pertiñ in G. D. R. &c.

Pred' S. H. po: loco suo R. F. & T. N. coniunctim & diuisim versus pred' A. B. & C. D. in placito terræ.

W. A.

W. A. quem prædict' S. H. vocat ad warrantiam ponit loco suo G. M. & T. F. coniunctim & diuisim versus prædict' A. B. & C. D. in placito terræ.

Prædict' A. B. & C. D. ponunt loco suo R. C. & F. C. coniunctim & diuisim vers. præd' S. H. in placito terræ.

A common reconerie had by diuers against one, of diuers manors &c. within the Countie Palantine of Chester, before the Iudges of the Shires or Counties.

DE placitis com̄ Cestriæ apud Cestriam coram T. E. ar̄, filio T. E. mi. Sect. 18. lit̄ iustic' dom̄ Reg. ibidem die martis proxim̄ post festum exaltationis Sanctæ Crucis An̄n regni Regis Henrici octauī post conquestum Angliæ octauo.

R. E. miles, P. D. miles, I. S. filius & hæres apparens T. S. de W. T. S. filius & hæres apparens R. S. de S. & G. L. capellanus per Th. B. attornat̄ suum in cur̄ dñi Regis, hic petunt vers. H. S. de O. ar̄n maner̄ de O. alias O. cum pertinent̄ & 14. messuag' &c. vt ius & hereditatem suam, & in quæ idem H. non habet ingressum nisi post disseisū quam Th. Cucc inde iniuste & sine iudicio fecerit pref. R. P. I. T. & G. postquam I. Scoticus fact' fuit comes Cest' &c. Et vnde ijdem R. P. I. T. & G. dicunt qd̄ ipsimet fuer̄ seisisi de eisdem maner̄, messuag', terris, præf, past', bosc, turbar̄, mosses, & reddit̄ cum pertineñ &c. in dominico suo vt de feod' tempore pacis tempore dñi Regis nunc capiend̄ inde expleciones ad valenc' &c. Et in quæ &c. & inde produc' festam &c.

Et præd' H. S. ar̄n in propria persona sua ven̄ & defendit ius suum quando &c. & vocat ad war̄ T. N. qui p̄sens est in curia in propria persona sua & gratis eidem H. S. maner̄, messuagium, terr̄, tenement, præf, pastur, bosc' turbar̄, mosses, & reddit̄, & medietatem manerij de E. superius petit̄ cum pertineñ warrantizat. Et sup hoc p̄dict' R. P. I. T. & G. petūt versus eundem T. N. ten̄ p̄ warrañ suam p̄d̄ manerij, messuag' &c. & medietatem manerij de E. cum pertineñ in forma præd' &c. & vnde dicunt quod ipsimet fuerunt seisisi de eisdem maner̄, messuag', terr̄, præf, pastur, bosc' turbar̄, mosses, reddit̄, & medietat̄ manerij de E. cum pertineñ in dñico suo vt de feodo, tempore pacis tempore dñi regis nunc capiend̄ inde expleciones ad valenc' &c. Et in quæ &c. Et inde producunt festam &c.

Et præd' Th. N. tenen̄ per warrañ suam defend̄ ius suum quando &c. Et dicit quod præd' T. C. non disseisuit præfat' R. P. I. T. & G. de prædict' manerio, messuagio, terr̄ præf, pastur, bosc', turbar̄, mosses, & reddit̄, & medietat̄ manerij de E. superius petit̄ cum pertinentijs modo & forma prout prædict' R. P. I. T. & G. per breue & narrationem

Recoueries.

onem suam prædict' supponunt &c.

Et præd' R.E.P.D.I.T. & G. petunt licenc' inde interloquendi hic &c. & habeant. Posteaque isto eodem com' hic &c. præd' R. P. I. T. & G. per Attornat' suum præd' reuen' in cur' domini Regis &c. Et prædict' T.N. tenen' per war' suam licet solemniter exact' non reuenit sed in contemp' cur' hic recessit & defalt' fecit. Ideo considerat' est per Iuratores com' p'd' quod præd' R.E.P.D.I.T. & G. recuperarent seisinam suam versus prædict' H.S. de prædict' man', messuag', terr', præ', past', bosc', turbar', molles', reddit', & medietat' manerij de E. superius petiit cum pertiñ. Et quod idem H. habeat de terra præd' T. N. ad valenc'. Et idem T.N. in miserecordia.

A common Recouerie by diuers before the Iustice of Chester, and Judges of the same Countie of a Manor &c. Temp' H. 8.

Sec. 91.

DE placitis com' Cestriae apud Cestriam coram T.E. af filio T.E. mil' Iustic' domini Regis ibidem die Martis in prima Septimana quadragesim', Anno Regis H. 8. 21.

R.B.W.B.B. filij R.B. mil' O. B. H. D. filius & heres R. D. armig' defunct' D.D. de E. & R. C. capellanus per Th. B. attornat' suum in curia domini Regis hic petunt versus R.D. capellan' & T. H. de ciuitate C. maner' de W. cum pertinentijs, 30. messuag' vnum molendinum aquaricum, 500. ac' terre, 400. ac' prati, 200. ac' pastur', 100. acras bosci, 20. ac' turbar', 40. acras terræ aqua cooper', & xl. li. reddit' cum pertiñ in W. & O. vt ius & heredit' suam, & in quæ idem R. & T. non habent ingressum nisi post disseisinam quam T. C. iniuste & sine iudicio fecit præfat' R. W. B. &c. postquam I. Scoticus factus fuit comes Cest' &c. Et vnde ijdem R. W. B. &c. dicunt qd' ipsimet fuerunt seisi' de eisdem maner', messuagij, molend', terr', præ', pastur' bosc' turbar', terr' aqua cooper' cum pertiñent in dominico suo vt de feodo, tempore pacis tempore dñi regis nunc capiend' inde expleciones ad valenc' &c. Et in quæ &c. Et inde producent sectam &c.

Et præd' R. D. & T. H. in proprijs personis suis ven' & defendūt ius suum quando &c. & vocant inde ad warrañ W. M. arm' qui præsens est hic in curia in propria persona sua & gratis maner', messuagium, molendin', terr', præ', past', bosc' turbar', terr' aqua cooper' p'd', eid' R. D. & T. H. warrantizat &c. Et sup' hoc p'd' R. W. B. &c. petūt versus ipsum W. M. arm' ten' p' warrañ suam p'd' maneriu', messuag' molend', terr', præ', pastur', bosc', turbar', terris aqua cooper', & reddit' superius petiit cum pertiñent in forma p'd' &c. & vnde dicunt qd' ipsimet fuerunt seisi' de eisdem maner', messuag', molend', terr', præ', pastur', bosc' turbar', terr' aqua cooper' & reddit' cum pertiñ in dñico suo vt de feodo tēpore pacis tēpore dñi regis nunc

nunc capiend̄ inde expleciones ad valenc' &c. Et in quæ &c. Et inde p̄ducunt secl̄ &c.

Et p̄d̄ W. M. armiger tenens per warrant̄ suam defendit ius suum quand̄ &c. Et vocat inde ad warrant̄ Th. Needham qui presens est hic in cur̄ in propria persona sua, & gratis manet, messuag' molend' terras, præ, pastur', bosc. turbañ terr' aqua cooperē & reddend' prædicta cum pertineñ eidem M. M. warrantizat &c. Et super hoc præd̄ R. W. B. &c. petunt versus ipsum Th. Needham teneñ per warrant̄ suam p̄dict' Maner', messuag', molend', terr' præ, pastur', bosc', turbañ, terr' aqua cooperē & reddi, superius peti cum pertiñ informa p̄d̄ &c. Et vnde dicunt ipsimet fuerunt seisciti de eisd̄ maner', messuagijs, molend' terr' præ, pastur', bosc', turbañ, terra aqua cooperē & redd' superius peti cum pertiñ in dominico suo vt de feodo tempore pacis, tempore dict' domin' regis nunc capiend̄ inde expleciones ad valenc' &c. Et in quæ &c. Et inde p̄ducunt secl̄ tam &c.

Et p̄d̄ Th. Needham tenen' per war' suam defend̄, ius suum quando &c. Et dicit quod præd̄ T. Curte non desseisuit præd̄ R. W. B. &c. de manerio, messuag', molend', terr', præ, pastur', bosc' turbañ, terr' aqua cooperē & redd' cum p̄tiñ modo & forma p̄t̄ ijdem R. W. B. &c. p̄ breue & narrationem suam superius supponunt &c.

Et præd̄ R. R. W. &c. petunt licentiam inde interloquendi hic &c. et habent &c. Posteaque isto eodem com̄ hic &c. ijdem R. W. B. &c. per præd̄ Attornat̄ suum reueñ in cur̄ dñi regis. Et præd̄ T. N. tenens p̄ war' suam licet solemniter exact' non reueñ, sed in contempt' curiæ hic recessit et defaultam fecit: &c. Ideo concessum est per Iudicatores com̄ p̄d̄ qd̄ p̄d̄ R. W. B. &c. recuperarent seisinam suā versus præd̄ R. D. & T. H. de predict' manerio, messuagijs, molend', terr', præ, pastur', bosc' turbañ, terra aqua cooperē, redd' superius peti cum pertiñ &c. Et quod præd̄ R. D. & T. H. habeant de terris præd̄ W. M. ad valenc' &c. Et quod idem W. M. habeat de terris præd̄ T. N. ad valenc' &c. Et idem T. N. in misericordia &c.

The like common recoverie in the said Countie of Chester to the next before, and of the same manor & lands in the time of the said king

De placitis com̄ Cestriæ apud Cestriam coram T. E. ar̄n. filio T. E. Sect. 20. misit Iustic' dom̄ Regis ibiñ die Martis post festum decollationis sancti Iohannis Baptistæ, Anno Regis H. 8. post conquestum Angliæ 21.

R. B. de Cest' R. B. W. B. B. filij R. B. milit' & O. B. per T. B. Actur̄n suum in curia domini Regis hic petunt versus W. M. armig' maner' de W. viginti tria messuag' vnum molendinum aquat, trescent' acras terræ,

Recoueries.

terre, viginti ac̄ prati, centum ac̄ pastur, quadraginta acras bosci, decem ac̄ turbar, & decem acras terræ aqua cooper̄ cum pertiñ in W.M.K.& W. vt ius & heredit̄ suam, & quæ idem W. M. non habet ingressum nisi post disseisinam quam T.C. inde iniuste & sine iudicio fecit præfat R. R.W.B.& G. postquam I. Scoticus factus fuit comes C. &c. Et vnde ijdem R. R. W. C. dicunt qđ ipsimet fuerunt seisiť de eisdem maner, mesuagij, molend̄, terr̄, prat̄, pastur̄ bosci turbar, & terr̄ aqua cooper̄ cum pertiñ in dñico suo vt de feodo tempore pacis tēpore domini regis nunc, capiend̄ inde explecioned ad valenc'. Et in quæ &c. Et inde pducunt seť &c.

Et pđ W.M. in propria persona sua venit & defendit ius suum quand̄ &c. Ec. Et vocat inde ad warrant̄ T.N. qui presens est hic in cur̄ in propria persona sua, & gratis eid' W.M. Man̄ & teñta pđ cum pertiñ warrantizat. Et super hoc pred̄ R. R. W. &c. petunt verlus ipsum T.N. teneñ per warrant̄ suam &c. Maner̄ & teñta pđ superius petit̄ cum pertiñ in forma pđ &c. Et vnde dicunt quod ipsimet fuerunt seisiť de eisd̄. teñtis cum pertiñ in dñico suo vt de feodo tempore pacis, tempore dict' regis nunc capiend̄ inde expleciones ad valenc' &c. Et in quæ &c. Et inde pducunt seťam &c. Et pđ T.N. tenens per war̄ suam defend̄, ius suum quando &c. Et dicit quod pred̄ T. C. non disseisauit pred̄ R. R. W. &c. de teñtis pđ cum ptiñ modo & forma p̄t ipsi p breue & narrationem suam superius supponunt &c.

Et pred̄ R. R. W. &c. petunt licentiam inde interloquendi hic &c. et habent &c. Posteaque isto eodem coñ hic &c. ijdem R. R. W. &c. per Attornat suum pred̄ reueñ iu cur̄ dñi regis. Et pred̄ T.N. tenens p war̄ suam licet solemniter exať non reueñ, sed in contemp̄ curiæ hic recessit et defaltam fecit : Ideo concessum est per Iudicatores coñ pđ quod pđ R. R. W. B. B. et O. recupararent seisinam suā verlus pred̄ W. M. de teñtis pđ superius petit̄ cum pertiñ &c. Et qđ pred̄ W. M. habeat de terris pred̄ T. N. ad valenc' &c. Et idem T. N. in misericordia &c.

SYMB.

SYMBOLEOGRAPHY.

Of Indictments and Offences.

Of Indictments.



An Indictment is a bill or declaration made in forme of Law (for the benefit of the common wealth) of an accusation for some offence, either Criminall or Penal, exhibited unto Jurors, and by their verdict found and presented to be true, before an Officer having power to punish the same offence. And such an Indictment is made to the ende to compell the partie

Sect. 1.

accused to answer thereunto.

In every indictment two things seeme principally to be considered: First, the very offence, for reformation whereof the Indictment is framed. And then the right forme of the Indictment it selfe, according to the distinct qualitie of every severall offence.

Wherefore, as in my treatise of Exeraudicial Symboleography, I haue first discoursed how obligations spring of consent, and then disclosed the severall formes of Instruments thereof: So in this I haue though good first briefly to unfold the sundry natures of offences, and defaults, and how they bind the offendoer. And then to lay downe the doctrine and severall forme of Indictments concerning the same.

Offence.

An offence therefore, is a fact done unlawful and forbidden by nature or lawe, whether the same be in committing or omitting, whereof the one for learning sake, may fitly be termed an offence, and the other a default, for in Law thought is free from offence.

Sect. 2

Indeanour.

But so is not Indeanour many times, because therein is guile and purpose to offend.

Sect. 3

Offence publike and priuate.

An offence is of the state publike, or priuate, and is thereof termed.

Sect. 4

The description of both which offences is drawne sometime from the maner of doing: but may perchance more fitly be taken from the obiect which is hurt, vnlesse some thinke good to conioine them both.

!Sympa-

Indictment
Suffa. { Indictment
 { Plaintiff

Indictment is a bill or declaration made to be true by the Jurors

Indictment is a bill or declaration of the offence or crime of the offender before the Court

Indictments, and

Sympathie betweene the common wealth and her members.

Señ. 5.

Fo certes, when a pziuate person is offended, it cannot lightly be denied but that the common wealth is thereby also offended, and againe, the common wealth being endamaged, how can it be chosen but euery Subject thereof is also affected as being a member of the same.

So great a Sympathie and mutuall suffering being in them, as betwene the head and members of naturall body.

But inasmuch as some offences done, moze merely respect pziuate wealth, and som other moze mérely the weale publike, those be termed pziuate, and these publike.

Offence publike and pziuate.

Señ. 6.

A Publike offence, is a greivous fault committed against the common wealth. A pziuate offence is an offence against the weale of a pziuate person.

Offences binde.

Señ. 7.

Every offence of his owne nature maketh the offendoz bound to the common wealth, o2 to a pziuate person, o2 to both, and not onely they which actually commit offence, but they also which command, perswade, counsel, procure, abbet, aid o2 consent that an offence be perpetrated, o2 conceale it being done, are censured to offend.

Offences named and vnnamed.

Señ. 8.

All offences are either named o2 vnnamed. Offences named be such offences as haue certaine names in Law.

Offences vnnamed.

Señ. 9.

Vnnamed offences be those which albeit they bin committed, yet haue they no certain name set forth in our law, wheroby they may be called.

Offences named.

Señ. 10.

Againe offences named be either our owne o2 other mens faults, by which we are bound, and they haue a certaine name in Law, wheroby to be termed.

Offences simple.

Señ. 11.

Our owne proper offences be either simple o2 mixt. Our simple offences be such as be committed by our own sayings o2 déeds.

Offences mixt.

Señ. 12.

All the mixt be those which be committed by words and déeds both together.

Offences by word.

Offences

Offences by sayings only, be they by which the mind, dignity, or Sect. 13.
 fame of another man (which is compared to life) is hurt and not
 his body, and these are also done by counsell and contumelious words.

Counsaile.

By Counsaile, as through wicked perswasion. Sect. 14.
 Wicked perswasion is fraudulent counsaile giuen to any, wher
 by his minde is corrupted and made worse to do or attempt any thing,
 naughtily: which yet doth not induce necessity to do the thing, though
 it binde him that giueth such counsaile.

Offence by contumelious words:

And, offence or crime by words, is when through peruers words, Sect. 15:
 the good name, credit, or dignity of a man is impaired.

Slander.

And it is either by voice or writing, and is called Slander, which Sect. 16.
 is either against God or man.

Slander against God.

Slander against God, is whereby the Maiestie diuine is euill spo- Sect. 17.
 ken of. of this sort be blasphemie, Magike, Heresie, Apostasie, and
 Periurie.

Blasphemie.

Blasphemie is a wicked saying, or slander, pronounced against Sect. 18.
 God, touching his Essence or word reuealed.

Magicke.

Magicians be those which by uttering of certaine superstitious Sect. 19.
 words conceiued, aduenture to attempt things aboue the course
 of nature, by bringing forth dead mens ghosts, as they falsly pretend,
 in shewing of things either secret or in places farre off, and in shewing
 them in any shape or likenes. These wicked persons by oth or writing
 written with their owne blood, hauing betaken themselues to the di-
 uell, haue forsaken God, and broken their couenant made in Bap-
 tisme, and detest the benefits thereof, and worship the diuell only: And
 setting their whole hope in him, doe execute his commandements, and
 being dead, command both their bodies and soules vnto him.

Southsaying Wizards.

Off this kinde of Magicians, be all those which ensue, as South- Sect. 20.
 sayers or Wizards, which diuine and foretell things to come,
 and raise vp euil spirits by certaine superstitious and conceiued formes
 of words. And vnto such words as be demanded of them, doe answere
 by voice, or else set before their eyes in glasses, Chrystall stones or
 rings, the pictures or images of things sought for.

Diuination.

The professors of the art of diuination which be puffed vp with pro- Sect. 21.
 phecyng.

Indictments, and

phecying spirits. And can manifest who hath stolne things, and tell where things lost or stolne be.

Iugling.

Sect. 22.

Iuglers and sleightie Curers of diseases, which for the curing of all sicknesses and sores of man and beast, vse either certaine superstitious words or writings called charmes or spels hanged about the neck or some other part of the body.

Inchantings and Charming.

Sect. 23.

Inchanters or Charmers throug certaine words pronounced and characters or images, herbes or other things applyed, thinke they can doe what they list, the diuell so deceiueth them, or in very deed dispatcheth those things which the Inchanters would haue done: from these somewhat differ Witches or Hagges, and Augurers or Southsayers by birds, Diuinoꝝ by seeing the intrals of beasts sacrificed.

Witcherie.

Sect. 24.

A Witch or Hagge, is she which being eluded by a league made with the diuell throug his perswasion, inspiration and iugling, thinketh she can designe what maner of euill things soeuer, either by thought or imprecation, as to shake the aire with lightnings and thunder, to cause haile and tempests, to remoue greene coꝝne or trees to another place, to be caried of her Familiar, which hath taken vpon him the deceitfull shape of a Goate, Swine or Calfe, &c. into some mountaine farre distant, in a wonderfull short space of time. And sometimes to lie vpon a staffe or soꝝke, or some other instrument. And to spend all the night after with her sweet-heart, in playing, sporting, banquetting, dancing, dalliance, and diuers other diuellish lusses, and lewd disports, and to shew a thousand such monstrous mockeries.

Heresie.

Sect. 25.

Heresie, is a resolute and obstinate erroꝝ in some article of our Christian faith, 2. Tim. 4. 1. 2. Per. 2. 1. 1. Cor. 11. 19. Rom. 16. 17.

Anabaptisme.

Sect. 26.

Amongst Heretikes are numbred Anabaptists, which wickedly iterate holy Baptisme, which hainous offence is very grieuous, as by which the Maiestie of Almighty God, and the promise which in the first Baptisme was effectuall, are violated.

Apostasie.

Sect. 27.

Apostasie followeth, which is a forsaking of the Christian faith. And Apostasie happeneth two waies, either when any man partly renolteth from true religion into a wicked sect, retaining stil the name and title of Christianisme, or when the contrary side of the Jewes or Pagans so please him, that he wholly forsaketh the profession of the Christian both in name and substance.

Perju-

Periurie.

Periurie is a lie affirmed by othe.

So much of slanderous speeches against God.

Sect. 28.

Slander against man by word.

Aslander against man is to an iniurie done to him by words or writings. By words when any thing is said or done by words to the contempt or reproch of another.

Sect. 29.

By writing.

Iniurie by writing is done by a slanderous libel or picture.

Sect. 30.

By libell.

Aslanderous libel, is when a libel, epigram, rime, or other writing, is produced, written, or composed to the note or contumely of any man, or the same procured to be bought or solde, that by that meanes the dignitie or fame of another man may be hurt.

Sect. 31

By picture.

An infamous or slanderous picture, is when any man to his infamie or ignominy is painted in any infamous or dishonest habit or sort, as hanging upon the gallows, or in some euill place or maner.

Sect. 32

We haue shewed the offences committed by words, by which a mans name or dignitie is harmed: let vs now haften to those which are done by deeds.

Offences by deeds.

And they be said to be done by deece, not because they are not also of minde and purpose: but soz that they chiefly consist in the fact without which it may vnneth be iudged of their punishment. And soz that such offences are not perpetrated against the minde, but the body either of man or his gods, whether it be done mediately or immediately. Offences by deeds either altogether destroy a thing, or at the least impaire the same.

Sect. 33

Destruction.

Destruction is the vtter killing or corrupting of things. And it is either of a fact permanent and apparent: or transitorie and during but a little while.

Sect. 34

Facts Permanent.

A permanent fact, is that whose very steps and prints abide, & are to be seene after the offence done: of this kinde be slaughter and burning.

Sect. 35

Slaughter.

Slaughter is a killing done by any meanes, and it is either of man or beast.

Sect. 36

Homicide.

The slaughter of man is called Homicide, which is euery taking away of life from any person bond or free by man done with violence.

Sect. 37

ky.

Indictments, and

by which the soule is seuered from the body, by what maner of meanes so euer it chance, whether by sword, staffe, or other weapon, or by venom or poison, the cause of death be giuen.

Voluntary.

Sect. 38

Homicide is either voluntarie or casuall.
Homicide voluntarie is that which is deliberate and committed of a set minde and purpose to kill.

Malicious.

Sect. 39.

Homicide voluntarie is either without precedent malice, or with precedent malice.

Of Homicides voluntarie without malice precedent, some are commanded, and some tollerated by law, and others forbidden.

Commanded.

Sect. 40.

Homicides voluntarie commanded by law are such as are done either for iustice sake, or vpon urgent necessitie.

For iustice.

Sect. 41

Homicide for iustice sake, is the inflicting of ordinarie punishment vpon heinous offenders by death, which is dispunishable, yet in this case it behoueth the Judge, and other officers to be free from desire of bloud and priuate reuenge.

Necessarie.

Sect. 42

Homicide vpon necessitie is either in the due and orderly execution of iustice, as the killing of the offenders in felonie which resist or fly officers hauing warrant to arrest or detaine them, or persons pursuing them with hue and cry, or rioters resisting Iustices of the P. which come to arrest them, or prisoners resisting their gailors, if such offenders cannot otherwise be attached or holden. So is it of persons riotously assembled, resisting persons authoized to apprehend them, 1. Mar. ca. 12. And likewise of offender in parks, forests, and warrens resisting or flying away after hue and cry, 2. 1. Ed. 1. and Burglers and Robbers: all which homicides are dispunishable, 2. 6. Ass. 32. and diuers other in like cases by sundry Statutes.

Se defendendo.

Sect. 43

Homicide vpon necessitie in ones own defence is termed *Se defendendo*, & is where any man being assaulted by any other, flyeth so farre as he can without ineuitable danger of death, and then in defending himselfe killeth his aduersarie, yet for this offent he loseth his goods, and must procure pardon for his life, Glouc' ca. 9. 43. Ass. 31.

Forbidden.

Sect. 44

Homicides voluntarie forbidden by Law, without precedent malice, is manslaughter or homicide, or by chance medley, which is where two men void of all former malice and euill will, meeting together

ther by chance, and vpon sudden falling out, thome of them killeth the other with violence, neither for iustice, nor in case of necessitie, Plow. fol. 110. & 101. 21. H. 7. fol. 23.

Homicide malicious.

THus much of voluntarie homicides, without malice precedent, Sect. 45. Now of homicide voluntarie of malice proceeding, which is termed murder, and is the felonious killing through malice prepeused of anie person liuing in this Realme vnder the Kings protection.

Of a mans selfe.

And if it is eyther of himselfe, or of another, Homicide of the partie himselfe, is termed felo de se. And is Sect. 46. where any man of hatred conceiued against himselfe, doth desperately, wilfully, and feloniously kil or destroy himselfe by hanging, drowning, poysoning, or otherwise.

Murder.

Murder of others then the selfe partie, is the like wilfull and felonious killing of any other of premeditate malice. And if thosendo, did owe by Law vnto the partie slaine any ciuill obedience, it is in some cases termed petit treason. As, if the wife kill her husband, the seruant his master or mistris, or a Clerke his Ordinarie by reason of the reciprocall trust and loyaltie which the Law requireth betuene such persons, and this offence is therefore farre more heynous then any of the other homicides.

Homicide casuall.

THus briezly of homicides willingly done; homicide casuall, which Sect. 48. may also be termed homicide by mischance, misfortune, or misaduenture, is, when he that killeth another, had no will, intent, mind, or purpose to doe, or the man is slaine by some other thing then a man. In which case the offendo, is to haue his pardon of course for life and land, but yet must lose his goods. And this homicide is eyther merely casuall or mirt.

By Chance.

Homicide by mere chance, is, when by mere fortune against the Sect. 49. minde of the killer, a man is slaine. As if one hewing, the axe flyeth off the haft, and kill one, or if a man lopping a tree, warneth the bystanders, that the tree is ready to fall, and yet by the same some of them is slaine, or in throwing tiles from an house, or such other lawfull acts, or the partie is killed by some other thing then man, by misfortune, as by falling from an horse or cart, by a stroke of an horse, or any other moueable thing then man. In which case, the thing which killed him, and all things that moued the same, are forfeited to the King, and termed a Dred, and as if a cart-wheele goe ouer a man and kill him, the wheele,

whole, cart, and all things therein, and the horses that draw the same, be all Deodands. 3. Ed. 3. unde versus.

Omnia quæ mouent ad mortem, sunt Deodanda, Dyer fo. 78. pl. 37.

Mixte.

Sec. 50.

Mixt is, when the killers ignorance or negligence is toynd with the chance, as if a man loppe trees by an high way side, by which many vsually trauaile and cast downe a bough, not giuing warning to take heed thereof, by which bough, one passing by is slaine, in which case he offendeth, because he gaue no warning, that the partie might haue taken heed to himselfe.

Thus you see the diuers kinds of Manslaughter.

Slaughter of beasts.

Sec. 51.

The slaughter of beasts followeth, by what meane soeuer it cometh, which is a damage done by iniury and wrong, guile or default against the Law, which might or ought to haue bene taken heed of. Of this offence springeth an action to the owner of the beast, according as the value thereof shall be esteemed by a Iurie.

Burning.

Sec. 52.

Thus farre of slaughters of man and beast: burning insueth, which is also felony, as the wilfull burning of a dwelling house, 3. H. 7. 10. And burning of a barne adioyning to a dwelling house by night, 1. H. 7. fo. 1. And burning of a barne with coine, not adioyning to a dwelling house by day.

Offences transitorie.

Sec. 53.

Ad these concerning offences of continuing facts, those follow which are of transitorie or momentarie facts, as unlawfull copulation, burglary, and theft.

Adulterie and fornication.

Sec. 54.

Vlawfull copulation is euery carnall coniunction had out of lawfull matrimony, and it is termed fornication or adultery, which is first either naturall, or against nature, and either voluntary or violent. Fornication naturally committed, is between man and woman, which if it be perpetrated betwene kinsfolks, is said to be nicest. Copulation violent is termed a rape or ravishment of a woman against her will, which is carnall knowledge had of a woman, who neuer consented thereunto before the fact nor after, and this offence is felonie in the principall and his aydoers, 1. H. 4. 13. 1. Ed. 4. 1. Westmōn 2. cap. 13. And carnall abuse of a woman child vnder tennie yeares old, is felony, 18. Eliz. cap. 6.

Sodomie or buggerie.

Sec. 55.

Copulation against nature, is by male or female against nature, or by female with female, or with beasts which is called Sodomy or buggerie.

buggery, 25. H. 8. cap. 5. 5. Eliz. cap. 17. which be felonie.

Burglarie.

Burglarie is a felonious entring into an other mans dwelling house, wherkin some person is, or into a Church, in the night time, to the end to commit some felony therein, as to kil some man, or to steale somewhat thence, or to doe some other such felonious act there, albeit he execute not the same, if the intent or fact of this offender be to steale, this is like robbery, if to murder, it differeth not much from murder, and so of other felonies.

Sec. 56

House-robbing.

The offence against the statutes of 23. H. 8. ca. 1. and 3. Ed. 6. ca. 9. somewhat resemble this, for by them it is ordeined, that if any person doe robbe another in any part of his dwelling place, or in his bothe, or tent, in any faire or market, and the owner or his wife, children or seruants being within the same, he committeth felony.

Sec. 57

Theft.

Theft ensueth, in which not so much the destruction of a thing, as the taking away of the same chanceth.

Sec. 58

Theft is an unlawfull felonious taking away of an other mans moueable personall goods, against the owners will, with intent to steale them. And it is from the person, or in presence of the owner, or in his absence.

From the person.

Theft from the owners person or presence, is of two sorts, the one putting the owner in feare, the other not.

Sec. 59

Robberie.

Robberie is a felonious taking away of another mans goods from his person, or presence, against his will, putting him in feare, and of purpose to steale the same goods.

Sec. 60

And this robbery is sometime termed violent theft, because the partie is in the law thereby terrified.

Without feare.

Theft from the owners person, not putting him in feare, is by cutting or picking his purse, and stealing the money, or purse, or both: this is done sleightly, without the owners feare or privity.

Sec. 61.

But to perfect this offence, an actuall possession of the thing taken, once seuered from the person of the owner, seemeth necessary in the offence, and that the thing stollen exceed the value of twelue pence.

Theft of goods in the owners absence, is termed Larciny, which is nothing else but a felonious and fraudulent taking away of an other mans moueable personall goods, not being vpon the person of the owner, nor in his presence. And Larciny in respect of the things stollen,

Indictments and

is either great or small: For great Larceny is, when the things stolen, though they be taken at severall times, exceed the value of xij. d. And petty larceny is, when the goods so taken exceed not the value of twelve pence.

Sec. 62

Now then crimes comming from the destruction of things, being thus hastily runne over: Let vs step one to the other, which have their name of the hurting of the thing, and violent hurting destroyeth not the body, but harmeth and annoieth it, and maketh either the body, or the estate and condition thereof worse.

Sec. 63

Add through certaine offences is hurt to the Common wealth immediately and alwayes, or the members thereof: The Common wealth is hurt, either in respect of the amplitude and maiestie thereof, or of the profit and commoditie thereof, which is hindered or intercepted.

Sec. 64

When the amplitude and maiestie thereof is harmed, the offence is called treason.

Sec. 65

And these treasons be high treason, or petty treason: High treason is when the offence is done against the security of the common wealth, or of the kings most excellent Maiestie, who is the true and undoubted Soueraigne and chiefe head thereof: whether it be by imagination, word, or deed, as to compass or imagine treason, or the death of the Prince, or of the Queen his wife, or his sonne and heire apparent, or to deflower the kings wife, or his eldest daughter unmarried, or his eldest sonnes wife, or leuie warre against the King in his realme, or to adhere to his enemies, ayding them, or to counterfeit the kings great seale, privie seale, or mony, or wittingly to bring false mony into this realme, counterfeited like vnto the mony of England, and utter the same.

Sec. 66

Or to kill the Kings Chauncello, Treasurer, Justice of the one Bench, or of the other, Justices in Cite, Justices of Assise, Justices of Oyer and Terminer being in his place, and doing of his office, 25. Ed. 3. cap. 2.

Forging of the Kings signe Manuel, or privie signet, privie seale, or foraine coine currant within this realme, 2. Mar. cap. 6.

Diminishing or impairing of money currant, 2. Eliz. cap. 1. & 18. Eliz. cap. 1.

The second offence in refusing the oath of supremacie, 5. Eliz. cap. 1.

Or the compassing to deprivie the King of his crowne, 1. Eliz. cap. 8.

Or to destroy the King, 1. Eliz. cap. 6.

Or to leuie warre within the realme against the King, 1. Eliz. cap. 6.

Do to affirme, that the King or the heires of his bodie, is not or ought not to be King of England, or that any other ought, 1. Eliz: cap: 6.

Do intending the bodily harme of the King, 13. Eli: cap: 1.

Do to leuie warre against the King, 13. Eli: cap: 1.

Do to moue fozeine inuasions of this Realme, 13. Eli: cap: 1.

Do to declare that the King is not King, 13. Eli: cap: 1.

Do to declare that any other ought, &c. 13. Eli: cap: 1.

Do to affirme the King to be an Heretike, Schismaticke, Tyrant, Inuadell, or vsurper of the Crowne, 13. Eli: cap: 1.

Do to claime the Crowne after the King, 13. Eli: cap: 1.

Do to affirme, that the common Lawes or Statutes cannot binde the right of the Crowne, 13. Eli: cap: 1.

Do to maintaine the authozitie of the Bishop of Rome, 5. Eli: cap: 1.

Do to obtaine any Bull from Rome, 13. Eli: cap: 2.

Do to giue, take, or promise absolution thereby, 13. Eli: cap: 2.

Do to conspire to enlarge any imprisoned by the Kings commaundement for treason touching his person, or suspicion thereof, 14. Eliz: cap: 2.

Do to withhold any of the Kings castles or holds, 14. Eli: cap: 1.

Do any of his ships or donance of warre, 14. Eli: cap: 1.

Do not to render the same castles within fire dayes after proclamation, 14. Eli: cap: 1.

Do to destroy any of the Kings ships, 14. Eli: cap: 1.

Do to barre any of the Kings hauens, 14. Eli: cap: 1.

Do to perswade any subject from naturall obedience, or religion: or to the obedience of any other, or to be so perswaded, 23. Eli: cap: 1.

Do for Iesuits to come into, or be in this Realme, 27. Eli: cap: 2.

Do to be a Seminarie, and not returns into this Religion, within fire moneths after proclamation, and take the oath of allegiance, 27. Eli: cap: 2.

It is also to be noted, that all manner of accessaries to the severall treasons aboue mentioned, are guiltie of high treason.

Do of misprision of treason, which is the concealement or not disclosing of knowne treason: for which the offender is to suffer imprisonment during the Kings pleasure, lose their goods and the profit of their lands during their liues, 2. Ri: 3. fol. 9.

Offences hindring the commoditie of the Common-wealth.

Now succeed the offences which hinder the commoditie of the common-wealth. Sec. 64.

Indictments and

The profit of the common wealth is hindered divers wayes, as by forefalling, engrossing, regrating, by idlenesse of apprentices, artificers, and seruants, decaying of the breed of beastes, destroying of fish, by conspiracies of artificers and chapmen, by not destroying of vermine, as Fores, Batsons, Crookes, Choughes, &c. Or by making or uttering any stufte, victuals, or wares deceitful, corrupt or insufficient, by not observing due weights and measures, or by transporting of things needfull in England, as raw hides, tallow, wool, lead, corne, or graine, by erecting of cottages, and breeding of exceeding many poore people, and by sundry other meanes, as plainly appeareth by sundry statutes and ordinances made for reformation thereof. Of all which particularly to discourse, would occupie moze time then I haue now determined to bestow about the same.

Forefalling, is the buying or bargaining for any victuals or wares comming to be sold towards any faire or market: Or from beyond the seas towards any citie, port, hauen, creeke, or rode of this realme, and before the same be there.

Or the moving of any person to enhance the price of the same victuals or wares, or the dissuading to bring it thither to be sold, 5. Ed. 6. ca: 14. 5. Eli: cap: 12. 13. Eli: ca: 25.

Regrating is the buying and selling of any wares or victuals in the same market or faire, or within foure miles thereof, 5. Ed. 6. cap. 14. 5. Eli: ca: 12. 13. Eli: cap: 25.

Engrossing, is buying of Corne growing, or dead victuall to sell againe: except barley, or malt, oats for oatmeale, and victuals to retaile, hadging by licence, and buying of oyles, spices, and victuals, other then fish and salt, 5. Ed. 6. cap: 14. 5. Eli: ca: 14. 13. Eli: cap: 25.

Offences against Subiects.

Sec. 65.

If these few haue we touched such offences, as immediately and alwayes are committed against the common wealth it selfe: now will we intreate of those which alwayes for the most part are perpetrated violently against the inferiour members of the same (that is to say) either private men themselves, or their goods: which are effected partly by force, and partly without force.

Force is an offence by which violence is used to things, or persons. And force is either simple or mixt.

Simple force is that which is so committed, that it hath none other crime adioyned vnto it. As if one by force onely entred into another mans possession, without doing any other unlawfull act there.

Mixt force is that violence, which is committed with such a fact, as

of.

of it selfe only is criminall: as if any by force enter into an others possession, and kill a man, and rauish a woman there &c.

And those offences which are atchieued with force, are done by true force, or by force after a certaine sort,

Those offences which are finished by true force, are either done by men assembled, or without men assembled.

And force with men assembled, is priuate or publike.

Priuate force is, when any with weapons by men assembled, doth invade the goods or body of another, as trespass by entring into ground or taking his cattell, or other goods, imprisoning of a mans body, or beating of him with ones fist, or rescues of a trespass, pound breach, or otherwise without weapon, and such like.

Publike force is that violence which is done by any man assembled with any kind of weapon whatsoeuer, as by forcible entry, keeping of possession of Benefices, Chappels, houses, or landes, or offices vnlawfull assemblies, routs, riots, rebellions against &c. 1. Mar. ca. 12. 1 Eliz. cap. 17.

A forcible entry is a violent actuall entrie into a house or land &c. or taking a distresse of any person weaponed. Whether he offer violence or feare of hurt to any there, or furiously driue any out of the possession thereof, 5 R. 2, cap. 7. 15 R. 2, cap. 2. 8 H. 6, cap. 7.

A forcible detaining or withholding of a possession, is a violent acte of resistance by strong hand of men, weaponed with harnesse or other action of feare in the same place, or elsewhere, by which the lawfull entrie of Iustices or others is barred or hindered, 29. Ass. 49

An vnlawfull assembly is the meeting of three or more persons together, with force to commit some vnlawfull acte, and abiding still, not endeavouring the execution thereof, as to assault or beate any person, or enter into his house or land &c.

A rout is an assembly of three persons or more, going on about forcibly to commit an vnlawfull acte, but yet doe it not, Brooke titulo Riot, 4. 5

A Riot is the forcible doing of an vnlawfull act by three or more persons assembled together for that purpose.

A rebellious assembly, is an assembly of twelue persons or more, intending, going about, practising, or putting in vze vnlawfully of their owne authoritie to change any Lawes or Statutes of this Realme, or to destroy the inclosure of any Parke, or ground inclosed, or the banks of any fishponds, pole, or conduit, to the intent the same shall remaine void, or to thintent vnlawfully to haue common or way in any of the laid grounds, or to destroy y^e d^eere in any park, or any warren of conies, or douehouses, or fish in any pond, or any house, barnes, mills,

o^r burning of stacks of corne, o^r to abate rents, o^r prices of bestials, 1. Mar. cap. 12. 1. Eliz. cap. 17.

Also by the same statutes an unlawfull assembly may be of persons about the number of two: but that offence is neither so hainous, nor so sharply to be punished.

It followeth how force may bee committed without a multitude. This kind of force comprehendeth every harme, hurt, damage, losse, hinderance, and danger besides death, happening to any goods, quicke o^r dead, moueable o^r unmoueable, o^r to men, either culpa o^r dolo, that is negligently o^r unknowingly, o^r guilefully, o^r of set purpose, whether it be assaulting, beating, wounding, maiming, o^r hurting, bruising, o^r impairing of the body of man o^r beast by any means: And the bruising, breaking, o^r impairing of any other thing whatsoever without a multitude, also breaking of prisons to escape thence, breaking of houses to steale something thence, o^r to do some felony there, which being in the night, is termed burglary, wherof we haue spoken before, entreating of theft. In this ranke also may be placed the pulling by o^r remouing of meeres, bounds, o^r markes, set for the diuiding of one mans land from an others, and many other such trespasses, wherein is none apparent force o^r ferro, as to hawke, hunt, fish, o^r fowle, o^r to cut, eate, treade, o^r soyle grasse in another mans soyle unlawfully, 11. Ass. 16. 11. H. 8. 4. 16: 21 Ed. 3. 34.

Hitherto of offences done by true force indeed: now of such as are not properly done with force and violence, but by intendment of the law only: of which sort be bribery, extortion, exaction, private imprisonment, and certains other like misdemeanors.

Those offences of bribery, extortion, and exaction, are committed when any for feare of his iudgement, office, o^r other power o^r authority, o^r for any other terro^r exacteth, extorteth, and wizingeth money o^r other things from another man, as Sherifes, Coroners, o^r other officers, Auditors, Receiuers, Escheato^rs, custos breuium, Chirographers of fines, Admirals, Marshals, Criers, Bailiffs, Clerks, Wardens of Fellowshipes, Judges, Bishops, Ordinaries, o^r other Officers whatsoever: for reformation of which, see the seuerall statutes thereof, in that behalfe prouided.

To this crew, as it seemeth, may be referred the exaction of unlawfull usury: which is taking of any thing of any man for the loue, o^r giuing day of payment of money, 37 H. 8. cap. 9. 13 Eliz. cap. 10.

And all unlawfull games, which be all games, but shooting, 33 H. 8. cap. 9.

And every other taking of more then is due by colour o^r pretence of right, as the taking of excessive toll by Millers, o^r others, o^r of excessive

cessive prices for ale, bread, victuals, wares, or other things.

Offences springing from wordes and deeds:

So much then of single offences, springing from only words, or onely Sect. 66
by deeds. Now follow those which issue from both together, as those which arise from the crime of falshood.

The offence of falshood is a guilefull and fraudulent imitation of the truth against the law, and it is committed either by word or by deed.

Falshood by word, is by lying, as if any man should saie vnto himselfe a false name or surname, or say, he is another man then hee is, to deceiue some other: or by perjury which is a lie affirmed by oath.

Falshood by deed is as if a man write or signe a false testament, or falsly set downs therein some legacie or trust to himselfe, without the mind of the testator, or if a man make a false deed, or accompt, or other instrument, or if he bribe or corrupt a Judge, or do raze, change, or corrupt any writing, to the defrauding of another man, or do conuey, remooue, or take away, suppress, conceale, or falsly signe a testament, or counterfeit another mans hand in writing, or to counterfeit or utter false money, or to adulterate, embase, shau, file, clip, wash, or empaire the currant coine of England, or counterfeit the hands of magistrats, and certificats, testimonials, or licences in their names, or to vse false weights, measures, or standards not agreeable with the standard. To corrupt or suborne false witness. To make false accompts or reckonings.

Hitherto may we referre maintenance, and champertie and suites, imbracing or enueigling of Jurores, forging of false & fraudulent writings, making of fraudulent feoffements, leases, and deeds of gift, or rather false graunts, or conueyances of lands or goods, to defraud true creditores, fraudulent conspiring of any mans death, to auoid and undertake vpon one to defend other mens quarrels, to bee patron to the causes of others, by lending of ones name for med, or fauour of an offendo, or to bere, pzoouoke, or reuenge.

Also falsly to collude in pleading, or to betray, or to lose his clients cause wittingly, or falsly discontinue and forsake his clients suite.

Other mens offences, and how farre they binde vs.

We haue entreated of our owne offences: other mens succeed, Sect. 67
namely when, and how farre we are bound by them.

And wee are bound by other in offences, when wes are tied by the faults of our family, or of our heales.

Our family offendeth by laying, or casting, or hanging of any thing

Indictments and

in the highway; wherby it is stopped or hindered: which offence is called *Rufance*.

We are bound by many trespasses of our wiues; but not to susteine cozporall punishment for their offences.

Also if our beastes or cattell offend in eating other mens cozne or grasse, or in hurting or killing the beastes or cattels of other, wee are bound by it, or if our dogs, beares, or lyons, bores, &c. hurt the goods or cattel of any other, we are bound therby, for that we ought to gouerne them.

Offences unnamed.

Sec. 68

Though of named offences, it remaineth that wee view those which be unnamed.

For when the varietie of offences grew so manifold, that all could not be distinguished by speciall names, it was appointed that proper or speciall names aforesaid failing, the offence of cosening and deceite should come in place.

The offence of cosening taketh place, if any thing be done by guile, in or out of contracts, which will not agree with any of the said offences, as if any vse collusion or fraud towards the death, or defrauding of an other, or shifting counterfeit ware into the place of others, or to exact a greater summe then is due, or a debt which is paid, or sell, or pledge any thing to two, severally at one time, or that thing which is another mans for his owne, knowing it to be another mans: or to pledge copper, or other base mettall for gold, or silver, &c.

Deceite is a subtil wily shift or deuce hauing none other name. Hereunto may be drawn all maner of craft, subtilty, guile, fraud, wiliness, sleightinesse, cunning, couin, collusion, deceit, deuce, practise, and offence vied to deceiue an other man by any meanes which hath none other proper or particular name but offences.

Of indictments as remedies for the former diseases:

Sec. 69

Thus haue we rather sleightly shadowed, then perfectly portrayed the ugly shape of such enormous offences, as with their deformity most blemish the body of our beautiful, (otherwise flourishing) commonwealth. Now therfore we are to shew the waies how to prepare remedies for the same, which must bee done by indictments, in which are chiefly to be eyed the matter and forme.

The matter or object of indictments is nothing else but the severall offences, and facts vnlawful, before described, in which the very fact it selfe and the circumstances thereof are to be weighed.

Touching thoffence or fact it selfe, we are here fully to regard the very nature & qualitie of thoffence, as, whether it be treason, felony, trespassse,

passé, deceit, or some other offence, and of what severall kind it is, and whether it be punishable by the common law, or by some penall Statute, that the indictment thereupon may be framed accordingly.

The circumstances of the fact are seven, that is to say, cause, person, time, place, qualitie, quantitie, and event.

Touching the cause of thoffence, we are to weigh whether thoffence be of cause iust or vniust: whether by chance, or of malice, and purpose, or vpon a sudden, or by negligence, or by guile, which maketh some homicides lawfull, some punishable, and that in severall degrees.

The person is in two sorts to be regarded, that is, as he is agent or patient. For it is not all one for Infants and men of full age, and for men mad, lunatickes, & Idiots to offend. And otherwise in many cases are they to be punished which offend God, the common wealth, magistrates, or their masters and superiours, then they which offend others.

The time also in offences maketh difference betwene offences, as in Larceny and burglarie.

The place in like maner maketh the selfe same fact eyther theft, burglarie, or sacriledge.

By the consideration of the quality we discern whether an offence be heinous or not, and whether it stand in committing or omitting.

The view of the quantitie of thoffence sheweth vs whether it be punishable by death or otherwise, and if by death, what maner of death, and regardeth the custome, or iteration thereof.

The event looketh to the final cause, purpose, or issue of the fact, whether it be casuall, or voluntarie.

All which circumstances are partly seene before, in y very handling of the offences: now let vs looke moze specially into the forme of the Indictmēt.

Of the forme of Indictments.

If the forme of euery Indictment, besides the ordinarie wordes of forme, precise certaintie to euery intent is to be as warily looked vnto as in declarations in ciuill suits and returne of Sherifes, 3. H. 7. fo. 11. & 12. 3. Ed. 4. 21. otherwise is the Indictment insufficient, for Indictments and appeales be the verie base and foundation of euery criminall controuersie. Sect. 70.

This certaintie consisteth first in the name and surname of the partie indicted, both principall and accessarie.

2. In the certaine name and surname of the partie offended.

3. In the certaintie of time, wherein the offence is done, as the certaine day, yeare, yea and many times the very houre is expressed.

4. In the place where thoffence is perpetrated.

5. In

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§ In the very matter of the fact, and nature of the offence committed, as whether it be treason, felony, trespassse, deceit, penall statute, &c.

6 In the name & value of the thing, in which the offence is done.

Unto the name of the party indicted must be vniited the addition of his estate, degree, or myserie, & the thire & toiwne, hamlet or place of his then, or late dwelling or commozance: all additions which signifie anie lawfull estate, degree, or myserie, are good: whether they be of dignitie by creation, as Duke, Marques, Earle, Vicont, Archbishop, Bishop, Knight, Serieant at the law: or without creation, as Baron, Esquire, Gentleman, which are names of dignitie without creation. Also Alderman, Docto, Archdeacon, Deane, Parson, parish Clarke, widow, singlewoman, be good additions of estate or degree: but fermour, seruant, butler, &c. are not, for that they are comunon to Gentlemen, Peomē, &c. and so incertaine: merchant, grocer, tailor, thowmaker, tanner, carrier, broker, husbandman, ostler, habberdasher, miller, dzaper, goldsmith, butcher, chapman, labozer, spinster, and euerie other addition of anie lawfull occupations, be good additions of myserie. But neither Chancelor, Treasozer, Chamberlain, Sheriffe, Cozoner, Eschetor, Bayliffe, Archdeacon, Deacon, Prebendarie, Parson, nor such other names of dignitie (by reason only of office) are good, but where such persons be charged for offence, by reason of their offices: nor citizen, for it neither nameth any myserie, art, nor degree: neither extortioner, bankrupt, rogue, vagabond, vsurer, heretike, schismatike, dicer, botwler, carder nor such like, being against the law. If the place whereof the offendo is or was, be an hamlet, and there be diuers hamlets in one toiwne, he may be named either of the toiwne or hamlet: but if it be only a place known in a toiwne, and not an hamlet, he must be named of the toiwne, 35. H. 6. fo. 30. if the toiwne where the offendo dwelleth beareth one selfe name with the parish, he may be named of either: but if there be two toiwns of one name, in one parish, he ought to be named of the parish, 5. Ed. 4. fo. 129. 22. E. 4. fo. 22. et 22. H. 6. fo. 41. Alias diAus in Indictments is not necessarie. The addition of the degree or myserie must be such, as the partie hath at the very time of the indictments: but he may be termed nup of any place whereof he hath bin at any time before, but it is best to name him of the place of which he is or last was thus: Iurā pro dñō rege p̄sent. q̄ I. S. nup de D. in com̄ Essex husbandman &c. And further, the time of the offence committed must be thus set downe, as in personall actions quinto die Feb̄ an̄ reg' dñi nri Iac̄ Dei gratia Angliz &c: And in some indictments, as of murder, & burglarie, the verie houre is to be expressed, as hora 6: ante merid̄ (if it were before noone) & postmer̄ (if it were after) ciuis̄ diei: if the offence be committed after noon & before midnight, it must be laid in q̄ same day: if after midnight

and

and before the sun rising, then in the day following: and if the time be expressed by the year of our L. God (as it may be) then the year beginneth with vs cucurrit upon the 25. day of March: but in indictments which present that a thing is omitted or not done, there needeth no time of the not doing or omission thereof be set forth, as that a ditch was not scowped, by meanes whereof meadowes be overflown, and such like. If a man be stricken or poisoned in one countie, and die thereof in another countie, thindictment may be in the countie where the death happened, 2. & 3. Eliz. ca. 2. 4. and if one become accessary in one countie to a murder or other felony done in another, he may well be indicted in the countie where he was accessary. He which robbeth in the countie of D. and is takē with the manner in the countie of S. may be indicted of theft where he is so apprehended, but not of robbery, but in the countie where thoffence was done. The place is thus to be set downe apud B. in com C. For it is not good to say in com pdict referring to the name of the countie written in the margent of thindictment: and the place of thoffence is sometime moze specially set downe thus, apud B. in com C. in quodam loco ibid voc the north close &c. Also it is to be regarded that if a countie be divided into severall divisions, so that those which be Justices in one division, be not Justices in another division thereof, as the countie of Yorke, which is divided into 3. divisions, called Ridings, as the Westriding, eastriding and northriding, it is requisite that it be expressed in thindictment, in which of the divisions or ridings thoffences hapned, as apud R. in Westriding in com Ebor in quodā loco ibid voc the lodge &c. for the commissions, wherby the Justices of peate in such ridings are ordeined haue in them such words as follow, viz. Scias quod assignamus vos coniunctim & divisim, & quemlibet vrm Iustic nostros ad pacem nostram in partibus de Westriding in com nostro Eborum conseruandam &c. Mandamus enim tenore presentium vic nro Eborum, qd ad illos dies & loca, quæ vos vel aliqui huiusmodi duo vel plures vrm, vt pā est, scis feceritis, venire coram vobis vel hūdi duobus vel pluribus vestrum, vt dictum est, tales probos & legales homines de partibus prædictis tam infra libertatem quam extra, per quos rei veritas in premissis melius sciri poterit & inquiri &c. So that the power of such Justices extendeth no further then to those Ridings onely in which they bin so made Justices, and therefore what is by them done otherwise is coram non Iudice, and void.

coram non iudice

Albeit the name of the person to whom thoffence is committed be in many cases required, yet an indictment quod defendens bona & catalla cuiusdam ignoti felonice cepit &c. in theft: or, quendam ignoti felonice depredavit &c. in robbery, is good for the Kings advantage of the forfeiture thereby accruing, so is it, as it seemeth, quod vi & armis &c.

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&c. infuleum & affraiam in quendam ignorum fecit &c. Dyer fol. 99. pag. 61. & 285. p. 38. But if the goods of a Church be taken away, the Indictment must be quod bona parochianorum in custodia gardianorum Ecclesie de C. existeñ ceperunt, & asportauerunt &c. If the goods of a man be taken, who maketh his executors, and dieth, the Indictment must be, bona testatoris &c. but if they be taken after the testators death, it shall be bona testatoris in custod' executi existeñ &c. A grauestone is de bonis ecclesie: coat armour hanged ouer a tombe, be the goods of the dead mens executors: goods taken from one, are the goods of the trespasser, vntill the owner haue recontinued his proprietie: goods bailed, are said bona of the owner in custodia balliui. The names of things in which thoffence is committed ought also to be certainly mentioned in indictments, dead things may be called, bona & caralla, expressing their names certainly, as appeareth hereafter: but of liuing things we must not say, bona & caralla, but vnum equum, or 2. equos & ouem, bouem &c. And the value of those things in which offences are committed is vsually comprised in Indictments, which seemeth necessary in theft to make a difference from petit larceny, and in trespass, to aggrauat the fault & increase the fine, but no price of things ferē natur' may be expessed, as of diere, hares &c. if they be not in parks or warrens, which is a liberty, 8. E. 4. fo. 5. no. 2 of charters of land. And where the number of the things taken are to be expessed in the indictment, as of yong doves in a douehouse, yong halwkes in a wood, there must be said precij, or ad valenciam: but of one liuing thing, or of one dead thing onely, it is precij, and not ad valenciam, but of diuers dead things ad valenciam, and not precij. Of coyne not currant, it shall be precij, but of coyne currant shall neither be said precij, nor ad valencia, for the price and value thereof is certaine, but of counterfeite coyne, shall be said ad valenciam, and in counterfeiting of coine shall not be said 10. libras in denarijs domini regis, nor in pecunia domini Regis, but ad instar pecunie domini Regis.

The very maner of the fact or deed it selfe, and nature of the offence must also be mentioned in the indictment, as in escape, for prison breaking, must be expessed for what felony the offendo was apprehended and imprisoned: and for counterfeiting of money must be shewed to what the counterfeit is like, as groats, shillings &c. And in murder and man slaughter, the stroke whereof death ensued, Dyer f. 99. pl. 63. And for slanderous words against the k. the very words must be certainly set downe. And for entry into house, lands, or tenements, must be expessed, what manner of house, lands, or tenements, as a messuage, a cottage, arable land, meadow, pasture, or wood. And wherein any Indictment, severall acts be said to make by thoffence which may be done at severall

seuerall times and places, both the times and places must be certainly expressed, as in murder and manslaughter, thastault and the striking, as apud B. in com E. &c. in quendam I.S. insulcum fecit, & ipsum I.S. cum quodam gladio precij &c. ad trunc & ibi felonice, & ex malitia sua pręcogitara percussit & murtherauit. And in theft, the thing stolen must certainly be laid downe, 22. Ass. pl. 75. & 29. Ass. 45. And an Indictment against an accessarie, must shew what felony the principall committed, and that knowing it, he received the felon feloniously, 7. H. 6.

Touching the seuerall natures of seuerall offences, it is to be noted, that in Indictments of treasons, the fact must be necessarily said to be done, proditorie: of murder, murtherauit: and of manslaughter and all other felonies, the deed must be said to be done felonice, and in burglary, Burglarier, or intentione ad feloniam siue murtherum faciend &c. in rape felonice rapuit, in theft, felon cepit & asport, if it be a dead thing: if liuing, abduxit, or felonice furatus est. In petite Larceny and maim must also be said, felonice.

And notwithstanding the statute of 37. H. 8. ca. 8. it is not amisse in euerie Indictment concerning felony or trespass, to vse the words (vi & armis) viz. gladijs, baculis, cultellis, &c. And in a forcible entry vpon the statute 8. H. 6. c. 9. must be manuforti &c. or cum multitudine gentium &c. And in an Indictment found vpon statutes, it seemeth not needfull to recite the statute verbatim, as hath bin heretofore vsed, and namely, if the statute be generall, 5. H. 5. r. 38. ass. 38. But fully and certainly to describe the offence against the tenor of the same statute. And then conclude with these words, Contra formam statuti in hñdi casu promisi & edicti: If there be onely one statute of that offence: but if there be diuers concerning the same, then the conclusion must be Contra formam diuersorum statutorum in hñdi casu edicti & pmissi &c.

And it is specially to be noted, that in Indictments grounded vpon penall statutes (other then for tillage) giuing the penalty to the king onely, may be exhibited at any time within two yeares after the offence. But if the benefit be to the Prince, and another person, it ought to be sued for such person and the Prince within one yeare. And for the Prince alone within three yeares, if shorter time be not in that behalfe limited in such penall statutes, 31. Eli. cap. 5.

But the formes of Indictments will best appeare in the following examples, which for the Readers ease I haue here alphabetically set downe as ensueth.

For keeping an Alehouse or Tipling house.

Iuratores pro domina regina presentant, quod A. B. de C. in dicto comitatu B. yroman, vicesimo die mensis Octobris, Anno regni domini nostri

Sec. 711.

nostræ

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nostræ Elizabethę, Dei gratia Anglię, Francię, & Hibernię reginę fidei defensoris, &c. Tricesimo, & continuè multis diebus postea, viz. vltimè primum diem dicti Octob', anno supradicto, apud C. predict' in comitatu predicto, obstinate atque ex auctoritate propria ipsius A. B. sine vlla Iusticiariorum pacis dictę domine reginę in comitatu predicto admissione aut allocatione, assumpsit super se custodire, & custodiuit vnã communem Tabernam (Anglicè vocatam a common Tipling house) & ibidem dicto vicesimo die, & dictis diebus tum postea, communiter & publicè vendidit ceruisiam, & potum (Anglicè dictum Ale and Beere) diuersis dictę domine reginę ligis & subditis. In dictę domine reginę contempum, ac contra formam cuiusdam statuti, in Parlamento dñi Edwardi nup' regis Anglię sexti tento apud Westm̄, anno regni dicti dñi Ed. quinto, in huiusmodi casu prouisi. & editi.

For sike in a Cappe.

Sec. 73.

Iuratores pro domina regina presentant, quod A. B. de C. in dicto comitatu Tailor, natus infra hoc regnum Anglię, viz. apud C. predict', sed filius aut heres apparens alicuius militis, aut filius hominis altioris gradus non existens, nec potens expendere per annum viginti libras, in terris, tementis, feodis, officijs, aut alijs annuis reuentionibus, pro termino vitę suę: nec valens ducenas libras de bonis suis proprijs: nec vnquam Maior, Balliuus, Aldermanus, aut capitalis officarius in aliqua ciuitate, burgo, aut villa corporata existens, nec dictę dñę reginę seruiens in ordinario (vtens dictę dñę reg' liberata), existens: 20. tamen die Octob', anno regni dictę dñę nřę Eliz. Dei gratia, Anglię, Francię, & Hybernię Reg', fidei defensoris &c. tricesimo, apud C. predict' in comitatu predicto, per totum 20. diem anno supradicto, interiore parte cuiusdam pilei sui (Anglicè vocat' a Cap, quodam serico (Anglicè dicto Tassata) (ad valorem duos solidos) illicite & palam vsus est: contra formam cuiusdam statuti, in Parlamento Philippi & Marię nup' Regis & Reginę Anglię, tento apud Westm̄ in com' Midd', annis regnorum suorum, primo & secundo, in huiusmodi casu prouisi & editi.

For vsing the Art of a Mercer against the Statute of Anno quinto

of the late Queene Elizabeth.

Sec. 74.

Iuratores pro domina Regina presentant, quod A. B. de C. in comitatu E. Mercer, vicesimo die mensis Maij, Anno regni dictę domine nostrę Elizabethę, Dei gratia Anglię, Francię, & Hybernię reginę, fidei defensoris &c. tricesimo primo, & multis alijs diebus continuè post dictum diem per spacium duorum mensium, extunc proximi sequent',

vide-

videlicet, vsque tricesimum diem Iulij, anno supradicto, apud C. p̄d̄ in comitatu E. pred', quandam artem, siue mysterium (Anglice dictum *Mercurie*) illicite pro lucro suo proprio vsitauit & exercuit: tunc ibidem vendendo merces (Anglice vocatas *Mercurie wares*) diuersis dictæ dom' reginæ ligeis & subditis: vbi reuera idem A. B. nunquam fuit in dicta arte siue mysterio educatus tanquam apprenticeus per spacium septem annorum, nec idem A. B. eandem artem (siue mysterium pred') duodecimo die Ianuarij, anno regni dictæ dom' nostræ reginæ nunc quinto vsitauerit, aut exercuerit: In magnū dictæ domine reginæ contemptum, ac contra formam cuiusdam statuti in parlamento dictæ dom' reginæ nostræ nunc tento apud Westmonasteriū, anno regni suo quinto, in hoc casu prouisi ac æditi, vt supra dic'.

An Indictment upon the Statute of An. 1. Mar. cap. 12. for the assembly of twelue persons assembled together, to the intent to cut downe a Conduitt head, and staying there three houres after proclamation made that they should depart.

Iuratores pro domina regina presentant, Quod primo die mensis Octobris, anno regni dominæ nostræ Elizabethæ, Dei gratia, Angliæ, Franciæ, & Hybernæ reginæ, fidei defensoris &c. tricesimo quinto A. B. C. D. E. F. And so reciting xij. persons at the least, with their additions of occupations and dwellings, apud quendam locum infra parochia de O. in com' E' p̄dict', (Anglice vocatum *le old Court*) inter horas decimam & vndecimam ante meridiē eiusdem diei, vi & armis, tam inuasius, quam defensiuis, videlicet, gladijs, pugionibus, baculis, arcucubus, sagittis, tunicis ferreis, et tormentis, se ipsos congregauerunt, et assemblauerunt: Ac tunc & ibidem intenderunt, conari sunt, practicauerunt et in vsu posuerunt, vi et armis, illegitime, et ex autoritate sua propria, secare, et prorsus euertere, prostrernere ac destruere quoddam caput vnus aquæ ductus (Anglice vocatum a *conduit head*) tunc ibidē in fundo cuiusdam R. S. de O. p̄d̄ in comitat' p̄dicto generosi existens, et cursum aquæ in ipso habens, ea intentione, vt idem caput aquæ ductus p̄dict' ex tunc apertum et vacuum remaneret ac iaceret: Et vterius, quod super querimonia inde facta coram T. W. vno Iusticiariorū pacis dictæ dominæ reginæ in comitatu E. p̄dicto, omnes et singuli p̄dicti A. B. C. D. E. F. &c. tunc et ibidem per eundem Iusticiarium requisiti sunt ac iussi (per proclamationem in nomine dictæ dominæ Reginæ tunc & ibidem per eum palam factam) ad habitationes, loca, et domos suas (vnde venerant) se inde in pacifico modo retrahere, retirare, discredere & reuerti: quæ quidem proclamatio tunc ibidem modo & forma sequentibus, habita & facta est, videlicet,

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predictus T. W. Iusticiarius tunc ibid' fecit vltra voce vnum Dyes, ac tunc ibid' immediate hæc verba Anglicana sequentia palam, et alta voce pronunciauit, dicens, scilicet, *The Duëne our Soveraigne Ladie chargeth and commandeth all persons (being assembled) immediatly to disperse themselues, and peaceably to depart to their habitations, or to their lawfull busines, vpon the paines contained in the act lately made against vnlawfull and rebellious assemblies: And God saue the Duëne.* Et vltorius Iuratores p̄d dicunt, quod non obstante dicta proclamatione modo & forma p̄d per p̄fã. Iusticiã tũc ibidẽ facta et habitata, ijdem tamen omnes et singuli p̄d A. B. C. D. E. F. & c. in dicto loco vocato le old Court, infra parochiã de O. p̄d in dicto comitatu E. per spacium duar' horarum, immediate et continue post dictam proclamationẽ sic vt p̄fertur factam et habitam sequentium, seditiose et felonice in simul remanserunt et continuauerunt, in magnum dictæ dom' reginẽ cõtemp-tum, ac contra pacem, coronam, et dignitatem suas, necnon contra formam diuersor' statutorum in huiusmodi casu p̄uisor' & æditor'.

The procla-
mation.

Their staying
after the pro-
clamations
two houres.

Against a Baretor.

Sect. 75.

Iuratores pro domina regina p̄sentant, quod A. B. de C. in comitatu E. Tailor, secundo die Octobr. anno regni dictæ dom' nostre Eliz. dei gratia Angl', Franc', et Hyern' regin', fidei defensoris & c. Tricesimo quarto, apud C. p̄dict' in comitatu E. pred', fuit, et adhuc est cõmunis Barrestator, et pacis dictæ dom' reginæ perturbator. assiduus & public', necnon communis ac turbulentus calumniator, conuiciator, pugnator, et litium inter vicinos suos seminator, adeo vt diuersas lites, controuersi-
as, necnon iurgia, et pugnas ad tunc ibidem, et alibi in dicto com' E. inter diuersos dict' domin' regin' ligeos et subditos, mouit, procurauit, & excitauit: In magnam dictæ dom' reginæ pacis perturbationẽ, ac contra formam diuersarum ordinationum ac statutorum huius regni sui Angliæ, in huiusmodi casu antehac prouisorum ac æditorum.

Against a Baretor.

Sect. 76.

Inquiratur pro dom' regina, si R. E. nuper de G. in comit' D. Preoman, xx. die & c. apud G. p̄dict' in com' p̄dict', fuit, & adhuc est communis Barrestat', & pacis dict' dñæ Reg' p̄urbator, & oppressor vicinor' suor', et al' legeor' dict' dñæ reg' in com' D. p̄dicto, ac communis malefactor, calumniator, & seminator litium & discordiarum inter vicinos suos p̄d, ad magnum dispendium, grauamen, & perturbationẽ vicinor' p̄d, & aliorum fidelium ligeorum dictæ dom' reg' in com' D. p̄dicto, cõtra ordina-
tiones, leges & statut' huius regni Angliæ, in huiusmodi casu ædit' & prou-
is. ac

uisu ac contra pacem dictæ Dominæ Reginæ coronam &c.

*For an affray made at the time that the Assises and Gaole delinerie
is holden before the Iustices of
the Assise.*

Inquiratur pro domin' Reg. si C.P. & W.C. &c. vi & armis, videlicet Sect. 77.
gladijs, scuris, et pugionibus apud C. p̄d̄ arraiat̄ et illicite congregat̄,
tempore Assisar̄ dict' domin' Reg. ad tunc apud C. p̄d̄ tentarum, nec-
non infra precin̄ eiusdem villæ, R.W. & R.H. earund' Assisar̄ Iustic',
ac Iustic' dict' dñæ Reg. ad gaolam de I. in eodem Comitatu de priso-
narijs in eadem existentibus deliberand' assign̄, circa deliberationē eiusd'
gaolæ tunc apud C. p̄d̄ existentibus, insult' & affraiam inuicem fecerunt,
ad magñ perturbation' Cur' dict' dñæ reg. ac Iustic' suor' p̄d̄ tunc et ibid'
existent', ac in terroŕ et perturbation' diuersor' subditoŕ eiusd' dñę reg. tūc
et ibid' existent', et in malum et perniciosum exemplum omnium ligeoŕ
dict' dñæ reg. ac contra pacem dict' dñę reg. coron', et dignitat' suas &c.

*For an affray and beating of one at the time of the Assises and
Gaole delinerie, holden before the Iustices
of the Assise.*

Inquiratur si F.F. &c. xj. die &c. vi et armis &c. Iustic' dict' dñæ reg. Sect. 78.
ad Assisas in Coñ p̄d̄ capiend', necnon ad gaolam eiusdem Comitatu'
apud W. in eodem Comitatu deliberand' assign', ad tunc iudicialiter
sedent' et existent' in quendam W.C. in pace dei et dict' dñę reg. apud
W. p̄d̄ existent', ex malicia sua precogitata insult' fecit et ipsum W. cum
quodam gladio quem idem F. in manu sua dextra ad tunc et ibid' habuit
et tenuit, percussit super caput suum, dans eid' W.C. diuersas plagas, per
quas ipsum W. in magno periculo vis' suæ posuit, ita q̄ de vita sua despe-
rabatur, in magnum iusticie et legum huius regni Angl' contemp', et per-
niciosū exampl' alioŕ, ac cont' pac' dict' dñę reg. coron' et dignit' suas &c.

Or thus.

Inquiratur pro dñæ reg. si O.P. &c. decimo, apud T. p̄d̄ in Coñit' E. Sect. 79.
p̄d̄, tempore Assisar̄, et generalis gaole deliberationē ad tunc et ibidem
tenent', et sedent' ad tunc et ibidem Iusticiar̄ dict' dñæ reg. ad Assis. capiend'
necnon ad gaolam dict' domin' reg. castri de T. p̄d̄ in Coñ p̄d̄ delibe-
rand' assignat', vi & armis, et ex malitia sua precogitata, in, et super quend'
I.C. nuper de S. in Comitatu D. Peomant, in pace dei, et dict' domine
Regin' ad tunc & ibidem existent', insultum & affraiam fecit, & ipsum

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verberauit, vulnerauit, & maltractauit, & pref. O. ad tunc et ibidem cum quodam gladio valoris 3. solidi & quatuor denarioꝝ, quem idem O. in manu sua dextra ad tunc & ibidem habuit & tenuit p̄d̄ Iohannem C. ad tunc & ibidem percussit & pupugit, dans idem I. C. ad tunc & ibidem quoddam vulnus siue quandam plagam in latitudine vnus pollicis, & profunditate quatuor pollicium, ita quod idem I. C. de vita sua maxime periclitabatur, in magnam perturbationem tam p̄d̄ Iustic' dictę dominę Reginę, ad tunc & ibidem in Curia p̄d̄ seden' quam totius populi, & ligeorum subdit' dictę dominę Reginę de p̄d̄ com' S. ad tunc & ibidem confluens & attendens, ac in magnum contemptum dictę dominę Reg. ac in iusticię ibidem exequend' & administrand' retardation' manifest', ac contra pacem dictę dominę Reginę, coron', & dignitat' suas &c.

For Buggerie committed by a Minister being an Italian, borne in the Citie of Rome, with a boy of fiftene yeares old.

Sect. 80.

I Vratores pro dñā Reg. presentant, quod A. B. nuper de C. in dicto com' E. clericus (& alienigena in Ciuitate Romana Italię natus) decimo die Martij vi & armis, apud C. p̄d̄ in comitatu p̄d̄, an. Reg. dñę nrę Elizabethę, dei gratia Angl', Franc', & Hibern' Reg. fidei defensoris &c. Tricesimo, in quendam I. S. de C. p̄d̄ in dict' com' E. puerum mascululum (ætatis non amplius quindecim annoꝝ, ac tunc ibidem in quodam loco vocato le Arbye, in pace dei & dictę dñę Reg. existentem) insultum fecit, ac cum dicto I. S. puero p̄d̄ sceleratissime, felonice, ac cont' naturę ordinem tunc ibid' rem habuit veneream, dictũ q. puer' carnali' cognouit ac sic cum eod' puero peccat' illud horribile, ac Zodomitici (Angl' vocatum Buggerie) ad tunc ibid' felonice cõmissit, ac p̄petrauit, cont' pacẽ dict' dñę Reg. nrę, ac cont' form' statuti in huiusmodi casu p̄uili ac editi.

For Burglarie in a dwelling house in the night time, for taking out of money out of a chest, and for the accessories before the offences, and the accessories after.

Sect. 81.

I Nquiratur pro domin' Reg. quod cum I. H. nuper de H. in com' p̄d̄ P̄eontan, x. die Maij, an. reg. n. Reg. Eliz. &c. 34. vi & armis &c. dom' mansionalem cuiusdam P. armig' apud H. p̄d̄ in com' E. p̄d̄ circa horã decimam in nocte eiusdem diei, felonice & burglariter fregit & intrauit, & quadraginta libras in pecunijs numeratis, de bonis & carallis p̄d̄ P. in quadam cista in domo p̄d̄ ad tunc existent' inuenit felonice cepit & asportauit, contra pacem dict' dñę Reg. & si quidam Christopherus G. nuper de H. p̄d̄ in com' S. p̄d̄ P̄eontan, ante feloniam & burglar' p̄d̄

ſedit per ipſum T. H. in forma pred' facta et perpetrata, viz. ſexto die Maij, anno 14. ſuprad', eundē T. H. apud H. p̄d' in com' E. p̄d' ad feloniam et burglariā p̄d' in forma p̄d' ſic faciend' felonice excitauit, abbettauit, & procurauit, contra pacem dictæ dom' reginæ nunc, coronam & dignitatem ſuam. Et ſi quidam I. R. nuper de C. in com' S. pred' *Yeoman*, ſciens p̄fat. T. H. feloniam predictam in forma p̄dicta ſic feciſſe et perpetrari eundem T. H. dicto decimo die Maij, anno ſupradicto, poſt felon p̄d' per ipſum T. H. ſic factam et perpetrata, apud H. p̄d' in comitatu S. pred' felonice recepit, confortauit, et hoſpitauit, contra pacem dictæ dom' reginæ coronam et dignitatem ſuam.

For Burglary in a dwelling houſe in the night time, for the aſſaulting & putting in feare of them in the houſe, and for taking of money out of a cheſt.

Inquiratur pro dom' regina, ſi N. H. nuper de G. in com' E. p̄d' Y. T. E. Sect. 82. nuper de M. in com' pred' Y. decimo die & c. inter horas vndec' et duodecim' in nocte eiufd' diei, vi et armis & c. domum manſionalem cuiuſdā R. B. apud W. in p̄dicto com' Eborum felonice et burglariter fregerunt et intrauerunt, et in ipſum R. B. ad tunc et ibidem in eadem domo in pace Dei, et dictæ dom' regin' exiſtent, in ſultum fecerunt, eundem R. ad tunc et ibidem in timore corporali vitæ ſuæ impoſuerunt, ira quod de vita ſua de perabatur, et quatuor lib' in pecunijs numeratis in quaſdam cista infra domum p̄dict' ad tunc exiſtent, de bonis, catallis, & pecunijs cuiuſdam I. B. ad tunc et ibidem inuent, felonice & burglariter ceperunt et aſportauerunt, contra pacem & c. vt ſupra.

For Burglary in a dwelling houſe in the night time, the taking away of a ſiluer ſalt, mony, and three ſiluer pinnes.

Inquiratur pro domina Regina, ſi W. H. nuper de S. in comitatu D. Sect. 83. *Dyer*, R. C. nuper de M. in comitatu W. *Yeoman*, T. C. nuper de M. predid' in comitatu W. pred' *yeoman*, & T. L. alias dictus L. nuper de M. pred' in pred' comitatu W. *yeoman*, & T. P. nuper de C. in comitatu S. *yeoman*, vltimo die Octob. an. regni Regin' Elizabethæ, & c. quarto, circa horam vndecimam in nocte eiufdem diei, vi et armis & c. domum manſionalem cuiuſdam Marg. P. viduæ apud C. in pred' comitatu S. felonice et burglariter fregerunt & intrauerunt, et vnum Salinum argenteum vocat' a ſiluer ſalt, ad valentiam quinquaginta ſolid', x. li. in pecunijs numeratis, tres aciculas argenteas ad valentiam vj. s. viij. d. & tres annulos argenteos valo' vj. s. de bonis, catallis, & pecunijs p̄fat. Marg. ad tunc & ibidem inuent' felonice ceperunt et aſportauerunt, contra pacem & c. vt ſupra.

Indictments and

For Burglary in a dwelling house in the night time, a woman then being in the house, and for taking away of xx.li. out of a cupboard in the house.

Sec. 84.

I Vratores pro domini regina presentant, quod T. S. de W. in dicto comitatu E. Taylor, quarto die mensis Febr., anno regni dictæ dominæ, nostræ Eliz. dei gratia, Angl' Franc' et Hybern', regin', fidei defen. &c. vicesimo nono, vi et armis &c. domū mansionalē cuiusdam N.G. de W. p̄d. apud S. in dicto comitatu Butcher, noctanter, viz. (inter horas decimā et vndecim' post meridiē eiusdem diei) quadā I. vxore ipsius N.G. tunc in eadem domo in pace Dei et dict' domine regin' existente, felonice & burglariter fregit et intrauit, et viginti libras legalis monetæ Angliæ de bonis p̄d. N.G. in quodam abaco in dict' domo existente inuentas, tunc et ibid' felonice cepit et asportauit, cont' pacem dict' domini regin' tunc, coronam, et dignitatem suam.

For Burglary in a dwelling house in the night time, for assaulting and putting in feare of them in the house, intending to kill or rob them in the house, & the accessaries before the offence committed.

Sec. 85.

I Nquiratur pro domina regina, si F.M. nup. de M. in com' D. Royner, duodecimo die Aprilis, anno &c. circa horam duodecimam in nocte eiusd' diei, vi et armis &c. domū mansionalē cuiusd' T. C. sen' apud C. in com' S. p̄d. burglariter et felonice fregit et intrauit, et super quosdā R. S. et I. B. ad tunc et ibid' in pace dei, et dictæ dom' reg' existent', insultū fecit, et eosd' R. et I. in corporali timore vitæ suar' posuit, ea intentione ad interficiend', vel saltem ad spoliand' pred' T. C. de bonis & pecuniis suis, ad graue damnū ipsius T. et contra pacem dictæ dñæ reg' &c. vt supra. Et si G. B. nuper de C. pred' in com' pred' Weauer, ante feloniam p̄d. in forma p̄d. sic facit et perpetrat, eundem F. M. apud C. p̄d. in comitatu D. pred' viz. vicesimo die Ianua. Anno &c. vt supra, ad feloniam p̄dic' in forma pred' sic faciend' felonice excitauerunt, abbettauerunt, & procurauerunt, contra pacem dictæ dom' &c. vt supra.

For burning of a dwelling house in the day time, with a pound of gun-powder put in a bundel of straw in the house, the owner of the house then being in the same house.

Sec. 86.

I Vratores pro dñâ regina presentant, quod A. B. nuper de C. in com' E. pred' Aiguale, octauo die mensis Iulij Anno regn' dictæ dñæ nostræ Eliz. dei gratia Angliæ, Franciæ, et Hyber', reg' fidei defensoris &c. Tricesimo, ad domū mansional' E. F. de C. p̄d. in com' pred' gener', in C. pred' in dict' com' E. existent', vi et armis, inter horas sextam et septim' ante meridi' eiusd' diei accessit & cum vna libra puluer' tormentar' ad valenc' 12. denar' et face quadā ignita, quā dict' A. B. tunc et ibidem

dem in manibus suis tenuit, ignem in quodam fasciculo straminis tunc in dicta domo existentis, ex malicia sua precogitata felonice accendit, vnde eadem domus tunc ibidem totaliter cremata & combusta fuit (eodem E. F. tunc in pace dictæ dñæ reg. in dicta domo sua existente) Et si p̄d A. B. dicto 8. die Iulij, anno supradicto, apud C. p̄d, domum mansionalem p̄d E. F. p̄d, modo & forma p̄d, voluntarie ex dict' malicia sua precogitata, & felonice incendit & cumbussit: contra pacem dict' dom̄ reg. n̄re, ac coronam & dignitatem suam.

For Burglarie and burning of a dwelling house in the night time, having an intent to rob it, and the putting of diuers persons in feare, then being in the house, and the accessories before the offence, and accessories after the offence.

Inquir pro dñæ reg. si W. S. nup de O. in Cōm E. p̄d Smith, die Feb. Sect. 87. &c. 13. circa horam 12. in noct' eiusd' diei, vi & armis viz. gladijs, scutis baculis, arcibus, & sagittis, apud S. in p̄d. Cōm E. ad domum mansionalem cuiusd' I. C. simul cum alijs veniebat, ea intentione ad spoliand' dict' I. de bonis et catallis suis in ead' domo tunc exist', ac si idem W. sup tectur' eiusd' domus vulgariter nuncupat' (the couering of the house) ad tuc & ibid', cū vna scala ascendebat & scandeat, ea intentione, p tectur' p̄d ad intrand' et ingrediend' in dom̄ illam. Ac si dictus W. simul cum alijs p̄d I. G. R. C. M. P. & F. G. in ead' domo tunc exist' tant' timor' corporal' tunc & ibid' inferebant ita q̄ de vitis suis desperabat, ac si dict' W. simul cum alijs p̄d, ad tunc & ibid' ex malicia sua p̄cogitata, eand' dom̄ cū igne tunc & ibid' felon' comburebat, p̄d I. G. R. C. M. P. & F. G. in ead' domo exist', cont' pac' &c. *vt supra*. Ac si W. R. de B. in Cōm p̄d Peoman, & W. I. de S. in Cōm E. p̄d gener' ante felon' p̄d p̄ ipsos I. C. & alios fact' & ppetrat' p̄d W. S. p̄d 27. die Feb. anno sup̄d, apud W. p̄d in Cōm p̄d ad felon' p̄d sic in forma p̄d faciend' et ppetrand' felon' excitauer', procurauerunt, et abbettauer', cont' pacem &c. ac si p̄d W. R. & W. S. scientes p̄d W. S. simul cum alijs supradictis felon' p̄d in forma p̄d sic fecisse & perpetrasse, eundem W. S. postea, scz. 27. die Feb. anno p̄d apud B. p̄d in Cōm E. p̄d felonice receperunt, confortauer', hospitaerunt & concealauerunt, contra pacem dictæ &c. *vt supra*.

For breaking and burning a barn with Corne of diuers sorts in it, as well in sheafe as threshed.

Inquiratur pro Domina Regina, si I. M. de D. in Cōm M. Peoman, Sect. 88. 13. die &c. apud I. in Cōm E. vi et armis, quoddam horreum cuiusdam

Indictments, and

I. S. apud I. p̄d̄ in p̄d̄ Com' E. situat et existeñ feloñ fregit et intravit, & quibusdā candelis tunc igne accensis, quas I. M. tunc & ibid' in manib' suis tenuit ad tūc & ibid' ex malicia sua p̄cogitat et ex instigationē diabolica in horreū p̄d̄ cum diuersis granis et garbis viz. trib' quarterijs ordeij, & quatuor quarterijs frumenti, et duob' modijs auenarum, & 4. carestat hordei in garbis in eodem horreo ad tunc existeñ, ignem accensum ad tūc & ibid' voluntarie et feloñ imposuit, et cum eod' igne ad tunc et ibidem horreū p̄d' cum omnib' granis et garbis sup̄d' in eod' horreo ad tunc & ibid' existeñ voluntarie, & feloñ combussit, et total' cum igne illo feloñ et voluntarie consumpsit, cont' pac' dict' dñę reg. &c. *ut supra.*

For maintenance in an Assise of Novel disseisin, for to haue the moitie of the land in question, and an hundred pounds in money

Sect. 89

IVf pro dñā reg. presentant, q̄ I. C. T. C. ac I. P. de O. in com' E. p̄d̄ men, ac alij (de confederatione et couina p̄dictor' I. C. T. C. et I. P. existentes) quoddā placit' Assisę nouę disseisiñ qd nup' summonitū fuit in Cur' dict' dñę reg. corā dilectis et fidelibus dict' dñę reg. I. S. et I. K. & alijs nup' Iustic' ipsi' dom' reg. ad assisam illam capiendam assignatis, p̄ b̄re ipsi' dñę Reg. inter W. S. querentē, & I. H. tenentē, de quodam libero tenēto in N. et S. in Com' E. p̄d', (viz. p̄ medietate inde sibi et heredibus suis imp̄petuū) viz. p̄ C. li. sterling' in pecunia numerata in hac parte habenda, per conuentionem inde inter p̄d̄ N. S. et p̄fatos I. C. T. C. & I. P. 20. die mensis Augusti, Anno regni dict' dñę nostrę Elizabethę, Dei gratia, Anglię, Francię, et Hiberiã regiñ, fidei defensoris &c. Tricesimo apud O. p̄dict' in dicto comitatu factam p̄ qd W. S. contra p̄fāt' I. H. dict' die, anno, et loco, assumpserunt manuteneñd', et manutenuerunt: In māgnū dict' dñę reg. contemptum ac cont' formam diuersorum statutorum, huius regni sui Angl' in hñdi casu prouis. ac æditorum.

For maintenance in an Assise of Freshforce, to haue part of the land in question, and part of the damages to be recovered.

Sect. 90

IVrator p̄sent quod cum de communi consilio regn' dñm' E. nuper reg. Angl' primi p̄genitor' dñę reg. nunc prouisum sit, Quod nullus Minister vel aliquis al' manuteneñ placita, querelas, vel negocia, quę sunt in cur' dñi reg. de terr' tenētis, aut alijs reb' quibuscunq; p̄ pte rei petite, vel aliquo p̄ficio p̄ cōuentionē factā inde hēnd', nec aliquis ius suū sub hñdi cōdition' alteri dimittat. Quid' W. P. &c. simul cū R. S. &c. tali die

&

& anno quand' querelam cuiusdam Ass. friscæ forcie q̄ est in Curia dñe Reg. nunc Ciuitatis E. coram E. B. Maior & C. D. vicecom̄ eiusd' Ciuitatis sine breui ipsius dñe Reg. 2. consuet' Ciuitatis p̄d, inf quold' I. R. & T. L. de vno messuag' cum pertiñ in Ciuit' p̄d, pro parte eiusd' messuagij, viz. pro medietate messuagij illius, sibi & hered' suis imperpetuum, & alio proficuo, viz. pro medietate damnos' in querela assise p̄d recuperand' inde habend', per conuentionem inter pref. I. ac p̄d W. & R. S. apud E. p̄d factum assumpsit manutenend., & manutenuit, ad graue dom̄ ipsius T. L. & conf' formam prouisionis p̄d & c.

*For a Riotous assault and affray made vpon a Vicar in his Church,
and for the imprisoning of him in a
paire of Stockes.*

Inquirat & c. A. T. & c. H. S. & c. & W. K. aggregat' & c. 22. die Iulij & c. Sect. 91
vi & armis & c. apud C. in Com̄ S. riotose & c. in R. L. vicarium Eccl' paroch' de C. p̄d, in pace Dei & dict' dom' Reg. in Eccl' p̄d tunc exist' insult' & affraiam fecer', & ipsum R. L. ab Eccl' p̄d tunc violent' & manuforti extraxer' & vsq; cippos duxer', et ipsum imprisonauer' et maletractauer', et alia enormia ei ad tunc & ibid' intuler', ad graue dam̄ ipsi' R. L. conf' form' stat' in hñdi casu edit' & prouisi, et conf' pac' dict' dom' & c.

*For absence from Church for six moneths vpon the Statutes of primo
& decimo tertio of the Queene.*

Iuratores pro domina Regina super Sacramentum suum presentant; Sect. 92
aliquid A. B. nuper de C. in Com̄ p̄d E. Af, qui 10. die Iulij anno regni domine nostre Elizabethæ Dei gratia Angliæ, Franciæ, & Hiberniæ, Reg. fidei defensoris & c. Tricesimo, fuit etatis 16. annorum & vltra, non accessit (Anglic' id' not repaire) ad Ecclesiam parochial' de D. pred' nec ad aliquam aliam Ecclesiam, capellam, aut vsualem locum communis precation' & ibidem moratus fuit tempor' communis precation', ad aliquod tempus infra sex menses tunc proxime sequentes, sed abstinuit ab eisdem (Anglice hath forborne the saune) per spacium pred' sex mensium, contra formam cuiusdem statuti apud Westm̄ in Com̄ Midd' anno reg. dict' dñe Reg. nunc primo, pro vniformitate communis precation' editi & prouisi, ac contra formam statuti anno reg. dict' dom' reg. nunc 23. in hñdi casu editi et prouisi, ac in contemp' dicte domine reginæ nunc' et contra coronam, & dignitatem suas.

For

Indictments, and

For drawing a dagger upon one in the Church-yard, to the intent to strike him.

Sect. 93

INquir̄ pro dñā reg. si O. F. de L. in Com' E. p̄d̄ geñ 8. die &c. in cimiterio Ecclesie paroch' de L. p̄d' in dicto Com', malitiose extraxit pugion̄ suū in quend' I. S. de L: p̄d' p̄comat, ea intentione ad pcutiend' p̄d' I. S. cū dicto pugione, cont' pac' dict' dñę reg. nřę nunc, ac cont' form' stat' in pliar̄nto dñi Ed. nup̄ regis Angl' sexti tento apud West: in Com' Midd̄, anno reg. dicti nup̄ dñi reg. 5. in hñdi casu prouisi, ac editi.

For fighting with a weapon in the Church-yard contrarie to the Statute of Anno 5. Ed. 6.

Sect. 94

IVř p̄sent̄, qđ cū in stat' in pliar̄nto dñi E. nup̄ reg. Angl' 6. apud West. anno regni sui 5. tenē, edit, int̄ cetera stabilit' exist' &c. Quod si aliqua persona ad aliquod temp' post 1. diem Maij, tunc proxim' sequent', malitiose pcuter̄ aliquam p̄son̄, cum aliquib' armis in aliqua Eccl' siue cimiterio, vel post eund' 1. diem Maij, extraheret aliqua arma in aliqua Eccl', seu cimiterio, intentione ad pcutiend' alium cum eis' armis, qđ tūc quælibet p̄sona sic offendens & inde conuict' per veredict' 12. hominū vel per suam propriā confessionē, vel per 2. legales testes, cor' Iust' Assisar̄, Iust' audiend' et terminand' siue Iust', pacis in Sessionib' suis, virtute illius act' adiudicaret per eosd' Iust' coram quib' talis p̄sona sic conuincer̄ ad habend' 1. aurium suar' abscissam, & si illa persona siue personę sic offend' non haberet siue non haberent aliquas aures, ita qđ illiusmodi p̄cñā subir̄ (vt prefer̄) qđ tunc ipse vel ipsi signarent in bucca, Angl' thōke, ferro candenti, Angl' a hot tron, habent hanc liter' F. p̄ quam ipse vel ipsi cognosc̄ i & haberi possint pugnā effectores, & pugnaiores, & vltra hoc quælibet talis persona foret & staret ipso facto excommunicat', prout in eod' stat' pleni' continet̄. Quid' tam' GB. nup̄ de S. &c. 2. die Iunij &c. vi & armis, viz. &c. cum quod' pugionē in quend' T. C. in pace Dei & dict' dom' reg. exist' apud C. in Com' E. p̄d' in cimiterio Eccl' parochialis de C. p̄d' insultum fecit, et ipsum T. super caput suum ad tunc & ibid' malitiose percussit, et alia enormia ei intulit ad graue damnum ipsi T. et cont' pacem dict' dom' reg. &c. ac contra formam statuti predict' &c.

For absence from the Church for certaine Sundaies and Festival daies upon the Statute of primo of the Queene.

Sect. 95.

IVř pro dñā reg. presentant, qđ cum in statuf in Parlamento dom' Eli. Dei gratia &c. anno reg. sui 1. tenē apud W. in Com' M. inter alia inactitat' & ordinat' existet, quod post festum S. Io. Bap̄ anno reg dict' domi-

domin' Reg' omnis & singula persona siue personæ inhabitant in hoc regno Angliæ aut aliquo alio dominiorum dict' domin' reg', diligenter et fideliter, habentes nullam legalem seu rationabilem excusationem ab effendi, adnitentur adire suam parochialem ecclesiam vel capellam consuetam, vel super rationabile impedimentum, aliquem visitatum locû, vbi communes preces, et diuina seruitia, in actu illo mencio celebratæ fuerint tempore talis impedimenti, quodlibet die Dominico, et alijs diebus ordinat', & visitatis obseruari vt festiuis diebus, et tunc et ibidem manere secundum ordinem et sobrie, durante tempore precum comun', prædication', aut aliorum diuinorum seruitiorum ibidem vtend' & ministrand', sub poena punitionis per censuras ecclesiæ, et etiam sub poena, quod quælibet persona sic offend', forisfaciat pro qualibet tali offensa 12. denarios leuand' per gardianos Ecclesiæ parochialis vbi talis offensa foret fact' ad vsum pauper' inhabit' eiusdem parochiæ de bonis, terris, & tenementis, talis offend' per modû districcion', prout in statutu' pred' continet, cumque T. R. de D. in com' p'd arm' et A. vx' eius, utroque eor' exist' etatis 16. anñ et ampli', ac existent' parochian' eccl' parochial' de T. p'd, in pred' com' E. infra quam quidē eccl' cōes preces, & alia diuina seruit' in statutu' pred' spec' post pred' fest' natiuit' S. Io. Bap. anno primo suprad', scilicet die dominico, p'x' post fest' S. Mich. arch. annō regni reginæ Eli. dei gratia &c. 12. diebus dominicis tunc prox' sequent' et 8. alijs diebus festiualibus eisdem 12. dies dominicat' interuenient' dicebantur & utebantur, pred' I. & A. non habentes legalē nec rationabilem excusationem, seu impediment' abeffendi ab eccl' p'd, in diebus pred' tempore p'd comun' precum, prædicationum, et diuinorum seruitiorum ibidem tunc dictorum habitorum et ministratorū, non solum non adnitebantur adire Eccles. parochial' de D. præd' existen' eorum Ecclesiam consuetam, in predicto die domin' proxim' post prædictum festum sancti Michaelis arch. anno regni dictæ dominæ reginæ nunc 34. supradict' et pred' alijs 12. diebus dominicis tunc proxim' sequent', & predict' alijs octo diebus festiualibus inter eisdem 12. dies dominicas interuenient' tempore predict' comun' preces et diuinorum seruitiorum ibidem in diebus illis dictorum habitorum & ministratorum, sed etiam odio habent' & contemnent' Euang' et salub' Dei verbum et dictam dominam reginam, & leges suas, seiplos voluntar' absentauerunt, et vterque eorū voluntarie seipsum absentauit ab ecclesia præd' die dñco prox' post fest' S. Mich. arch. anno regni dictæ dñæ reg' nunc 34. supra d' &c. p'd alijs 12. diebus dñcis tunc prox' sequent', & præd' alijs 8. diebus festiual' inter eisdem 12. dies dominicas interuenient' tempore pred' comun' precum, prædication' & diuin' seruitioꝝ ibidem in diebus illis dictoꝝ, habitōꝝ & ministroꝝ, contra pacem & in contemp't' dictæ dñæ reg' nunc & legem suam & coronam & dignitatem suam, ac

contra

Indictments and

contra formam statuti prædicti, & in perniciosum exemplum malefactorum &c.

For taking of Conies in a free warren in the night time.

Sect. 96.

INquit &c. si E. D. &c. vi & armis, viz. baculis, falcastris, arc', et sagitt', & alijs arm' defensionis, parcum, seu liberam war' C. B. apud A. in comitatu prædicto D. circa horam decimam in nocte eiusdem diei fregit & intrauit, et in eodem parco siue liberæ warren', leporariis, licicis & retib' voc' p'risetis, sine licentia di' T. B. v'ebant' et 40. cunic' valor' 13. s. 4. d. de bonis et catallis ipsius T. B. ad tunc & ibidem inuenit ceper' et asportauer' ad graue dampnum ipsius T. B. et contra pacem &c.

For conspiring and combining to indict one for stealing of a horse of one of the conspirators, and for procuring of diuers false suites to be brought and pursued in the names of the conspirators, and of diuers others against diuerse persons.

Sect. 97.

I Vratores &c. present, quod I. P. nuper de I. in prædict' comitatu E. & R. B. nuper de C. in prædicto comitatu E. gener' vna cum alijs quamplurimis personis adhuc ignof, contra legem domini regis ac formam statutorum in huiusmodi casu prouisorum, conspiratione & conuina apud T. predic' die &c. habi', diuersis temporib' postea simul vni', confederati, & iurati falso fraudulenti & malitiose vener' ad vindicand', destruend', perturband', placitand', ad nihiland', & similiter ad nulland', fideles & innocente ligeos dicti dom' regis p' lucro ad eorum proprium vsum capiend', societatem inierunt, et adinuicem iurauerunt, ad simul standum contra dictum dominum regem, & quoscunque legeos suos in omnibus et singulis materijs placitis & querelis, per ipsos & eorum quemlibet motis seu mouendis. Et si eorum aliquis cum aliquo, placita materiam, seu querelam moueret, quod ipsi & eorum quilibet cum eo, sic materiam, querelam, seu placitum mouent stare, et perseverare deberent et deberet. Et si aliquis eorum aliquam querelam seu placitum nomine alterius personæ cuiuscunque, versus aliam personam super se assumpserit manutened' extunc eorum quilibet querelam, sectam, seu placitum prædictum, tanquam querelam, sectam, seu placitum, nomine eorum prosecut', manuteneret, foueret, et teneret, recto, veritate, iustic' et iure, omnino postpositis et sublat': Virute quorum quidem vnitionis, conspirationis, iurament', confederationis & manutionis, prædictorum I. P. R. B. & al' sic in vnum globat', et iurat', postea, videlicet die &c. Anno &c. conspiratione inter eos apud C. in comit' prædicto, præhabita, quendam I. H. de eo quod ipse die &c. anno &c. vnū equū pretij &c. de bonis et catallis prædict' I. P. R. B. apud S. inuenit felonice furatus fuit cepit et abduxit falso et malitiose indictari p'curauerunt. Et prædict' I. P. et R. B. et alij modo & forma prædicta vniti & confederati diuersa falsa placita, sectas, & querelas innu-

innumerabiles, tam nominibus eorum proprijs, quam nomiñ aliar personarum eis falso & malitiose congregat & vniū prosecuti suer, & manutenerunt & indices prosequuntur et manutinent, videlicet p̄d I. P. ad hundredū domini P. militis apud C. p̄d 13. die anno & c. tenē eodem I. ad tunc Balliuo eiusdem hundredū existē, ad statum & possessionem R. S. & A. vxoris suæ adnulland: Et pro eo q̄ ad quamlibet Curiam hundredū ibidem successiue tenendū p̄d R. vxorem suam ibidem producere nequiret, ita q̄ excessiua amerciamēt in status eorū depauperationem fierent & euenirent, considerationē taxator amerciamēt Cureq̄ p̄d, semper de coquina p̄d I. P. exitit, tresdecim querelas de placito transgressionis, nomine W. Y. & R. B. quatuor querelas transgressionis nomine W. E. absque vera materia seu iusta causa, seperat versus p̄d R. S. & A. leuauit & intrauit, ac p̄d querentes huiusmodi querelas leuare p̄curauit ad graue damñ ipsorū R. & A. & cont̄ formam ordinationis in huiusmodi casu p̄uis. & c.

For a conspiracie of diuers Baker's touching the making of bread.

Iuratores pro domina Regina presentant, q̄ A. B. C. D. E. F. & G. H. de M. in dist' comit' L. Pistores 2. die Octobris anno regni dñæ n̄æ Eliz: Dei gratia Angliæ, Franciæ, & Hiberniæ Reginiæ, fidei defensoris & c. Tricesimo nono, apud M. p̄d, in com' E. p̄d in simul conueniunt, conspirauer, ac mutuo inter se promiserunt, q̄ pan' denarij de integro frumento (p̄ eos seu eorū aliquē; tū deinceps faciendū ac vendendū) non amplius quā 2. libras & 6. vncias Troici ponderis habeat & ponderabit (quodcunq; impoſter foret vnus quarterij frum̄i p̄ciūm) in dist' dñæ Reg. nunc contemp̄, ac in extremū pauperū dist' dñæ Reg. subditoꝝ grauamen, nec non cont̄ formā statuti in huiusmodi casu p̄uisorū & editorum.

Sect. 98.

For the taking of unreaſonable distreſſe contrary to the Statute of Meriton, Anno 5 2. H. 3. cap. 40.

Iuratores presentant pro domina Reg. quod cum in statuti in parliamēt tenē apud M. anno H. 3. nuper Reg. Angliæ 2. in cetera ordinat sic q̄ distinctiones sine rationabiles & non nimis graues & qui distinctionē fecerint irrationabiles & indebitas, graui amerciamēt prop̄ excessiua distinctionē ipsorū, prout in statuti p̄d plenius continetur. Quidam tamen A. B. de & c. statuti p̄d & poenanti in eodem contenti minime ponderans 2. die Lunij, anno regni & c. duas vaccas de bonis & cattall' W. F. & c. apud G. & c. in eodem com' N. pro quibus solidū in pecuniā numeratis irrationabile & excessiue distinxit & pro distinctionē cepit vbi tempore distinctionis & captiōnis p̄d & c. quarundam p̄d vaccarum precium captiōnis erat xx. s. contra formam statuti p̄d & c.

Sect. 99.

Indictments, and

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*For the taking of a distresse out of his fee, and in the high way
contrarie to the Statute of Merton, Anno
52. H. 3. cap. 15.*

Sect. 100.

I Vratores presentant pro domina Regina, quod cum in statu in parlamento recto apud M. anno H. 3. nuper regis Angl' 52. nulli de cetero liceat ex quacunque causa distractiones facere extra feodum suum, nec in via regia, aut in communi strato, nisi domino regi, aut ministris suis specialem authoritatē ad hoc habentibus prout in statu p̄d̄ plenius continetur. Quidam tamen P. B. & C. D. de &c. statu p̄d̄ & poenam in eod̄ contentē minime ponderantes 2. die Jun' anno &c. 2. vacē de bonis & catall' E. D. &c. apud F. &c. extra feod̄ ipsorū siue ipsorū alicuius, in communi strato voc' &c. ad tunc & ibidem existentē distrinxerūt, & pro distractione ceperūt, nec tempore distractionis p̄d̄ A. B. C. D. non fuerūt ministri, nec aliquis eorum fuit minister dict' domini reg. nec habuerunt, nec aliquis eorum habuit specialem authoritatē ad illud faciendū, cont' pac' &c.

*Against Egyptians upon the Statute of primo & secundo
of King Philip and Queene
Mary.*

Sect. 101.

I Vratores presentant, quod cum in statuto in parlamento domini P. & domine M. nuper Regis & Regine Angl' apud W. x. die No. annis Reg' suorum 1. & 2. tenet' ædit' inter alia ordinatum existit, &c. quod si aliqua persona siue personæ seipso appellantes Ægyptianos qui transportarentur, vel conueiarentur in hoc reg. Angl' siue Wallie, continuaret' & remaneret, infra idem, per spacium vnus mensis, quod tunc ipse vel ipsi sic offenden', virtute actus p̄d̄ adiudicat' & estimati essent felones, & proinde sustinerent poenas mortis & forisfact' terrarū & bonorum, vt in casu felonix iuxta ordinem communium legum huius reg. Et super examen' eorū siue alicuius eorū, triarentur in com' ac p̄ inhabitantes illius com' vel loci vbi ipsi vel ipse apprehenderentur, siue caperentur, & minime p̄ medietatem linguæ, & amitterent libertatem & priuilegium Sanctuarij & cleri prout in eodem statuto plenius apparet. Quidam tamen M. P. & P. R. de &c. seipso appellantes Ægyptianos, statu p̄d̄ minime ponderantes, nec poenam &c. qui primo die Aprilis anno &c. in hoc regnū Angl' transportat' & conueiati fuerunt, ab eodem primo die Aug. anno &c. supra dicto vsque decimum diem Sept' extunc proximū sequen' apud C. in p̄d̄ Com' E. continuauerunt & remanserunt in eodem, oriofas vitas suas non relinquentes, nec seipso in seruitū alicuius habilis & honesti subditi huius Reg. Angliæ collocat' querentes, neque seipso in aliquo opere licito

licito siue occupatione honesta exercentes, in dominæ reginæ nunc contemptum, ac contra formam statuti predicti &c.

Against Egyptians upon the statute of 5. of the Queens.

Iuratores presentant &c. quod cum in statu in parliament. dñe reginæ Sect. 102
 nunc apud Westmon' in com' Middl. 13. die Ianuar, anno regni sui quinto tenet, editi inter alia &c. qd omnis & singulæ persona et personæ quæ ab, & post priu' diem Maij, tunc proximi sequent' visæ vel inuentæ forent infra hoc Reg' Angl' siue Walliæ, in aliquo commertio vel consortio vagabundorum vulgo vocat', siue seipfos appellat' Egyptianos vel seipfos simulantes, transmutantes siue fucantes Anglice disguising per eorum vestitum, locutionem, aut aliam gesturam consimiles huiusmodi vagabundis communiter appellat' vel seipfos appellantibus Egyptianos et sic facerent, continuarent, et remanerent in eisdem, aut semel, vel sæpe, per spacium vnus mensis, q' tunc eadē persona siue personæ virtute huius actus estimatæ forent & adiudicarentur felo et felones, et proinde sufferent penas mortis, ac amissionē terrarum & bonorum, vt in casibus felonix, secundum ordinem cōmunium legum huius regni. Et super eorum siue alicuius eorum examinat' in hac parte triarentur in comit' ac per inhabitantes comitatus vel loci, ybi ille vel illi apprehenderent siue caperentur, et non per medietatē linguæ, et amitterent privilegium, et beneficium sanctuarij, et cleri, prout in eodem statuto plene liquet. Quidam tamen A. B. C. D. &c. statutum predict' minime ponderantes nec poenam in eodem content' verentes, post predict' primum diem Maij, scz. tertio die Aug. anno regni dom' Regin' nunc 35. apud E. in com' predict', visi et inuenti fuerunt in commertio et consortio vagabundorum vulgo vocat' et seipfos vocantium Egyptianos, ac seipfos simulantium, transmutant, et fucant, per eorum vestitum, locutionem, et gesturam, consimiles hūdi vagabundis qui vulgo vocantur Egyptiani, et sic fecerunt, continuauerunt, et remanserunt ibid, et alibi in eodē com', a predict' tertio die Augusti anno 35. supradicto vsque vicesimum diem Iulij tunc proximi sequent' in dictæ dom' reg' nunc contemptum, ac cōtra formam statuti predicti &c.

For pulling out of eyes.

Iuratores pro domina regina. presentant, quod A. B. de C. in dicto comitatu E. Sect. 103
 Tinker, nono die Septembris, Anno regni dicte domine nostre Elizabethæ, Dei gratia Angliæ, Franciæ, et Hybernix, Reginæ, fidei defensoris &c. Tricesimo nono, in quodam loco apud C. predictam, in comitatu E. predict' (vocat' le Deane) vi et armis in quendam D. F. de C. predicta in com' E. predicto Deanman, in pace dicte domine Regine

Regine tunc ibidem existentem, insultum fecit, ad tempus et ibidem ex malicia sua præcogitata, digitis & unguibus digitorum ipsius A. B. oculus ipsius D. E. felonice effodit ac eruit contra pacem dicti domini regis nostri, coronam et dignitatem suam, ac contra formam cuiusdam statuti in parlamento domini Henrici olim regis Angliæ quarti, tento apud Westmonasterium in comitatu Midd., anno regni sui quinto in huiusmodi casu prouisi & editi.

For cutting out of Tongues.

Sect. 104

Irratores dicunt quod cum per statutum in parlamento domini regis H. nuper regis Angliæ, quarti, anno regni sui quinto, quod W. tento ædit, ordinã sit, quod malefactores, qui linguas amputarent, vel oculos euellerent legiorum domini regis, hoc debet comperto & probato quod tale factum ex malicia præcogitata fuit perpetratum, poenam felonix incurrerent, prout in eodem statuto plenius continetur: quidam tamen I. L. de &c. poenam in dicto statuto contentam minime, verens, die &c. anno &c. vi et armis, feliciter, &c. felonice vt felo dicti domini regis, insidians, et insultu præmeditatus contra pacem domini regis coronam et dignitatem suam, in flatu præcogitata malitia venit, apud H. in com. H. et in quendam N. M. ad eum & ibidem in pace Dei, et domini regis existent, insultum fecit, et ipsum verberauit, vulnerauit, ac quoddam cultello, quem præd. I. L. ad eum tenuit in manu sua dextra precij ijs. linguam ipsius M. ad eum et ibidem felonice eruit & amputauit, contra pacem domini regis &c. contra formam et p. statuti præd. &c.

An Indictment against a Gaolor for suffering of one committed to him upon suspicion of felony for stealing of a horse to escape.

Sect. 105

Irratores p. domina regina presentant, quod vbi quidam A. B. nuper de C. in dicto comitatu K. Shonaker, sexto die Maij, anno regni domine nostræ Eliza. Dei gratia, Angliæ, Franciæ, et Hybernix reginæ, fidei defensoris &c. tricesimo quarto, apud C. predicti in comitatu K. predicti pro suspicionem cuiusdam felonie (videlicet vnus Equi, coloris albi, precij xl. solidi felonice per eundem A. B. vt dicebatur capti & abducti) arrestatus est & captus et coram T. F. vno Iusticiariorum dicti domini regis ad pacem in dicto comitatu conseruandam assignatorum ductus, et super inde postea, viz. dictis die, anno, et loco, cuidam B. D. in comitatu K. predicto p. coman, custodi gaolæ dictæ domine reginæ apud M. in dicto comitatu K. existenti (sub custod. I. F. armigeri, ad eum vicecomitis comitatus K. predicti, et custodis gaolæ predicti) per quoddam preceptum de Mittimus dicti T. F. Iusticiarij, idem A. B. traditus est & commissus, ad saluo & secure custodiendum in gaola predicta, donec idem A. B. inde foret legitimo modo deliberatus; presat. tamen I. F. (tunc vicecomes postea, videlicet

sep.

septimo die dicti mensis Maij, anno suprad', apud M. prædict' in com' K. præd', prefatum A. B. (ad tunc et ibidem in dictis gaola & custodia existentem) à præd' custodia et gaola, ad tunc & ibidem euadere & ad largū ire voluntariè, & felonice permisit, contra pacem dictæ dominæ reginæ, coronam, & dignitatem suam &c.

Another Indictment against a Gaoler, for suffering of a woman committed to him upon suspicion of felonie and murder to escape.

INquiratur pro domina regina, q̄ cum quedam M. N. nuper de B. in p̄d' Sect. 106.
comitat' E. Spinstet, 10. die April' anno &c. pro suspitione felonie & murdr' p̄ ipsam M. apud B. p̄d' in com' E. p̄d' super quendam W. P. fieri & perpetrari supposit, capt' & arrestat' fuit apud B. p̄d' in com' E. p̄d', & eisd' die & anno prædict' M. cuidam Richardo B. de N. in com' E. præd' Peoman, custod' gaolæ dictæ dn̄e reginæ comitatus p̄d' sub Georgio P. armig' ad tunc vicecom' comitat' præd' et custod' gaolæ p̄d', per quoddam breue de Mitimus W. M. milit', & I. M. armig' duos Iusticiar' dictæ dn̄e reginæ, ad pacem in eodem comitatu conseruand' assign', saluo & secur' custodiend' tradita fuit, quousque eadem M. à custodia illa secundum legē & consuetud' regni Angl', pro suspitione murdr' p̄d' acquietat' suè delibera't foret: Si præd' R. B. de N. p̄d' in p̄dicto com' E. Peoman, postea sc. vicesimo 6. die Nouemb. anno suprad' apud M. p̄d' in com' E. præd', p̄d' M. ad tunc & ibidem in custodia ipsius R. in gaol' dictæ dominæ reginæ existent, à gaola prædict', ad tunc & ibid' voluntat' & felonice euadere & ad largum ire permisit, cont' pacem dictæ dom' reginæ nunc &c.

An Indictment against divers, for suffering of one which had confessed a felony before a Justice of Peace, and deliuered to them by the same Justice of P. to be by them conueyed to the gaole, negligently to escape.

IVt p̄ domina regina p̄sentant, q̄ cum I. B. nuper de C. in p̄d' com' E. Sect. 107.
Spiller, 8. die Decemb', anno regni reginæ Eli. &c. primo, clausum cuiusdam I. G. apud C. præd' in comit' E. p̄d' fregit & intrauit, ac vnam iuuenecam coloris B. of one precij xx. s. de bonis & catallis dicti I. G. ad tunc et ibidem inuent' felonice cepit & effugauit, contra pacem dictæ dn̄e reg'. Et pro felon' p̄d' p̄ prefat. I. B. sic fact' & perpetrat', arrestat' fuit, & cof' G. R. armig' vno Iustic' dictæ dominæ reginæ ad pacem in comit' p̄dict' E. conseruand' assign', necnon &c. p̄ præd' I. G. ductus fuit, & coram dicto G. R. dictus I. B. felon' p̄d' confessus fuit, & ibid' G. R. per breue de Mitimus, præfat' I. B. pro felon' p̄d' ad gaolam dictæ dn̄e reginæ de I. in comitatu p̄d', quibusdam I. C. de C. p̄d' Peoman, R. B. de ead' Clothier, & Ric. M. de eadem Weauer deliberauit, saluo & secur' ducend' vsque
gaolam

Indictments, and

gaolam p̄d de I. p̄d, ibidem moratur quousque idem I. B. abinde secundum legem & consuetudinem regni Angliæ deliberatus foret: Et si prædicti I. C. R. B. et R. M. dicto 8. die Decem̄, anno supradicto præfat. I. B. apud C. p̄d. in p̄d. com̄ E. in eorum custodia virtute deliberac. p̄d. sic existens, ibidem negligent a custodia sua ad largum ire et evadere permittet, contra pacem dictæ dominæ reginæ, coronam et dignitatem suas &c.

An Indictment against a Coroner upon the statute of Anno 1. H. 8. for extortion in taking of a fee for his view of the bodie of one slaine per infortunium.

Sect. 108

Iuratores pro domina regina presentant, q̄ cum p̄ statut. in parlamento dñi H. nup̄ regis Angliæ 8. anno regni sui primo, ordinat. est, & stabilif. existit, q̄ sup̄ requisitiōn. Coronator. tact. ad veniend. & inquirend. super visum corporis alicuius personæ p̄ infortunium occisæ, mersæ, seu aliter mortuæ, Coron. p̄d. diligenter faceret officium sup̄ visum corporis cuiuscunq; talis p̄sonæ, vel personar. absq; aliqua de p̄inde capiend. sub pœna q̄ quilibet Coronator, qui officio suo ut p̄d. est fungi reculauerit, vel rem aliquam ceperet pro functione officij præd., sup̄ visum corporis alicuius p̄sonæ mortuæ p̄ infortunium, pro quolibet tempore xl. s. prout in statut. p̄d. plenius continetur. Quidam tamen W. B. de H. in com̄ p̄d. gener. 12. die Dec. &c. ad tunc existit vnus Coronator dict. dñæ reg. in com̄ E. præd., apud M. in com̄ E. p̄d., colore officij sui p̄d. extorsit, & iniuriose cepit p̄ feodo suo 20. solid. de quodam Roberto S. de B. in com̄ p̄d. p̄toman, p̄ executione officij sui p̄d. super visum corporis cuiusdam Iohann. C. nuper de B. in com̄ E. Labozer, qui apud B. præd. in com̄ E. præd. 4. die Octob. anno &c. p̄ infortun. occis. fuit, in contempt. dictæ dñæ regin. ad grau. d. mnum ipsius R. S. & contra formam statuti præd., & diuersorum aliorum statutorum inde act. & prouif.

The like against a Coroner upon the statute of Anno 1. H. 8.

Sect. 109

Inquiratur pro domin. regina, si A. C. de B. in com̄ E. gener. sexto die Iunij, Anno &c. vnus coronator dictæ dñæ regin. in dicto comitatu E. ad tunc existens, adud B. p̄d. in comitatu E. p̄d. colore officij sui præd., extorsit, cepit pro feodo suo 20. solid. de quodam I. S. in dicto comitatu gener. in, &c. pro functione & executione officij sui predicti, sup̄ visum corporis R. N. nuper de B. præd. in comit. E. præd. (qui quidem R. N. 5. die dicti mensis Iunij, anno supradict. apud B. p̄d. in comit. E. præd. dict. casu, ab equo suo, p̄ infortunium fuit occis.) in magnum dictæ dom. reginæ contempt. ac contra formam statuti in parlam. o. domini Hen. nup̄ Reg. Angliæ 8. tento anno regni sui primo, in hūdi casu, p̄uif. ac acti.

For

For Extortion by an Escheators servant, in breaking and entering into a dwelling house, and for seising and taking out of the same certain leather by colour of his office.

I Vratores p̄ domina Regiū presentant, q̄ Rob. Bennet de P. in Com̄ E. p̄ d̄ Y. Seruient et minister cuiusd̄ B. T. Eschaet̄ dict̄ dñe reg. com̄ pred̄ 15. die Julij &c. apud W. in Com̄ pred̄ domū mansionalē cuiusd̄ Ioh̄. M̄regit̄ et int̄, et 6. tergora corij, voc̄ 12. hides of grane Leather, ad valenc̄ 8. li. et 6. duodenas pell' vituloꝝ, voc̄ 6. dozen of calues skins, ad valenc̄ 4. li. 10. s. & quideē terg. et pell' ad tunc et ibid' inuent̄ colof officij sui extorsue et iniuste cepit, se siuit, et asportauit, ad graue damñ ipsius I. cont̄ leges et ordinationes dict̄ dñe Regni reg. (sui Angl'), & contra formā diuersorum statutorū in huiusmodi casu edit̄ & p̄uis.

Sect. 110.

An Indictment against the Register of an Archbishop for his extortious taking of more fees then he ought, for the probate of a Testament.

I Vratores p̄ domina Regiū presentant, q̄ A. B. de C. in dict̄ Com̄ E. generosus, primo die mensis Aug' &c. ad tunc scriba (sive registrarius) reuerendi in Christo patris D. tunc permissione diuina E. Archiepiscopi existens, apud M. in Comit̄ E. pred̄ colof officij sui pred̄, extorsue ac iniuriose cepit de quodam I. S. de M. pred̄ in dict̄ Comit̄ E. Tanner, duos solidos legalis monetæ Angl', p̄ feodo ipsius A. B. p̄ scriptione p̄bationis vnius testamenti cuiusd̄ R. N. (qui quidem R. N. apud M. p̄ d̄ infra dioec̄sim dicti D. Archiepiscopi vicesimo quarto die Iunij, Anno supradict̄ mortuus est) vbi reuera idem Testamentū tunc ibid' allatū est ad dictum scribam (sive Registrariū) p̄ dict̄ I. S. in pergamenō scriptum: & vbi omnia bona, iura, et credita dicti R. N. dicto tēpore dictæ mortis sue nō excedebant summā quinq; lib̄: et vbi etiā tota dicta script̄ p̄bationē testamenti p̄ d̄ per p̄ scribā (sive Registr̄) sic vt p̄ fer̄ fact̄ nō cōtinebat in se 40. li. quā quæq; lineā erat dec' pollic' in lōgitudinē: In magñ dict̄ dñe reg. cōtēpt̄, ac cont̄ form' cuiusd̄ statut̄ in Parliament̄ dñi Henr̄ nup̄ reg. Angl' 8. tento añ̄ reg. 21. in hñdī casu p̄uis ac edit̄.

Sect. 111.

An Indictment against an Escheator upon the statute of 33. H. 8. for sitting and inquiring by colour of his office, without Writ of lands holden of the Queene above the yeere of value of five pounds.

I Vratores &c. quod cum in statut̄ in Parliament̄ Domini H. nuper reg. Angl' octauū apud Westmonast. Anno regni sui 33. &c. quod nullus Escheator

Sect. 112.

escheator sederet tantum virtute officij sui pro inquisitione de tenura, titulo, vel valore aliquarū terrarū, tenementorū, siue hereditamentū, vbi ea dē terrā, tenētā, seu hereditamentū, sine valoris 5. libr' p̄ annum, vel supra, & tenēt de domino Rege sine breue domini Regis sibi inde derigend' sub pœna amittendi et forisfaciendi p̄ quolibet tempore quo sederet et faceret inquisitionē contra formā huius statuti, quinque, libras, in qua sēcta &c. Quidā tamen R. S. statutū pred' &c. existēti escheator dñe reg. in Com' E. pred' tali die & anno, apud D. in pred' com' E. sedebat, tantum colore officij sui ad inquirend' post mortem cuiusd' A. E. de tenura, titulo, et valore duorū mes. 40. 1er. pasc', 39. acra' prati, 50. acra' pasturæ, & 20. ac. bosci, cum pertinenti in O. in Com' E. pred' annui valoris decē librar' et vltra, et tenēt de domina Regina, absque aliquo breui ipsius domine sibi inde directo, in dictā domine Regine contemptum, et contra formā et prouisionem statuti pred' &c.

An Inquisition taken before a Coroner upon the view of the body of one which had hanged himself in a leather girdle upon the bough of a tree.

Sec. 113

Inquisitio indentat' capē apud N. in comitatu pred' 13. die April' añ 1 &c. 35. coram Iohann' N. gen', vno Coronat' die dñe Reg. comitatus p̄d' super visum corporis cuiusd' H. W. de D. in Com' E. p̄d' s̄ho. ibid' mortui iacent' p̄ sacramētū &c. qui dicunt sup̄ sacramētū suū, q̄ pred' H. 4. die Apr. ann. reg. die dñe Reg. 35. supradicto, circa hor' 4. post meridiem eiusd' diei, deum p̄ oculis suis nō habens, sed instigationē diabolic' seduct' in quodam prato cuiusd' W. S. gen' apud T. in p̄d' Com' G. voc' E. de adon, ad tunc & ibid' sol' existens, cū vno lingulo corij p̄cij. 7. denar' q̄ ipse ad tunc et ibid' manib' suis tenuit et vñū sinē inde circa collū suū ad tunc et ibid' posuit, et circa ramum cuiusd' arboris salicis alter' sinē inde ligauit et seipsum ad tunc et ibid' voluit et felonice, suspendi, suffocabat et strangulabat. Et sic Iur' p̄d' dicunt sup̄ sacramētū suū, q̄ p̄d' H. W. modo, et form' p̄d' ad tunc & ibid' voluit et felonice, vt felo dete, seipsum murratit' contra pac' die dñe Reg. ac q̄ idē B. nulla habuit bona seu, ca. tallā, terras neq; tenētā. In cuius rei testimonium p̄d' Coronat' quam Iur' p̄d' p̄sent' sigill' sua apposuer', dat' die, ann. & loco suprad'.

Of forcible entry upon the Statute of Ann. 5. R. 1. for pulling up by the roots the trees of 100. pearches of quickseton

Sec. 114

In primis p̄ domina Regina &c. quod cum in Statuto in Parlamento Domini Reg. nuper Regis Angliæ secundi post conquestum apud Westm' in Comit' Middl' Ann' regni sui 5. tenē, x. die, inter cetera ordin' sit quod nullus faceret ingressum in aliquam terram, siue tenementū, nisi

nisi in casu vbi ingressus datur per legem, & in illo casu, non manu forti, nec cum multitudine gentium, sed licito & quieto modo tantum. Et si quis contrarium fecerit, & inde debite conuictus fuerit, per imprisonment corporis sui puniatur, & finem ad voluntatem domini regis fac', prout in eod' statuto inter alia plenius continetur. Quidam tamen T. H. de I. in comitatu E. præd' p'oman, &c. et alij malefactores ignoti &c. statutum præd' minime ponderant secundo die M. &c. vi. et armis viz. baculis, gladijs, falcatris, & bifurcis, in vnum clausum I. C. Militis iacent apud Arrow. in comitatu E. præd', in quodam loco ibid' voc' A. super possessionem eiusd' I. C. militis, vbi ingressus eis aut eorum alicui non datur per legem, illicite ingressum fecerunt et centum particas sapium viuas ipsius I. C. militis, ad tunc et ibidem crescent eradicauerunt, euulerunt, et spoliauerunt, in dictæ domine reginæ nunc contemptum, & ad graue damnum ipsius I. C. militis, & contra formam statuti præd' &c.

For forcible entry, upon the Statute of Ann. 5. R. 2. for entering into a messuage, and expulsiug of the owner thereof.

INquiratur pro domina regina, quod cum in statuto in parlamento domini Rich' nuper regis Angliæ post conquestum, 27. apud Westmon' anno regni sui 5. tenet ordinat' & stabilit' existit, q' nulla persona ex tunc faceret aliquem ingre' in aliquas terras vel tenementa, nisi in cas. vbi ingressus ei datur per legem, et in h'ndi casu, non manu forti, nec cum multitudine gentium, sed quieto et pacifico modo tantum. Et si aliqua persona ex tunc de cætero in contrarium faceret, & inde debito modo conuinceretur, puniretur per imprisonment corporis sui, et ulterius finem et redemptionem eidem domino regi, ad voluntatem et placitum ipsius domini regis faceret, prout in eodem statuto inter alia plenius continetur. Sed quidam W. nuper de K. in com' E. præd' Husbandman, I. W. scilicet de E. in com' E. præd' Husbandman, et I. W. nuper de E. præd' in com' E. præd' Labozer, statuti præd' minime ponderant, nec poenam in eodem statuto contentam aliquantulum verent, sed illud potius contemnent, 24. die Ianuar' &c. apud S. in comitatu E. præd', in vnum messuagium siue tenement' existens liber' tenement' cuiusdam I. H. illicite et manu forti ingressi, fecerunt, vbi nec ipsis nec cor' alicui huiusmodi ingressus datur per legem, ac ipsum I. H. inde iniuste expulerunt, ipsumque I. sic inde expulsus, a præd' 24. die Ianuar' anno præd', vsq; ad 26. diem eiusdem mensis tunc prox' sequent', illicite & manu forti extiterunt, in contemptum dictæ domine reginæ nunc, & ad graue damnum ipsius I. & contra formam statuti præd', ac contra pac' dictæ domine &c.

Sec. 115

Indictments, and

An Indictment upon the Statute of Anno 8. H. 6. for entering with force into a barn in the possession of the farmer thereof, and for keeping of the same with force.

Sec. 116.

I Vratores pro domina regina, &c. quod cum in statuto in Parlamento Domini H. nuper Regis Angliæ sexti, apud Westm' in comit Midd', anno regni sui 8. tenet, & dicit, inter cetera continet, qd si aliqua persona siue aliquæ personæ, de aliquibus terris seu tenementis manufort' expuls. seu disseisit sit, vel pacifice expellatur, & postea manufort' ext' teneat, vel aliquod feoffament' vel discontinuatio inde post talem ingressum ad ius possessoris defraudand' & tollend' aliquo modo fiat, habeat in hac parte pars grauât, versus talem disseisitor' Assisam nouæ disseisin', vel breue de transgres. Et si pars grauât', per assisam vel p' actioñ transgressioñ recuperet & per veredictum vel aliquo alio modo per debit' legisformam inueniat, qd' pars defenden' in terr' & tenement' illa vi ingressa fuit, vel ea per vim post ingressum tenuit: recuperet que' damna sua ad triplum versus talem defend', & ulterius idem defend' finem & redemptionem dicto domino reg' faceret, prout in statuto p'd' plenius continetur. Quidam tamen W. W. nuper de W. in p'd' com' E. Husbandman, & C. D. de W. p'd', in p'd' com' E. Laborer, statut' p'd' minime ponderant, nec poenam in eodem statuto content' aliquant' verentes, 19. die Febr' anno &c. in vnum horreum apud W. p'd' ad tunc existentem libet tenement' R. W. gener', vi & armis, viz. gladijs, &c. manuforti & illicit' sup' possessionem cuiusdã A. M. tunc firmarij p'd' W. hor' p'd' intrauerunt & ingressum fecerunt, & ipsum A. vi & armis pred' ac manufort' & illicitè tunc inde expuler' & eiecerunt, & p'f. R. W. inde iniuste disseisuerunt, & p'f. R. W. sic inde disseisitorum à p'd' 19. die Febr', anno 15. supradicto, vsq; diem captionis huius Inquisitionem, de p'd' horreo vi & armis p'd', & manuforti extratenuer', & adhuc extratenent, in contempt' dict' dnæ reg' nunc, et ad graue damnum ipsius R. & cont' pac' dict' dnæ reg', ac cont' forin' statut' p'd', vbi null' eor', nec ipsi, nec aliquis ali' cui' stat' ipsi, aut aliquis eor' habuit aut habuer', infra tres ann' p'x'ant' ingres. sub p'd', aliquid in dict' hor' &c. aut in aliqua inde pcell' habuit &c.

An Inquisition upon the Statute of Anno 8. H. 6. wherein is found that one was with force and armes expelled out of the possession of a manor and landes.

Sec. 117.

I Nquisitio capt' apud W. in com' S. primo die I' anno regni dominæ Elizabeth. Dei gratia &c. 35. coram R. W. milit' F. G. arm' R. F. Iustic' dictæ dnæ reginæ ad pacem in com' p'x'd' conseruand', necnon ad diuersa felon' transgress. & alia malefacta in eodem comitatu perpetrata audicnd' & terminand' assign' per sacramentum 12. Iur' exil' p'resent', qui dicunt super

super eorum sacramentū qd cum in statuto in Parlamento domini H. 6. nuper Regis Angl' apud W. Anno reg. sui octavo tenē, edit, in cetera continetur qd si aliqua persona de aliquibus terris vel tenementis manu- forti expulsa sit vel disseisita, vel pacifice expellatur, & postea manu- forti extrateneatur, vel aliquid seoffamentum vel discon' inde, post ta- lem ingressū, ad ius possessoris defraudend' seu tollend' aliquo modo fiat, habeat pars in hac parte grauata, versus talem disseisitorem, Ass. noue disseisin', vel breue de transgr. Et si para grauata per Ass. vel per actionē transgr. recuperet, et per veredictum, vel alio modo, per debitam legis formam inueniatur, quod pars def. in terras & tenement ill' vi ingressum fec' vel ea post ingressum suum, per vim tenuerit, recuperet querens damna sua ad triplum versus defend' & vltimus finem & redemptionem domino regi faciat, prout statuto pred' plenius continetur. Quidam ta- men I. S. nuper de A. in com' S. prēd' yeoman, et alij ad numerum 6. person' iur' ignot' statutum p'd' minime verent' 9. die Ang. an' reg. domi'n' nostr' Eliz. nunc Regin' Angl' 24. R. W. armig' de manerio de G. cum p- tiō in A. in com' p'd', & de ducentis acris terre, 20. acris prati, et centum acris pastur', cum pertiō in A. pred' in com' pred' vi et armis, et manu- forti, viz. gladijs, baculis, et cultellis, ppulerunt et disseisuerunt, & ipsam sic expulsum, & diss. a p'd' nono die A. an' suprad' vsque diem captionis huius inquisitionis, manu- forti & vi & armis p'd' R. W. extratenuerunt, contra pacē dicit' dñe Reg. nunc, et contra formā statuti pred' in hoc casu editi et prouisi.

For counterfating of a protection, and putting to it the great seal taken from other old letters Patents.

Iuratores p'sent, quod R. D. nup de H. in com' H. Husbandman, et alij machinantes, quomodo populum dom' regis nunc subtilissimie poterint decipere vel defraudare & dominū regem, de his que ad ipsum regem pertinent, & regalia sua, vt de feod' magni sigilli & huiusmodi, exheredare, & veram legem Angl' a toto tempore vsitatam & appro- baram subuerrere & annullare, xvj. die Februarij &c. apud T. in comi- tatu M. deceptiue, falso & proditorie, quasdam falsas literas patentes, ad similitudinem script' Cancellar' domini Regis, contrafec' quasi es- sent literar' patentes, de protectione ipsius Reg. sub nomine I. K. clerici hanaperij Domini Regis, ac vnus clericorum Cancellariz p'ædictar' script' hunc tenorem continen', viz. H. Dei gratia &c. reciting the let- ters Patents verbatim, Ac cum idem R. B. et alij &c. dictas falsas li- teras patentes sic vt permitit, contra ofecissent, non habentes magnum si- gillum dñi regis, deceptorie, falso, & proditorie, machinant, qualiter ip- si falsas & fictas literas patentes huiusdum subtilius poterant sigillare, &

Sec. 118

Indictments, and

magnum sigillum domini Regi contrafacere, dict' 16. die Februarij an. supradict' apud B. in Com' pred' quoddam magñ sigillum domini Reg. super quald' patent' ipsius domini Reg. parte pend', et debet' impostum, acceperunt, assumentes sibi regiam potestatem et ipsum regē regali sua auctoritat' (quantū in eis fuit) primant', adiunc' & ibid' cum quodā cunctello arripuerunt, et illis dictis falsis, fict' et contrafact' literis patent' deceper' & p'ditor' apposuerunt, et annexerunt, et eald' literas sigillauer', sigill' ill' subtilit' recludendo, quasi sic non fecissent, & sic magñ sigill' dñi reg. adtunc & ibid' p'dit' contrafecer', & cum p'missa sic fecissent, dict' falsas & contrafact' literas patentes, ac vt p'd' sigillatas, 8. die Mart' &c. apud villā de S. in Com' M. ac in diuersis locis eiusd' Com', tanquam literas patent' ipsius dñi reg. de p'cept', deceptor', falso, et p'ditor', publicauer', et diuersas pecuniarū summas, de diuersis ligeis dñi reg. receper', virtut' dictar' falsar', fictar' & contrafactarū literarū patent', in deceptionē, dñi reg. ac populi sui p'iudic', & exheredicationē manifestam &c.

An Indictment against a Minister upon the Statute of Anno Hen. 8. for forging of an Indenture of bargain and sale of Lands.

Sect. 119

INquiratur p' domina Reg. q' cum in Statuto Parliamto domini H. 8. nuper regis Angl' apud Westm' Anno regni sui quint', tenē, adit', &c. quod si aliqua persona siue person' quecunque post primum diem Iunij tunc p'im' sequentē, ex sua propria mente & imaginatione, seu per falsam conspirationē & fraudem, cum alijs, scienter, subtiliter, & falso fabricaret sine faceret, siue subtiliter caufaret, seu scienter consentiret fabricari, siue fieri, aliquod falsum factum, chartam, seu scriptum sigillatum, Rotul' Curie aut testamentum alicuius persone siue personarum in scriptis, ea intentione, q' status liberi tenēti, seu hereditatis alicuius person', siue personar', de, in, aut ad aliqua terras, tenementa seu hereditamenta liberē tenuerāt, aut customar', vel rectum, titulus, siue interesse, alicuius person', siue personarum, de, in vel ad eadem, siue aliquod eorum, molestari, perturbari, destrui, recuperari, vel onerari, poterit, aut contingeret, aut post p'd' p'imū diem Iunij, p'nunciaret, publicaret, seu ostenderet in euidentiam, aliquod tale falsum & effectum factum, cartam, scriptum, Rotul' Curie, aut testamentum, tanquam vera, sciens eadem facta, falsa ac ficta (vt p'fertur) ad intentionē supramentionat', & inde foret conuictus, aut super aliquam actionem siue actiones fabricandi falsa facta, super hoc statut' fundand' ad sectam partis grauatae, vel aliter, secundum ordinem & debet' cursum legum huius Reg. Angl', aut super billam vel informationem in Cur' Cameræ Stell' exhibend', iuxta ordinem & vsum Curie ill': solueret parti grauatae, custagia & damna sua ad duplum, inueniend' seu

affidend'

affidendū in curia vbi huiusmodi convictio foret; ac etiam statueretur super collistrigium in aliqua aperta villa mercatoria aut alio loco aperto et ibidem haberet ambas aures suas abscisas, ac nates suas intercisit et in partes diuisas, et ferro igneo cauterisatas, sic quod remanere possent pro perpetua nota & signo falsitatis suae, et forisaceret domin' Reg. hered' et successor' suis integre exitu et proficua terrarū et tenementorum suorum durante vita sua, ac etiam sufferet & haberet perpetuum imprisonmentū durante vita ipsius, pred' damnis & custagijs recuperand' ad sectam part'is grauatae (ve preferitur) primo soluendis et leuandis de bonis et catallis offendentis, & de exitibus et proficuis dictarum terrarum, tenementorum, & hereditament' huiusmodi part'is contract' aut vnitis seu vtriusq; eoru pred' titulo: dict' domin' Reg. hered' vel successorum suorum ad eandem non obstant, prout in eod' statuto inter alia plenius liquet. Quidam tamen T. M. de C. in pd' Com' E. Clericus, statutum pred' non ponderans, nec poenā in eod' contentam verens, post pred' primū diem Iunii, scil. &c. apud T. in pred' Com' E. ex sua propria mente & falsa imaginatione, conspirationē et coniuua, quoddam falsum factū, viz. quand' Indentur, p. quam quidam T. A. barganizaret et venderet omnes illas terras & tenita vocat' &c. cum pertiñ in T. in pred' Com' E. cuidam I. S. scient, subtilit, et falso fabricauit et fecit, & eand' Indentur tunc et ibid' pauciauit, publicauit, et legi fecit et in euidentiā ostendit, ad molestand', destrued', et perturband' statu, possessionem, titulum & interesse pred' T. B. in terr' et tenent' pd', p. quidē T. B. de possess' titulo, et interesse suis, ad tenement' pred' cum pertinentijs multipliciter pregrauat & vexat' existit, in dict' dom' Reg. legisque sue contempt' manifest', et ipsius T. damnum non modicum & grauamen, ac contra formam statuti pred' &c.

For forestalling the Market, and buying Salt fish by the way in coming to the Market.

INquiratur p. domina Regina quod cum R. N. de ciuitate N. in Com' ciuit' N. mercator possessionatus fuit de mille salament' ve de suis bonis proprijs, si I. E. de ciuit' N. pred' Fishmonger, tercio die &c. apud N. pred' in Com' pd' ciuit' N. et diuers' alijs diebus tam antea quam post, p. R. N. tunc et ibid' obuiand' cum dict' mille salament' in mercat' ciuit' pd' in Comitatu pred' venditur pred' mille salam de pd' R. N. ad tunc et ibid' extra mercatum illi emit et forstallauit, per h' pred' R. N. pred' mille salament' ad mercat' pred' non adduxit in contempt' domin' Reg. ac contra formam diuersorum statut' in huiusmodi casu edit' & prouis. ac cont' pacem dict' domine Regine.

Sect. 120

quod

An Indictment upon the statute of Anno 33. H. 8. against a Tipler for keeping of a comon bowling alley, and against divers others for using to bowle in the same alley.

Sect. 121

Iuratores p̄ domina Reg. presentant, q̄ A. B. de C. in Com' E. Tipler, secundo die Septembris Ann. & c. et continuo post dict' diem Ann. supradicto vsq; primum diem mensis Octobris, Ann. supradicto apud C. pred' in com' E. pred' quendam comunem locum iaciendi globos (vocat' Anglice, a common bowling alley) p̄ lucro ipsius A. B. proprio, et ad ludend' tunc ibid' cum globis (Anglice vocat' bowles) illicite tenuit, custodiuit, ac manutenuit, contra formam cuiusd' statuti in Parlamento dñi Henrici nuper reg. Angl' 8. tenth anno regni sui 33. in hñdi casu p̄uisi & editi: Et q̄ I. S. de O. pred' in dict' Com' E. Laborer, et tres aliz person' ignof, dicto 2. die Septembr' ann. suprad', dictum comunem locum vsitauer, ac tunc ibid' cum globis (Angl' vocat' bowles) insimul et illicite luserunt, cont' formam statuti pred' & c.

An Indictment upon the Statute of Anno 8. H. 5. for gilding of the hilt of a dagger with the finest gold.

Sect. 122

Iuratores p̄ dña Reg. presentant, q̄ A. B. de S. in dict' Com' E. Aurifaber 2. die Iulij Anno & c. 35. apud S. pred' in Com' E. pred', quoddam manubrium pugionis ferrei (Anglice dict' a dagger hilt of yron) cuiusdam E. D. de S. pred' in dicto Com' E. yeoman, valor duorum solidos, auro purissimo ad valentiam quinq; solidorum deauravit (Anglice did gilde with the finest gold) in magnum Reipublice detrimentum, ac cont' forũ cuiusd' statuti in Parlamento dñi H. nuper Reg. Angl' 5. tenth Ann. reg. tui octavo in hñdi casu p̄uisi et editi.

An Indictment against a Blacksmith, for selling of a gelding to a Scot to be conveyed into Scotland without the Queenes licences.

Sect. 123

Iuratores pro domina Regina presentant, quod quarto die mensis Iulij, Anno regni dict' domine nostræ Elizabeth. Dei gratia Angliæ, Franciæ, & Hyberniæ Reg. fidei defensoris & c. Tricesimo quarto. A. B. de C. in Comitatu E. Blacksmith, apud quendam locum vocatum le Ferris (in C. pred' in Com' E. pred' existentem) unum spadonẽ (Angl' dictum a Gelding) coloris albi, & pretij quatuor librarum legalis monetæ Angliæ, cuidam A. D. generoso (natione homine Scoto) pro summa quatuor librarum in pecunijs numeratis pred' A. B. per prefat' A. D. tunc ibidem solutis voluntarie vendidit. Ac tunc & ibidem, eundem equum eidem A. D. intentione ad equum prædictum in Regnum Scotiæ

Scotiz abducendum & conueiandum (absque aliqua speciali licentia dictæ dominæ reginæ nostræ nunc, p̄ literas suas patentes sub magno Sigillo Angliæ ad idem sic faciendum inde prius obrenta) voluntariè & felonice tradidit ac deliberauit, contra pac' dictæ dñæ reg' nostræ nunc, ac in eneruationem huius regni sui Angliæ, necnon contra formam diuersorū statutorū in huiusmodi casu præantea prouit. & æditorum.

For beating of two horses, of which beating the one of them died presently, and the other was sore hurt.

Inquirat &c. si E. H. &c. decimo die &c. vi & arm, viz. &c. duos equos Sect. 124
coloris albi, precij &c. de bonis & catallis cuiusdam I. F. apud M. in p̄d comitatu E. inuenit quodam baculo percussit & verberauit, in tantum qd vnus equus equorum præd ex percussione & verberatione illius ibid' incontinerenter interiit, alterque equorum p̄d multipliciter fatigat, læsus & deteriorat' existit. Et alia enormia eidem I. F. inuit ad graue damnum ipsius I. F. & contra pacem dictæ domine reginæ &c.

An Indictment upon the Statute of Anno 13. Ed. 3. against the inhabitants of a Towne for the not taking of such persons which had robbed one of C. li. the partie robbed making Hue and cry, and giuing notice to the inhabitants of the Towne of the robbery.

Inquiratur pro dom' Regina, quod cum in statu in Parlamento domin' Sect. 125
E nup Regis Angliæ primi, progenitoris dominæ reginæ nunc, apud Winton, anno regni sui 13. cent, edit, inter cetera ordinat' sit, pro eo qd de die in diem roberiz, homicicia, incendia domorum, & latrocinia, plus solit' tunc fiebant quam antea solebant, & felones non potuissent esse attrin' per sacramentum Iurat', qui magis voluntariè permittebant felonias fieri gentibus extraneis, et felones euadere absque pœna, quam malefactores Indictari, vbi maior pars fuerunt gentes de eadem patria, vel ad minus, si malefactores fuerunt de alia patria, eorum receptores fuerunt de visu vbi hñdi malefacta fiebant, & hoc faciebant, pro eo quod sacrament' eis Iuratoꝝ non ministrabantur, nec in patria vbi feloniz illæ fiebant, et quoad restitutionem damnorum, pœna ante nunc non fuit prouit, et pro concelament' & negligentia suis. Idem nuper rex pro posse huiusmodi felonias debilitand' & decrescend' stabiliuit pœnam in illo casu, ita quod exinde magis pro timore pœnæ quam pro pauore sacrament', nullis felonibus extunc parcerent, nec aliquis felonias extunc concelaret, & qd proclam' fierent in omnibus Comitib; hundred; mercat', ferijs, & omnibus alijs locis vbi multitudo gentiū foret assemblata, sic qd nulli p̄ ignorantiam se possiat excusare, & quod quelibet patria extunc sic possit custodiri, qd
instanter

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instanter post roberias & felonias factas, recens insecut fieret de villa in villam, de patria in patriam, & etiam inquisitiones fierent, si necesse foret, in villis per ipsum qui dominus vel superior esset in villa, & postea in hundred & franchesia, & in comitatu, & aliquando in duobus tribus, vel quatuor comitibus, in casu quando feloniam facta fuerit in Marchijs & confinijis comitibus, ita quod malefactores potuissent esse atinēti. Et si patria de corporibus huiusmodi malefactorum non responderet, poena talis esset, quod quilibet patria, scilicet homines in patria commorantes, responderent de roberijs factis & damnis, licet quod totum hundred, ubi roberia facta fuit, cum franchesijs, quae essent infra precinctum eiusdem hundredi responderet de roberijs factis. Et si roberia foret in diuersis duorum hundredorum, in humiliori modum responderent inde ambo hundreda, simul cum franchesijs, quae forent infra precinctum hundredi patris, & longioris temporis spacium non haberet patria post roberiam & felonias factas, quam xl. diem, infra quos faceret emendationem de roberia vel de malefactis, vel responderet de corporibus malefactorum, prout in statuto predicto plenius continetur. Ac cum quidam malefactores ignoti tertio die M. anno & c. apud N. in comitatu predicto, quae quidem villa est infra hundredum de H. vi & armis, viz. gladijs, baculis, & culcillis, in quendam O. C. insultum fecerunt, & centum libras de denarijs ipsius O. ibidem inuenit, feloniam ab eodem O. spoliauerunt, ceperunt & asportauerunt contra pacem & c. ut alibi. Ac idem O. quam potuit citissim post feloniam & spoliationem predictam factas, scilicet quarto die M. anno & c. supradicto apud N. predictam, per totam eandem villam, hutesiam & clamorem de roberia predicta fecit, & noxiam inhabitantibus eiusdem villae de roberia illa dedit, & post roberiam xl. dies iam praeterierunt. Iidem tamen inhabitantes emendationem de roberia predicta faciunt. O. hucusque non fecerunt, nec corpora felonum & malefactorum, praedictorum ceperunt, neque de corporibus eorum hucusque responderunt, sed malefactores & felonos illos euadere permiserunt, in dicta regione nunc contempti, & ipsi O. graue damnati, & contra formam statuti predicti & c.

An Indictment against diuers persons vpon the Statute of 1. H. 7. for hunting by night in one of the Queenes parkes, and killing of a brace of Bucks with Crossbowes, and denying of the same vpon their examinations.

Sect. 126.

Iuratores pro domino Regina praesentant, quod secundo die Augusti, Anno regni dominae nostrae Elizabethae, Dei gratia Angliae, Franciae, & Hyberniae Reginae, fidei defensoris &c. Tricesimo quinto, inter horas decimam & undecimam in nocte eiusdem diei, A. B. de C. in dicto comitatu E. generos. D. E. & G. H. de F. in dicto comitatu E. Vusbandman, aggregatis sibi nonnullis alijs malefactoribus ignotis, ad numerum sex personarum, vi & armis, videlicet, praelongis baculis, arcubalistris,

balistis, & sagittis, clausum & parcum dict' domine Regine nostre apud O. in dict' comitatu F. fregerunt, intrauerunt, & vnum par damas dict' domine Regine (Anglice vocat' a harte of burkis) in dicto parco adtunc et ibidem depascent inuent' illegitime venati sunt, ac cum duobus sagittis ex dictis arcubalisticis emissis & sagittatis, adtunc & ibidem occiderunt, et asportauerunt, contra pacem dicte domin' Regine: Ac quod postea, die sequente, viz. tertio die dicti mensis Augusti, Anno supradicto T. S. tunc parcarius dictæ domine Regine, dicti sui parci de O. pred' in comitatu E. pred' informauit apud C. predictam T. W. vnum Iusticiariorum pacis dicte domine Regine, in dicto comitatu E. pred', de illicita venatione pred', modo & forma pred' facta, qui quidem Iusticiarius superinde warrantum suum in scriptis postea, videlicet, die tertio die Augusti, Anno supradicto direxit cuidam K. M. vni Constabulariorum Hundredi de S. in comitatu E. pred' (in quo quidē hundred' sice sunt pred' villæ de C. & F.) eo tenore, vt idem Constabularius arretaret p̄nominatos A. B. D. E. & G. H. ac eosdem coram eodem Iusticiari' duceret & haberet, ad eos de dicta illicita venatione examinand'. Et qd dicti A. B. D. E. & G. H. postea scilicet dicto tertio die Aug' An̄ supradict', coram dict' Iusticiario apud C. pred' in Comit' E. pred' p̄ Constabularium pred' virtute dict' warrante adducti, ac p̄ eundem Iusticiarium per suam discretionem adtunc et ibid' de dict' illicita venatione, & de factoribus in ea parte examinati existē, pred' tamen venationē voluntarie & felonice concealauerunt & eorum quilibet voluntarie & felonice concealauit: Contra pacem dictæ dominæ Regiñ, Coron' & dignitatem suas, necnon contra formam cuiusdam statuti in Parlamento domini H. nuper Regis Angl' septimi tento Anno regni sui primo in huiusmodi casu p̄uili ac æditi.

Another Indictment against diuers persons for hunting in a parke in the night time, with three Greyhoundes, and for killing a Bucke, and for vsing in the same parke a net called Buckestall.

INquiratur pro domina Regina, Si E. P. de C. in Comitatu G. gen, H. P. Sect. 127. de C. in Comit' pred' gen', & R. B. de C. in Comitatu pred' yecman, 30. die Augusti, Anno &c. circa horam duodecimam in nocte eiusdem diei, agreg. t̄ sibi quamplurimis alijs malefactoribus, & pacis dictæ domine Regine perturbatoribus ignot', vi & armis, viz. baculis ferro munit', arcubus, sagittis, pugionibus & cultellis, & alijs armis tam inuasivis quam defensivis, clausum & parcum Eliz P. vidue apud H. Sancti Georgij in Com' p̄d', iniuste freger' & intrauer', & damas ipsius Eliz. adtunc & ibidem in parco pred' cubant' & depascent', cum tribus canibus leporarijs vocatis Greyhoundis, & vno rete vocat' a Buckestall, quod

in:

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in parco p̄d tenend', iniuste venat sunt & chassauer, & vnam damam vocat a Bucke, ad tunc et ibid' cum canib' pred', riotose ceperunt, occider & asportauer, contra pacem dict' dom' Regiñ, ad graue damñ ipsi' Eliz. & contra form' statuf in hñi casu ædit et p̄uis.

An Indictment against diuers for chasing of a Bucke in one of the Queenes Forests with a Greyhound into coards, where he was hanged and killed.

Sec̄t. 128

Inquiratur p̄ domina Regina, si R. M. nup de O. in Com̄ D. yeoman, R. P. nuper de P. in Com̄ D. pred' yeoman, 39. die Augusti An. & c. forestam dictæ domin' Regine de M. in Com̄ D. pred' fregit & intrauit & vnam damam vocat a Bucke ad valenc' x. s. ad tunc & ibid' inuent, sine licentia & voluntate dict' dom' regiñ, cum cane leporario vocat a Greyhound, fugauer & chassauer, & dictam damam apud R. infra precinct' foreste p̄d cum funibus Anglic' vocat halters, suspend' ea occider et ipsam damam sic suspens. et occis. iniuste ceper et asport, contra pacem dict' domiñ Regiñ & c. *vt supra.*

An Indictment against a Laborer upon the statute of An. 13. R. 2. for keeping of a Greyhound to course Hares and Conies, and for killing of a Cony with his Greyhound in a Conie garth, not hauing lands to the value of xl. s. by yeere.

Sec̄t. 129

Iuratores pro domina Regina presentant, quod A. B. de C. in Com̄ E. labourer, (homo laicus existens) à Festo S. Bartholom̄ Apostoli, Anno regni domine nostre Elizab. Dei gratia Angliæ, Franciæ, & Hybernæ Regiñ, fidei defensoris & c. Tricesimo quarto, continue vsque in hunc presentem diem, scz. decimum diem Decemb' tunc p̄xim sequen apud C. pred', in Com̄ E. pred' habuit & custodiuit vnum canem (Anglice vocat a Greyhound) ad venandum et chaceandum lepores & cuniculos: Et quod idem A. B. vicesimo septimo die mensis Augusti, Anno supradicto vnum caniculum valoris 4. d. in quodam clauso I. S. de C. predicta in dict' Com̄ E. generosi (vocato the Conie garth), infra parochiã de C. predictam in Comitatu existent cum dicto cane venatus est & occidit, vbi idem A. B. nunquam habuit terras aut tenementa ad clarum annum valorem quadraginta solidorum: Et dictæ dominæ Regiñ contemptum, ac contra formam cuiusdam statuti in Parlamento domini Richardi, olim Regis Angliæ secundi, tento Anno reg. sui tertio decimo, in hoc casu p̄uisi ac editi.

An Indictment upon the statute of Anno 38. Ed. 3. against divers Jurors in an Assise for taking of rewards to give their verdict, and also against an imbracour in the same Assise.

Iuratores presentant p̄ domina Regina, q̄ A. B. C. D. E. F. G. H. &c. com- Sect. 130.
plices I. K. naming all the Jurors, &c. Iurat in quadā assisa noue dissei-
sine quæ nup̄ summonita fuit coram dilectis et fidelibus dictę dñę regin̄
I. B. I. C. & N. C. nup̄ Iusticiarijs dictę dñę regin̄ nunc, ad Assisam illam
capiendam, p̄ breue ipsius dominę reginę inter W. S. & I. H. detentis in
N. in p̄dict̄ comit̄ E. & postmodum (viz. die Lunę &c. anno &c. coram
p̄f. I. B. I. C. &c. apud M. in comitatu E. p̄d̄ p̄ breue ipsius dñę regin̄ Si
non omnes capti possit) p̄ veredicto suo in hac parte dicendo, de p̄f. I. H.
diuerfas pecuniã summam, viz. A. B. de p̄d̄ I. H. xl. s. & alia dona, (cz. pa-
nem, carnes, et vinum ad valentiam xx. solidi illegitimẽ ceperunt. Et p̄d̄
I. K. (Imbraciator eiusdem Assisę ad eandem ducendam & procuran-
dam) de p̄nominato W. S. summam x. marcarum, vicesimo die Aug. an̄
regni dictę dñę nrę Eli. Dei gratia Anglię, Francię, et Hyberñ Reginę,
fidei defensoris &c. tricesimo quinto apud M. p̄d̄, in coram E. p̄d̄, illegitimẽ
ceperunt. In dict̄ dom̄ Reginę nunc contemp̄, ac contra formam cuiusd̄
statuti in parlamento domini Edwardi olim regis Anglię tertij, anno regni
sui tricesimo octauo tento, in hñdi casu p̄uisi ac æditi.

Another Indictment upon the statute of 38. Ed. 3. against Jurors for taking rewards for to give their verdict in an Assise: reciting of the said Statute.

Iuratores dicunt, quod vbi in parlamento domini E. nuper regis An- Sect. 131.
glię tertio p̄genitoris dominę Reginę nunc, anno regni sui 38. ten̄,
inter cętera concordat̄ existit, quod si aliqui Iur̄ in Assisa, Iur̄, seu ali-
quibus inquisitionibus capiend̄, inter dominum Regem & partem, vel
inter partem et partem, quicquid capiant, per ipsos, vel per alios, de
parte conquerent̄, vel defendent̄, pro veredicto suo dicendo, & super
hoc, per processum in quodam articulo de Iur̄, anno regni eiusdem
domini regis 34. factam conuincant̄, siue sit ad sectam partis, aut alteri-
us cuiuscunque personę, qui pro domino rege, aut pro seipso prose-
qui voluerit, soluat quilibet dictorum Iur̄ Decies tantum quantum ipse
recepit, et habeat ille qui sectam produxit, vnam medietatem, & domi-
nus rex alteram medietat̄, & quod omnes imbraciatores, ducent̄ & pro-
curant̄ tales inquisitiones in patria, pro lucro vel proficuo, puniant eisd̄
modo et forma, sicut Iur̄. Et si Iur̄ vel Imbraciator ita conuictus, non ha-
beat vnde in forma p̄dicta satisfacere possit, habeat imprisonment
vnius.

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vnius anni, ꝑꝑꝑ in ordinatione & concordia prædicta continetur. Quidã T. H. & I. B. & I. C. Iurãt in quadam assisa noue disseisine, q̄ nup̄ sum̄m̄ fuit coram dilectis et fidelibus dominæ reginæ I. A. I. C. & D. E. nuper Iustic' dominæ reginæ nunc, ad assisam illam capiendã assign', per breue ipsius dominæ reginæ nunc, inter W. S. de L. & I. P. de teñ in R. et S. Et postmodum, viz. die, anno & c. coram ꝑfãt I. A. I. B. & I. C. apud W. per breue dictæ dominæ reginæ si non omnes capti, positi pro veredicto suo in hac parte dicendo, de ꝑf I. H. diuersas pecuniarum summas, viz. ꝑrẽd' T. H. xl. d. ꝑrẽd' I. B. xl. s. & ꝑd' I. C. quinque marcas xx. die Octobris, anno & c. apud & c. ceperunt, in dictæ dominæ reginæ nunc contemp̄t, ac contra formam ordinationis et concordie præd' & c.

For inclosing of an old common lying to a Towne, upon the which common the inhabitants of the said towne haue used to haue common for all manner of beasts the whole yeare.

Sect. 132.

Iuratores ꝑsentant, quod est, & à tempore quo non extat memoria, fuit, & esse consuevit apud villam de A. in com̄ M. quædam antiqua communia voc' M. eidem villæ adiacens, ac per spacium vnus miliarij ab eadem villa extendens. ꝑ omnibus hominibus & tenent' infra villam ꝑd' moram trahentibus, cum bobus, afris, porcis, bidentibus, & alijs auerijis suis, ꝑ totum annum infra communiam præd' depascendã, quodq; omnes illi infra villam præd' moram trahentes, à tempore quo memoria homin' non existit, infra villam predictæ communiam ꝑ auerijis suis præd' ibidem habere debuerunt & consueuerunt, quousque R. C. cum alijs ignotis de couina sui ei associatis vi & armis, scz. gladijs, baculis, falcãtris, arcubus & sagittis, die & c. anno & c. apud E. in parochia de A. præd', de comun' predictæ, iniuria sua ꝑpria, & absque titulo, clameo, seu possessione ꝑ ipsos habitis, 1000. ac̄ ibid' cum sepibus et fossatis sibi inclusit & obstipauit, & illas sic inclusas & obstipãt, vt seperale solum suum à pred' die & c. vsq; & c. tenuit et occupauit, in preiudicium et damnum, nocumentũ & impedimentum omnium hominum et tenentium prædictorũ, infra comuniam præd' communiam habentium, necnon contra consuetudinem præd', & contra pacem dictæ dominæ reginæ & c.

For ingrossing of Barley growing upon the ground, to the intent to sell it againe.

Sect. 133

Inquiratur pro domiñ reg' si A. B. de M. in com̄ N. die & añ & c. apud M. in parochia sancti Iohannis infra Ward Berstret, in comit' ciuitat' N. emisset totum hordeum crescẽ super viginti ac̄ terr' apud M. in predicto com̄ N. ad intentionem dictum hordeum tenendã contra formam statuti

Statuti in hñdi casu æditi & p̄uisti, ac cont̄ pacē dict̄ dominæ regin̄ &c.

For buying and ingrossing of fortie quarters of Wheate, to the intent to sell it againe.

Inquiratur &c. si I. C. de N. Dyer, tertio die I. anno &c. apud N. in Sect. 134. com̄ N. ac diuersis alijs diebus, tam ante, quam post, diuersa grana, viz. 40. quarteria tritici &c. ad valenc̄ &c. emit & ingrossi. & in manib⁹ suis tenuit, ea intentione ad reuend̄ grañ p̄d̄, contra formam statut̄ in hñdi casu æditi & p̄uisti. in contempt̄ &c. ac cont̄ pacem dict̄ dñæ reḡ &c.

For not keeping of a light horse

Iuratores pro domina regina p̄sentant, quod vbi A. B. de C. in comit̄ E. Sect. 135. genef, à primo die Iunij, anno regni dict̄æ dominæ nr̄æ Eliz. Dei gratia Angl̄, Franc̄, & Hybern̄ reginæ, fidei defensoris &c. tricesim̄ quarto, vsque in hunc p̄sententem diem, (sc. z. primum diem Maij, anno 34. supra d̄ terras & tenementa in C. p̄d̄, in dicto comitatu E. eidem A. B. & hæredibus suis in feodo simplici, ad clarum annum valorem centum marearum & amplius vltra omnes reprimas habuerit, ac tenuerit: Idem tamen A. B. per totum tempus p̄x̄d̄, viz. à dicto primo die Iunij, anno supra d̄ vsque nunc, nullum habuit, custodiuit, manutenuit, aut sustinuit equum castraf̄ (Anglicè dictum a Gelding) habilem & idoneum pro leuis armaturæ equite (Anglicè, able, and meet for a light Horseman) in dicta dñæ reḡ contemptum, ac in magnum huius regni sui Angl̄ enervationem, necnon contra formam cuiusdam statut̄, in Parlamento Ph. & M. nuper reḡ & regin̄ Angl̄, tento apud West. annis regnoꝝ suor̄ quarto & quinto, in huiusmodi casu p̄uisti ac æditi.

For Batterie and Mayheme by cutting off the right thumbe.

Iuratores p̄sentant pro domina regina, quod 3. die Sept̄, anno regni Sect. 136. dñæ nostr̄ Eli. Dei gratia Angl̄, Franc̄, et Hybern̄ regin̄, fidei defensor &c. Tricesimo quinto, A. B. de C. in comitatu Staff. Tayloꝝ, vi et armis quoddam clausum cuiusdam I. S. apud C. p̄d̄, in comitatu p̄d̄ fregit et intrauit, et in dict̄ I. S. tunc ibid̄ in pace Dei et dict̄ dominæ regin̄ existentem, insultum & affraiam fecit, ac cum gladio distrito, ad valentiam decem solid̄, quem dictus A. B. tunc ibidem in leua manu sua tenuit, eundem I. S. crudeliter verberauit, ac dextrum pollicem dicti I. S. tunc ibidem vno ictu amputauit, ac sic eundem I. S. nequiter et felonice tunc ibidem maihemauit, ad grauē incommodum ipsius I. S. ac cont̄ pacem dict̄ dom̄ reginæ nostr̄, coronam & dignitatē suam.

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*For maintenance upon the Statute of Anno 31. H. 8. against one
maintayning in an action of debt.*

Sec. 137.

Iuratores præsentant, quod cum in statuto in Parlamento domini H. nuper regis Angl' S. apud West. 28. die April', anno regni sui 31. inchoat, tenet, & ibidem per diuersas prorogationes vsque 25. diem Maij, anno regni sui 32. prorogat & continuat, & tunc ibidem tenet per dictum dominum regem, cum assensu dominorū spiritualium & temporalium ac communitatis in eodem Parlamento congregat, necnon auctoritate eiusdē Parliamenti, inter alia ad tunc & ibidem in actitat existit, Quod nulla psona siue personæ cuiuscunq; status, gradus, siue conditionis, ipse vel ipsi, fuerit, siue fuerint, extunc de cetero illicitè manuteneret siue manutenerent, aut causaret siue causarent, procuraret siue procurarent, aliquam illicitè manutentionem, in aliqua actione, demanda, secta, siue querela in aliqua Curia domini regis, Cancellariæ, cameræ Stellatæ, albæ Aulæ, aut alibi infra aliqua dominia regni Angliæ vel Walliæ, siue in marchijs earundē, vbi aliqua persona siue aliquæ personæ habent, seu extunc impostum haberent auctoritatē virtute commissionis domini regis suarum litterarum patentū, vel breuis ad tenendū placita træ vel ad examinandū, audiendū, siue determinandū aliquem titulum de træ, siue aliquam materiã, vel testes concernent titulum, ius, vel interesse aliquarum terrarū, tenentū, siue hereditariorū: Ac etiam quod nulla persona siue personæ cuiuscunq; status, gradus, vel conditionē, ipse vel ipsi, fuerit siue fuerint, extunc in futuro illicitè retineret siue retinerent, pro manutentione alicuius sectæ siue placiti aliq; psonæ, aut aliquas psonas, siue imbrasiaret vel imbrasiarent aliquos liberos tenentes vel iuratores, aut subordinaret aliquos testes p literas, munera, pmissa, siue aliquem aliū sinistram laborē vel mediū, ad manutenedū aliquam mater siue causam, aut ad disturbatiōem vel impediētiā Iusticiæ, vel ad pcuratiōem siue occasionem alicuius pcurij p falsum veredictū, aut aliter in aliquib' curijs antedictis, sub pœna forisfaciendi pro qualibet hūc di offensa x. li. quarum vna medietas esset domino regi, altera vero illi qui pro eadem psequi voluerit per actionem debiti, billā, querelam, siue informatiōem, in aliqua Curia dicti dñi regis, vbi nullū esset, pteat, vadiac legis, siue iniunctio allocabitur, p ut in statuto p d in alia pleni' continetur. Quidā tamen T. L. statuto p d minimè ponderans, quā actionem quæ fuit in curia dñæ reginæ, coram Iustic' suis de banco, in quendā R. B. querentē, et quendam T. D. de placito debiti, p pte dict' R. B. versus p f. T. D. 27. die Iunij, ann' regni dñæ nræ Eli. nunc regin' Ang' 35. apud S. in p d com E. manutenuit & sustentauit, in Iusticiæ manifestā retardationē, et disturbantiā, ac in dictæ dom' reg' nunc contemptum & p d T. D. graue damnum, ac contra formam statuti p d, &c.

For Manslaughter by Chance-medley, in thrusting of one into the belly with a long sharpe piked staffe.

Iuratores p̄ domina Regina presentant, q̄ A. B. de C. in dicto Comitatu E. Shoemaker, decimo sexto die Septembris, An̄ regni dictæ dñe nostræ Elizabethæ, Dei gratia Angliæ, Franciæ, & Hiberniæ Regiæ fidei defensoris &c. Tricesimo, apud C. pred' in Com̄ p̄d' E. quendam E. F. nup̄ de C. pred', in Com̄ E. pred' Weauer, (cui tunc ibid' fortuito & casu obuiam venit) contumeliosus verbis lacessuit, ac in eund' E. F. tunc & ibidem in pace dei ac dictæ dñe Regiæ existē, vi & armis insultū fecit, & ventrem dicti E. F. tunc & ibidem cum baculo longo, cuspidē p̄-acuta capitato (Anglice vocato a long sharpe piked staffe) quem idem A. B. tunc ibidem in manib' suis tenuit, felonice pupugit & perfodit, dans eidem E. F. vulnus mortale in dicto ventre suo, latitudinis vnus pollicis, & p̄funditatis septem pollicū, de quo quidem mortali vulnere idem E. F. tunc ibid' instanter obiit ac interiit, contra pacem dictæ dñe Regiæ nunc, & contra coronā & dignitatē suas. Sect. 138.

For Manslaughter.

Inquirat p̄ dñā Regiā, si R. S. nuper de D. in Com̄ p̄d' E. yeoman, Sect. 139
19. die Decemb. Anno &c. vi & armis, viz. &c. in quend' T. C. cum quodam candelabro ad valenc' 12. d. q̄ idem Rich. in manu sua dextera ad tunc & ibidem tenuit, eundē T. super caput suum felonice percussit dans eidem T. ad tunc & ibid' vnā plagā mortālē, posteaq; idem Rich. corpus eiusd' T. ad tunc & ibid' ad terrā p̄strat manib' genibusq; suis tam dire & violentē quassauit, ita q̄ p̄d' T. de plaga & quassationē pred' instanter interiit, & sic p̄d' R. p̄d' T. modo & forma pred' ad tunc & ibid' felonice interfecit, contē pacē dictæ dñe Regiæ, coronā &c. vt alibi.

For saying and hearing of Masse contrary to the Statute of 23. Elizab.

Iuratores presentant p̄ dñā Reg. quod I. R. nuper de C. in Com̄ p̄d' Sect. 140
dicto E. Clericus 8. die Aprilis, Anno regn̄ dictæ dñe nostræ Elizab. Dei gratia Angliæ, Franciæ, & Hiberniæ regin' fidei defensoris &c. Tricesimo quarto, apud C. pred' in com̄ p̄d' E. voluntarie dixit, et celebravit vnā Missam contra formā cuiusd' statuti in Parlamento dictæ dñe Regiæ tento apud Westmonasterium in Comitatu Middlesexiæ, Anno regn̄ sui viciesimo tertio in hoc casu prouisi & editi, & contra pacem dictæ domine reg. coronam, & dignitatē suam: Et quod Maria B. de C. p̄d'

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in Coñm pred' E. vidua, dicto 8. die Aprilis, Anñ supra dict' apud C. p̄d' in Coñm pred' E. interfuit presens tempore dict' celebrationñ missæ pred' ac eandem missam (sic vt prefertur dictam) ad tunc & ibidem voluntarie audiuit, cōtra formā statuti pred', ac contra pacem coronā & dignitatē dict' domine Regine nostre.

An Indictment upon the Statute of Anno 1. of the Queene against a Priest for saying of Masse in the Vestry of a church, and for using in the celebration of the Lords supper other rites and ceremonies then is appointed in the booke of common praier in An. 5. & 6. E. 6. and against 2. others for hearing of same Masse.

Sec̄t. 141

INquirat p̄ domina Regina, si G. C. nuper de E. in Coñm. E. Clericus 26. die Martij & c. apud E. pred', in Comitatu E. pred' in quodam loco ibid' vocat̄ the vestrie house, iuxta ecclesiā Parochialē de E. p̄d' in coñm E. pred', voluntarij vsus fuit priuato alio ritu, ceremonia, forma & modo celebrationis Cœne dominice voc' the Lords supper, quam in quodam libro intitulat̄ liber communis precat̄ionis et administrationis Sacramentorum & aliorum rituum & ceremoniarum Ecclesiæ Anglicanæ, auctorizat̄ p̄ actum Parliamenti tenē in annis quinto & sexto Reg. Domini Edwardi nuper Regis Angliæ sexti, declar' & mentionat̄ existit, videlicet dicend' & celebrand' vnam priuatam Missam, contra formam statutī in Parliamento dictē domine Reg. nunc apud Westm̄ anno regni sui primo tenē edit' & prouis. & contra pacē eiusdem dñe Reg. coronā & c. vt alibi. Et si T. B. nuper de B. in Coñm pred' yeoman, & I. M. nuper de W. in Comitatu laborer, die & anno supradictis, apud W. predictam in comitatu predicto, tempore celebrationis pred' Cœne Domini modo & forma pred' fuerunt presentes, & voluntarie audientes Missam p̄d' in forma pred' dictam & celebratam contra formam statuti p̄d' ac contra pacem & c.

For counterfeiting and uttering of money, one being accessarie to the same after the offence committed.

Sec̄t. 142.

Ivratores p̄ domina Regina presentant, quod T. S. de W. in Comitatu E. Tailor, machinans dictam dominam Reginam, & populum suum callide & proditoricē decipere, 20. die mensis Decembris, Anno regni dictē domine nostre Elizabethæ Dei gratia, Angliæ, Franc', & Hiberniæ Reg. fidei defensoris & c. Vicefimo nono, vnam peciam monete apud W. predictam, in Comitatu predicto E. de Stanno. & alij mixtis metallis, ad instar & ad similitudinem, bonæ & legalis monete & cunei dictē Domine nostre huius regni sui Angliæ (vo-

ca.

(vocat Angl' a shilling, 02 pte of twelve pence) falso et proditorie fabricavit, cudid, & contrefecit: posteaque, viz. dicto die 20. anno supradicto; eandem peciam (sic vt p̄mittitur, falso & proditorie fabricatam & contrefactam) diuersis ligeis dictæ domine reginæ, pro vera & legitima moneta huius regni sui Angliæ apud W. p̄dictam, in comitatu E. p̄dicto, falso & proditorie exposuit et vteravit. In magnam subditos dictæ dñæ nostræ deceptionem, ac contra pacem dictæ dñæ nostræ coronæ, & dignitatem suam, necnon contra formam diuersorū statutorū in eiusmodi casu prouisorum & æditorum. Et quod M. (vxoꝝ T. A. de W. p̄dicti in dicto comitatu E. gener) sciens p̄nominatum T. S. proditiōem p̄dicti modo et forma p̄dicti fecisse, & commisisse, eundem tamen T. S. postea, viz. secundo die Febꝛ, anno supradicto apud W. p̄dicti, in comitatu E. p̄dicti, recepraui, et confortauit, ac proditiōem p̄dicti conclauit, contra pacem dictæ domine reginæ nunc, coronam, & dignitatem suam.

Against counterfeiting and uttering of money and gold.

Inquiratur pro domina regina, si R. W. nuper de H. in comitatu E. Sect. 143.
 Smith, I. L. nuper de C. in p̄dicto comitatu E. Clouet, & T. B. nuper de D. in p̄dicto comitatu E. Neomari, Deum p̄ oculis suis non habentes, sed instigac' diabolic' seduct', machinantesq; dictam dominam reginam et populum suum callidè, falso, deceptiue et proditor' decipere et defraudar', duodecimo die Martij, anno regni dñe Eliz. &c. sexto, sex pecias monete apud B. p̄dicti in comitatu p̄dicti E. de cupro & alijs mixtis metallis, ad instar & similitudinem bonæ legalis & curren' monete & cunei dictæ domine reginæ huius regni sui Angliæ, Anglicè vocat' shillings, necnon duas pecias de cupro, ære & alijs mixtis metallis, ad instar & similitudin' bonæ legalis & curren' monete & cunei auri dictæ domine reginæ regni sui Angliæ, Anglicè vocat' halfe Soueraignes, falso et proditorie fabricauer' eudeſ et contrefecer', ac quasdam earundem peciar' sic vt p̄mittitur, falso & proditorie fabricat' cufas & contref. &c. diuersis ligeis dictæ domine reginæ p̄ vera, legitima & curren' monete huius regni Angliæ apud B. p̄dicti in dicto comitatu E. et alibi in dicto comitatu E. postea deceptiue, falso, & proditor' exposuer', soluer', & vterauer' in magnum p̄iudicium, fraudem, & deceptionem ligeorū dictæ domine reginæ, ac contra pacem eiusdem domine reginæ coronam & dignitatem suam, necnon contra formam diuersorum statutorū in huiusmodi casu æditorum & prouisorum.

For coining of money.

Inquiratur pro domina regina, si H. H. nuper de B. in comitatu F. Sect. 144.
 Tayloꝝ, Deum p̄ oculis suis non habens, sed instigatione diabolica
 P 3 seduct'

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seduct', vt proditor dictæ domin' Regin', quinto die Maij, anno &c. sexdecim pecias monet' vocat' shillings, de falso et mixt metallo. ad instar cunei huius regni Angl', vulgariter vocat' *Quene Elizabeth shillings*, apud B. præd', in com' E. præd', falso, felonice, & proditorie contrefecit, fabricauit & cunauit, contra pacem, ac contra formam &c. vt supra.

For coining and uttering of gold.

Sec't. 145.

Inquiratur pro domina regina, si H. A. nuper de B. in comitat' E. Laborer, & T. S. nuper de T. in comitatu predict' Laborer, die et anno &c. & diuersis alijs diebus & vicibus tam antea quam postea, Deum præ oculis suis non habentes, sed instigac' diabolic' seduct', machinantesq; dict' dominam reginam et populum suum callidè, falso, deceptiue et proditor' decipere et defraudare de iniuria sua propria absque authoritat', warrant', siue concessione Regiæ maiestatis eis aut eorum alteri concess'. octo pecias falsè monetæ, ad imaginem & similitudinem peciarum monetæ aut Anglicè vocat' *golden soueraignes of r.s. a p'ce*, apud M. in com' E. præd', pro iniquo lucro & aduantageo è cupro, falso et proditorie deaurauer', & eadem pecias falso & proditorie sic vt præmittitur, fact', fabricat', contrefecit, et cunat', diuersis ligijs dictæ dom' reginæ p' vera, legitima & current' moneta dictæ dom' regin' regni sui Angl' apud M. præd', in com' E. præd' xx. die Octob', anno supra, ac diuersis alijs diebus antea & postea, deceptiue, falso, & proditor' exposuer', & vterauer' in solutionem diuersis ligijs dictæ domine regin', necnon contra formam diuersorum statutor' in h'ndi casu editorum & prouisorum, ac contra &c.

Of murder by two with a weapon, and one accessorie before the offence committed.

Sec't. 145.

Inquiratur pro domi'n regina, si H. W. nuper de S. in comit' E. Tailor, & W. C. de S. in com' E. præd' *Weauer*, primo die Martij, anno regni domi'n Eliz. Dei gratia Angliæ, Franciæ, & Hybernici regin', fidei defensoris &c. 4. apud C. in pochia de S. præd', in com' E. præd', vt & armis &c. in quendam T. B. in pace Dei & dictæ dñæ reg', adtunc & ibidem exist', insult' fecer', & præd' H. W. cum quodam falcastro Anglice vocat' a *Welsh hōke*, valor' xij. d. quem idem H. in vtraq; manu sua adtunc & ibid' tenebat, præd' T. B. super dextrum brachium p'pe manum dextram adtunc & ibid' felonice percussit, dans eidem T. adtunc & ibid' cum falcastro prædict', vnam plagam mortal', profunditat' duor' pollicium, & longitūd' quinque pollicium, de qua quidem plaga mortali, præd' T. adtunc & ibid' instant' obiit. Et sic prædict' H. W. et W. C. apud S. predictam, in comitatu E. predict', modo & forma predict', præfat' T. B. felonice, ac ex malitia sua

sua precogitat interfecer, et murdraver, contra pac' dict' dñæ regin' nunc, coronã et dignitatẽ suas. Et si I. H. de S. p'd' in Com' E. p'd' husbandman, Antecessarie, ante felon' et murdr' pred' p' p'fat' H. & W. sic in forma pred' Cõmiss. & prepetrat, viz. pred' primo die Martij, Anno & c. apud S. p'd' in comitat' E. pred' predictos H. W. et W. C. ad felon' et murdr' pred', sic in forma pred' faciend' et ppetrand' malitiose et felon' incitavit, abbettauit, et pcur', contra pacem dict' & c. vt alibi.

Of Murder by two with weapon.

I Vratores p' domina Regina presentant, quod A. B. nuper de C. in dicto comitatu E. Blacksmith, & D. E. de C. pred' in Com' E. pred' Butcher, septimo die Septembris, Anno regni dictæ dominæ nostræ Elizabethæ Dei gratia Angliæ, Franciæ, & Hiberniæ Reginæ, fidei defensoris & c. tricesimo, vi & armis ex malitia sua premeditata, in quendam F. G. nuper de B. in dicto comit' E. yeoman, apud B. pred' in Com' E. pred' in quodam loco ibidem (vulgariter nuncupato the bowling place) adtunc & ibidem in pace Dei, & dictæ Domine Regin' existentem, insultũ fecerunt, et prefatus A. B. cum quodam gladio districto, ad valentiam quinq; solidor', quem ipse in manu sua dextra adtunc & ibidẽ tenuit, ipsum F. G. super synciput suum voluntarie & felonice tunc ibid' percussit, & eo ipso ictu dedit eidem F. G. quandam plagam mortalem, in longitudine trium pollicium, & in profunditate quinque pollicium et dimid', de qua quidem mortali plaga pred' F. G. tunc & ibid' instanter & immediate obiit. Et ulterius, q' p'd' D. E. cum quodã baculo ad valentiam vnus obuli (quem ipse in manibus suis adtunc ibid' tenuit) ipsum F. G. adtunc & ibid' voluntarie & felon' percussit sup' caput suum, dans eidẽ F. G. vnã aliam plagã mortale in dicto suo capite, in longitudine triũ polliciu, & in pfunditate duorũ polliciu, vnde idẽ F. G. de plaga vltimo p'd' obiisset, si nõ obiisset de ictu illo priore pred', q' p'd' A. B. ei primo dederat. Et sic Iurat' p'd' dicunt, q' p'nominati A. B. & D. E. dict' 7 die Septemb Anno suprad', apud B. p'd' in p'd' loco (vocatõ the bowling place) pred' F. G. modo & forma p'd', ex malitia sua precogitat', voluntarie, & felonice interfecerunt & murdraverunt, contra pacem dict' dñæ Regin', ac contra coronã & dignitat' suam.

Sec't. 147

For a murder with a cudgell, and flying afterward.

I Nquiratur pro domina regina, Si I. S. nuper de T. infra Parochiam Ide C. in Comitatu E. predict' laborer, 13. die Iulij, & c. non habens Deum præ oculis, sed instigatione diabolic' mot' & seductus,

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ex malicia sua ꝑcogitat, vi & armis &c. in quendam Ric' N. apud C. in Comit' E. pred', ad tunc & ibidem existē in pace dei & dict' dominæ Regine insulſit et affraiam fecit, ac vno bacillo vocato a Cudgell nullius valoris, quem idem I. S. ad tunc & ibidem in manu ſua dextra tenuit, eundem R. N. in dextram partem capitis Rich' ad tunc & ibidem felonice percuffit, dans eidem R. ad tunc & ibidem cum bacillo pred', plagā mortalem longitudinis trium pollicium, & ꝑfunditatis vnus pollicis, contundendo caput dict' Rich', de qua quidem plaga mortali, pred' R. apud K. in ꝑd' Com' E. pred' languebat à pred' 14. Iunij, Anno ſupradict', vſque 27. diem eiuld' mensis Iunij, tunc ꝑxim' ſequē. Quo quidē 27. die Iunij anno ſupradict', ꝑd' Rich' N. apud K. pred', in ꝑd' Com' E. ex plaga pred' mortali obiit. Et ſic ꝑd' Iohan. S. eundem R. N. apud C. præd'. in Comit' E. pred', ex malicia ſua ꝑcogitata modo & forma pred', felonice interfecit et murdrait, cont' pacē dict' dnæ reginæ Coronam & dignit' ſuas. Et ſic pred' Iohan. S. poſtquā ipſe feloniam & murdrū pred' ſic in forma pred' feciſſet et ꝑpetraſſet, fugam fecit, contra pacem dict' domiñ. reginæ &c. vt alibi.

Flying.

Of Murder and procurement in the high way.

Sect. 149

Inquiratur ꝑo domina regina, Si P. P. nuper de L. in predict' Com' E. laboꝛer, 22. die Octobr' anno &c. inter horas sextam & ſeptimam poſt meridiem eiuld' diei, Deum ꝑæ oculis ſuis non habens, ſed inſtigatione diabolica motus & ſeductus, ex malicia ſua ꝑcogitata, vi et armis &c. in quendam R. P. in via Regia apud P. infra Parochiam de S. in Comit' E. pred' ad tunc & ibidem in pace Dei, & dictæ dominæ Regine existē inſulſum fecit, et cum vno baculo valoris 2. d. quem idem P. P. ad tunc & ibid' in manibus ſuis tenuit, eundē Rich. ſuper dextram partē capitis ſui, ad tunc et ibid' felonice ꝑcuſſit, dans eid' Rich. ad tunc et ibid' cum baculo ꝑd' vnam plagā mortale in longitudine duorum pollicium, & in ꝑfundit' dimid' pollicis, de qua quidem plaga mortali, ꝑd' R. P. apud E. infra Parochiam de S. pred' in Com' pred' E. à pred' 22. die Octob' An' 15. ſupradict', vſq; ſeptimū diem Februarij, tunc ꝑxim' ſequē languebat quo quidem 7. die Feb' anno 15. ſupradict', idem R. P. apud E. pred' in Com' E. pred', de pred' plaga mortali obiit. Et ſic Iuratores pred' dicunt ſuper Sacramentum ſuum pred', quod pred' P. P. ipſum R. P. infra Parochiam de S. predicta in Comitatu E. predicto dicto ſeptimū die Februarij anno ſupradict', ex malicia ſua ꝑcogitat, modo & forma pred' felonice interfecit et murdrait, contra pacē dictæ &c. vt alibi. Et ſi Katharina P. vxor pred' R. nuper de L. pred', in Comit' E. pred', ſpinſter, ante feloniam & murdrū ꝑd' ꝑ ipſum P. P. ſic in forma pred' factum &

Accessarie by
procurement.

perpe.

perpetratū, viz. 21. die Octobr̄, anno 15. suprad' eundem P. P. apud L. pred' in Com̄ E. prod' ad feloniam & murdrū p̄d̄, in forma pred' sic faciend' & ppetrand' felon̄ excitauit, abberrauit, et pcurauit, cont' pac' dict' dñi regn̄ &c. vt alibi,

Of Murder and diuers wounds, and necessary by procurements.

INquiratur p̄ domina Regina, Si T. B. nup de S. in Com̄ E. predict' Sect. 150
 yroman, & H. O. nuper de S. in Com̄ pred' yroman, 3. die Iunij &c. vi & armis ex malicia sua precogitata, in quendam W. B. apud T. in comitatu E. predicto, in quodem loco ibidem voc' H. adtunc & ibidem in pace dei et dict' domin' Regine existentem, insultum fecer̄, & pred' T. B. cum quodam baculo ad valenc' duorum denariorum quem ipse in ambabus manibus suis adtunc et ibidem tenuit; ipsum W. B. super posteriorem partem capitis sui felonice percussit, et dedit ei vnam plagam mortalem latitudine quatuor pollicium, de qua quidem plaga mortali pred' W. B. immediate obiit. Et quod predictus H. O. cum quodā pugione ad valenc' sex denariorum, quem ipse in manibus suis adtunc & ibidem tenuit, ipsum W. B. adtunc & ibidem felonice percussit, dans eidem W. in guttere suo vnam aliam plagam mortal' latitudine vnus pollicis, & profunditate quinque pollicium, vnde idem W. B. de plaga pred' immediate obiisset, si non obiisset de icu pr̄d' quem pred' T. ei dedisset prius. Et predictus T. B. die & anno supradictis adtunc & ibidem cum quodam baculo ad valenc' duorum denariorum quem ipse in manibus suis adtunc & ibidem tenuit, ipsum W. B. super posteriorem partem capitis sui felonice percussit, & dedit ei vnam aliam plagam mortalem latitud' quatuor pollicium, de qua quidem plaga mortali pred' W. B. adtunc & ibidem immediate obiisset, si non obiisset de icu predicto, quem predict' T. B. ei prius dedisset. Et quod p̄d' H. O. die & anno supradictis, cum quodam pugione ad valenc' sex denariorum, quem ipse in manibus suis adtunc et ibidem tenuit ipsum W. B. adtunc et ibidem felonice percussit, dans ei in gutture suo vnam aliam plagam mortalem latitudin' vnus pollicis, et profunditatis trium pollicium, vnde idem W. de plaga predicta immediate obiisset, si don obiisset de icu predicto, quem predictus T. B. ei prius dedisset. Et si predict' T. B. & H. O. dicto tertio die Iunij, anno supradicto, apud T. predict' in Com̄ E. predict' in predict' loco voc' H. pred' W. B. felonice interfecer̄ & murtherauerunt, & si Eliz. B. nuper de S. pred' in Com̄ E. predicta Spinster, vxor predict' T. B. & I. O. nuper de S. predict', in p̄d' Com̄ E. Spinster, vxor pred' H. O. pred' tertij die Iunij, anno supradict', in predict' Comitatu E. vi et armis &c. in predict' loco apud T. predict', vocato H. ex malicia sua precogitata present' fuerunt,

ab-

Indictments, and

abbettantes, auxiliantes et confortantes pred' T. B. & H. O. ad vulnerand' p'd W. B. & ad feloniam & murdrum pred' in forma pred' faciendum, felonice exciterunt, et pcurauerunt, contra pacem dictæ dnæ Reg. coronam & dignitatem suas.

An Inquisition of murder found before a Coroner upon the view of the body slaine, against one for killing of his Mistris with a hatchet on the head, shee being then great with childe.

Sect. 151

Inquisitio cap' apud H. in com' E. &c. coram me Iohas. S. vno coron' domini R. in comitatu pred', die Martis &c. Anno &c. super visum corporis C. nuper vxoris P. B. de H. pred', apud H. pred' felonice interfecit, ad tunc et ibidem mortui iacent, per sacramentum proborum & legalium hominum de villa de H. & trium aliarum villarum propinquarum, viz. S. N. & C. prout moris est &c. ad inquirend' qualiter et quo modo pred' C. ad mortem suam deuenit, viz. per sacramentum A. B. C. D. &c. qui dicunt super sacramentum suum &c. quod vbi predict' C. die, anno, loco, & comit' predictis, circa horam secundam post meridiem dicti diei Martis fuit in pace Dei, & domini Regis nunc apud H. pred', vbi venit quidam W. B. nuper de C. in comitat' Wigorn' gen', felonice vt felo domini regis nunc insidians et ex insuliu premeditato contra pacem eiusdem domini Regis, coronam et dignitatem suas, die, anno, hora, loco, & comit' predictis, in predictam C. magistram suam, quæ ad tunc grauida fuit & vicina partui, insultum fecit, et eandem C. cum quadam securi vocatum, an Hatchet, precij 4. d. quam idem W. tenuit in manibus suis super sinistram partem capitis sui felonice percussit, dans ei plagam mortalem, de qua quidem plaga mortali, eadem C. instanter obiit, & sic pred' W. prefat' C. Magistram suam ad tunc et ibid' felonice interfecit, & murravit contra pacem &c.

An Indictment against a widow for procuring one to murder her child in her pre'ence after she was deliuered, by cutting the throat, and against the accessories, before and after the offence committed.

Sect. 152

Iuratores pro domina Regina presentans, quod H. M. nuper de K. in pred' Com' E. vidua, grauida existens cum quadam infante viua 24. Maij, Anno regni dict' Dominæ nostræ Elizabethæ, Dei gratia Angl', Franc' et Hiber' regin' fidei defensor &c. Secundo apud K. pred' in com' E. pred', ex Dei puidencia parturijt, et peperit vnam plem femelam viuam, posteaq; quedã Iana S. nuper de W. in dicto Com' E. vidua, apud K. pred', in comitatu E. pred' vi et armis, ex malitia sua p'cogitata (dicto 24. die Maij, Anno supradict', circa horam vndecimam ante meridiem eiusdem diei) per consilium, mandatum, & pcuracionem predict' H. M.

ac

ac in præsentia ipsius H.M. in prædictam prolem femellam viam insult fecit, & cum quodam cultello (ad valentiam vnus denarij) quem eadem Iana tunc in manu sua dextra tenuit, guttur ipsius proli femellæ ad tunc et ibidem felonice scidit, dans eidem proli femellæ quandam plagam mortalem in gutture suo præd, de qua quidem plaga mortali proles femella præd, apud K præd in comitatu E. præd, ad tunc & ibidem intanter obiit. Et qd præd H.M. ad tunc et ibidem felonice fuit præfens, confortans, & auxilians ad præd prolem femellam in forma præd interficiendam. Et sic præd H.M. & Iana, præd prolem femellam ex malitia sua præcogitata, felonice et voluntarie, interfecerunt, et mürdruerunt, cont pac dominæ reginæ, coronam & dignitatem suas. Et insuper Iuratores prædicti præsentant pro dicta domina regina, quod Georgius P. nuper de K. prædicta in dicto comitatu E. Pcoman, 19. die Maij, anno regni dictæ dominæ reginæ secundo, ac diuersis alijs diebus et vicibus, ante feloniam & mürdru prædict in forma prædicta perpetrat apud K. prædictam in comitatu E. prædicto malitiose et felonice consuluit, mandauit, procurauit & abbettauit, præd H.M. ad prædictum mürdru voluntarium faciendum ac ad interficiendum & mürdrandum dictam prolem femellam, contra pacem dictæ dominæ reginæ: Et vterius, quod O.P. & A.B. de K. præd in comitatu E. prædicto Spinsters, post mürdru & feloniam prædict in forma prædicta facta, scientes præfatos H.M. & I.S. feloniam et mürdru præd in forma prædicta fecisse et perpetrasse, ipsam tamen H.M. apud K. præd, in comitatu E. prædict (27. die diei mensis Maij, anno supradict) felonice receptauerunt, et confortauerunt, contra pacem dictæ dominæ reginæ nunc, coronam, & dignitatem suas.

An Indictment of petri: Treason against a late seruant for mürdring of his Master, and the accessorie before the offence.

Iuratores pro domina Regina præsentant, quod A. B. de C. in comitatu Sect. 153
E. Grotter, nuper seruiens B. D. de C. prædicta in dicto comitatu E. Grotter, decimo die Septembris, anno regni dictæ dominæ nostræ Elizabethæ, Dei gratia Angliæ, Franciæ, & Hybernæ, Reginæ, fidei defensoris &c. Tricesimo quarto, in domo mansionali prædict B.D. apud C. præd in comitatu E. præd vi & armis, viz: cum gladio et pugione districtis ad valenc^o x. solidos (quos idem A.B. tunc ibidem, in manib^o suis tenuit) in prænominatam B.D. tunc magistrum suum tunc et ibidem in pac^o Dei & dictæ Dominæ Reginæ existentem, voluntarie & ex malitia sua præcogitata insultum fecit, & eundem B.D. tunc magistrum suum, ad tunc & ibidem cum dicto gladio felonice & præditorie sup^o caput suum fortiter & valide percussit, ita quod dicto ita, caput ipsius B.D. tunc magistri sui

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fui tunc & ibid in duas partes scidit, dans ei plagam mortale: vnde corpus, dict' B. D. immediate ibid ad terram cecidit, & dictus B. D. instanter ibid de plaga pd mortuus est. Et sic pf. A. B. apud C. pd ex malitia sua pcogitata, eundem B. D. magistr' suum pd modo et forma pd, voluntas, nequit, felonice, & pditorie interfecit, contra pac' dict' domi nostri nunc, coronam et dignitat' suas. Et q' quidam I. S. de C. pd in dicto comitat' E. 20ccr (ante prodicionem pd p pf. A. B. sic vt prefertur voluntarie perpetrata & commissam) viz. sexto die Septem' anno suprad', eund' A. B. apud C. pd in com' E. pd, ad pdicionem pd in forma pd ppetranda & committend', felonice consuluit, excitauit, & procurauit, contra pac' dict' domin' nra Regine, ac contra coronam, & dignitat' suam.

An Indictment of petit treason against a seruant for breaking of his masters house, and cutting of his throat with a trencher knife.

Sect. 154

Inquiratur & c. si I. M. de D. in com' M. yesman, homo seruiens W. R. de S. in com' E. pd, & in seruitio ipsi' W. pro hoc integro an' retent' 12. die Maij an' & c. apud S. in pd com' E. domum pred' W. R. ad tunc magistri sui existen' vi & armis & c. felon' fregit et intrauit. & in ipsum W. ad tunc et ibid in domo sua ppria in pace Dei & dictae dominae reg. existen' insultum fecit et cu' vno cultello voc' a trencher knife, precij ij. d. q' idem I. ad tunc & ibid in manu sua dextra tenuit, pd W. felon' & proditor' percussit, & guttur ipsius W. mri sui ad tunc & ibid cum cultello illo totaliter felon' & proditor' scidit, dans ei ad tunc & ibid quand' plagam mortale, de qua quid' plag' pd. W. ad tunc & ibid instanter, moriebat, & sic pd I. M. pd W. R. Magistr' suum ad tunc & ibid instanter, modo & forma suprad', felon' et pditor' interfecit et murtu', contra pac' dictae dñe reg. coronam & dignitat' suam.

An Inquisition of Murder taken before a Coroner, vpon the view of the body, wherein is found one to be present and ayding to the same murder.

Sect. 155

Inquisitio capta coram A. B. vno Coronator' domini Regis & c. super visum corpus I. S. & c. qui dicunt quod ita accidit apud M. in comitat' praed' E die & c. circa horam & c. quod vbi pred' I. S. fuit in pace Dei, & dicti domini regis apud M. eisdem die, anno, loco, & hora, vbi venit W. L. de M. & S. T. & c. ut felones dicti domini regis, & ex malitia sua pcogitata, in ipsum I. S. ad tunc & ibidem insultum fecerunt, & pred' W. L. quodam pugione precij 4. d. quem ipse in manu sua dextra tunc tenebat, dict' I. S. super sinist' partem corporis sui, viz. subter asellam percussit

cussit vsque ad cor suum, dando ei plagā mortālē, vnde idem I.S. eadem hora tunc & ibid' obiit in continentē, & sic pred' W.L. p̄fat' I.S. apud M pred' in pred' Coñ E. felon interfecit & murdrauit cont' pac' dict' dñi reg. coronā & dignitat' suas. Et q' p̄d' S. T. loco, die, anno, et hora pred', p̄d' felon' fuit p̄sens, assistens, abbetrās, p̄cur', confort' et manutenens p̄f. W.L. ad felon' & murdrum pred' inforñ pred' &c. In cuius &c.

For a Nusans of a common bridge in the Queenes high way, ouer a riuer, which is decayed, and not known who should repair it.

Iuratores pro dñā regina presentant, quod pons public' & cōmunis, si- Sect. 156
tus in alta regia via super flumen de M. intra parochiam de A. in Coñ E. pred' (vulgariter dictus A.) est, et per aliquot annos iam proxim' elapsos fuit valde ruinosus, & in maximo decalu, ob defectū reparatiōn, adeo vt subditi dict' domine reginæ, in, super, trans, vel vltra dictum pontem, p̄ se, vel cum corū equis, bigis, aut cariagijs, redire, aut transire, sine magno vite discrimine non audent aut possunt, ad cōmune nocumentū omnium vicinorum, & cōpariatarum in dict' coñ E. habitantium, quorum interest ratione negotior' suorum illac transire: Et vteri' q' prorsus nescitur, que p̄sonæ, queue terre, tenement', aut corpora corporata & politica, eundē pontē aut aliquā inde parcellam, ex iure, aut ex antiqua consuet', reficere et reparare debent, aut consueuerunt.

For a nusans of a bridge ouer a riuer in the Queens high way which is decayed, and ought to be repaired by the Queene by reason of a Manor.

Iur' present' &c. q' quidam pons situat' super aquā de Trent in parochia de Newarke in coñ S. voc' p̄. Bridge existens in reg. via, est ruinosus & in magno decalu, ita quod ligei domini reg. in, p, super, vel vltra eundē pontem, absq; magno periculo transire seu laborare non valent, ad commune nocumentum omnium ligoorum dict' dñæ reg. trans & vltra pontem p̄d' transeunt' seu transire volentium. Et q' domini reginæ nunc, ratione tenure seu manerij de N. super T. cum pertineñ in Coñ S. predict', pontem illū facere, reficere, & emendare debet, & q' eadem dñā regina & omnes p̄genitores sui, ac omnes alij quorum stat' eadem dñā regina modo habet in eod' manerio de N. sup T. cum prin' pontem illū facere, reparare, & emēdare consueuerunt, de tempore cuius cont' memoria hominum non existit, toties quoties necesse fuit. In cuius &c. Sect. 157

*An Indictment against one for pulling downe of a stone bridge in a towne ouer which the Inhabitants of the same towne haue used to tra-
uaile time out of minde.*

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Iratof &c. ꝑ cum a tempore quo memoria hominum in contrarium non existit, tuit quidam pons lapideus in W. in Com̄ E. p̄d' voc' A. per & trans quem quidem pontē omnes inhabitant villē de W. p̄d' in Com̄ p̄d' per temp' pred' habere consuerunt ingressum et egressum ad quēdam locum vocatum H. ꝑ negocijs eorund' faciend', tamen I. F. de &c. tali die &c. et anno &c. vi et armis &c. præf. pontem effodit, ꝑstravit, & spoliavit, et omnes lapid' eiusd' pontis abinde asportavit et abcaravit, ꝑ ꝑ inhabitant' ibid' ingressū et egressū ad p̄d' locū ꝑ p̄d' negot' suis faciend' habere non possunt, et alia enormia per eum tunc & ibid' facta sunt ad graue et commune nocument' p̄d' vicinorū ibid' et contra pacem &c.

*For nuisance in the Queenes high way, by inclosing of part
of the way.*

Sect. 159

Inquiratur ꝑ domina Regina, si E. S. ruper de W. in Com̄ W. p̄d' gēn' secundo die Maij &c. partē cuiusdam viæ regie in W. in Com̄ pred' ducent' a W. pred' vsque ad S. in eodem Com̄ viz. a W. pred' vsque ad quandam foueam in S. pred' in pred' Com̄ W. vocat' le common pit, in eadem via existentem, cum sepe & fossa inclusit et obstruit in eand' viam Regiam sic inclus. à pred' secundo die Maij, vsque diem captionis hui' inquisitionis, in pasturam conuertebat, & adhuc custodit, in malum & perniciosum exemplum aliorum, & ad graue damnum & commune nocumentum omnium ligeorum subditorum dictæ domine Regine ibidem ꝑꝑe inhabitantium, quorum interest illac transire, ac cōtra formam diuersorum statutorum in huiusmodi casu edit' & ꝑuis. ac contra pacem dictæ domine Regine &c.

*For Perjury in a deposition before Commissioners by Commission
out of the Court of Wards.*

Sect. 160

Iſ presentant ꝑ domina Regina, Quod F. E. de G. in Comit' pred' Tailor 24. die Julij, Anno &c. apud M. in Comitatu E. prædict', coram A. B. C. D. & E. F. Armigeris, Commissionarijs virtute Breuis dictæ domine Regine de Commissione prædictis A. B. C. D. & E. F. directi, & extra Curiam Wardorū & liberationum dictæ Domine Regine apud Westmonasterium in Comitatu Middl', preantea emanantis pro eximinatione quorumcunque testium, tam ex parte cuiusdam I. L. de M. prædicta, in Comitatu E. predict' tunc querentis, quam ex parte H. M. de N. in dicto Comitatu E. yeoman, defendentis, in quadam causa (siue materia) inter ipsos I. L. & H. M. tunc in dicta Curia Wardorum & liberationum controuersa, & ibidem dependente in variantia pro titulo vnus messuagij, cum pertinentijs in M. predict' in dicto

dicto comitatu E. psonalit constitutus, Ac tunc & ibidem existens testis productus p̄ dictum I.L. ad testificandum & deponendum in causa p̄d̄, ex parte ipsius I.L. & iuratus per Commissionarios p̄dictos, ad veritatem dicendam sup̄ articulis interrogatorijs ei per dictos Commissionarios ad tunc & ibidem ministrandis, (septim̄ Articulo Interrogatorio ei ad tunc & ibidem per dictos Commissionarios ex parte p̄d̄ I.L. ministrato dixit, & super sacramentum suum p̄dict' affirmavit, & deposuit, prout in hijs Anglicis verbis immediatè sequitur, viz. *To the seventh Interrogatory he saith by vertue of the said oath, that the said messuage was neuer occupied by the said H.M. the defendant, p̄ut p̄ dictam depositionem p̄d̄ E.F. inter alia per p̄fatos Commissionarios in dictam curiam Wardorum & liberationum certificatam & missam, ac ibidem de recordo adhuc remanentem, plenè apparet: vbi reuera & in facto, dictum messuagium diu occupatum fuit p̄ prænominat' H.M. defendentem. Et sic, idem E.F. dicto vicesimo quarto die Iunij, anno suprad̄ apud M. p̄d̄ in dicto com̄ E. coram prænominatis A. B. C. D. & E. F. (Commissionarijs dictę doni reg' sic v̄ p̄fertur existentibus) voluntariè, & corruptè, periurium commisit voluntarium & corruptè, contra form̄ diuers. statutorum in huiusmodi casu prouisorum & edictorum.*

For Perurie in a deposition, before Commissioners by Commission out of the Chaucerie vpon the statute of anno 5. of Queene Eliz.

I Vrat &c. p̄sentant, quod W. R. 24. die &c. apud A. in com̄ E. coram I. Sect. 161.
K. & T. S. armig' & F. T. genē existent Commiss. virtutē breuis dominæ reginæ de Commiss. sibi ac alijs direct', ac extra cur̄ Cancellar' dict' domin' regin' nunc præantez emanantis, ad examinationem diuersorum testium, ex parte cuiusdam W. C. quer', versus quendam T. N. defendent in quadam materia inter ipsos W. & T. tunc in cur̄ Cancellar' p̄d̄ apud Westmonaster' in comitatu Midd' tunc existentē dependent in variis & controuers. pro titulo diuersorum tenement' cum pertinent vocat' &c. in dicto comitatu Ebor' psonaliter constitut ac existens testis productus per p̄fata W. C. ad deponend' in causa p̄dict', ex parte ipsius W. onerat', & iuratus ad veritatem dicend' de Interrogatorijs sibi per Commiss. p̄dict' ad tunc ministrand' 18. Interrogatorio sibi per prænominat' Commiss. ad tunc & ibidem ex parte p̄dict' W. C. ministrat' super sacramentum suum dixit & deposuit modo & forma, prout in Anglic' verbis sequitur, viz. *to the xvij. he saith &c. recitando verbatim depositionem illam, prout per deposic' p̄d̄ W. R. inter alia per prænominat' Commiss. in cur̄ Cancellar' p̄d̄ certificat', et ibidem de recordo remanenti plenè liquet, vbi reuera p̄dict' H. S. non causauit &c. neque &c. negando effectum depositionis &c. prout p̄dict' W. R.*

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falso & corruptè deposuit & iuravit. Per quod idem W. R. præd' 23. die & c. anno 19. supraꝛ apud A. p̄d̄ in dicto comitatu E. coram præfat' I. K. T. D. & F. T. Commiss. virtute brevis dominæ reg' eis directi tunc existentibus, voluntariè & corruptè commisit periurium voluntarium & corruptum, in contemptum dictæ dominæ reg', & contra formam statuf in Parlamento dictæ domine regineꝛ tento anno regni sui quinto in huiusmodi casu prouisi & æditi, ac ad graue damnum præd' T. N.

*For taking of Pheasants and Partridges with nets and other engins
in another mans freehold without licence, contrary
to the Statute of Anno 11. H. 7.*

Sect. 162

I Vratores pro domina regina præsentant, quod W. G. de S. in dicto comitatu E. Labozer, circiter horam decimã ante meridiem vicesimi diei Augusti, anno regni dictæ domine nostræ Elizabethæ, Dei gratia Angliæ, Franciæ, & Hybern' regin', fidei defensoris & c. Tricesimo quarto, in quodam loco infra paroch' de S. prædict' in com' E. præd' (vocat' vulgariter the Wheat field) qui quidam locus tunc fuit, & adhuc est liberum tenementum A. B. de S. p̄d̄ in dicto comitatu E. gen'f (nec vnquam fuit in, aut de warrenna ipsius W. G. propria) duos phasianos, & decem perdices, cum quibusdam reticulis, & alijs ingenijs (valoris duorum solidorum) tunc ibidem cepit, occidit, & asportauit, sine aliquibus assensu, agreeamento, aut speciali licentia dicti A. B. in hac parte habitis aut obtentis: In dictæ domini regin' nunc contemptum, ac contra formam cuiusd' statuti in Parlamento domini Henr' nuper regis Angliæ 7. tento anno regni sui vndecimo, in huiusmodi casu prouisi & æditi.

*For murder by wilfull poisoning with herbes in pottage vpon the
Statute of Anno 1. Ed. 6.*

Sect. 163.

I Vratores pro domina regina præsentant, quod T. H. de C. in comitatu E. prædict' Peoman, secundo die Dec', anno regni dictæ domine nostræ Elizabethæ, Dei gratia Angliæ, Franc', et Hybern' regin', fidei defensoris & c. 36. apud C. præd' in comitatu E. præd', in domo mansionali ibidem cuiusdam W. B. nuper de C. p̄d̄ in dicto comit' E. Peoman, ex malicia sua prepenfa & præcogitata, voluntar' & felonice porrexit, ac dedit in catillo quodam eidem W. B. ad edendum, quedam olera (Anglice vocata Pottage) ex cicuta venenossima, & alijs herbis virulentis confecta & composita, quæ quidem olera prædictus W. B. tunc ibidem cum coleari (quod in manu sua dextra tenuit) comedit, vnde prædictus W. B. statim postea ægrotabat, ac à prædicto secundo die, Anno supra dicto in dicta domo sua apud C. præd' languebat, vsque sextum diem dicti mensis

mensis Decembris, anno supradicto, quo quidem sexto die, anno supradicto, p̄d̄ W. B. ex dict̄ esu olerum p̄dictor̄, in dicta domo sua apud C. p̄d̄ in dicto com' E. interijt. Et sic Iuratores p̄d̄ presentant, quod p̄d̄ T. H. p̄nominatum W. B. apud C. p̄dictam in com' E. p̄d̄, modo et forma suprad̄, ex malicia sua p̄cogitata, voluntarie et felonice, veneno p̄d̄ interfecit ac murtheravit, contra pacem dictę domin' regin' nunc, ac contra formam statuti in parlamento domini Edwardi nuper regis Anglię sexto (tento, apud West. in com' Midd̄, anno regni sui primo) in huiusmodi casu prouisi ac ædici.

For murder by wilfull poisoning of one in potion.

Iuratores pro dñā Regina presentant, quod H. R. nuper de C. in com' E. p̄coman, x. die Octob. anno &c. Deum p̄ oculis suis non habens, sed instigatione diabolica seduct' ex malicia sua p̄cogitat, quendā R. F. in pace Dei et dict̄ dñę regin' existen' apud C. p̄d̄, in com' E. p̄d̄ ad bibendū p̄textu amoris et amicitie inuitauit, et eidem R. F. ad tunc et ibidē potionem quandam veneno intermixtam et intoxicatā felonice dedit, quam quidem potionem p̄d̄ R. F. ex instigatione et prouocatione dict̄ H. ad tunc et ibidem accepit, et eandē potionem super illud immediate bibebat & exhaust, ratione cuius dict̄ R. F. immediate post potionem p̄d̄ sic exhaustum, morbo corrept' fuit, ac a p̄d̄. 10. die Octob. anno suprad̄, vsque quartū diem Feb. &c. apud C. p̄d̄ in p̄d̄ com' E. languēbat, quo quidē 4. die Feb. anno 8. suprad̄, p̄d̄ R. F. ex portione et intoxicatione p̄d̄, apud C. p̄d̄ in com' E. p̄d̄ obiit. Et sic p̄d̄ R. H. p̄refat. R. F. apud C. p̄d̄ in com' p̄d̄, modo et forma supradictis cū portione p̄dictā veneno intermixta & intoxicata felonice interfecit et murtheravit, contra pacem dictę dominę reginę nunc, et contra formam statuti inde in huiusmodi casu ædici et prouisi.

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*For murder by wilfull poisoning upon the statute of Anno 1. Ed. 6.
wherein wherein the statute is recited.*

Iuratores presentant, quod cum in statuto in parlamento dñi E. nup̄ reg' Anglię sexti apud West. in com' Midd̄, anno regni sui primo, tento, ædicitur al' inædicitur existat autoritate eiusdē, quod omnis voluntar' interfecio per venenum Anglice poisoning, alicuius personę siue personarum, que ad aliquod temp' extunc imposterum facta, perpetrata, siue cōmissa foret, adiudicaretur, haberetur & existimaretur voluntar' murtherum de malicia p̄pensā, queque offensores in ea parte, eorum coadiutores abbettatores, procuratores, et cōsiliator' sustineret mortem et foris fact' in quolibet respect' ut in alijs casib' volūt' murtheri de malic' p̄pensā, put in

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Q

codem

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eodem statuto plene liquet, Quidam tamen A. B. nuper de C. in comitatu E. Laborer, statuto predicto & poenitentia in eodem contenti parui pendens, neque timor dei praesens oculis suis habens, vicesimo die Ianuar. anno &c. apud R. predicti, in predicto comitatu E. ex malicia sua praecogitata, quendam E. L. voluntarie et felonice, per venenum interfecit et murtheravit, contra pacem dictae domini regis, coronam & dignitatem suas, ac contra formam statuti predicti &c.

For Pety treason against the wife for poisoning her husband, by putting Arsenicke and Rosegree in his drinke.

Sect. 166

Infratores &c. quod A. B. de &c. videtur, nuper vxor I. B. de F. praedicti &c. contra debitum matrimonij vinculum ac zelum & amorem quem eadem A. B. erga predictum I. B. nuper virum suum gerere deberet, diabolico instinctu ducta, ex malicia sua praecogitata, machinans, et intendens eundem I. B. nuper virum suum vita sua priuare, ac ipsum felonice & proditorie murtherare xj. die I. &c. apud &c. felonice et proditorie posuit in potum ipsius I. B. ad tunc viri sui, quoddam venenum mortiferum vocatum Arsenick et Rosegre, ac potum illum sic venenatum felonice et proditorie ad tunc & ibidem praedictum I. B. dedit et ministravit bibendum, qui quidem I. B. nihil fraudis aut doli versus praedictam A. inde suspiciens, potum illum sic venenatum et intoxicatum ad tunc et ibidem per instigationem & prouocationem dictae A. bibit: per quod idem I. B. ad eodem xj. die I. &c. vsque 22. diem I. tunc proximi sequentem languebat. Quo quidem 22. die anno &c. idem I. B. de veneno illo apud F. &c. obiit. Et sic dicunt Iurisperiti praedicti quod A. praedicti die & anno dictae I. B. ad tunc verum suum apud &c. felonice et proditorie intoxicauit et murtheravit, contra pacem dictae domini reginae &c.

For the breaking of prison, being imprisoned upon suspicion of the death of a man in the Queens gaole, vnder the custody of the Constable of a hundred.

Sect. 167.

Inquiratur pro dominum regina, si W. H. de C. in comitatu E. Mesmatt, vnus Constabulariorum dictae domini reginae hundredi sui de T. in comitatu E. predicti (in quo quidam hundredus sita est villa de C. predicti) quendam R. B. nuper de C. predicti in comitatu E. predicti Tailor, 20. die Septembris, anno regni dictae domini reginae nostrae Eli. dei gratia Anglae, Francia, & Hybernicae regis fidei defensoris &c. Tricesimo quinto, apud C. praedicti in dicto comitatu E. pro suspitione cuiusdam felonis (viz. pro morte cuiusdam M. N. apud H. in comitatu E. predicti felonis interfecti) cepit & arrestauit: Eadem de causa idem R. B. sub custodia dicti W. H. Constabularij, in prison dictae domini reginae apud C. predicti in comitatu E. predicti, postea scilicet dicto vicesimo die Septembris. anno supradicto fortiter, et duriter detentus fuerit, ac idem R. B. tunc ibidem sic detentus, postea (viz. dictis die et anno) apud C. praedicti in comitatu E. predicti, vi et armis praedicti prison ibidem felonem fregit, ac extra custodiam dicti Constabularij tunc et ibidem, contra eius voluntatem felonem euasit, contra pacem dictae domini reginae

dominæ Reginæ nostræ nunc, coronam, & dignitatem suas, necnon contra formam statuti in huiusmodi casu prouisi ac æditi.

For pulling of Sheepe.

Inquiratur pro dña Regina, si N.H. nuper de O. in Com' E. Labozer, Sect. 168
13. die Maij anno &c. clausum cuiusdam H.C. apud C. p̄d in Comit' E. p̄d fregit & intrauit, ac lanam quatuor ouium valor 4.s. de bonis et cattall' dict' H.C. apud O. p̄d in Com' E. p̄d a corporibus ouium p̄d adtunc & ibidem existen' expilabat, & ipsam lanam sic euulsam, felonice cepit & asportauit, contra pacem dictæ dominæ Reginæ &c.

*For the felonius taking of a purse, and money and gold in it,
from the person of a man.*

Inquiratur pro dña Regina, si N.H. nuper de S. in Com' M. Miller, Sect. 169
16. die April' anno &c. vi & armis, viz. &c. in quendam Ed.R. apud C. in Com' M. p̄d insultum fecit, & vnum bursam valor 2. d. & 9.s. in pecunijs numeratis, & vnam coronā Gallicam voc' a French crowne, valor 6.s. in bursa p̄d, adtunc & ibid' exist', de bonis & pecun' p̄d E. a psona ipsius E. clam & sine noticia ipsius E. adtunc & ibid' felon' cepit & asportauit, contra pacem dict' dñę reg. &c. ac contra formam statuti &c.

For Purse-picking.

Iuratores pro dña Regina presentant, quod I.S. nuper de A. in Com' Sect. 170
E. Taylor, 6. die Iulij, anno Reg. dictæ dominæ nostræ Eliz. Dei gratia Angliæ, Franciæ, & Hiberniæ Reginæ, fidei defensoris &c. 34. apud A. p̄d in Comitatu E. p̄d, in quodam loco ibidem (vocato the Elmes) vi & armis in quendam R.M. de A. p̄d in Comitatu E. p̄d Wocer, insultum fecit, & viginti solidos in pecunijs numeratis in crumena ipsius R.M. tunc ibidem existentes inuentos, de p̄d crumena ipsius R.M. tunc & ibidem a psonā ipsius R.M. (clam & insciente ipso R.M.) felonice cepit & asportauit, contra pacem dictæ dominæ Reginę, ac contra coronā, & dignitatem suas.

For unlawfull Puruycance of three Weathers without authoritie.

Iuratores pro domina Regina presentant, quod primo die Iulij, anno Sect. 171.
Regni dominæ nostræ Elizabethæ, Dei gratia Angliæ, Franciæ, & Hiberniæ Reginæ, fidei defensoris &c. 35. quidam H.W. nuper de G. in Comitatu C. Tippler, apud C. in Comitatu C. p̄d præseferens, & asse-

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rensse esse vnū ex prouisoribus & emptoribus hospitij dict' dñe Regine dict' 1. die, anno supradicto (quo quidem tempore nullum ostendit, aus secum habuit warrantum sub magno aut paruo Sigillo dict' dñe regine) apud C. p̄d in Com̄ C. p̄d, tres oues castratos (Anglice vocatas *Wethers*) precij viginti solidorum, de bonis & catallis I. S. de C. p̄d in dicto Com̄ C. p̄d, tunc ibidem existen' inuentas, sub colore purueyancie pro dicto hospitio, illegitime ac felonice cepit & abduxit: Contra pac' dict' dñe Reg: ac cont' form' diu'sor statuf in hñdi casu prouif. & edict'.

*For the Rape of a maide vpon the Statute of Anno 13. E. 1.
the which is recited.*

Sect. 172

Ivratores presentant, quod cum in Statuf in Parlamento dñi E. nuper reg. Angl' primo, anno regn' sui 13. tenf, ædiť, inter alia prouifum fit, quod si homo rapuerit vxor', ancillam, siue aliquam foemiñ vbi non consentierit nec antea neque postea, habeat iudicium de vita & membro, prout in eodem statuto plenius continetur. Quidam I. B. nuper de A. & c. p̄d, statum p̄d & c. tali die & An. Ioh. O. filiam H. O. ancillam apud W. in Com' E. p̄d, cont' volunt' suam feloñ rapuit, cont' pac' dict' dñe reg. & c. ac contra formam stat' p̄d & c.

For the Rape of a childe vnder the age of tenne yeares, vpon the Statute of Anno 18. of the Queene.

Sect. 173.

Ivratores pro dña Regina presentant, quod G. D. de B. in Com̄ E. Waterman, 3. die Iulij, anno Reg. dict' & dominæ nostrę Elię. Dei gratia Anglię, Francię, & Hiberniæ Regiņ, fidei defensoris & c. 34. apud B. p̄d in dicto Comitatu E. (in domo mansionali ibidem cuiusdam A. S. Hosteler) vi & armis in quendam R. M. de A. p̄d in Comitatu E. puellā infra ætatem decem annor' tunc existentē, infuleum fecit; ac tunc & ibidem eandem M. N. felonice ac carnaliter cognouit, ac eadem M. N. nequiter abusus est; contra pacem dict' dñe Reg. nunc, ac cont' form' statuti in parliamento dict' dñe Reg. nunc (tento apud W. in Com' Middlesexiæ, anno dict' reg. sui 18.) in hñdi casu prouif. ac ædiť.

For the Rape of a maide of the age of sixteene yeares, vpon the Statute of Anno 13. Ed. 1.

Sect. 174.

Ivratores presentant, pro dña Reg. q̄ B. C. de E. in Com' E. Tauerne, 15. die Octobris, anno reg. dict' dñe nre Eliz. Dei gratia Anglię, Francię, & Hierniæ Regiņ, fidei defensoris & c. 34. adud C. p̄d in dicto Com' E. quodam ibidem loco (voc' *le bawye*) vi & armis in quendam
A.K.

A. K. de E. præd in comitatu E. predicto, virginem ætatis sexdecem annos, tunc et ibidem in pace Dei & dictæ dominæ reginæ existens, insultum fecit, ac tunc et ibid' eandem A. contra voluntatem ipsius A. felonice rapuit, & carnaliter cognovit, contra pacem dictæ dominæ reginæ nunc, ac contra formam cuiusdam statuti in parlamento domini Edwardi olim regis Angliæ primi, tento apud West. in comitatu Midd. anno regni sui tertio decimo, in huiusmodi casu prouisi et cæditi.

For taking away a maide of the age of eleuen yeares, upon the statute of Anno 3. E. 1. in which the statute is recited.

I Vratores præsentant, quod cum in statuto in parlamento dñi E. nup regis Angl' primi, anno regni sui tertio tenf, cædit, inter cæter ordinat, existit, quod nullus rapiat neque capiat ancillam infra ætatem existentem p assensum suum, vel sine assensu suo, neque dictam ancillam, nec aliam foeminam contra voluntatem suam, & si aliquis hoc fecerit, ad sectam illius qui hoc sequitur infra quadraginta dies, dominus Rex sibi faciet communem iusticiam, et si nullus incipiat sectam in hac parte infra xl. dies, domiñ rex sequetur, & illi qui inueni fuerint culpabiles, habeant prisonam duorum annorum, et postmodum redimantur ad voluntatem domini regis prout in eodem statuto plenius continetur. Quidã I. B. nuper de A. &c. statutum præd' minime ponderans &c. I. O. filiam H. O. ancillam, & infra ætatem existentem, viz. ætatis xj. annorum quadraginta diebus elapsis apud W. tertio die S. anno &c. violenter cepit & rapuit, contra formam statuti præd', ac contra pacem &c. Sect. 175

For a Rescous of a woman arrested (amongst diuers others) by the Sherifes officers upon a warrant from a iustice of the peace in their generall Sessions to put in surety to appeare before them at the next Sessions, and in the meane time to be of good behauiour, and for the hurting of one of the said officers with an arrowe.

I Vratores pro dña regina p'sentant, quod cum H. C. R. H. & I. B. arm' ac socij sui Iust' dictæ dñæ reg' ad pacem in com' E. cõseruand, nec o ad diuersa felon trñs & alia malefact' in eodẽ comit' ppetrat, audiend et terminand assign, in generali sessione pacis tenent apud T. in comit' E. p'd die Martis pxim' post festum S. Trinitatis, anno &c. mandauer vic' eiusdem comitat' E. necnon et eorũ cuilibet, q non ommitterent p'p' aliquã libertatẽ comit' E. p'd, quin eam ingrederent' seu vnus eorum ingrederet, et attacharent seu vnus eorum attachiaret corpora O. W. nuper de W. in comit' T. Labozer, et A. I. de W. præd' in comit' E. præd' Seruant, et eos corã Iusticiã præd', vel vno socioꝝ suor' Iustic' pacis in comitatu E. præd' veniẽ compellerent, seu eorum vnus venire compelleret, ad Sect. 176.

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inueniendum sufficientē manucaptionē, quod ipsi personaliter compare-
rent coram dictis Iustic' & socijs suis præd', ad proxim' sessionē pacis in
com' E. præd' tenend'. Et quod interim se bene gererent erga dictā dñam
reginam & cunctam populū suū, secundum formam statuti in hñdi
catu ædit & prouis. Cumque præf' G. L. & I. R. virtute mandati præd' ar-
restassent præ Agn' I. & eam coram Iustic' præd' vel eorū vno duces vo-
luissent, prout mandatum prædict' Iustic' prædict' in se exigebat, quidam
tamen A. B. de W. predict' in com' E. præd' gener', & R. W. de W. præ-
dict' in comitatu E. præd' yeoman, leges dictæ dñæ regin' minime ve-
rent, ex malicia sua præcogitā in contemptum dictæ dñæ reginæ, legū
suarum, ac mandati Iustic' præd', x. die Maij, anno & c. apud W. præd' in
comitatu E. præd' riotose & illicite assemblati et congregati, in præf'at
G. L. et I. R. in pace Dei et dictæ dominæ reg' adtunc et ibidem existēti
insult' & affraiam fecer', ac præf'at R. W. diuers' sagittas Angl' voc' ar-
rows, versus præf'at G. L. & I. R. adtunc et ibidem sagittabat, ea inten-
tione, vt præf' G. L. et I. R. vulneraret, ac predict' Agnetem in custodi' eo-
rund' G. et I. rescussit, ac præf'at R. W. cum vna sagittā valor' vnus de-
nat', quam adtunc & ibidem ipse ieculabat et mittebat versus præf' I. R.
ē quodam arcu, Angl' voc' a Long bowe, valor' ij. s. quem in manu sua
leua adtunc et ibid' tenuit, percussit, ac crus dextrum eiusdem I. R. ad-
tunc et ibidem perforabat & transforabat, dans eidem I. R. adtunc ibid'
in crure suo præd', vnam plagam in profunditate trium policiū, ac i-
dem R. W. cum vna al' sagitta valor' vnus denat' quam adtunc et ibidem
iaculabat et mittebat versus præd' G. L. ē predicto arcu quē in manu sua
sinistra ibidem R. W. adtunc et ibidem tenuit, præf'at G. L. percussit, dans
eidem G. adtunc et ibidem in infima parte sinistri cruris eiusdem G. vnā
plegam in longitudine dimidij policis, ac in profunditate vsque ad ossa
præd' cruris eiusdem G. Ac preterea præf' A. B. et R. W. Agnetem I. ad-
tunc et ibidem a custodi' dictorum G. L. et I. R. vi et armis rescussit, at-
que eandem Agnetem I. adtunc et ibidem ad largum ire et euadere fecer',
contra pacem &c.

*Of high treason for rebellions insurrections and the
aiders and comforters.*

Sec. 177

Inquirator pro dño rege, si Richard' M. nuper de S. in com' K. ac alij
falsi proditores et inimi. i metuendissimi ac Christianissimi principis
E. regis Angliæ quarti post conquestum Angl', ignot, die & anno &c.
apud Sanct' Elins in ipsula Vectæ in com' South. se insimul congrega-
uer' tunc & ibidē vi & armis, viz. gladijs &c. Insurrexerunt quoque ad
comfortand' et supportand', I. nup' comit' W. falsum p'ditor' et inimicum
dñi reg' nunc, apud W. de diuisis alijs p'dition' erga ipm reg' infra regn'
suū Angl' fact', cōiuct', et attinct', idēque R. W. et alij p'ditor' & inimi-
ci præ-

ḡd̄, ḡd̄ I. nuper Comitem W. & complices suos, vt falsi proditor, contra legiantia sue debitum, falso & proditorie, ad tunc & ibid̄ ad premissa faciend̄ conuenit ac confortauer̄, & tunc & ibid̄ eidem I. nuper Com' W. & complicitibus suis fuerunt adherentes, scientes ipsum I. nuper Com' W. de prodicionibus suis ḡd̄ attinet' & conuict', contra ligeantiam suam &c.

Another of high treason for rebellious insurrections, and the ayders and comforters.

INQUIR pro dño rege, si W. L. nuper de P. in Com' M. Marchant, G. B. nuper de &c. ac quamplur alij falsi proditor, rebelles, & inimici ignoti Christianissimi Principis E. regis Angliæ 4. post conquestum, ex assensu voluntar' & pposito diuersor' alior' falsor' proditor' & inimicor' dñi regis, viz. I. nuper Com' W. & I. nuper Com' K. qui nuper autoritate Parlamenti dicti regis apud Westm̄ &c. tenē, de diuersis prodicionibus erga dict' reg. infra regn' Angl' factis conuict' & attinet' exist' 4. die Martij, & die Mercurij, & dieb' Sabbati & dñie' proximā post fest' Pentecostes & diuisis dieb' antea & postea, anno regni dicti dñi regis 3. apud P. in Com' M. ḡd̄ insimul se congregauer̄, & int̄ se communegauer̄, quo modo ipsi pref. I. nuper Com' W. & complice' suos cum eis ad tunc & ibidem super mare in nauib' suis (vt falsi proditores) existentes, per nimiam potestāt ḡd̄ I. nuper Com' W. ac pref. Com' K. & alior' falsor' proditor' & inimicor' dict' dñi regis, de eor' conuina, & falso proposito exiit', vsq; regn' Angl' potuerunt producere: & dict' regem & dominos suos, tam spirituales quam temporales per totum posse suum, de regia potestate sua, et gubernatione regni ḡd̄, per nimiam dotestāt penitus depriuar', & gubernationem, regni ḡd̄ super se accipere & retinere proponēt, credebāq; ad tunc & ibid̄ ḡd̄ W. & G. & alij falsi proditores & rebelles ḡd̄ q' maxima pars totius regn' Angl' cum eis d̄ falsis proditorib' in falsis opinionib' suis stare voluisset, & ad illud falsum & nefand' propositum suum si alit̄ pimpend̄ ḡd̄ W. & G. & alijs falsi proditores & rebelles ḡd̄ dict' die & anno apud P. ḡd̄ in dict' Com' M. vi & armis, sc. gladijs, gleuijs, arcubus, sagittis, loriceis, duploidib' defensiujs, & alijs armaturis &c. insurrexerunt, & ḡd̄ S. nup Com', in cibis potib' & alijs necessarijs erga dom̄ regem falso et proditor' confortauer̄, auxiliauer̄, et supportauerunt, et eisd̄ nuper Com', vt falsi proditores cont' ligeantia suæ debet ad tunc et ibid̄ fuer̄ adherentes, et cum eis d̄ Com' naues suas ḡd̄, (vt falsi proditores) ad proditoria sua proposita ḡd̄ perimplend̄ et perficiend̄, conscenderunt & in eis permanserunt: scientes ipsos nuper Com' in forma ḡd̄ sic attinet' et conuict', in final' destruct' dicti dñi reg. ac cont' ligeantiam suam &c.

Sec. 178

Aydc.

Indictments, and

For regrating of Corne in a Market.

Señ. 179.

INquir pro &c. si W. T. de N. in p̄d Com' E. & A. B. &c. r. die &c. et
quamp̄lur al' dieb' antea & postea, fuer' regrat' mercat' de D. in p̄d com'
E. ac diuisa gener' gran' ad mercat' p̄d per diuers. liges dict' dnæ reg.
il' aduen', viz. x. quart' frum' ad valenc' 6 l. apud D. p̄d in p̄d Com'
E. regrat', ad inrention' q' idem frum' iter' venderent, ad graue damñ po-
puli dict' dnæ reg. cont' form' diūsor' stat' in hñdi casu edit' et prouis.

*For regrating of Fish and Butter in a Market, and selling of it in
the same Market.*

Señ. 180

IVr pro dnæ reg. presentant q' A. B. de C. in dict' Com' S. Mercer,
20. die Iulij anno regni dict' dnæ nræ Eliz. Dei gratia Angliæ, Fran-
ciæ & Hiberniæ reg. fidei defensor' &c. 34. apud C. p̄d in Com' E. p̄d
in quodam mercat' tunc ibidem tenē pro xl. s. monēt' emit, regratauit,
obtinuit, et nactus est in possessionē et man' suas, x. paria pisc' (Angl' dict'
fente couple of Lings, et tria vasa butyri salis Anglice voc' thre firkins
of salt butter) de quodam E. F. qui p̄d x. paria pisc', ac dict' tria vasa bu-
tyri ad eundē mercat', vt ea ad tunc ibidē venderē, adduxisset: et q' immed.
postea, sc. dict' 20. die anno sup̄d idem A. B. in dicto eodem pleno mer-
catu tunc ibidē apud C. p̄d, in dicto Com' E. tento, eodem oīa dicta pa-
ria piscium, ac butyri vasa, cuidam H. R. p̄ 30. s. legal' monēt' dice' dnæ
reg. huius regni sui Augl' illicite vendidit, in magnum reipub. damnum
ac cont' form' diūsor' stat' huius reg. Ang. in hñdi casu prouis. et editoŝ.

For a Rescous of one in the Stockes for suspicion of felonie.

Señ. 181

IVr pro dnæ reg. presentant, q' 20. die Iunij, anno regni dict' dnæ nræ
Eliz. Dei gratia Angliæ, Franciæ, et Hiberniæ Reg. fidei defensoris
&c. 34. quidam A. B. nuper de C. in Com' E. Clouet, apud C. p̄d in
Com' E. p̄d captus est et arrestatus per E. F. de C. p̄d in Com' E. p̄d
p̄comar, pro suspitione cuiusdam felonix, viz. vnus vaccæ ipsius E. F.
per prefatum A. B. felonice (vt idem E. F. tunc assererat) captæ et abdu-
ctæ, et quod idem A. B. immediate postea traditus est per prefatum E. F.
cuidam H. M. tunc Constabulario Hundredi de N. in Com' E. p̄d, in
quo sita est villa de C. p̄d; qui quidem Constabularius in Com' E. p̄d,
postea, viz. dicto 20. die Iunij, anno 34. supradicto, eundem A. B. in
prisona in cippis ibidem posuit, ad eum saluo ibidem custodiendum, do-
nec idem Constabularius parare possit auxilium ad ducendum eundem
A. B. coram aliquo Iusticiariorum pacis dictæ domine Regine in Com'
E.

E. p̄d̄, examinandum: Ac quod postea (sc. dicto 20. die &c. anno supradicto) quidem G. L. de C. p̄d̄ in Com̄ E. p̄d̄ Glouer, apud C. p̄d̄ in dicto Com̄ E. vi et armis cippos p̄d̄ effregit: ac eand̄ A. B. tunc ibid̄ existē ex eis d' custodia, prifona, et cippis felonice cepit, eripuit et reseussit, ac ad largum ire et euadere permisit, contra pacem dict' dñæ reginæ, coron', & dignitatem suas.

For giuing of a Lingerie.

IVf pro dñā reg. presentant, q̄ T. B. de C. in Com̄ T. Armiger, 2. die Septembris, anno regni dict' dñæ nræ Eliz. Dei gratia, Angliæ, Franciæ, et Hiberniæ Reginæ, fidei defensoris &c. 34. apud C. p̄d̄ in Com̄ E. p̄d̄, quosdam liberatas vesturæ, viz. cuidam A. B. de C. p̄d̄ in Com̄ E. p̄d̄ Peoman, tres vlnas panni lanei, color veneti, precij 20. s. ci C. D. de B. in dict' Com̄ Peoman, alias tres vlnas similis panni lanei, eorundē coloris et precij, ad duas seperales tunicas pro pref. A. B. et C. D. inde faciendas, dedit ac distribuit: vbi reuera pref. A. B. et C. D. aut eorum alter, nunquam fuerant, aut fuit domestici seruentes, aut domesticus seruiens, officarij, siue officiarius, balliui siue balliuus, dicti T. B. aut de consilio ipsius T. B. in vna lege siue altera eruditi vel eruditus: In magnum dict' dñæ reg. contemptum, ac contra formam diuersorum statutorum in huiusmodi casu antehac prouis. et edit̄. Sect. 182

For receiuing and vsing of a Lingerie.

IVf pro dñā reg. presentant, q̄ A. B. de C. in Com̄ E. Peoman, vnam liberatam panni, viz. tres vlnas panni lanei, coloris veneti (vocati Anglice *Watchet*) ad valentiam 20. s. ad tunicam inde sibi faciendam de T. B. de C. p̄d̄ in Com̄ E. p̄d̄ armig', apud C. p̄d̄ in dicto Com̄ E. 2. die Augusti &c. recepit, et eadem tunica a dicto die 2. anno supradict' vsq; 3. diem mensis Septembris, anno supradicto apud C. p̄d̄, in Com̄ E. p̄d̄ & alibi in diuersis locis infra Com̄ q̄d̄ vsus est: vbi idem A. B. dicto tempore receptionis liberatæ p̄d̄, aut vnquam postea non fuit familiaris, officarius, balliuus, aut de consilio dicti T. B. in vna lege aut altera eruditus: In magnum dict' dom̄ reg. contemptū, ac cont̄ formam diuersorum statut' in hñdi casu antehac prouis. et editorum. Sect. 183

For

Indictments, and

*For giving, receiving, and using of Liveries, upon the Statute
of Anno 7. H. 4. and Anno 8. H. 6.*

Sect. 184

IVf dicunt, q̄ cum in stat dñi regis H. 4. nuper regis Angl', anno regni sui 7. &c. ac in stat in parliam̄to dño H. 6. bonæ memoriæ, anno regni sui 8. apud W. tenet & edit, inter cetera continetur, q̄ non licet alicui, cuiuscunq; status, gradus, seu conditionis fuerit, dare aliquam libertatam vestur' vel capic' alicui personæ, nisi tantummodo familiaribus, officiarijs, balliuis, et seruientibus suis, ac alijs hominibus de consilio suo in vna lege seu altera eruditis, sed poena C. s. de terris & tenentis, bonis & catallis hñdi liberat' dant', 5. 4. s. de terris & tenentis, bonis & catallis hñdi liberat' recipient' siue vrent', toties, quoties aliqua liberat' in contrarium stat' p̄d', dat' seu accepta fuerit, leuand' : quidam tamen R. B. de C. in Com̄ H. arm̄ stat' p̄d' minime ponderans, quasdam liberatas vestur', viz. diūsas togas coloris frost meadow, quibusdam I. de B. Peoman, &c. S. C. de eodem Peoman, qui nec sunt nec vnquam fuerunt seruient' offic', balliui, seu familiar' ipsi' R. B. nec in lege vna seu altera aliquat' erud' aut instruct', die &c. anno &c. apud &c. dedit & distribuit. Et p̄d' I. et S. easd' togas de p̄f. R. eisd' die, anno et loco, cont' form̄ stat' p̄d' receper', et eisd' togis continue à p̄d' die &c. vsq; &c. apud E. F. et S. vli fuerunt, in contempt' dñæ Reg. legisq; suæ dedecus manifest', ac cont' form̄ stat' p̄d' &c.

For an affray made by diuers, at a generall Sessions of the Peace.

Sect. 185.

IVratores pro Domina Regina presentant, quod vicefimo noue die Decembris Anno regni dictæ dominæ nræ Elizabethæ Dei gratia Angliæ, Franciæ, & Hiberniæ Reginum, fidei defensoris &c. Triagesimo quinto apud M. in Com̄ G. tempore generalis Sessionis pacis in predicto comitat' tunc ibidem tenet', & H. C. Milite & socijs suis Iusticiari' dictæ Dominæ Regine ad pacem in dicto comitatu G. conseruandam assignat', tunc ibidem existentibus, & in plena curia sedentibus, quidam A. B. C. D. E. F. G. H. & I. K. de S. in com̄ G. p̄d' generosi, aggregatis sibi nonnullis alijs pacis dictæ dominæ Regine perturbatoribus ignotis ad numerum xxx. hominum G. & armis, viz. gladijs & pugionibus, armatis, illicite, routose, & riotose, sese amisseblauerunt, ac inter se insultum & affraiam maximam tunc & ibidem fecerunt, sece inuicem verberantes, & vulnerantes, in magnum terrorem tam dictorum Iusticiariorum tunc ibidem in curia sedentium, quam totius populi dictæ dominæ Regine ad dictam Sessionem pacis tunc & ibidem conuenientis, ac contra pacem, coronam, & dignitatem dictæ Dominæ Regine nræ.

Or

Or thus.

Iuratores pro domina reg' presentant, quod I. B. de R. in comitatu E. Sect. 185
 prædicto yeoman, I. G. de eisdem yeoman, W. B. de P. in comitatu E.
 prædicto yeoman, & T. K. de eisdem yeoman, vndecimo die Ianuarij,
 anno regni reginæ Elizabethæ &c. tertio apud W. in comitatu E. præ-
 dicti, tempore generalis Sessionis pacis adtunc et ibidē tenē, & Iustic' dic-
 tæ dom' reginæ, ad pacem in comitatu predic' conseruand' assign' ibidē
 existent, vi et armis viz. &c. illicite et riotose sese assemblauer, & per in-
 stigationem & procuracionem p'dict' I. B. & W. B. insultum et magnā
 affraiam adtunc & ibidem inuic' fecer, & commiser in magnum timorē,
 tremorem, et perturbationem, tam prædict' Iusticiæ dictæ domin' re-
 ginæ adtunc et ibid' existen' quam totius populi & legeor' subdit' dictæ
 dominæ reg' in com' S. pred', adtunc et ibidem confluenc', contra for-
 mam et ordinationē p' Iustic' pred', adtunc & ibidē de pace gerend' fact'
 in manifest' contemp't' dict' dom' regin', ac in iustic' ibidem exequenā
 & administrandā retardatiōnē manifest', ac contra pacem dictæ dominæ
 Reginæ &c.

*For a Riot in a Parke vpon the keeper of the Parke and his seruant, and for
 hurting the keepers seruant with an arrow.*

Inquirat pro dom' reg', si E. P. &c. H. P. &c. & R. B. &c. aggregat' &c. Sect. 186
 riotos. & routos. & modo nouæ insurrectiōn, in conuenticulis illic', &
 modo guerrino arraiat, vi & armis, viz. &c. 30. die apud H. in com' E.
 p'dic', in clausum & parcum E. P. viduæ, ibidem sese illicit', riotose &
 routose assemblauer, congregatum, & vniuer, ad pacem dictæ dominæ
 reginæ disturbandā, et adtunc & ibidem in quenā A. D. gen' custod' par-
 ci pred' & in I. B. famul' ipsius A. in pace Dei, et dictæ dominæ reg' ex-
 isten' insult' fecer & pred' G. P. vnam sagitt' ē quod arcu tenē quem idē
 G. P. in man' suis adtunc et ibid' habuit & tenuit, sagitt'. Et eund' I. B. cū
 sagitt' predict', in pectore suo percussit, dans eidem I. B. vnam plagam
 profundē dimid' pollicis, et latitud' vnius pollicis, ita quod de vita sua
 desperabatur, & alia enor' eis intuler ad graue damnum ipsorum A. & I.
 contra pacem dictæ dom' regin', & contra formam statuti in huiusmodi
 casu æditi & prouisi.

For Riot in pulling doayne of Hedges and Ditches.

Inquirator pro domina Regina, si I. R. nuper de B. in comitatu præd' Sect. 187
 yeoman, R. A. nuper de G. in com' pred' Husbandman, et I. B. nuper
 de D. in comitatu præd' Home, cum multis alijs malefactor' eis aggre-
 gat', & pacis dictæ dominæ Reginæ perturbator' ignot', modo guerrino
 arraiat,

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arraist, vnit, assemblat, et congregat, ad numerum quindecim personarū per instigationem et procuracionem prædicti I. R. in magnam terrorem subditorum diestę dominę reginę, quarto die Maij, anno regni dominę nostrę Elizabethę, &c. secundo, vi & armis, viz. gladijs, falcistris, bipennis, baculis, et alijs armis inuasivis, clausam R. B. armig' apud F. infra parochiam de B. in comitatu prædicto vocat. the D. riotose fregērunt et intrauerunt, ac sepes et claus. præd' R. B. ad numerum sexcentorum pedum, adtunc & ibidem existent, lacerauerunt, irruerūt, et prostrauerunt, et fossat ibidem existent, adtunc & ibidem cum legonibus et bipallijs foderūt, planauerunt, et impleuerunt, ad graue damnum ipsius R. B. contra formam diuersorum statutorum de Riotis et rotius, et alijs conuenticulis illicitis inde nuper ædit et prouit. & contra pacem dictę domine reginę &c.

An Indictment against many, for beating and imprisoning of the Sheriefes baylife, comming with the Sherifes Replevy to execute it, whereun the Replevy is recited.

Sect. 188

INquiratur pro Domina Regina, quod cum N. W. miles, comitatus E. per war' suum de liberatione sigillo suo sigillat, cuius datus est quinto die Aprilis, anno regni H. 8. vicelimo septimo, mandauit cuidam A. B. balliuo suo comit' E. præd', quod deliberauit, seu deliberari faceret cuidam T. H. aueria sua quæ W. S. nuper de S. in comitatu præd' E. gener, & P. B. nuper de eadem vill' et comitatu Clouthier, cepissent et iniuste detinebant contra vad' & pleg' vt præfat. Tho. dicebat: Et quod poneret ipsos W. et P. per vadios & saluos pleg' ita quod essent ad proximū comitat' ipsius vicecomit' apud I. in comit' præd', tenend', ad respondendum præfat. T. H. de placit' prædicto: virtute cuius warrant', præd' A. die et anno supradictis apud S. prædict' requisit' præfat. W. S. quod dimitteret sibi aueria prædicta, ad deliberandum eidem præfat. T. H. secundum vim, formam, et effectum warranti prædicti, si præd' W. ac quidam H. C. nuper de S. in comit' prædicto Husbandman, cum multis alijs ignotis ad numerum octo personarum, dicto quinto die Aprilis, anno supradicto apud S. prædict' warrant' prædict' minime ponderantes, vi & armis, viz. gladijs et baculis, in præf. A. insultum fecerunt, verberauerunt, vulnerauerunt, & maletratauerunt, ac ipsum A. adtunc et ibidem imprisonauerunt, & detinuerunt, per spacium quatuor dierum & quatuor noctium extunc prox' sequent', & adtunc et ibidem debitam executionem warranti prædicti contradixerunt, impediuerunt & disturbauerunt, ad graue damnum ipsius C. ac contra pacem dicti domini regis, coronam &c.

For

For a Riot in cutting and carrying away of Corne.

IVrator &c. quod A. B. & E. D. &c. aggregatis eis quampluribus alijs Sect. 189
malefactorib⁹, & pacis dñe reg. perturbatorib⁹ ignotis, ad numer⁹ 4. p-
sonar⁹ modo guerrino arraiat⁹ 3. die Febr. anno &c. vi & armis, viz. gla-
dijs, baculis, & alijs arm⁹ tam inuasivis quam defensivis apud F. in com⁹
Ebor⁹ iniuste, riotose, & routose, assemblauer⁹, clausumq; T. L. apud C. ad-
tunc & ibidem iniuste fregerunt, & intrauer⁹, & 10. ac⁹ tritici, adtunc &
ibid⁹ crescent⁹ valor⁹ &c. de bon⁹ et catal⁹ T. L. p⁹ d⁹, adtunc et ibid⁹ inuē⁹ iniust⁹
riotose et routose mes⁹ l. falcauer⁹, et aspor⁹, cont⁹ pac⁹ dict⁹ dom⁹ reg. &c.

For robbing of one in the high-way.

INquirat⁹ pro domina Regina, Si A. B. de C. in Comitatu E. Matiner, Sect. 190
sexto die mensis Octobris, Anno regni dicte dom⁹ nostr⁹ Elizabeth⁹
Dei gratia Angl⁹, Franc⁹, et Hibern⁹ Reg. fidei defensor⁹ &c. Tricesimo
quinto, vi et armis, viz. cum gladio & pugione (ad valentiam x. s.) di-
strictis, inter horas septimam et octauam ante meridiem eiusdem diei in
alta via Regia iuxta quendam locum (vocat⁹ Cads hill) infra paroch⁹ de
F. in Com⁹ E. pred⁹, in, & super quendam I. S. de B. in Com⁹ E. p⁹ d⁹, petite
chapman, tunc et ibidem in pace Dei, ac dict⁹ domine Regine existen-
tem insultū fecit, & ipsum I. S. tunc et ibidem cum dict⁹ gladio percussit
et vulnerauit, ex 20. s. legal⁹ monē Angl⁹ numerate in crumena ipsius I.
S. existentes, de bonis & catallis pred⁹ I. S. adtunc & ibidem inuentos à
persona ipsius I. S. tunc et ibidem violenter et felonice cepit et aspor⁹, in
magnum pred⁹ I. S. terrorem, ac cont⁹ pacem dicte dom⁹ Reg. coron⁹,
et dignitatē suas.

*An Indictment against one for assalting and beating of two in the high-way
to the intent to haue killed or robbed them.*

INquiratur pro dñi reg. si H. B. nūp de B. infra parochiam de W. in Sect. 191
Com⁹ E. Sadler, 17. die Nou. anno &c. circa horam sextam post meri-
diem eiusd⁹ diei apud O. in Com⁹ E. p⁹ d⁹, in cōmuni via regia, in quod⁹
loco ibid⁹, voc⁹ C. in quod⁹ T. L. et W. W. adtunc et ibid⁹ in pace Dei
& dict⁹ dñe reg. existen⁹, insultū fecit, cum quod⁹ gladio precij 6. s. quem
ipse in manu sua dextra adtunc & ibid⁹ habuit, & ipsos T. L. & W. W.
grauit⁹ verberauit, vulnē, & maletact⁹, ita q⁹ de vitis suis desperabat⁹, ea
intention⁹ ad interficiend⁹, vel sal⁹ ad spoliand⁹ p⁹ d⁹ T. L. & W. W. de bon⁹
& pecun⁹ suis, & alia enormia eis adtunc & ibid⁹ intulit, ad graue damnū
p⁹ d⁹ T. L. & W. W. ac contra pacem dict⁹ dñe reg. &c. *ut supra.*

An:

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An Indictment against a Cooke, for an assaulting one by the high-way and taking from him his cloake.

Sect. 192

INquit pro domin' reg. si I. G. nup de A. in Com' E. Cooke, 13 die Aprilis, anno &c. vi & armis &c. circa horam 4. post meridiem eiusdē diei, apud S. in Com' E. p̄d in via regia ibid̄ in quend̄ I. W. adtunc & ibid̄ in pace Dei, & dict' dñę Reg. existē in sulc' fecit, & ipsū Ioh. W. adtunc & ibid̄ in magno timore corporal' imposuit, & vnam clamiā vocatā a cloake, coloris blew, valor 3. s. 4. d̄. in pecunijs numeratis, de donis & cattall' dicti I. W. à p̄sona eiusdē Ioh. adtunc & ibid̄ inuenē felon' cepit & asportē cont' pacē dict' dñę reg. coronā, & dignitat' suas, *ut supra*.

An Indictment against one for making an assalt and affray, upon one in the new Forest in the high way, and taking from him his purse and twenty shillings in it, and two gold rings of his fingers.

Sect. 193.

IVrator &c. quod A. B. nup de &c. 2. die I. &c. vi & armis, viz. &c. in noua forest' in quod' loco ibid̄ voc' I. in paroch' de F. in Com' p̄d, in quend̄ homin' ignot' in reg. via ibid̄ in sulc' & afraia fecit, & cum in timor' corpor' adtunc & ibid̄ posuit, & 30. s. in pecun' num' in quad' crum' ibid̄ exist', & 2. annual' aurens valor &c. sup' digit' eiusdē hom' ignot' exist' de bon' & cattall' eiusdem hom' ignot' a p̄sona sua adtunc & ibidem felon' cepit & asportauit contra pacem &c.

Against a Rogue, a Vagabond, and against him which lodgeth and releueth him.

Sect. 194.

IVrator pro dñi reg. presentant, q̄ A. B. nup de C. in Com' E. Laborer, ætatis 14. annos & ampli', ac corpore sano, valent', potente, atq; ad laborand' habili exist', nullam autem habens terram, nec vllam magistr', nec aliqua vtens licita Merchandiza, arte, vel mysterio vnde sibi vict' parare posset, ac prorsus nesciens rationem reddere quo pacto vict' suū legitim' acquirat, 10. die Augusti, anno reg. dominæ nræ Eliz. Dei gratia Angliæ, Franciæ, & Hiberniæ Reginæ, fidei defensoris &c. 35. apud E. infra hundredum de W. in Com' E. p̄d, & multis alijs in locis dicti Com' E. hac illac passim vagatus est mendicans, ac per W. P. de E. p̄d, in dicto Com' E. Peouan, Constabularium dicti hundredi de W. (in quo sita est villa de F. p̄d) postea, viz. 1. die dicti mensis Aug. anno sup' p̄d, apud E. p̄d in Com' E. p̄d inuenē est vagans, & mendicans, ac p̄ eundē Constabularium tunc ibid̄ deprehens' est inordinate se gerens, tanquā vagabund' & mendic' valens contra pacem dictę dominę Reg. ac cont' forin' diuer-
forum

forum Statutorum in diuersis Parliamentis dictæ dñæ reginæ tunc inde prouisorum et æditorum : & vterius quod G. H. de E. pred', in com' E. Pæoman, sciens p̄fat. A. B. modo et forma p̄dictis vagantem et mendicant' eundem tamen A. B. dicto decimo die anno supradicto in domo ipsius G. H. mansionali apud E. prædictam, in com' E. pred' hospitauit, et idem A. B. tunc et ibidem panem et potum voluntarie dedit, in contemptum dict' domine regin', ac cont' formam statutor' p̄d'.

For breaking of a safe conduct granted by King H. 6. to Marchant strangers of Genoua.

I Vrat' presentant, quod cum illustrissimus princeps Henrius rex Angliæ sextus post conquest', per literas suas patentes sub saluo conductu suo, concessit licentiam, & saluum conduct' suum dedit A. B. et D. & alijs alienigenis Mercatoribus de Genoua, pro eis, et quadam naui voc' (a Carth) et pro bonis, rebus, et merchandis suis, infra eandem nauem existen', de transitu portus South. in Anglia per mare, versus partes Genuæ transferend', et eadem absque aliquibus roberijs, fractione, impeditioe, perturbatioe, aut captioe ipsorum alienigenen', bonor', et merchand', siue mercimoniorum suorum predictorum, per aliquos ligeos dicti domini regis infra regnum dicti regis Angliæ, gaudend', sine impeditioe ibidem : quidam H. et D. in comitatu E. armig', et alij fractores salui conductus domini Regis, de ligeis ipsius domini regis infra regnum Angl' existen' ignot', vi & armis, viz. gladijs, arcub', sagittis, duploidibus defensiujs, et alijs armis defensibilibus armati saluū conductum præd' minime verentes & spernentes, in prædictos A. B. & alios alienigenos ad tunc et ibid' insult fecerunt, & ipsos verberauerunt, vulnerauer', ac maletractauer', et ipsos in naui p̄d', tanquam eorum prisionarios ad tunc & ibidem ceperunt et custodiuer', et eos in prisiona sub custod' sua, diu, viz. per 4. dies, quousque ijd' A. B. et D. et alij alienigenæ in eadem naui existen', finem & redemptionem pro saluo conductu et deliberatione suis habend', pro sexcent' marcis cum præf. H. et alijs prædict' fecissent, detinuerunt, contra saluum conductum domini Regis prædict', et cont' formam statuti in huiusmodi casu prouis. et ædit', ac contra dignitatem regiam, ac in malum exemplum aliorum &c.

For Sacrilege or Burglary in a Church in the night time, and the taking away of the Communion Cup.

I Vrat'ores præsentant pro domina regina, quod A. B. de C. in comitatu E. prædic' Saitlet, primo die Septembris, anno regni dictæ dominæ nostræ Elizabethæ Dei gratia Angliæ, Franciæ, & Hybernæ regin', fidei

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fidei defensoris &c. Tricesimo quarto, vi et armis Ecclesie parochi de C. præd in dict' com' E. felonice, et burglar' fregit & intrauit noctanter, viz. inter horas decim' & vndecimā post meridiē eiusdem diei, ac vnum calicem argent' (Angl' voc' a Communion cup) ad valenc' xl s. de bonis et catall' parochianorū de C. p̄d, aduinc existentē in eadē ecclesia, & tunc ibidē inuentū felon' coepit, et asportauit, cont' pac' dictæ dñæ regiñ nunc coronam & dignitatem suam.

*For Sacrilege or robbery in a Church, and for the taking away of two
Communion Cups, two Copes of blake velvet, and three
Surplices.*

Sect. 197. **I**nquiratur &c. si I. M. nuper de D. in com' M. & R. H. nup de ead' D. p̄d, in comit' M. p̄d p̄coman, laici hom' (vt supra) 23. die &c. vi & armis, viz. gladijs, baculis, & cultellis ecclesiā parochialem omniū sanctorū de E. apud E. in com' M. p̄d circa horā 12. in nocte eiusd' diei felon' freguerunt & intrauerunt, et duos calices de argent' et auro, duo vestimen' de nigro veluet vocat' Copes, tres pannos lineos voc' &c. ad valenc' &c. de bonis et ornament' de parochi' de E. præd in com' M. p̄d, in custodiā I. B. et T. P. custod', et gardiā eccl' p̄d ad tunc ibid' inuent', felon' furati fuerunt, ceperunt, et asportauer' contra pacem dict' dom' regis ac contra formam statuti eiusdem domini reg' ann' reg' sui 33. edit' et prouif. &c.

*For slanderous writing and publishing of the same.
against the Queene.*

Sect. 198 **I**uratores pro domiñ regina præsentant, quod A. B. nup de C. in com' E. Clericus' 25. die Iulij, anno regni dictæ dñæ nostræ Eli. dei gratia Anglæ, Franciæ, & Hyberniæ reg' fidei defensor' &c. tricesimo quarto, apud G. in com' E. p̄d, consulte et deliberate, cum maliciosa intentione, & felon' quoddā scriptum Anglice edidit et publicauit, continens (inter alia) hanc falsam, seditiosam et scandalosam materiam, ad defamationem maiestatis dict' dñæ rñe nostr' nunc, viz. (reciting the seditious words thereof) cont' pac' dictæ dñæ rñæ nre, & regalem maiestati suam (cui ne in cogitat' quidē detrahere licet (ac cont' formā cuiusdam statuti in Parliam' dict' dñæ rñæ nre nunc, tenet' apud W. in com' Midd', anno regni sui vicesimo tertio, in huiusmodi casu prouif. ac ædit.

*An Indictment against a Schoolemaster being a recusant for teaching schoole
in a widowes house without licence, and against the widow for keeping him
in her house knowing him to be a Recusant.*

Sect. 199 **I**uratores pro dñā Regina præsentant, quod K. M. de L. in comitat' E. Scholæ magister, Secundo die Septembris, anno regni dictæ dñæ nre Eliz.

Elizabethæ, Dei gratia &c. tricesimo quarto, vsq; nunc, in domo mansionali cuiusdam E. A. de I. p̄d̄ in com' p̄d̄ viduæ, ausus est, et presumpsit erudire, & docere pueros dictæ E. A. ibid', cum idem K. M. durante tēporē p̄dicto non accessit, nec resortauit ad eccl' parochial' de I. pred' in com' F. pred', nec ad vllam aliā capellam, aut vsualem locum commūn' præcationē, sed se penitus p̄ totum temp' p̄d̄ abinde absentauit, nullam habens legitimam aut rationalem dictæ suę absentię excusationē, et cum idem K. M. non est p̄ Episcopum Diocesis loci illius, in quo sita est p̄d̄ eccl'ia parochialis de I. pred', aut per eius loci ordinarium licentiatius, aut allocatus ad erudiend' et docend': In magnum dictę dñæ nræ Reg. contemptum, ac contra formam stat', in Parlamento dict' dñæ reginæ, (tento apud West. in com' Midd', anno regni sui vicesimo tertio) in huiusmodi casu prouisi et editi. Et qd' præd' E. A. voluntarie in domo sua pred' per totum tempus p̄d̄ custodiuit et manutenuit pres. K. M. modo et forma præd' erudientem & docentem. sciens ipsum K. modo et forma pred', se absentasse. In contemptum dictæ dñę reginæ, ac contr' formam statuti predicti.

*For words spoken against the Queene, vpon the statute of
Anno 23. of her raigne.*

IVrat pro domiñ Regina præsentant, quod infra tres menses iam vltimo elapso, viz. secundo die mensis Octobris, Anno reg. dominæ nostrę Eliz, Dei gratia Anglię, Franciæ, et Hibern' regis, fidei defensoris &c. tricesimo quinto, G. P. de A. in com' G. Labourer, in domo mansionali cuiusdam R. S. infra parochiam de A. p̄d̄ in com' C. pred', ac in præsentia multorum dictæ domine reginæ subditoꝝ fide dign' tunc ibidē existentium, consulto, deliberate, ac cum maliciosa intentione aduersus dictam dominam nostram nunc, ex imaginatione ipsius G. P. propria, hæc falsa, seditiosa, et scandalosa dicta, ad scandalum et defamationem dictæ domine reginę nostrę, tunc et ibidē locutus est, vt in his Anglicis verbis sequitur, viz. (*Reciting the words themselues*) In magnum dict' dominæ Regiñ nostrę nunc contemptum, ac contra pacē, coronā et dignitat' suas, nec non contra form' statuti in Parlamento dictę domiñ nostrę nup' tento apud Westm̄ in com' Midd', anno regni sui vicesimo tertio &c.

Sect. 200

For slandering of a Noble man.

INquiratur pro domina Regina, si R. B. nuper de C. in com' D. p̄o-
man, Deum præ oculis suis non habens, sed instigatione diabolic' seduct', ac ligeantiam suam erga dictam dominam nunc Elizabeth', Dei
R gratia

Sect. 210.

Indictments, and

gratia &c. parui pendens, ac leges et statutū huius reg. Angl' minimè estimans, nec poenam in eisd' content' aliquo qualiter verens, 16. die Maij, Anno regni domini Elizab. &c. apud M in Com' D. pred', malitiosè ex imaginatione sua. propria, hæc falsa et scandalosa verba ac rumor' de magnatib' & proceribus huius regni Angliè subtequencia, prolocut' est, viz. that &c. Quæ quidem omnia, quanquam falsa sint, vt vera retulit, & multa alia verba scandalosa adtunc et ibidem dixit & propalauit, contra pacè dict' dñæ reg. nunc, coronè et dignitat' suas, et cont' formam diuersor' statutor' inde nuper ædit' et p'uis.

For shooting Haile-shot in a Hand-gunne, vpon the Statute of 2. Ed. 6. wherein the statute is recited.

Sect. 202.

INquiratur p' domina Reg. quod cum in statuto in Parlamento dñi E. nuper regis Angl' sexti apud Westm, Anno regni sui secund', inter alia ordinat' et inactat' existit, q' nulla person' subter gradū dñi Parliamenti extunc deinceps sagittaret in aliquo tormento infra ciuitat' vel villam, ad aliquam voluc' siue aliam metam super ecclesiã, domum, aut columbar', neque q' aliqua p'sona sagittaret in aliquo loco, aliquam sagittatiõn' voc' haile-shot, aut plur' glandines plūbeas, quam vnā vno tempore, sub poena forisfact' dec' lib' p' quolibet tempore in quo ipse cont' statut' p'd' delinqueret, & imprisonament' corporis sui p' spaciū triū mens. put in statut' p'd' pleni' continetur. Quidam tamen I. C. nup' de B. in Com' E. yeoman, statutū pred' minimè ponderans, nec poen' in eod' content' aliquo qualiter verens, 5. die Iunij &c. in quodam torto Anglicè voc' a hand-gunn, onerat' puluere et glandinibus plūbeis, Angl' charged with powder & haile-shot, in quand' anat, adtunc in quadã palud' in cõmuni campo voc' Methersfield de B. p'd' in Com' E. p'd' existent', sagittauit et exonerauit, Angl' discharged, cont' formam statuti pred', ac cont' pacè dict' dominæ reginæ nunc, coronè & dignitat' suam.

For being a common Barretor, for keeping a blind Tauerne, and receiving suspicious persons, and the wife a Scold.

Sect. 203

INquiratur &c. si I. S. nuper de C. in comit' N. Laborer, est homo malæ conuersation' et gubernation', ac communis barra' et pacis dñæ reg. perturbator. Et q' idem I. S. apud G. p'd' in com' N. p'd' custod', tener, & occupat quand' domū, siue Tabern', non habent' vsuale sign' aptè apposit', vulgariter dict' a blind Tauerne. Et qd' primo die Iunij &c. Necnon diuersis dieb' et noctib' antea et postea, in eand' domū diuersos hoīes male conuersation', et suspect', venient' omnib' horis, tam noct', quã diei, recipit & hospit' est p' q' vicini sui ac alij ligei populi dict' dñæ reg. ibid' multipliciter

placiter vexant, inquietant, & grauant, & ministri dñæ reginæ, ppter pacis conseruationem, officia sua ibid. exercere & exequi prohibent, & sapenum in periculo amissionis vitæ & lesionis corporis suor quotidie existunt. Et qd I. vxor pd̄ I. S. est communis obiurgatrix, tam cum vicinis q̄ cum alijs ligis dictæ dñæ Reg. p qd populi dictæ dñæ reg. multipliciter molostant, inquietant, et grauant. cont̄ pac' dictæ dñæ reg. &c.

For breaking of a stable, and taking out of the same a Gelding and a Mare, and the accessarie after.

I Vratores pro domina Regina p̄sent, qd A. B. nuper de C. in Com' E. Sect. 204
 viceesimo nono die Aug. An̄ Reg. dictæ dominæ nostræ Elizabethæ, Deigratia Angl', Franc', et Hibern' Reginæ fidei defensoris &c. Tricesimo quarto, vi & armis quodam stabulum in domo mansionali cuiusdã I. S. infra parochiam de C. predict' in comitatu E. predict' existens, fregit et intrauit, et vnum equum spadonem (Anglice vocat a gelding) coloris albi, precij sex librae et vnã equam color nigri, precij 30. solidi de bonis et catallis ipsius I. S. tunc & ibid' extant inuentos felon cepit, & abduxit, contra pacem dictæ dñæ Regin' coron' & dignitatem suas. Et qd Recit.
 K. H. nup de C. pd' in com' E. predict' hõsetoisset, sciens pref. A. B. felon predict' apud C. pd' in com' E. predict' modo & forma pd̄ fecisse et perpetrasse, eund' tamen A. B. apud C. pred' in com' E. pred' 30. die dict' mensis Aug. Anno suprað felon' recepit & hospitio excepit, post felon' prædictam sic per ipsum A. B. vt præfertur factam & commissam contra pacem dictæ dñæ n̄æ Reg. nunc, & contra coron', ac regiam dignitatem suas.

An Indictment against a seruant of the age of 19. yeares retained for one yeare for going away with ten pounds, the which his master deliuered vnto him in trust, to keepe it for him.

I Vrat' p̄sent, pro domina Reg. qd cum A. B. de C. in comitatu E. Sect. 205
 ter, viceesimo die Septembris, Anno regni Dominæ nostræ Elizabethæ, dei gratia Angliæ, Franciæ & Hiberniæ Reginæ, fidei defensoris &c. Tricesimo quarto, in domo mansionali ipsius A. B. apud C. predict' in comitatu E. præd' deliberasset cuidam E. F. de C. prædicta in dicto comitatu E. præter, tunc seruienti ipsius A. B. pro vno anno integro retento, ac ætatis nouem decem annorum existenti, decem libras in pecunijs numeratis de bonis ipsius A. B. ea intentione, vt idem E. F. eadem saluo custodiret, ad vsu pred' A. B. tunc magistr' sui: Idem E. F. dicto viceesimo die Septemb anno suprað (apprenticius dicti A. B. tunc non extens) apud C. pred' in comitatu E. pd̄ a dicto magistro suo

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fuo vna cum p̄d̄ decem libr̄ dict' A. B. tunc magistr' sui malitiose et se feloñ discessit, abijt et aufugit, ea intencione, ad furand' dict' decem libras cont' fiduciam in eo p̄ pref. A. B. tunc magistr' suum reposit' & collocatā, & ad inde dictum A. B. magistr' suum p̄d̄ defraudand': cont' pacē dict' dñi Reg. ac cont' formam diuersorū stat' huius regni Angl' in hūdi casu, prouisorum et æditorum.

For stealing of a Cowe, and the accessories before the offence committed.

Sect. 206 **I** Vratores pro domina Regina p̄sent, qd A. B. de C. in Com' E. Shro' maker, primo die Iu. Anñ Reg. dict' dominæ nostræ Elizabethæ, Dei gratiâ Angl', Franc', et Hibern' Reginæ fidei defensoris &c. Tricesimo quarto, in quodam loco infra parochiam de C. predict' in commitatu E. predict' (vocado the Cotw pasture) vi & armis &c. clausum cuiusdā I. S. de D. in com' E. p̄d̄ yeoman, fregit et intrauit, et quandam vaccam (coloris nigri, precij 40. solid') de bonis et catallis p̄d̄ I. S. tunc ibid' existentē inuentam, feloñ cepit, furatus est, & aduxit contra pacem dict' dñæ Regin' nunc coron' & dignitatem suas. Et quod quidam G. H. de C. p̄d' in dict' com' E. Butcher, ante feloñ predict', scz. eodem primo die Iunij, Anno tricesimo quarto supra eund' A. B. apud C, p̄d' in com' E. predict', ad felon' predict' faciend' et perpetrand', malitiose et feloñ exitauit, persuasit, et procurauit, contra pacem dict' dñæ Reg. coron' & dignitatem suam.

Procurement.

An Indictment upon the statute of Anno 21. H. 8. against a seruant about the age of 18. yeeres, for going away with a bracelet of gold, worth 17. li. deliuered to him by his Master to keepe, wherein the Statute is recited.

Sect. 203 **I** Vratores p̄sent, &c. quod cum per quendam act' in Parlamento dñi H. nup regis Anglię 8. apud Westm' in com' Midd', an' reg. sui 21. tenē, ædit, per dict' dominum Reg. cum assensu dñorū spiritualium et temporalium, ac communitatis in eod' Parlamento congregat', necnon autoritate eiusd' inter alia ad tunc ibid' inactitat' existit, Quod si aliquis seruus, cui eiusd' Magister vel Magistra liberaf' aliqua bona valor' 40. s. custod', discesserit cum bonis illis cum iuentione ad furandum vel retrahendum eadē, foret feloniam, prout per eund' actū pleneliquet. Qui quidem actus postea per quendam alium actum in Parliament' domine Marię nuper reg. Angl' apud Westm' p̄d̄, anñ reg. sui primo, tē, ædit, fuit repellat' et annihilat', ac postea p̄ quedā alium actū in pliancto dñæ Reg. nūc apud West. p̄d̄ anñ regn' sui 5. tenē, ædit, reuiuaf', & adhuc in vigore existit.

Ac

Ac etiam cum C. P. armig' secundo die S. anno regni dictæ dñæ reginæ nunc 15. apud G. in Com' M. p'd, liberasset I. G. nup de E. in Comit' M. pred' husbandman, ad tunc seruent suo & non appreh' suo existen, & vlt' ætat' 18. annor' quoddam brachiale auri, Angl' a bracelet of golde, valor' 18. li. &c. de bonis & cattallis p'd C. pro eod' C. saluo custodiend'. Pred' tamen I. G. statuf' p'd minime ponderans, nec poenam in eodem contentā verens, apud G. p'd in dict' Com' M. eod' secundo die S. anno 15. suprad' a prefat' C. ad tunc Magistr' suo seipsum retraxit & cum brachiali pred' felon' discessit, ea intentione ad furand' brachiale p'd, ad defraudand' p'd G. Magistrū suum de brachiali p'd, contra fiduciam & confidentiam in eodem I. per p'd C. Magistrū suum reposit, ac contra formam statuti p'd inter cæteros articulos quorum &c.

For converting Tillage into Pasture for Conies, to the hurt of their neighbours.

I Vratores p'sentant p' domina regina, q' H. W. de A. in Com' E. gener, Sect. 298
 primo die Nouemb. anno regni dict' dom' n'æ Elizab. Dei gratia &c.
 Tricesimo quarto, seisit' existens in dominico suo vt de feodo, de & in 12. ac' terr' arabilis in A. pred' in Com' E. pred' iacentibus (ac de, aut in aliqua libera warrenna non existentibus, sed per spacium 4. annorū dict' primum diem Nouemb. anno suprad' proxim' p'cedentium, in cultur' & semination' granor' vsitatis & applicatis) dicto primo die Nouemb. anno suprad', ac diuersis alijs diebus & vicibus, antea & post p'd 12. ac' terr' arabilis, a cultur' p'd & sation' granor', vsq; in hunc diem p'sentē, in pastur' p' cuniculis custodiendis conuertebat, & adhuc conuertit & custod'. Ad graue nocumentum I. R. R. T. & W. M. de A. pred' in dict' Com' E. (vicinor' ibid' existentē) ac contra formam diuersor' statutorum in huiusmodi casu p'uiforum & z'dicorum.

An Inactment against one, for suffering of three houses of husbandry to decay, and for putting out of the husbandmen, and converting of the land belonging to the same, from tillage to pasture.

I Nquiratur pro domina Regina, Si I. K. nuper de T. in Comit' E. gen, Sect. 299.
 primo die Octobris, anno &c. seisit' in dominico suo vt de feodo, de & in 8. mesuag' agriculturæ in T. prædict' in dicto Comitatu E. in quibus septem leperales agricolæ (Anglice vocat' husbandmen,) ad tunc inhabitabant, ac de & in recent' acris terr' arabil' in T. prædict' in dicto Comitatu E. in cultura & seminatione granor' vsitat' & applicat' ad tunc existentē, de quibus triginta ac' ad minus cum quolibet dictor' mesuagior' ad tunc separatim occupat' & vsitat' fuerunt. Et quod pred' I. K. leges

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& statutū huius regni Angl' parui pendens, dicto primo die Octob' anno &c. supradicto, ac diuersis diebus, & vicibus, antea & postea, pro proprio lucro & singulari cōmod' suo, tres agricolas dictorum septem, de tribus de p̄dict' septem mesuagijs ad tunc expulit & amouit, & eadem tria mesuagia absq; aliquo inhabitantē, siue aliquibus inhabitantibus in eisdem, irreparat' stare, & in decal. & ruinam cadere, ad tunc & deinceps vsque diem captionis huius inquisitionis voluntariē causauit & permisit. Insuper quod p̄d' I. K. die & anno supradicto, ac diuersis diebus & vicibus antea & postea, cent' ac̄r' predictarum trecentarum acrarum terræ arabil' iacent' & existent' in T. p̄dict' in com' E. p̄dict', cum fossat' & sepibus viuus inculsit, & illas abinde à cultura agriculturæ & seminatione granorum vsque diem captionis huius inquisitionis in pastur', conuertebat & custodiebat, & adhuc conuertit & custodit, in malum & pernitiosum exemplum aliorum, ac contra formam diuersorum statutorum in huiusmodi casu ædit' & prouis', &c.

An Indictment against a Priest for his affirming that the Pope of Rome is supreme head of the Church of England, and against one as accessory for comforting of him therein.

Sec. 210.

Iuratores presentant pro domina regina, quod I. S. de C. in comitatu E. Clericus: vicesimo die mensis Apr', anno regni serenissimæ dominæ nostræ Elizabethæ, Dei gratia Angliæ, Franciæ, et Hyberniæ reginæ, fidei defensoris, &c. tricesimo quarto apud D. in comitatu E. p̄dicto, scient', considerat', maliciosè, & directe palam in præsentia multor' dictæ dominæ reginæ nostræ nunc subditorum, affirmauit, & defendit auctoritatem Papæ Romani ecclesiasticam in regno Angliæ præantea usurpatam, his expressis verbis anglicanis sequentibus, viz. *I swear by the blessed Gasse, and will auow that our holy father the Pope of Rome, is the supreme of the Church of England, in magnam derogationem regis auctoritatis, & progatiuæ dictæ dom' reginæ nostræ, ac contra coronam & dignitatem suam, nec non contra formam diuersor' statutor' in huiusmodi casu æditorum & prouisorum. Et qd' A. B. de D. p̄dict' in comitatu E. p̄dict' Warthandler, sciens ipsum I. S. dicta verba loquutum esse, ac dictam dicti Papæ auctoritatem modo & forma vt preferiur, defendisse, ipsum I. S. apud D. p̄d', in dicto com' E. postea scilicet 22. die dicti mensis A. anno supradicto, consolatus est & cōfortauit, ex industria & ex proposito, & ad eam intentionem, vt idem A. B. promoueret & efferret præf. dicti Papæ auctoritat' usurpatam, in perniciosissimum aliorum exemplum, ac contra coronam, & dignitat' dictæ dom' Regiñ n̄æ nunc, ac etiam contra formam diuersor' statutor' in eiusmodi casu prouisorum & æditorum.*

An

An Indictment against a Priest, for practising to absolue and perswade a Widow woman from her obedience and subiection to the Queene, and so obey the authoritie of the see of Rome.

INquiratur pro domina Regiñ, si A. B. de C. in dicto com̄ E. clericus Sect. 211.
6. die mensis Maij, anno Reg. dict' dominæ nræ Eliz. dei gratia Ang. Franciæ, & Hyberñ Reginæ, fidei defensoris &c. Tricesimo quarto, apud C. pred' in comitatu E. predicto voluntarie & proditorie, conatus est, & practicauit absoluerè, persuadere, & seducere quandam I. W. de C. p̄d in com̄ E. p̄dicto viduam a naturali obedientia & subiection' sua quam ead' I. erga dict' dominā nostram regin̄ gerere deberet, ad obediendum pretensæ authoritati Sedis Romanæ, tunc & ibid' p̄ditorie præ se ferens & asserens se habere potestatem & facultatem id faciendi, & tunc & ibidem p̄ditorie dicens eidem Ioannæ his Anglic' verbis sequentibus, *Mother Joane you shall haue a blacke soule (I tell you) if you doe not the sooner forsake the Queene (innuendo p̄d dominā nrā reg. nunc) and her heresie, and yeeld your selfe to the obedience of our mother Church, the holy see of Rome: contra pacem dict' domiñ nostræ reginæ, coronā, & regalem dignitatem suam, & contra formam statuti in parlamento dictæ dominæ nostræ regin' tento apud Westm̄ in com̄ Midd', anno dicti regn' sui vicesimo tertio, in hūdi casu prouid. et c̄diti.*

An Indictment against a Iesuite, and against one for receiuing of him upon the statute of An. 27. of Queene Eliz.

INquiratur pro domina Regiñ, si E. C. nuper de S. in com̄ E. p̄d Cle. Sect. 212.
ricus nat' apud S. p̄d in com̄ E. p̄d atq; infra annū iam p̄x. preteritum fact' & p̄fessus Iesuita p̄ authoritatem a sede Romana deriuatam p̄ditorie apud S. p̄d in comitatu E. pred', 6. die Iulij, an̄ reg. dict' dnæ nræ Elizabethæ Dei gratia Angliæ, Franciæ, & Hybernię Regin' fidei defensor' &c. Tricesimo quarto, a partibus transmarinis applicuit, & dicto 6. die anno supradicto, & nonnullis alijs diebus tunc proxime sequentibus apud S. pred' in comitatu E. pred', p̄ditorie moram fecit ac remansit: contra formam cuiusdam statuti in parlamento dict' domiñ Reg. nostræ nunc tento apud Westm̄ in comitatu Midd' anno regni sui vicesimo septimo, in huiusmodi casu pronisi, & editi, ac contra pacem dictæ dnę reginę, coronam, & dignitatem suas. Et si. W. B. de S. p̄d Recit.
in dicto comitatu E. mercator, scienter, voluntarie, & felonice postea, scilicet, dicto, 6. die dicti mensis Iulij anno supradicto predict' E. C. apud S. pred' in com̄ E. pred' receptauit & confortauit dicto W. B. ad tunc & ibidem ad largum & exera prisonam existente, ac prefat' E. C.
R. iij. huiusmo-

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huiusmodi Iesuitā esse, tunc & ibid' sciente et cognoscente: Cont' form' statuti p̄d., ac contra pacē Coron' & dignitatē dict' dñæ reg. n̄ræ.

For a trespassse in Corne, Grasse, and Plowing.

Sect. 213 **I**Nquit pro dñā regin', Si A. B. de C. in Com' E. yeoman, 20. die mensis A. Ann. reg. dñę nostr' Eliz. Dei gratia Angl', Franc', & Hybern' regn', fidei defensor' &c. Tricesimo quarto, quoddam clausum cuiusd' I. S. apud C. pred' in Com' E. pred' (vulgariter voc' *Comlease*,) vi et armis fregit ac intrauit, ac herbas & blada triticea ipsius I. S. tunc ibid' crescentia (ad valentia 20. s.) cum quibusd' bobus, & bidentib' ipsi' A. B. tunc ibid' depast' est ac consumpsit, necnon solum et fundū ipsius I. S. tunc ibid', cum quodam aratro subuertit, p̄ q̄ p̄d' I. S. omne cōmodum & p̄ficuum dict' soli sui per longum tempus postea amisit. Ac alia damna & enormia p̄d' I. S. tunc ibid' intulit, ad graue damñ ipsius I. S. ac contra pacē dict' dñæ nostr' Reg. nunc, coron' & dignitatē suas.

For eating Corne with a flocke of sheepe.

Sect. 214 **I**Nquirat' &c. Si I. M. de M. in Com' E. *Shepherd*, 20. die M. Ann. reg. &c. apud V. in Com' E. p̄d' vi et armis, viz. baculis & cultellis clausum I. S. fregit, & blada ipsius I. S. viz. hordea & auenas in 30. ac' ter' tunc ibid' crescē cum grege ouium in custodia sua existē depastus fuit, conculcauit, & consumpsit, & alia inormia ei intulit ad graue damnum ipsius I. S. ac contra pacem dict' &c.

For Trespasse in Fishgarths in the hands of diuers farmers, and for the taking of three Salmons.

Sect. 215 **I**Vrat' p̄sent' p̄ dñā Reg. q̄ W. S. de B. in Com' L. yeoman, I. W. de ead' villa in Com' L. p̄d' yeoman, & I. W. de T. in Com' L. p̄d' yeoman, & die Martij, Ann. &c. circa horam 4. post meridiem eiusd' diei, in S. K. & B. in comit' L. p̄d' vi et armis &c. in quand' pisc' voc' *Fishgarths*, tunc in tenura & occupat' R. F. C. L. & I. firmat' ibid' dict' dñæ Reg. intrauer' & freger' et tres Salmones ad valenc' 20. s. de bonis & catall' pred' R. F. C. L. & I. L. in pisc' pred' ceperunt & abinde asportauer', cont' voluntatē p̄d' R. F. &c. ad graue damñ ipsor' R. F. &c. ac contra pacem dict' dominæ Reginæ nunc &c.

An Indictment against one for taking above the rate of x. li. in the 100. li. for the lone thereof for one yeare.

Sect. 216. **I**Vratores pro domina Regina p̄sent', q̄ vbi A. B. de C. in Comit' E. *Perter*, priuo die O. Anno regni dñæ n̄ræ Elizabethæ, Dei gratia, Anglic'

Angliæ, Franc' & Hybern' Reg. fidei defensor &c. Tricesimo quarto apud C. pred' in dicto Com' E. mutuo dedisset, ac accommodasset, cuiusdã D. E. de C. pred' in dicto Com' E. Shomaker, summã 20. li. in pecunijs numeratis de pecunijs dicti A. B. ea intentione, vt idem D. E. 20. li. eidem A. B. redderet & resolveret primo die Aprilis tunc proxim' futur' : Idem A. B. ad tunc & ibid' iniuste cepit et habuit premanibus de prenominato D. E. viginti sex solid' in lucro, vsura, & proficuo, pro differendo & dand' diem solutionis, sic vt prefertur, earundem 20. lib' à dicto primo die O. Anno suprad' vsq; dictum 1. diem A. tunc prox' sequent', qui quidem viginti sex solid' (modo et forma pã, pre manibus capti et habitus) multo excedunt & superant ratam & proportionem decem librarum pro centum lib' pro vno anno integro accommodã ad damnum non mediocre ipsi' D. E. ac in contẽptum dict' domin' Reg' nunc, necnon contr' formam diuerforum statutorum in huiusmodi casu prouis & edit'.

Another Indictment of the same effect upon the statute of Anno 37. Hen 8. in which the Statute is recited.

I Vratores pro domina Regina present, quod cum p quendam actum Sect. 217
in Parlamento dñæ Regine nunc apud West' in comit' Middl' 2. die A
anno regni sui tertio decimo, tenẽ edit' int' alia inactis fuit, quod quidam
actus in Parliament' dñi H. nup Reg. Ang' 8. apud West' pã anno regni
sui xxxvij. tenẽ edit' pro reformation' vlturæ ab et post xxv. diem Iunij
prox' sequen' pã secund' diem A. anno regni dicti domin' Regine nunc
xiiij. suprad' reuiuaf foret & staret in suo pleno robore, vigore & effectu,
in quo quidem actu in Parlamento dicti nuper regis H. 8. An' regni sui
37. supradicto tenẽ, & edit', inactis fuit autoritate eiusd' pliamen', q
nulla psona siue personæ, cuiuscunq; status, gradus, siue conditionis, ipse
vel ipsi foret siue forent, ad aliquod tempus post vltimum diem Ianuarij
in actu illo mencionaf, per viã siue medium aliquarum corruptarum barganiæ,
accommodationis, excambij cheufancie, cautele, siue interesse, aliquaf
marchandizaf, mercium, aut alicuius alius rei, siue aliquarum aliarum rerum
quarumcunque, aut p aliquam aliam corrupt' siue deceptiuã viam, vel
medium, aut p aliquam coiuinam, ingenium, siue deceptiuam viam, vel
conueiãriam, haberent, reciperent, acciperent, siue caperent, in lucro,
vel proficuo, pro differendo seu dando diem solutionis vnus anni integri,
de & p eius vel eorum denarijs vel alia re quæ foret debita pro eisdem
mercibus, merchandis, siue alia re vel reb', vltra summã decem librar' pro
centum libris, & sic secundum ratam illam, & non vltra, de & pro maiore
siue minore summa, seu p longiore siue breuiore tempore, & non pl' siue
maius lucrum vel summã inde habend', sub pœna forisfaci-

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endi & amittendi pro qualibet offens. triplum valorem mercium, merchandizā, & alius rei vel rerum sic barganizat, vendit, excambiat, sine accomodat, et ac etiam haberet & sufferet imprisonamentum corporis sui, & faceret finem & redemptionē ad voluntatem dicti domini reg. de qua quidem forisfactura triplicis valoris præd, vna medietas esset dicti dño Regi; & altera medietas illi vel illis qui pro eadem prosequerent in aliqua curiarum, dicti nuper Regis de recordo, in qua secta nulla, vadiatio legis, essonium, siue p̄tecto allocaretur. prout in eodem statuto de anno 27. dicti nuper Reg. H. 8. supra præd plenius continetur: Cumque etiam quidam R. B. de &c. post p̄d 2. diem A. anno 13. dictæ domini reg. nunc supra præd, scil. 22. die D. anno regni eiusdem domini reg. 21. apud L. in com̄ E. præd, accomodasset cuidam C. F. 4. li. idem R. B. statut præd minime ponderans, nec poenam in eodem contentē verens, ad tunc & ibidem recepit & habuit de p̄fat C. F. in lucro & proficuo pro differendo & dando diem solutionis earundem 4. li. ab eodem 22. die D. anno 21. supra præd vsque 6. diem A. tunc proximū sequen̄ viij. s. qui quidem viij. s. in lucro & p̄ficuo pro differendo & dando diem solutionis dictarum 4. li. à præd 22. die D. anno 21. supra præd vsque præd 6. diem A. extunc proximū sequen̄, excedunt ratam x. li. pro 100. li. p̄ vno anno integro contra formam & effectum statuti præd, ad graue damnum ipsius C. F. &c.

An Indictment against one occupying a Plow-land in the Parish for not coming at the dayes appointed by the Surueyors of the High-wayes, to helpe to amend the High-wayes within the Parish.

Sec. 218.

I Vrat pro domina Reg. presentē, q̄ vbi die Martis in septim̄ P. iam ultimo preterito, scz. 7. die mensis A. anno regni dictæ dominæ nostræ Elizabeth. Dei gratia Ang. Fr. & Hyb. Reg. fidei defensoris &c. 34. A. B. tunc Constabularius villæ de C. in dicto com̄ E. &c. & D. E. & F. G. tum gardiani ecclesiæ parochialis de C. præd in comitatu E. præd existentes, vocatis ad se multis alijs parochianis dictæ parochiæ de C. tunc & ibidem elegerunt quosdam I. S. & R. N. duas honestas eiusdem parochiæ personas in superiores pro anno integro tunc proximū sequen̄, pro emendatione & reparatō altarum regiarum viarum infra dictam parochiam de C. ducentium à villis mercatorijs ad villas mercatorias: Ac etiam tunc ibid. nominauerūt & appunctauerūt sex dies, viz. 1. 2. 3. 4. 5. & 6. dies mensis Maij tunc proximū sequentis pro dicta emendatione dictarum viarū, & nominat pro emendatione illius viæ regiæ ibidem, quæ est inter &c. atque de eisdem sex dieb. sic per eos ut presertur, nominat et appunctuatis dederunt palam postea (scz. die dominicæ dictæ Pasch. tunc proximū sequentis) publicam notitiam in dicta eccl. parochiali. Quidam tamē T. W. tum & ad tunc parochianus de C. præd in comitatu E. predictus existens,

existens, ac tum habens & occup in dicta paroch' de C. in comit' E. p. dict', vnam integram carucatam terræ arabilis (Anglic' dict' a ploughland) ad nullum dictor 1. 2. 3. 4. 5. 6. dierum dicti mensis Maij anno supraç, prius inuenit aut misit currû instructum (Anglice dict' a waine or cart furnished) equis, bobus, aut alijs animalibus, & necessarijs instrumentis, secund' morem patriæ ibid' : nec vllos habiles homines, erga commendationem & reparationem dictarum viarum, aut earum aliquam inde parcelam, sed inde tunc ibidem voluntarie fecit defaltam, in dictæ dominæ reginæ contemptum, ac contra formam diuersorum statutorum in huiusmodi casu prouif. & ædit.

An Indictment against a Towne for not keeping Watch according to the Statute of Winchester, Anno 13. Ed. 1.

Iuratores pro domiñ regina præsentant, quod à decimo die Iuñ, anñ reg' dictæ dñæ nræ Eliz. Dei gratia Angliæ, &c. 35. vsque vltimam diem mensis Aug' anñ supraç, homines & inhabitantes villæ de C. in com' E. nullas vigilias à solis occasu vsq; ad solis ortum, in dicta villa de C in com' E. præç, per aliquot homines, fecerunt, aut custod' prout de iure & antiqua consuetudine huius regni Angliæ facere debent & solebant : In dict' dñæ regin' nunc contemptum, ac contra formam cuiusdã statut' in parlamento dñi Ed. olim regis Angl' primi, apud Winton, anno regni sui 13. tento, in huiusmodi casu prouif. & æditi. Sect. 219

An Indictment against the inhabitants of a hundred, for not keeping sea-watch at Sandgate, according to the statute of Anno 5. Ed. 4.

Ivi pro dom' regin' præsentant, quod vbi homin' & inhabitantes hundredi de F. in com' M. præç, antiquitus (viz. ante annum regni domiñ H. nuper regis Angliæ quarti quintum) quasdam maritimas & minutas vigilias (Anglice voc' Seawatch) tempore belli per costeram maris in quodam loco (vocato Sandgate) in dicto comitatu M. per quatuor homines singulis noctibus (a tempore in cuius contrarium memoria hominum tunc non existerat) custodire debebant & solebant : dicti tamen hundredi de F. homines & inhabitantes nunc, tempore nuper belli, viz. à 24. die Iulij, anno regni dictæ dñæ nræ Eliz, Dei gratia &c. 30. vsque 34. diem dicti mensis Iulij, anno supraç, præç vigilas apud Sandgate præç, modo & forma præç, facere & custodire voluntarie prætermiserunt & neglexerunt, ac in eisdem vigilijs tunc ibidem (sic vt presertim faciendis ac custod') voluntariam fecerunt defaltam : In dictæ domiñ reginæ contemptum, ac huius regni sui Angliæ discrimen non modicum, ac contra formam statuti in parlamento dicti domini Henrici, nuper regis Angliæ quart' cent', anno regni sui quint' præç, in huiusmodi casu prouif. ac æditi. Sect. 220

Indictments and

*For killing a man by witchcraft upon the statute of Anno. 5.
of the Queene.*

Sect. 221

IVrat p̄sentant pro domina regina, q̄ S. B. de C. in Com̄ H. vidua, x. die Aug, Anno regni dict' dom' n̄ræ Eliz. Dei gratia Angl' &c. tricesimo quarto; ac diuersis alijs diebus post dict' x. diem, quasdā artes detestand' Anglice voc' *Witchcraft and Sozcery*, nequiter et felonice practicauit et exercuit apud C. pred', in Com̄ H. pred', in, super, & contra quend' I. N. de C. pred' in dicto Com̄ H. Labozer, per quas quidem artes dict' I. N. à p̄d' x. die Aug. anno 34. su praed' vsq; 24. diem p̄d' mensis Aug. anno 34. supraed', periculosissime ac mortaliter ægrotabat & languebat. Ac eodem 24. die August. anno supraed' idem I. N. per artes pred' in dicto Com̄ H. obiit. Et sic Iuratores pred' p̄sentant, q̄ eadem Sara ipsam I. N. apud C. pred', modo & forma supraed', ex malicia sua p̄cogit', voluntarie, nequiter & felonice per artes pred', occidit ac interfecit, contra pacem dict' dom' Reginae n̄ræ, ac contra formam statuti in Parlamento dict' domini Reg. n̄ræ (tento apud West. in Com̄ Midd', anno regni sui pred' quint') in huiusmodi casu, p̄uisti ac ædif.

The like Indictment.

Sect. 222

INquiratur pro domina reg. Si Marg' L. de A. in Com̄ E. Spinstter, 24. die Iuñ, anno reg. dñe n̄ræ Eliz. 15. ac diuersis alijs diebus & vicibus, tam antea quam postea, Deum præ oculis suis non habens, sed instigatione diabol' seduct', quasdā malas diabolus artes, Anglice voc' *Witchcrafts, Inchantment, Charms and Sozceries*, nequiter diabolic' & felon' apud H. p̄d', in Com̄ E. p̄d', ex malicia sua p̄cogitat' vsa fuit, practicauit, & exercuit, in & super quendam W. N. prextu cuius pred' W. à p̄d' 24. die Iuñ anno supraed' vsq; 24. diem Dec' anno regni dict' dñe regni Eliz. &c. 35. p̄d' languebat, quo quidem 24. die Dec' supraed', pred' W. ratione practicationis & exercit' diabolic' artiũ p̄d', apud H. p̄d' in com̄ E. p̄d', obiit. Et sic p̄d' M. ipsum W. apud H. p̄d', in Comitatu E. p̄d' modo & forma supraed', & ex malicia sua p̄cogitat' interf. cont' pacem dict' dñe reg. & contra formam statuti &c.

For bewitching a horse, whereby he wasted and became worse.

Sect. 223

INquirat' p̄ domina regina, Si Sara B. de C. in Comitatu Eb. vidua, 20. die August. anno regni dict' dñe n̄ræ Eliz. &c. 34. quasdā artes nequissimas (Anglice vocatas *Inchantment and charms*) apud C. pred' in Comitatu Eb. prædicto, maliciosè, & diabolice, in, super, & contra quendam equum, coloris albi, precij 4. li. de bonis & catallis cuiusdam I. S. de C. pred' in dicto Comit' E. gener' existentem, exercuit, & practicauit,

cavit. Per qd idem equus dict' I. S. 20. die pred' apud C. p̄d' omnino peioratus est, et vastatus: cont' pacem dict' dom' reg. et cont' form' stat' in eiusmodi casu prouif. ac editi.

*For taking away of a widow, and marrying of her against her will
contrarie to the statute of Anno 3. H. 7.*

IVrať p̄sent, pro domina Regina qd A. B. de C. in dict' com' E. Sect. 224
 Lingman, 2. die Aprilis, Ann' reg. dict' domine nostræ Elizabethę &c.
 35. vi et armis in domum mansional' cuiusdā H. B. de C. præd' in com'
 E. p̄d' viduę infra parochiam de C. predict' in com' E. præd', intravit,
 (quæ quidem H. B. seiscita fuit in dominico suo vt de feodo, de et in di-
 uersis terris et tenementis in C. pred' in com' E. predict', clari annui va-
 loris 10. li. vltra omnes reprisas existentibus) ac immediate postea, viz.
 dict' 2. die Aprilis, anno suprad' idem A. B. pred' H. B. tunc ibid' in dict'
 doma sua in pace dei, ac dictę Dominæ Regiñ existentem ex dicta do-
 mo sua mansionali contra voluntatem ipsius H. B. illegitime ac feloñ ex-
 traxit, eripit, et abduxit, ac eadem H. B. postea (scz. 3. die dicti mensis
 Aprilis anno supradict' in Ecclesia parochiali de C. pred' in com' E.
 præd', cepit in vxorem suam: vbi idem A. B. dicto tempore extracti-
 onis & abductionis pred', non clamauit, nec clamare potuit, eandem H.
 B. tanquam Wardam suam, aut tanquam Natiuam suam: in magnam
 pacis dict' dom' Reg. nunc perturbatiō, ac contra formā cuiusdā Stat.
 in Parlamento Dom' Heñ nup' Reg. Angl' septimi, tenth, Ann' reg. sui
 tertio, in hñdi casu prouif. ac edit.

An Indictment for Burglarie by night

IVrať p̄sent, pro dom' Reg. qd E. D. nup' de &c. 2. die I. &c. vi & ar- Sect. 225
 mis, &c. domus mansional' R. H. apud E. in com' p̄d' circiter horam
 vndecimā in nocte eiusd' diei ad tunc et ibidē feloñ et burglariter fregit
 cont' pacem dict' dom' &c.

An Indictment for stealing a Hog in a common.

IVrať p̄sent, pro domina Reg. qd F. B. de C. quarto &c. Febr' &c. vi & Sect. 226
 armis &c. in quandā commun' intra nouā Forestam voc' H. intra per-
 oc' de C. in C. p̄d', fregit & intravit, & vnum porcū colof' red speckled,
 precij 12. d. de bonis & catallis B. D. ad tunc et ibid' inuent' feloñ. cepit,
 & effugauit. contra pacem dict' dom' reg. &c.

Indictments and

An Indictment for a wilfull escape of a Prisoner committed for felony to a Constable to be brought to the common Gaole, and a Knight who is no Iustice of peace commanded the said Constable to bring the Prisoner before him, by reason whereof the said prisoner did escape.

Sect. 227

IVra p̄sent, pro domina Regina qd cum I.D. nuper de &c. pro diūsis felonijis per ipsum p̄petrat & pro eisdem felonijis coram A.B. aīn vno Iusticiā dict' dñæ reg. ad pacem Constabular' dict' domine reg' * concordiat' fuerit, & per eundem A. B. sub Custod' p̄d' constabular' pro felon' p̄d' ad generalem gaolā dict' dñæ Reg. in com' p̄d' comiss. fuit, ibid' salvo custodiend' quousq; secund' legē & consuevū hui' regni Angl' deliberaretur. Et W. P. de &c. Miles non existē Iustic' dict' dñæ reg. ad pacem in com' p̄d' misit & precepit quēd' I.N. de &c. Constabular' &c. ad ducendum p̄d' I.D. cor' ipso.

An Indictment for stealing sheepe.

Sect. 228

IVr p̄sent &c. qd A.B. &c. quarto die &c. vi & armis, viz. clausum T.G. de &c. fregit & intrauit, & duas oves matrices coloris nigri p̄cij 7.s. de bonis & catallis dict' T.G. felon' cepit, abduxit & alportavit contra pacem &c.

An Indictment against one for breaking of a house, and murdering of one with a Cudgell in his bed by privity and consen of the wife of the murdered.

Sect. 229

IVr p̄sent qd &c. Ed. nup de E. &c. circa horā 12. in nocte eiusd' diei, deum corā oculis non habens, sed ex malicia sua precogit, vi et aī, viz. &c. domum R. P. apud C. in com' p̄d' felon' et barglan', fregit, et intrauit, et in pref. R. P. ad tunc et ibid' nudū in lecto suo iacentē, insul'ū et affraiam fecit, et eum cum vno baculo valoris 12. d. voc' a Cudgell, eund' R. P. sup' caput suū vsq; ad cerebrū, ad tunc et ibid' felon' percussit, dans ei plagam mortal' : de qua quidem plaga mortali idem R. P. ad tunc & ibid' instant' moriebat'. Et sic idē E. L. eund' R. P. ad tunc et ibid' interfecit & morderavit cont' pacē dict' dom' reg. Et qd quedā Agnes P. nup de &c. Spinster vxor p̄d' R. P. tertio die Iunij An. &c. ac divers. diebus antea et postea eund' diē et ante felon' et murdrum p̄d' in form' p̄d' apud W. p̄d' in C. p̄d' pref. E. L. ad felon' et murdr' p̄d' fac' & perpetrand' felon' procur' et abbet', cont' pacē dict' dom' reg. Et etiā qd ead' A. P. sciens pref. Ed. felon' murdrū et p̄d' in form' p̄d' fecisse & perpetrasse E. L. p̄d' 3. die Iun. An. &c. apud W. p̄d' in C. p̄d' felon' receptavit & confort', cont' pac' dict' dñæ reg.

An Indictment of Manslaughter.

IVrať p̄sent, &c. p dom' Reg. qd A. B. & c. 8. die I. vi & arñ, viz. &c. in Sect. 230
 Iohān P. apud B. pred' in pace Dei et dñæ reg. existē inultū et af-
 fraiam fecit cum manu sua dextra p̄f. I. P. in capite suo feloñ ad tunc et
 ibid' p̄cussit, dans ei plagam mortalem, de qua quidem plaga p̄d I. P.
 ad tunc & ibid' incontinenter obiit Et sic idem A. B. p̄f. I. B. ad tunc et i-
 bid' feloñ, interfecit & murdrauit, cont̄ pacē di' dñæ reg.

*An Indictment for using more artes then one upon the statute
 of Anno 3. Ed. 3.*

INquiratur pro domina Reg. quod cum in stat' in Parlamento dñi E. Sect. 231
 nup regis Angliæ 3. post conquestū, an' reg. sui 3. tenē, inter cætera or-
 dinať sit & statuf, Quod artificiať & gentes occupationem habentes,
 & quilibet eorum ad suam artem seu occupationem se teneat, et quod
 nullus exerciat aliam artem seu occupat nisi tamen eā q̄ elegit: Et si ali-
 quis in contrarium fecerit p̄ in prisonamē corporis sui p̄ spatium duorū
 aññ puniatur & ulterius finē et redemptionē dom' Reg. fac' prout in eod'
 stat' plenius continē: Si A. B. de C. in com' N. Baker, alias di' A. B.
 in com' N. pred' Dilige, Stat' pred' minime ponderans nec poenā in e-
 od' stat' contentē verens, a secundo die Julij aññ reg. H. 8. &c. vsq; quar-
 tum diē Apr' aññ 23. dom' reg. suprať tam artē molēdinarij q̄ artē pistof
 panis humani apud C. p̄d, continue exercebat in dñi Reg. contemptum,
 ac cont̄ form' stat' p̄d.

An Indictment for regrating of Corne.

INquirat &c. si R. L. nup de T. in com' L. yeoman, & H. D. nup de N.
 in com' pred' yeoman, 20. diē Iu. aññ &c. apud B. et T. in com' p̄d e. Sect. 232
 merunt & regratauerunt de T. S. R. R. & alijs ligeis dom' reg. 50. quartef
 frumenti precij 25. li. cent' quart' hordei precij 24. li. et al' frumē et horđ
 in domib' mansion' suis vt regratores mercati di' dñi reg. accumulauer
 et custodiuer ea intentione vt frumē, horđ, et alia grana sub suis custod'
 ad suū libitū exponere et vendere potuerunt, ob, qd grana in mercat' et
 villis comit' p̄d multipliciter cariorea et rariora forent in graue damnum
 populi dñi reg. ac contra formam statuti in huiusmodi casu edit' et pro-
 uis. &c.

Indictments and

An Indictment for a robbery done by the high way upon the person of one.

Sect. 233

IVr p̄sēt, &c. q̄ vbi I. B. de L. gener' 13. die. &c. an̄ &c. fuit in pace Dei et dict' dñi Regis in reg. via apud parochiā sancti E. in campis in com' M. ibidem eiusdem die & anno venerunt I. M. de D. in comitatu M. yeoman, et R. H. de ead' in com' p̄d' yeoman, laici hoēs et non infra sacros ordines subdiacon' nec ultra existeñ feloñ vt felones dict' dñi regis in p̄d' I. B. insultum fecerunt, et ipsum verberauer', vulnerauerunt, & malectrauctauer'. Ita qd' de vita ei' desperabatur ac vigint' solid' in pecunijs numeratis de bonis & catall' ipsi' I. B. ad tunc et ibid' inuent' et existent' feloñ ceper' et asport', cont' pac' dict' dñi reg. ac cont' form' stat' eiusdem dñi reg. anno regni sui 22. edit' et prouit.

An Indictment for Burglarie in a dwelling house, for putting the household in feare, and for the taking away of twenty pounds in money.

Sect. 234

INquiratur &c. si I. M. de D. in com' M. yeoman, laicus homo & non infra sacros ordines Subdiaconū nec ultra existeñ' 12. die &c. An̄ &c. vi et armis, viz. gladijs, cultellis, et dagorijs domū et mansoriū R. V. apud I. in dict' com' M. scituat' & existeñ' eod' R. V. & A. vxor' eius et alijs seruien' suis in eadem domo et mansorio ad tunc et ibid' existeñ' felon' fregit et intrauit, ac in timore corporali posuit & viginti libras in pecunijs numeratis de bonis, catall' et denarijs ipsius R. V. ad tunc et ibid' inuent' felon' ceperit, spoliauit, & asport' cont' pac' dict' dom' regis, ac cont' form' stat' eiusd' dñi reg. an̄ regni sui 23. editi et prouisi.

An Indictment for Murder ex appensa malicia fact'

Sect. 235

INquirat' p̄ domino Rege, si I. D. in com' pred' yeoman, laicus homo &c. vi & armis, ac de sua malicia p̄cogitata in W. H. ad tunc & ibidem in pace Dei et dñi reg. nunc existeñ' insultum fecit, et cum vno gladio precij 12. d. quem idem I. in manibus suis ad tunc et ibid' tenuit p̄f. W. G. feloñ p̄cussit, et dedit ei tunc et ibid' sup' caput suum vsq; cerebrū vnā plagā mortalem, de qua quidem plaga mortali idē W. H. ad tunc & ibid' instanter moriebatur: Et sic idem I. D. p̄f. W. H. modo et forma pred' feloñ, interfecit & murdauit cont' pacē dict' dñi reg. corom̄ et dignitat' suā, et contra form' stat' de an̄ 23. regis H. 8. nuper edit' et p̄mit. &c.

An

An Indictment for robbing of a Church of diuers and ſeueral things in the ſame.

Inquiratur &c. ſi I. M. nup de D. in com̄ M. et R. H. nup de eadem villa Sect. 236.
 et com̄ p̄dic̄ p̄pomen, laici homin̄, & non infra ſacros ordiñ ſubdia-
 con̄ vel vltra exiſtent̄ 13. die Maij anno &c. vi et armis, viz. gladijs, bacu-
 lis et cultellis Eccleſ. pochial' oñum ſanct̄ de E. apud E. in com̄ p̄d̄ circa
 hor̄ 12. in nocte eiufd' diei ſeloñ fregeſt & intraueſt, et duas calices de ar-
 gent̄ deaurat̄, et duo veſtim̄t̄ de nigr̄ veluet, voc' Copes, tres p̄anos lineos
 voc' Altar clothes, vnam tunic' fixã ſup̄ imag' beate Mar̄ infra eãdem ec-
 cleſiam cum diuerſis annulis de auro & lapid' p̄tioſis in eiſdem annex' et
 aſſigat̄ ad valenc' xx. li. ac xx. s. in pecuñ numerat̄ de bonis ornamentis,
 & deñ pochian' de E. p̄dic̄ in cuſtod̄ Io. B. et T. B. cuſtod̄ & gardianoſ,
 bonoſ ornamentoſ & denar̄ pochian̄ pochiaꝝ de E. p̄dic̄, et tunc et ibid̄
 exiſteñ ext̄ cuſtod̄ dictoſ gardianoſ ext̄ eccleſ. p̄d' ad tunc & ibid̄ ſe-
 loñ ſurati ſunt cepeſt & aſportauet̄ contra pac' dicti dñi regis, ac contra
 formam ſtatuci eiufd̄ dñi regis anno regni ſui 23. ædit̄ & prouif.

*An Indictment againſt one being a man of euill behaiour, for keeping of a blind
 Tauerne without a ſigne, and for receiuing and lodging of lewd
 perſons, and that his wife is a common ſcold.*

Inquiratur &c. ſi I. S. nup de C. in com̄ N. Labozer, eſt homo malæ cõ- Sect. 237.
 uerſationis et gubernationis ac commun' barreſtat̄ et pacis domini re-
 gis p̄turbator. Et quod idem I. S. apud C. p̄dic̄ in com̄ p̄dic̄ cuſtodit,
 tenet, et occupat quandam domum ſiue Tauerne non habent̄ vſuale ſig-
 num ap' è expoſit̄ vlgariſ dict' a blinde Tauerne. Et qd' primo die &c.
 Anno &c. nec non diuerſis diebus & noctibus antea et poſtea in eandem
 domum diuerſos homines malæ conuerſation' & ſuſpect̄ venien' omnib'
 horis tam noctis quã diei recepit et hoſpitaſt̄ eſt p' quã vicini ſui et alij li-
 gei populi dicti domini regis ibid' multipliciſ vexantur, inquietantur et
 grauantur, et miniſtri domini regis p̄p̄t pacis conſeruac' officia ſua ibid̄
 exercen' et exequen' p̄hibent̄ et ſæpenumet̄ in piculo amiſſion' vitæ &
 leſion' corpoſ ſuoſ quotidie ponuntur. Et qd' I. S. vxor p̄d' I. S. eſt cõmun'
 abiugatrix tam cū vicinis quã cum alijs ligeis populi dicti dñi regis, per
 q' multipliciſ moleſtant̄ inquietant̄ et grauãt̄ con̄ pac' dicti dñi regis.

An Indictment for ſelling Ale in veſſels called Kilderkins.

Iuratores præſentant, quod I. R. de noua C. in com̄ A. pandoxator Sect. 238
 & A. I. de eadem C. prædic̄ W̄ere ſeller, ſunt communes pandoxa-
 S tores

Indictments, and

tores in C. p̄dict et decimo die &c. anno &c. ac diuersis vicibus antea et postea vendider̄ ceruisiam, et ceruisiam per diuersa vasa voc̄ **Wilderkins** tam magna quam parua contra formam statutorum inde edit̄ ad graue damnum populi domini regis &c.

An Indictment of a Priest for keeping of a Concubine.

Sect. 239

Inquiratur pro domino rege, si H. R. nuper de K. in com̄ W. Clericus primo die Decemb̄, anno regni Regis Henrici octauī 22. vi et armis, Deum præ oculis suis non habens, nec legem Dei et dñi regis timens, et ordinem sacerdotalem nihil regardans, tanquam ribaldus et luxuriosus et riotosus sicut transgressor, malefactor et pacis dñi regis perturbator irregulariter, et extra legis morem et honestam vitæ virtuosæ et sacerdotiæ dignitatē seipso vtens apud K. p̄d' in comitat' p̄d' hospitium illicitum leuauit et custodiuit, et quandam A. B. mulierē defamaſ et stuprosam publicē et notoriē custodiuit, occupauit, et habuit, et ipsam A. B. a p̄dic' primū die Decemb̄, anno supradicto ad tunc et ibidem continuand' et adhuc quotidie et noſtatim manifestē et aperiē custodiuit, occupauit, et habet in communi stuprolemocinum in maximum periculosum exemplum aliorum malefactorum contra pacem dicti domini regis &c.

An Indictment for not coming to the Church, upon the statute of Anno 1. Elizab.

Sect. 240.

Iuratores pro domini reg' præsentant: qd' cum per statut' in parlamento domini Eli. Dei gratia &c. anno regni sui primo tenet apud W. in comit' M. int̄ alia inactitat' et ordinat' existit, q' post festum S. Ioh. Baptist' an' regni dicte dñæ reg' primo, omnis et omnimod' p̄son' et person' inhabitant' in hoc regno Angl' vel alibi infra dominationē dict' dñæ regin' diligent' et credulenter habentes nullam legalem seu rationabilem excusationē abessendi niterent̄ semetipsos adire ad suam poſchial' eccle' vel capellam consuet' vel sup' rationabil' impedim̄t ad aliquem vsitat' locū vbi communes p̄cationē & diuina seruitia dici vtent' tempore talis impedim̄t sup' quēlibet diē dñicum et alijs dieb' ordinat' et vsitatis obseruari durant' tempore eorū p̄cat' p̄dicationē aut alior' diuinor' seruitiorum vtend' et ministrand' sub poenā punitionis p̄ censuras Ecclesiæ et etiam sub poenā qd' quēlibet persona sic offendens foris faciat pro qualibet tali ostens' denar' leuand' p̄ gardian' eccle. poſchial' vbi tale offensum foret fact' ad vsu pauperum inhabitant' eiusd' poſchie de bonis, erit et tenementis talis offendent', prout in statuto p̄d' continet: Cumque T. R. de D. in com̄ p̄d' ar' et A. vxor eius existens de poſchia eccle. poſchialis de T. præd' infra quam quidem eccle. cōmunes p̄cationes et alia diuina seruitia instant' præd'

pd̄ specificat post pred' festū Natiuitatē S. Iohan. Baptistę an. primo supradict' scz. dñica p̄xime post festū S. Mich' Archangeli Anno regn̄ &c. & 12. dieb' dñicis tunc p̄xim̄ sequen̄ & octo alijs dieb' festiualib' ead' dies dñicas interuenient dicebant & utebant pd̄ T. & A. non habentes legalē & rationabilē excusationē seu impediment abessend' ab ecclesia pred' in dieb' pd̄ tempor' pd̄ cōmuniū p̄cationē et diuinor' seruicioꝝ ibid' tunc dict' habit' & ministrat' nō solū non nitebāt semetipsos adire ad ecclesiam existentē eorū ecclesiam consuet' in pred' die dñica p̄xim̄ post festū S. Mich. Archangeli, ann. reg. &c. supradict' & pred' alijs 12. dieb' dñicis tunc p̄x' sequen̄ & pd̄ alijs octo dieb' festiualib' ead' dies dñicas interuenient tempore pd̄ cōmuniū p̄cationē & diuinor' seruicioꝝ ibid' in diebus illis dict' habit' & ministrat', sed etiā odentes & contennētes Euang' & salubre dei verbum, & dictam dñam reg. & leges suas seipsoꝝ voluntarie absentauerunt & uterq; eorum voluntarie seipsum absentauerit ab ecclesia pd̄ die dominica p̄xim̄ post festum Sancti Michaelis Archangeli anno &c. supradict', & pd̄ alijs duodecim dieb' dñicis tunc p̄xim̄ sequen̄, & pd̄ alijs octo diebus festiualib' eadem duodecim dies dominicas interuenient tempore pred' cōmuniū p̄cationum & diuinor' seruicioꝝ ibidem in diebus dict' habit' & ministrat' contra pacem & contemp' dict' dominę regin' nunc & legum suarum, contra coronā & dignitatē suas ac contra formam statut' pred' & in pernitiosum exemplum aliorum malefact'.

An indictment for perjury, committed in an answer in the Exchequer at Chester.

I Vratores present' p̄ domina Reg. q̄ cum I. D. de E. in cōm C. gen' in Cuf dñę regin' Scaccarij sui Cest' corā R. comite Leic' cameraꝝ suo Cestrię apud Cest' in cōm C. post duodecimam diem &c. Ann. &c. exhibuisset quendam billam petitionis versus quendam R. W. nuper de T. in cōm pred' Milit' de et super iniust' recuperationem 36. s. deb' p̄ ipsum R. vers' pd̄ I. D. existentē vad' & p̄leg' cuiusd' W. H. in in Cuf manerij siue dominij de H. infra ducat' Lanc' et 4. s. 8. d. custag' circa eandem sectam ibidem iniuste recuperat' per dictum R. idem R. in respōsione sua in dicta Curia Scaccarij pred' ad petitionem pd̄ sup sacramēt suum capē dixit, affirmavit, & iuravit hæc verba Anglicana sequen̄ vel in effectu similia. *And soꝝ nonpayment of the residue of the summe of 47. s. being as it should seeme by the said Kalfes owne confession in the same answer, of the receit of 36. s. this defendant long after commened his action of debt against the now plaintife in the free Court of H. vbi dictus W. H. diu ante perfoluisset dict' R. summa 48. s. Ita quod nihil remansit illo solvend' : Et sic præfat' R. in faciendo & confirmand' falsum*

Sec. 241

Indictments, and

falsum responsum p̄d', in ea parte p̄d', die M. anno &c. volunt & corrupte commisit voluntat' p̄iuriã in illo content' et contr' formã statuti inde ædif et p̄uis. &c. ac contra pacem &c.

An Indictment for fishing in a mill pond waters, with hookes and other engines.

Sect. 242

Inquiratur p̄ dñã reg. si T. W. de M. in Com̄ p̄d' Labozer, et H. I. de W. in com̄ p̄d' Tailoz, &c. 14. die April', anñ &c. ac diuisis tēpor' ante p̄d' diē et postea apud H. p̄d' in com̄ p̄d' vi et armis in vno stagno ibid' voc' D. Milnepole libr' tenē R. D. gen' cum hamis et alijs engen' pisc' et diuersos pisc' ceper' ad graue damn' pred' R. D. ac contra pac' &c.

An indictment where one is indicted as principall actor, and one other for being present, and for abetting, procuring, and comforting of the murderer to do the same.

Sect. 243

Inquir' p̄ dñã reg. si I. G. alias G. nuper de &c. xv. die &c. apud H. in com̄ p̄d' vi et armis, viz. baculis &c. soloñ vt felo dict' dñã reg. ac ex malit' sua p̄cogit' in quend' I. O. alias D. apud H. p̄d' ad tunc et ibid' in pac' dei et dict' dñę reg. exist' insulē fecer'. Et pred' I. G. alias G. q̄ falcast' angl' a forest' bill, precij 4. d. q̄ id' I. G. in man' suis tunc & ibid' tenebat dict' I. O. alias D. apud H. p̄d' ex malitia sua p̄cogit' super sinistra partem capitis sui p̄cussit vsq; ad cerebr' dās eid' I. O. alias D. vnã plag' mortal', de qua quid' plaga mortali p̄d' I. O. a p̄d' xv. die Martij an' suprad' vsq; ad xxj. diē eiusd' Martij, an' p̄d' languid' iacebat, quo quid' xxj. die Mar' p̄d' I. O. alias D. apud H. p̄d' obiit. Et sic pred' I. G. alias G. die & an' p̄d' apud H. pred' ex malit' sua p̄cog' feloñ infec' & murd' cor' pac' dict' dñã reg. coron' & dignit' suas. Et q̄ pred' W. G. alias G. die & an' pred' apud H. feloñ pred' fuit presens & vt felo dict' dñę reg. abetant' pcur' & confortans et cum p̄xat' I. G. alias G. die et an' pred' in formã pred' fact' vi et armis accont' pac' dict' dñã reg. coron' et dignit' suas &c.

An indictment of murder.

Sect. 244

Inquiratur p̄ dñã regin', si T. H. nuper de E. in com̄ Chestr' Labozer, vicefimo die &c. circa horã sext' post meridiē eiusd' diei apud T. p̄d' in com̄ pred', vt felo dict' dñã reg. ex malitia sua p̄cogit' et de insulē p̄medit' vi et armis quend' R. B. nuper de T. p̄d' in com̄ p̄d' veomã, ad tunc et ibid' in pace dei et dict' dom̄ reg. existen' insulē fec' et cū quodam baculo, anglice voc' a piked staffe, precij 4. d. q̄ ipso in manib' suis ad tunc et ibid' tenuit pred' R. B. sup' caput suū feloñ percussit dans ei ad tunc et ibid' vnã plag' mortal' longitud' duos p̄lliciū in sinistra parte capitis sui vsq; ad cerebr', de qua quid' plaga mortali p̄xat' R. B. languid' iacebat vsque ad &c. extunc proxim' sequen': Quo quidem 19. die Ian. Ann' &c. idem R. B. apud T. p̄d' in com̄ p̄d' ex ipsa plaga ei dat' modo

et

& forma p̄d moriebat, & sic idem T. H. vt felo dicitur dicitur p̄d R. B. felon' interfecit & murd̄r cont̄r pac' dicit' dom̄ reg' coron' et dignit' suas.

An Indictment of Burglary by a woman in the night time, putting the household in feare, intending to haue robbed them.

Inquiratur pro domina reg', si O. I. de G. in com̄ C. *Spintter*, sept̄ die Sect. 245.
 Ap̄ ann' &c. apud C. p̄d' in com̄ p̄d' noctant, viz. circa hora vndecim post merid' eiusd' diei domū cuiusd' I. B. apud C. p̄d' vi et ar' &c. felon' ac burglarit' fregit & intrauit, ea intentionē ad furād' bona et catal' ipsi' Iac eund' I. in pac' Dei & dicit dicit' reg' ad ruc et ibid' in lecto suo existēn felon' et burglarit' in timore vit' suę posuit cont̄r pac' dicit' dom̄ reg' coron' & dignit' suas.

An Indictment for trespasse done in a corne field.

Inratores presentant &c. q̄ W. C. nuper de T. in com̄ p̄d' Labozer, T. Sect. 246.
 P. &c. tertio die &c. anno &c. vi & armis clausum I. N. apud S. in com̄ p̄d' in quodā campo voc' S. field fregerunt et intrauer, & tres quarterios frumenti ipsius I. W. ad valenc' trium librā ad tunc et ibidem crescen' cum quibusd' bigis siue carueis equis et pedibus suis ambuland' concil-tauerunt & consumpser. Et alia enormia ei intuler contra pacem &c.

An Indictment of manslaughter before the Coroner of the Verge, for the death of a man, upon the view of the dead body.

Inquisitio capt' apud W. L. in comit' Surrey infra virgam 22. die Maij, Sect. 247.
 Anno &c. coram T. W. gen' Coronator' hospitij dicit' dominæ Reginz sup' visum corporis I. B. nuper de W. L. in com̄ Surrey *Peoman*, ibid' iacēn mortui & in tēctū p̄ sacramēt' &c. Qui dicunt super sacramēt' iuum q̄ ita accidit q̄ 19. die Maij, an̄ &c. apud Southwarke in comit' Surrey infra virgā p̄d' I. B. veniebat in quendam campum ibid' voc' S. Georges field circa horas 4. vel 5. post meridiem eiusdem diei, & quod postea dicit' decimo nono die Maij, anno &c. apud S. præd' in comitatu Surrey præd' infra virgam inter horas 5. et 6. post meridiem eiusd' dec' nono diei Maij R. L. nuper de West. in com̄ Midd' alias dicit' R. L. de W. in com̄ Midd' *Peoman*, veniebat et intrabat in campum p̄d' voc' &c. et ibid' videns et percipiens dicit' I. B. tunc esse in campo illo. ambulabat in campo illo versus locum ybi p̄dicit' I. B. tunc ibidem fuit: Et præd' I. B. tunc et ibidem iacens super terram ac videns et percipiens dicitum R. L. versus eum venient' a terra præd' ibid' surgit ac idem I. B. tunc et ibidem duos gladios voc' *Rapiers* in manus suas, viz. in quamlibet manum vnum gladium. Et tunc et ibidem R. L. cepit vnum gladium de ferro & calibi' ad valenc' quinque solid' ipsius R. L. in manum suam dextram, & vnum scutum in

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manum suam finiftram, ad tunc & ibidem idem A. et R. in simul pugnauerunt cum gladijs suis p̄d̄, & sic pugnans idem I. ipsum R. tunc & ibid̄ tu p̄ finiftra tibi am dict̄ R. cum vno gladio suo p̄d̄ voc' Rapiers percussit et vulnerauit, virtute cuius p̄d̄ R. ad terram ibid̄ cecidit. Ac postea dictus R. 19. die Maij anno p̄d̄ apud S. p̄d̄ in com̄ p̄d̄ infra virgam p̄d̄ subito surrexit & idem R. tunc & ibid̄ cepit gladiū suū p̄d̄ in manum suam dextr̄ ac vi & armis, viz. cum gladio suo p̄d̄ quem ipse R. in manū suam dextr̄ tunc & ibid̄ tenuit 19. die Maij, anno &c. apud S. in com̄ S. p̄d̄ infra virgam in p̄d̄ campo voc' &c. inter p̄d̄ horas 5. et 6. post meridiem eiusdem 19. diei Maij, idem R. in ipsam I. B. tunc & ibidem existens insultum fecit et tunc et ibid̄ cum gladio illo quem ipse idem R. tunc et ibidem in manu sua dextra tenuit ipsum I. verberauit, ac gladium illum præd̄ R. tunc & ibid̄ felonice & voluntarie in corpus dicti I. percussit & imposuit dans eidem I. B. felonice & voluntarie cum gladio illo in ventre suo in et per corpus et dorsum dicti I. vnam plag' mortalem profunditatē 14. pollicium & latitudinis duorū pollicium, de qua quid' plaga mortali. idem I. apud W. L. in com̄ S. infra virgam. postea languēbat a dicto 19. die Maij, anno &c. vsque 20. diem dicti mensis Maij tunc proximū sequē. Quo quid' 20. die Maij idem I. B. apud W. præd̄ in com̄ S. p̄d̄ infra virgam in horas 3. & 4. ante meridiem eiusdem vicefimi diei dicti mensis Maij anno &c. ex plaga mortali p̄d̄ obiit. Et sic iurat prædict' dicunt super sacramentum suum, Quod dict' R. L. alias dictus &c. dicto 19. die Maij anno &c. apud S. præd̄ in com̄ p̄d̄ infra virgam vi et armis, viz. cum gladio p̄d̄ quem idem R. L. alias dict' R. L. in manu sua dextra tunc & ibid̄ tenuit ipsum I. B. felonice & voluntarie percussit, interfecit & murtherauit modo & forma p̄d̄ contra pacem dictæ dom̄ regin', Coronā, & dignitatē suas. Et sic idem iurat sup̄ sacramentum suum dicunt, quod prædict' I. B. modo et forma præd̄ ad mortē suam deuenit, et non aliter nec alio modo. Et quæ bona catalla terr' & tenement' idem R. tempore felonix & murtheri prædict' fact' habuit vel adhuc habet, idem iurat penitus ignorare.

An Indictment where a felon suspected for stealing two oxen, is committed by the Justice of Peace unto the gaole, and is deliuered to two, to be conveyed vnto the gaole, which suffer the felon wilfully to escape away.

Sec̄. 248

Inquiratur &c. Quod cum quidam W. H. a' vnus Iustic' pacis dicti domini regis in com̄ p̄d̄ 20. die &c. circa horam 10. in nocte eiusdem diei apud S. in com̄ prædict', virtute officij sui & literas patens' dicti domini regis eid' W. direct', quendam I. nup de &c. ad tunc et ibidem arreslauit & attachiauit pro suspicionē felonix per ipsū I. ante fact' & percipit, viz. pro duobus bobus coloris &c. precij &c. de bonis & catallis cuiusdā R. I. per p̄d̄ I. felonice capt' & abduct'. Et postea eundem I. die, ant' hor' &

loco

loco supradict' vt pred' est arrestat' pred' W. H. ad tunc et ibidem commissit & liberauit saluo custodiend' quibusd' I. B. & R. D. nuper de &c. in comit' &c. et specialiter requisit' fuerint ex parte dicti domini regis p' p'fat' W. H. ad saluo et secur' custod' & conducend' ipsum I. B. vsq; gaol' ipsius d'ni Regis com' p'd' ibid' morat' quousque per debitam legis formam exoneret et deliberet, p'd' tamen I. et R. machinant' p'd' I. in felon' p' ipsum fact' fauorabiliter iptum I. a custod' sua pred' qui sic desenebat ad tunc et ibid' felonice et voluntarie ad largum suum quo voluit felon' abire et euadere premisset contra pacem &c.

An Indictment where one is committed to prison to a Serieant at Mace by the Bayliffes of a towne, for resistance, disobeying and disturbing them for doing of their office, escapeth out of prison, and goeth away out of the same.

Inquirat &c. Quod cum quidam D. E. de &c. die Martij, viz. quinto die &c. apud P. in com' pred' commissus fuit per R. I. gen' vnū balliuof villæ de P. p'd' et H. L. gen' deputat' I. B. gen' al' balliuof eiusd' villæ in gaolâ sine prison villæ p'd' p' quibusdam resistenc', disobedienc' et malefact' p' ipsum D. E. verus ipsum R. balliuū in executioni officij sui virtute literar' d'ni regis eid' R. direct', ibid' moratur sub salua custod' M. vni' seruentiū ad elauē ad villā p'd' quousq; p'd' D. inde deliberaretur et dimissus esset p' debitam legis formam: si p't. D. circa horā v' in nocte eiusdem diei anno supradict' reg' regis p'd' prison' in qua detent' fuit vt p'd' est ad tunc & ibid' malitiose & min' iuste fregit & ab hūi prison' sine aliqua licencia euaserit & escapuit contra formam statuti dict' d'ni regis & d'it' & p'uis. & contra pacem dict' dominæ reginæ &c. Sect. 249

An Indictment of forcible entrie into a messuage, with the appurtenances, upon the Statute of 8. H. 6. against diuers persons wherein the Statute is not recited.

Inquirat &c. Si A. B. et C. D. nuper de &c. assumptis et associat' eis alijs malefactorib' et pacis d'ni reg' p'turbatorib' modo guerrin' arraiat' ad numerum 12. personar' quorum nomin' presens Iurat' ignoratur decimo die &c. apud D. &c. vi et armis, viz. baculis gladijs culcellis, falcastris lapid' et alijs armis defensiuis et inuasiuis in vnum messuagium cum pertinent' super pacificam possession' T. P. intrauit et dict' P. a possessione sua pred' expulerunt & disseisuerunt et eundem T. sic expulsū et disseisitū a pred' messuagio cum pertinent' vi et armis pred' ac manu forti extratenuer' et adhuc extratenuent contra pac' dicti d'ni reg' ac cont' formam statuti domini Hen. nuper Reg. Angliæ 6. Anno regni sui 8. inde & d'it' et prouid'. Sect. 250

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An Indictment upon the statute of Ann. 5. Eliz. against such as use any mystery or occupation, not being an apprentice to the same for 7. yeares.

Sect. 251

Iuratores presentant p̄ domina Regina, q̄ cum in Parliament dominū reginæ nuncient apud Westm̄ 8. die Maij, Anno regni sui 5. inter alia stabilitū fuit, quod post primum diē Maij tunc proxime sequentē non liceat alicui personę siue personis erigere, occupare, vti vel exerere aliquam artē mystēr siue occupationē ad tunc visitat vel occupat infra reg. Angl' vel Wallię si non educat in eadem tanquam apprentic' p̄ spacium septem annoꝝ ad minus, nec alicui personæ opus tradere in huiusmodi mysterio, arte siue occupatione, si non ead' persona fuit apprentic' aut tunc fuit exercit in mysterio pred' tanquam apprentic' vt pred' est, sub poena quod quælibet persona voluntarie offendens vel contrariū faciens forisfaciat pro quolibet tali defalta 40 s. pro quolibet mense prout in statut' pred' plenius liquet & apparet: quidam tamen I. S. statut' pred' ac poenam in eodem content' minime verens siue ponderans non existens apprentic' primo die Iulij, Anno quinto supradictō dñę Regiñ nostrę nunc contiñ vsq; diem captionis huius inquisitionis scilicet p̄ quatuor menses apud A. in Corn̄ M. pred' occupauit vel exerciuit artem, mysterium siue occupationem in diē dñę Reg. nunc contemptum ac contra formam statuti p̄dicti.

An Indictment for a riotous and unlawfull assembly, putting men in feare, and doing of trespassse, and plowing in a close.

Sessio Pacis generalis domin' Regin' tenē apud Midd' in Corn̄ pred' die Martis, viz. quarto die &c. Ann. &c. coram H. C. milit' G. C. &c. aī Iustic' Pacis in Corn̄ pred'.

Sect. 252.

Inquisic' capt' ibid' p̄ Sacram̄ T. O. B. D. &c. Iurat'. Qui super Sacram̄ suum inter alia presentant q̄ A. B. nuper de H. in Corn̄ C. yeoman, E. D. &c. 22. die &c. Anno &c. vi & armis apud N. in Corn̄ pred' riotose seiplos assemblantes & associantes, ad tunc & ibidem riotose quoddam clausum vocat' &c. cuiusdam R. C. armig' freget & intrauit ac feruēt, & tenentes ipsius R. C. ad tunc & ibidem in clauso in opere faciend' ipsius R. C. existē minaciter minat' & timerent ac herbam ipsius R. C. ad tunc & ibid' crescēt cum quibusdam auerijis, non solū depast' fuer' conculcauerunt & consumpserunt, sed etiam pred' clausum cum bob' & aratro arauerunt et subuerterūt & aliā enormia p̄ R. C. fecerunt in diē dñę regin' contemptum manifestum & ipsius R. C. damnū non modicum & grauamen, ac contra pacem diē dñę reginæ.

An Indictment of a Priest for saying of Masse in the Vestry of a church.

Inquirat p̄ domina Regina, si G. O. nuper vicari⁹ de W. in parib⁹ de Sect. 253
L. in Com̄ p̄d' Clericus 16. die Martij mane in aurora eiusd' diei An̄
regni Elizab. & c. sexto apud W. pred', in quodam loco vocat' the vestrie
house, iuxta ecclesiā Parochialē de W. p̄d' voluntar' vsus fuit priuatim
alio ritu, ceremonia, & forma celebrationis Coen̄ dn̄æ voc' the Lords
supper, quam in quodam intitulat' libr' communis precationis et admini-
strationē Sacramentorū & aliorū rituum & ceremoniar' Ecclesiæ Angli-
can' auctorizat' p̄ actus Parliament' tenē in annis 5. & 6. dn̄i Reg. Edw.
sexti nuper Regis Angliæ declar' & mentionat' existit, viz. dicend' & ce-
lebrand' vnā priuatā Missam, contra formā statuti.

*An Indictment for mouing the Duke of Somerset and other subiects to rebel-
lion against the king, and to take and imprison the Duke of Northumber-
land, the Marquesse of North. and the Earle of Penbroke being of the K.
Prinse Conncell.*

Inquir & c. Quod T. A. nnp de L. Miles. deum præ oculis non habens Sect. 254
sed instigatione diabolica seduct' Anno regni Edw. 6. & c. 5. & diuersis
diebus & vicib⁹ antea & postea apud Sion in com̄ Middl' & apud di-
uersa alia loca in dict' Comit' Middl' felonice fact' di' dn̄i regis p̄
aperta verba p̄curauit mouit & instigauit Edw. Ducē Somerset, ac quā
plures alios subditos dict' dn̄i regis ad insurgendū, et ad apertā rebellioē
& insurrectionem infra hoc reg' Angl' mouend' contra ipsum dominum
reg' & ad tunc & ibid' felonice capiend' & imprisonand' prenobilē I-
ohan̄ ducem Northumb' tunc com̄ War', Will' Marchionē Northamp',
& Will' comitē Penbroke ad tunc Willhelm̄ Harbert, ipsisque duce
Northumb. Marchionē & Comit' Pemb' de priuat' Consilij dicti dn̄i
regis ad tunc existē contra dicti dn̄i regis Coron' & dignitat' suas &
contra formā statuti in h̄ni casu edit' & prouif.

An Indictment of Extortion against an Escheator.

Inquir p̄ domina regin', si R. G. nuper de O. in Com̄ War' die & an̄ Sect. 255
& c. colore officij Escheatoris in com̄ Leic' exegit & extortione cepit
apud H. in dict' Comit' L. de Griffino R. nouem modios tritic' ad valenc'
23. s. 4. d. de bonis & catallis dict' Griff. ad p̄niciosum exemplū aliorū
malefact' ad graue damnum ipsius G. & cont' formā diuersor' statut' & c.
& contra pacem & c.

*An Indictment against one for publishing that the Queene had two or three
children by the Lord R. D.*

Iur & c. quod I. nuper de W. in Com̄ pred' Labozer, Deum præ oculis Sect. 256
non habens sed instigatione diabolica seduct' quinto die & c. Anno
& c.

Indictments, and

&c. apud N. narrauit et publicauit de dicta dña regina nunc hæc falsa seditiosa & scandalosa verba Anglicana sequen, viz: **That the Queene hath had by the Lord inuēd' R. D. p̄nobilis ordinis garterij Milit' domini D. two or thre childre, contra ligeanc' & debic' sua, in magnum scandalum & contemptum dict' dñæ reginæ nunc coron' et dignitat' suas, & contra formam statuti &c.**

An Indictment of one as a common Barretor, a stirrer up of strife and contention, and a troubler of peace.

225. 532
Sect. 257. **I**nquiratur pro domina Regina, Si I. B. nuper de S. in Com̄ &c. yegoman, 25. die Maij Anno &c. apud S. pred' necnon diuersis diebus & temporibus tam antea quam postea fuit cōmunis barretat' & pacis pturbator ac diuersas lites contumelias & discord' in diuersos dñæ regin' subdit' ad tunc & ibid' et alibi in Com̄ pred' iniuste mouebat, procurabat, et excitabat, in dict' dñæ regin', nunc contemptū et ad graue dānū populi dict' dñæ reginæ, necnon contra formam diuersorum statuf' &c. ac contra pacem &c.

225. 532
An Indictment for clipping and filing of gold and silver, and uttering of the same.

Sect. 258. **I**nquiratur &c. Si E. D. de ciuitat' Couent' pedler, die & ann' &c. ac diuersis dieb' ant' & postea Ciuit' p̄d' 30. pec' auri vocat' royals, ac 300 pecias argent' vocat' groats, bon' et legal' monetæ Angl' & cunagij dict' dñæ regin' p' lucri causa falso, felonice et pditorie rotondit & filauit: Ita q' per rotionem & filacionem illas quelibet pecia auri inde de xij. d. in tuo debic' pondere diminuebatur. Ac quelibet pecia argenti vocat' groats, inde yno obulo in debito suo pondere diminuebatur, & monetā illam in form' p̄d' tonsam & filat' diuersis ligeis dict' dñæ regin' apud ciuitat' pred' in Com̄ pred' falso, felonice & pditorie exposuit et vterauit contra formam statuti &c. ac contra pacem &c.

225. 542
An Indictment for enclosing of 20. acres of pasture out of a common field, in the which all the inhabitants of L. haue used time out of mind to haue common of pasture for all maner of cattell.

Sect. 259. **I**uratores presentant &c. Quod Ed. C. nuper de L. in Comitatu pred' generof. G. C. nuper de L. &c. decimo die &c. Anno &c. necnon diuersis diebus & vicibus tam antea quam postea, vi & armis &c. xx. acf' pasturæ cum pertinentijs in L. predict' in aperto communi campo ibidem, in quibus omnes inhabitantes villæ prædict' a tempore cuius contra' memoria hominum non existit, vsi fuerunt & consueuerunt habere communiam pasturæ pro omnibus animalibus suis omni tempore

pore anni imperpetuum, cum sepibus & fossatis includerunt, & eisdem viginti acras sic inclusas à pd' 10. die Apr' anno suprad' vsq; diem captionis huius inquisitionis custod' & adhuc custodiuit in malum & perniciosum exemplum aliorum ligeorum dicitur dominæ reginæ & contra formam diuersorum statuf &c. Ac contra pacem &c.

An Indictment of wilfull murder of a woman.

INquiratur &c. si T. L. nuper de W. in comitatu &c. Laboyer, Deum pre Sect. 260.
 oculis non habens sed instigatione diabolica seducti 30. die April' Anno regni Elizabethæ &c. circa horam nonam eiusdem diei vi & aui' apud W. præd' ex malitia sua præcogitat in quandam Marg' T. adtunc & ibidem in pace Dei & dicte dominæ reginæ existen' insultum fecit et ipsam Marg' cum quodam baculo ad valenc' &c. quem idem Th. in manibus suis adtunc et ibidem tenuit, verberauit, et vulnerauit, et maletrastauit. Ita q' præd' M. à præd' 30. die Apr' anno suprad' vsque ad quintū diem Maij tunc præd' sequent' languebat, quo quidem quinto die Maij, anno suprad' præd' M. apud W. præd' de verberatione, vulneratione & maletrastatione præd' adtunc et ibidem obiit. Et sic præd' Th. præd' M. modo et forma præd', scilicet, apud W. præd' die et anno præd' felonice et voluntarie interfecit et murtherauit contra pacem &c.

An Indictment of murder, and the murderers flying after the said murder committed.

INquiratur pro domina regina, si T. Barbour nuper de C. in com' &c. Sect. 261.
 die et anno &c. vi et armis &c. ex malitia sua præcogitat apud D. in comitatu prædict' in quandam W. W. adtunc et ibidem in pace Dei et dicte dominæ reginæ existen' insultum fecit et ipsum W. adtunc et ibid' existen' verberauit, vulnerauit, et maletrastauit, ac ipsum W. cum quodā baculo ad valenc' &c. quem idem T. B. adtunc et ibidē in manu sua dextra tenebat præf. W. supra sinistram partem tibie suæ felonice percussit, dāns ei plagam mortalem: Ob quam quidem plagam mortalem præf. W. à præd' vicesimo die &c. anno &c. vsque ad octauum diem Iulij tunc præd' sequent' languebat, et de eadem plaga mortali præd' W. &c. apud &c. præd' vicesimo die Iulij anno supradicto moriebatur. Et sic prædict' Tho. B. præd' W. præd' 8. die Iulij, anno supradicto apud B. pd' felonice murtherauit et interfecit, contra pacem dicte dominæ reginæ &c. Et post feloniam et murtherum sic per præf. Tho. B. ibi fact', prædict' Tho. B. ob eandem feloniam et murtherum pd' immediate fugiebat, contra pacem &c.

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An Indictment of Riot, the riotors weaponed with diuers weapons, and armed with priuie coates for breaking and entring into a house, taking and spoiling of goods, beating and wounding of diuers in the house, breaking of a chest, and taking out of it fixe siluer spoones, and taking, spoiling, and carrying away of Oates out of a Barne.

Sect. 262

Inquiratur &c. si I. S. decimo die &c. anno &c. vi et armis, videlicet, baculis, gladijs, & cultell' necnon tunicis priuatis & modo guerrino araiat' apud W. in com' p'd' domum cuiusd' Christoph' B. apud W. p'd' in com' p'd' riotose et manuforti fregerunt et intrauerunt, & in T. B. F. B. &c. ad tunc et ibid' inuent' in pace Dei & dictæ dnæ regin' existen' insultum fecerunt & affraiam ibid' riotose fecerunt & ipsos T. F. &c. ad tunc & ibid' in pace Dei et dictæ dominæ Reginæ inuent' existen' verberauer', vulnerauer', et malectrauer'. Ita q' ipsi de vita ipsorum desperabantur, ac bona et catalla p'd' C. B. ad valenc' 30. li. in domo sua p'd' ad tunc inuent' riotose ceperunt et spoliauerunt et asportauerunt, ac cistas ipsius C. in domo sua p'd' tunc existen' riotose fregerunt, & sex coclear' argenti ad valenc' xl. s. de bonis et catallis ipsius Christoph' ad tunc & ibid' inuent' riotose ceperunt & asportauerunt. Ac auenas ipsius C. tunc et ibidem in horreo suo inuent' riotose ceperunt & spoliauerunt & asportauerunt, Ac alia enormia ei intuler' in perniciosum exemplum ligeor' & subdit' dictæ dom' reginæ, ac contra formam diuersorum statut' &c. ac contra pacem &c.

And Indictment for the counterfeiting of the Queenes Letters Pat. to begge, and taking of the Queenes broad Seale from other Letters patents, and putting it to the counterfeit Letters patents.

Sect. 263.

Inquiratur p' domina regina, si I. D. nuper de M. in comitatu &c. Deū præ oculis non habens sed instigationē diabolica seduct' die &c. apud &c. deceptiue falsò & proditorie quald' falsas lras patent' script' de collect' deuotionē et charitat' populor' ipsius domiñ Reginæ hunc tenorem continen', viz. Elizabeth by the grace of God &c. Ac cum idem I. dic' falsas literas patent' sic vt p'mittitur contrafecisset, idem I. p'd' die &c. Anno &c. apud M. p'd' in com' p'd' quoddam magnū sigillū dictæ dom' ad tunc p' antea annex' & legitim' apposit' irripuit & accepit, & illud sigillum dictis falsis counterfactis literis deceptiue, falsò et proditorie apposuit et annex' & easd' literas sigillo illo subtilit' recludend' sigillauit. Et si magnum sigill' ibidem et ad tunc voluntariè & proditorie, contra fecit, falsificauit & fabricauit. Et idem I. postea scz. die, anno &c. apud M. in comitatu p'd' ac diuersis alijs locis eiusdem com' diuersas denariorum summas diuersorum ligeorum dictæ dnæ Reginæ, virtute, & colore literarum præd' modo & forma prædict' contrafact' & sigillat' deceptiue, falsò, & proditorie colligebat

ligebat habuit & recepit & ad vsum suum p̄prium conuertit in malum & p̄nitiosū exemplū ligeorū eiusd̄ dom̄ Reg. ac con̄ form̄ diuersorū statutorū in h̄m̄di casu edit̄ & prouis̄. & contra pacem dict̄ dom̄ Reḡ &c.

An Indictment for the stealing of two geldings.

INquiratur &c. si G. W. nuper de W. in com̄ S. & R. B. nuper de W. Sect. 264
 p̄d̄ in com̄ p̄d̄ Labozer, vltimo die &c. Anno &c. vi & armis &c. apud
 N. in dicto com̄ S. vnum spadonem coloris gray p̄cij &c. Ac alium
 spadonem coloris &c. p̄cij &c. de bonis & catallis cuiusd̄ ignoti ad-
 tunc & ibid̄ inuent̄ feloñ furat̄ fuer̄, cepit & abduxit contra pacem &c.

An indictment for robbing of a Gentleman by the highway.

IVt &c. Quod vbi I. B. de L. gen̄ xiiij. die &c. Anno &c. fuit in pace Sect. 265
 dei & dictę dn̄e Reg. in regia via apud paroch. S. Egidij in campis
 in com̄ Midd' : ibi eodem die, & anno venerunt I. M. & R. H. nuper
 de &c. feloñ vt felones dict̄ dom̄ reḡ, & in p̄d̄ I. B. insultum fecer̄ et
 ipsum verberauer̄, vulnerauer̄, & maestrauer̄. Ita q̄ de vita eius despe-
 rabať & xx. s. in pecunijs numerat̄ de bonis & catall' ipsius I. B. sup̄ ipsū
 I. B. adtunc & ibid̄ inuent̄ & existeñ feloñ cepit & asport̄, con̄ pac' &c.
 ac con̄ form̄ statut̄ in anno dn̄i H. 8. 23. edit̄ & prouis̄.

An Indictment for cutting of a purse, and xx. s. in it

INquiratur &c. Si T. C. de &c. Labozer, die &c. vi & arm̄ &c. apud Sect. 266
 C. in com̄ &c. xx. s. in pecun̄ numer̄ in quad' crumēñ existeñ de bonis
 & catall' cuiusd' T. D. adtunc & ibid̄ inuent̄ a p̄sona p̄f. T. D. cum
 quod̄ cultell' ad valenc' &c. quē id̄ T. C. in manū sua dext̄ adtunc &
 ibid̄ habuit & tenuit feloñ scidit furat̄ fuit cepit & asport̄, con̄ pac' &c.

An Indictment for taking away of a woman seruant.

INquiratur &c. Si W. K. de S. &c. die anno, &c. loco &c. vi & arm̄, viz. Sect. 267
 gladijs & dagger quend' Isab. K. seruient R. Q. de F. in com̄ p̄d̄ Spire
 ster, in seruiē' dict̄ Richardi existeñ & retent̄ apud F. p̄d̄ cepit & ab-
 dedit die & an̄ suprad̄, contra pacem dicti dn̄i regis nunc.

An Indictment for breaking and entring into a house, and burning of it.

INquiratur &c. Si D. S. de K. in comitat̄ p̄d̄ Labozer, tali die & anno Sect. 268
 &c. vi & armis &c. domum W. C. fregit & intrauit, & ex malit̄ sua
 pre-

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pre cogitat, ad tunc et ibidem existē dictam domum felonice combussit contra pacem &c.

An Indictment for procuring a seruant to depart from his master, & for being a common procurer of seruants away from their seruices.

Sect. 269

Inquiratur &c. si W. M. de N. in com̄ E. yeoman, die, anno & loco &c. procurauit et exhortauit I. C. seruiē R. S. in seruitio suo ibidē existē abire ab eodem seruitio, cuius quidem p̄curacionis pretextu idem I. C. a seruitio R. S. tunc et ibid' recessit: Et quod idem W. M. est communis procurator seruiē diuersorū ligeorū domini regis, Ita quod ligei domini regis de eiusmod' seruiē ad negotia sua perimplend' multiplic' grauāt existunt, in dict' dñi regis contemp̄ et quamplurimum ligeorum dñi regis deteriorationem manifestam.

An Indictment for keeping of Honnds and Hunting, hauing not landes of the value of xl.s.

Sect. 270

Inquiratur &c. si I. W. T. P. de &c. non habens terr' neq; tenement' ad valenc' 40. s. vltra repris. tenent canes venaticos & leporarios et eisdē vsi sunt venari in diuersis partib' iuxta C. viz. apud D. H. et alibi intra Hundred' de C. venati sunt, ac lepores ac alia animalia ven' ceperunt contra pacem &c. ac contra formam statuti &c.

An Indictment for robbing of a Church.

Sect. 271

Inquiratur &c. Si I. W. de &c. vi & armis &c. ecclesiam parochialem Sanct' Andr' Apostoli, apud S. in com̄ pred' freget et intrauer', ac xx. d. in pecunijs numeratis de bonis & catallis parochianorū parochiæ pred' in custod' W. F. & W. S. custod' siue gardianorum bonorum et catall' parochianorum parochiæ pred' existē ad tunc et ibid' felonice furat' fuit cepit et asportauit, contra pacem &c.

An indictment of two Sherifes of a citie, for suffering of a prisoner committed to them upon suspicion of felony to escape.

Sect. 272

Inquiratur &c. Quod cum Roberus I. nuper de ciuitate Couentrie in com̄ ciuit' pred' yeoman, oct' die Nouembris, anno reg. Elizab. &c. p̄ suspicionem felon' per ipsum R. I. preantea fieri & perpetrari suppositum apud ciuit' pdict' cap̄ & arrestat' fuit: Idemque R. I. eisdem die & anno apud ciuit' pdict' quibusdam Iohanni S. de ciuitate pdict' Cothor & Willihel' P. de ciuitate pdict' Winer, vic' Ciuitat' prad', ac custod' gaolē dictæ domine regin' infra Ciuitat' illam, ob causam pred' tradit' fuit saluo & secur' custod' quousq; idem R. I. a custod' illa secund' legem et consuetud' regni Angliæ à prisona illa deliberat' foret, si ijdem I. S. & W. P. die et anno supradictis apud Ciuitatem pred' in comitatu Ciui-

Ciuis pd', R. I. ad largum & extra gaolam & custod' pd' felonice et voluntarie exire permisit, contra pacem dictæ domine regine &c.

An Indictment for stealing of Conies with nets, dogs, and ferrets.

INquis &c. Si I. W. die et ann' &c. vi et armis &c. clausum cuiusd' K. L. Sect. 273.
 Voc' &c. apud M. circa horam octauā in nocte freger' et intrauer', et vnā cuniculā cū retib', canib', et venarijs voc' ferrets, ad tunc et ibid' inuenit ceperunt et asportauerunt, ad graue damnum &c. et contra pacem &c.

An Indictment of a keeper of a Gaole, for letting one committed to him upon suspicion of felony, escape out of prison.

INquiratur &c. Quod cum quidam I. B. de &c. die et anno &c. p' suspicio- Sect. 274.
 ne cuiusd' felon' p' ipsum infra vill' pd' ante tunc fieri et p'petrat' supposit', capt' et arrest' fuit apud villam pd', et eisdem die et anno pd' I. B. cuidam Tho. R. de villa et com' pd' p'coman, custod' gaolæ dicti dom' reg' in dict' vill' de L. pd' pro suspicion' felon' pd' saluo et secu' custod' tradit' fuit quousque idem I. B. a custod' illa secund' legem et consuet' regni Angliæ deherat' foret: Si idem T. R. die &c. anno supra' apud villam pd' in com' pd' I. B. ad largum et extr' gaolam pd' negligēt voluntarie et felonice exire et euadere permisit, contra pacem dictæ dom' reginæ &c.

An Indictment for the stopping and turning of a water course in a towne, by reason whereof diuers mens lands be surrounded.

IVratof' presentant &c. Quod T. R. nuper de S. p'coman, I. P. nup' de S. Sect. 275.
 p'coman, &c. primo die Ian' anno regni dictæ dnæ reg' secund', necnon diuersis alijs diebus et vicibus, tam antea quam postea apud S. pd', quendam aquæ cursum obstupauit et diuertit, p' qd' pd' aquæ curius fluebat super solum et liberum tenitum quorundam &c. ad graue damnum ipsor', necnon oīum tenen' villæ de S. præd', et in perniciosum exemplum alior', ac contra fortunam statut' &c. et contra pacem dictæ dominæ reginæ &c.

An Indictment upon the Statute of 8. H. 6. for a forcible entry into one rood of land, and assaulting and beating of one I. F. and

keeping the same with force.

INquiratur pro domina Regina, Quod cum in Statuto in Parliamen- Sect. 276.
 to Domini Henrici nuper Regis Angliæ sexti post conquestum apud Westmonast. Anno regni sui octauo tenē, ædific' inter cætera continetur: qd' si aliqua persona de aliquibus terris siue tenement' manuforti expulsa

ste.

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fit vel disseisit vel pacific' expellatur et postea manufort extra teneat vel aliquod feoffament vel discontinuatione inde post talem ingressum suum ad ius possessoris defraudand vel tollend aliquo modo fiat, habeat pars in hac parte grauaf versus talem disseisitorum Assisam nouae disseisinæ vel breue de transgr. Et si pars grauaf per Assisam vel per actionem transgressionis recuperet per veredict' vel alio quocunque modo p debet legis formam inueniat qd pars defendens vi ingressus fuerit, vel dicta tementa p vim post ingressum suam tenuerit, recuperaret querens damna sua ad triplum versus defendentes. Et ulterius finem & redemptionem dnæ reginæ fac' prout in eodem statuto plenius continetur: Quidam tamen I. W. de W. in comitatu pdict' Deoman, E. H. I. L. et alij statut' pdict' minimè ponderant, vij. die Martij, Anno &c. vi et armis, viz. baculis, gladijs, et sustib' seipfos assemblauerunt, congregauerunt, et coadunauerunt. Et sic assemblat, congregat, et coadunat existen modo guerrino arraiat riotosè & illicitè in vnâ rodam terræ liberi tenementi cuiusdam G. B. gener' apud W. in quodam loco vocat' Catemoze dale in comitat' pdict' ingressi fuerunt. Et in quosdam I. F. et I. W. ad tunc et ibidem insuleum et affraiam fecerunt, verberauerunt, & malectrauerunt, et ipsum G. B. de eadem roda terræ manuforti expulerunt. Et ipsum G. B. sic expulsus inde manuforti extratenuerunt et adhuc extratenent in dictæ dominæ reginæ nunc contemptum et ipsius G. grauè damnum, ac contra formam statuti pdict'. Et contra pacem dictæ domine reginæ &c.

An Indictment for murdering of a man child newly borne, which is murdered by the mother.

Sec. 277.

Inquiratur p dnâ Reg', Si E. B. nup de T. in com' &c. Spinster 29. die &c. Anno &c. apud T. pd' ad tunc et ibid' quendam infantem masculinum vuum pepit. Et postea pd' E. apud T. pdict' infantem viuum ad tunc et ibid' cum digitis suis sup caput suum dure tractand' per qd infans pd' immediatè moriebatur. Et sic pd' E. B. infantem pdict' die et anno supradict' felonice infecit & murtherauit cont' pacè dictæ dom' regin' nunc &c.

An Indictment for hunting in a Parke paled, and for killing and carrying away of a Bucke and a Doe in the night time.

Sec. 278.

Iura presentant &c. quod cum in statut' in Parlamento dominæ Reginæ nunc tenet apud W. Anno regni sui quinto inter alia inactitat, stabilitat et ordinat existit. Quod si aliqua persona siue personæ post festum Pentecostes Anno 5. supradicto in die vel in nocte, iniuste vel illicitè fregit, fregit, vel intrauerunt in aliquod parcum impalatum vel sepibus inclusum ad seruand vel sustentand' feraf, vsitat, & ibidem iniuste venatur

venatur vel venantur, ceperit aut ceperint, occiderit aut occiderint, aliquas feras infra aliquod hñdi parcū impalat vel solum inclusum & pro feris vsrañ modo & forma p̄d̄ & inde debito modo conuictus fuerit aut fueť ad sectam dictæ dñæ Reg. vel partis in hac parte grauaf. Qđ tunc ead̄ persona siue persoñ sic inde conuict' poen̄ corpoř siue corpoř suorū per imprisonment subeat & subeant p̄ spacium 3. mensium, & reddat & reddant, soluat & soluant parti grauaf̄ damna sua ad tripulum. Et post p̄d̄ eres menses complet' inueniat & inueniant sufficientē securitatem pro sua vel suis bene gestur' & gestur' p̄ spac' 7. annor' tunc proximi sequend' erga dict' domiñ Reg. hæred' & successor' & cunctum popul' suum, aut remanebit siue remanebunt & continuabunt semper in prisoñ sine balliua vel manucaptionē donec ille vel illi delinquen' poterit vel poterint & inuenerint, tres tales sufficientes securitates durante termin' 7. annor' vt supra dictum est prout in statut' p̄d̄ plenius continetur: Quidam tamen W. W. T. M. & c. de & c. statut' p̄d̄ minimè ponderant post p̄d̄ fest. P. scz. 3. die Iunij anno & c. circa horam 1. in nocte eiusdem diei vi & armis & c. parcum impalat & pro feris vsrañ cuiusdam I. S. ať vocat' Hopwell Parke apud Hopwell in Corn' p̄d̄ fregerunt & intrauet, & vnum Damam masculinum & vnam Damam femalem adtunc & ibm̄ in eodē parco inuent' & existeñ ceperunt, interfecerunt & asportauerunt, contra formā statuti prædict' ac contra pacem & c.

An Indictment of Burglary, for breaking of a dwelling house in the night time, to the intent to haue robbed the said house, and for beating and putting in feare diners in the same house.

Inquiratur p̄ dñā Regina, si I. P. nup de & c. 20. die & c. vi & arm' & c. Sec̄. 279
 Circa horā 10. in nocte eiusdē diei domū mansional' cuiusd' D. B. de L. p̄d̄ in Corn' p̄d̄ H. apud L. p̄d̄ ea intentionē ad spoliand' eundē D. de bonis & catall' suis in ead̄ existeñ feloñ & burglar' fregit & intrauit, & eundē D. & quendā I. B. filium p̄d̄ D. & E. vxor' eius in domo p̄d̄ in pace Dei & dict' dñæ Reg. adtunc & ibm̄ existeñ verberauit, vulnerauit, & maletractauit, & in corporali timore & maximi metu & piculo vitæ suarū adtunc & ibm̄ posuit, contra pacem & c.

An Indictment of Burglary, for breaking of a dwelling house in the night time, and the putting of them in the house in feare, and for the felonious taking out of the said house 1200. li. in money, and a Chalice of Silver parcell gilt.

Inquiratur pro dñā Regina, si T. W. de B. in Corn' & c. sexto die & c. Sec̄. 280
 Anno & c. circa horam primam in nocte eiusdem diei domum mansionalē

T

sionalē

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fionalem cuiusdam I. B. apud W. in comit' p̄d' feloñ & burglar' fregit & intrauit ac ipsum I. B. ad tunc et ibidē in eadem domo mansionali in corporali timore posuit ac mille et centum lib' legalis monetæ Angliæ in pecuniis numerat' et vnam calicem argenti parcell' aurat' voc' a thallice of siluer parcell gilt, ad valenc' 4. li. de donariis & de bonis & catallis I. B. in eadem domo mansionali ad tunc et ibidem inuenit felonice cepit et asportauit contra pacem dictæ dñæ reg' coron' & dignitat' suas.

An Indictment for breaking of a barne, and taking out of it foure bushels of Barley.

Sect. 281

I Nquir' &c. si I. S. &c. horreū cuiusd' I. C. de Sutton magn' in com' p̄d' ad tunc & ibidem burglar' fregit & intrauit, et quatuor modios hordei Ang' voc' a quarter of barley, ad valenc' vi. s. iiii. d. de bonis et catallis prædict' I. C. ad tunc & ibidem inuenit burglariter & felonice cepit, abduxit, & asportauit, contra pacem &c.

An Indictment for breaking of a Milne, and taking out of the same a sacke and six bushels of Wheat.

Sect. 282

I Nquir' &c. si I. S. &c. vi & armis domū molendin' W. H. apud C. in poch' de D. in com' p̄d' voc' Clark mill, burglar' fregit et intrauit et vnū sacco p̄cii &c. et sex modios tritici voc' 6. bushels of wheate, in sacco ibidē existē p̄cii 20. s. de bonis & catallis p̄d' W. H. ad tunc et ibidem inuenit die, ann' & loco supra d' felon' cepit & asportauit cont' pacem &c.

An Indictment for the felonious taking of six paire of sheets, twelve diaper napkins, and one ring of gold.

Sect. 283

I Nquiratur &c. si I. B. vi et armis 6. patia lintheorum voc' Sheets, ad valenc' xl. s. 12. mappas de diaper voc' table napkins, ad valenc' xl. s. vnū annulū de auro cuiusdam I. S. apud H. p̄dict' die et anno ad tunc et ibidem inuenit felonice cepit et asportauit contra pacem &c.

An Indictment for the felonious taking of a cup of silver parcell gilt in the isle of V.

Sect. 284

I Nquir' si I. S. vi et armis vnā Cypham argenti parcell' aurat' Angl' voc' a cup of silver parcell gilt, ad valenc' 4. li. de bonis et catallis E. W. apud M. infra insulam V. in com' præd' ad tunc et ibidem inuenit feloñ cepit et asportauit contra pacem &c.

An Indictment for receiving, ayding, and comforting of a felon knowing him to haue done a felony.

Sect. 285

I Nquiratur &c. si R. S. sciens p̄fat' I. R. felon' præd' in form' p̄d' fecisse. et perpetrasse eundē I. 20. die &c. anno &c. in comitatu prædicto felonice recepit auxiliatus fuit & confortauit contra pacem &c.

An

An Indictment for stealing two Horses of a mans unknowne.

INquirat &c. si W. H. nup de F. in com̄ p̄d̄ &c. 1. equum coloris gray Sect. 286.
p̄cij &c. et 1. equum coloris &c. p̄cij &c. de bon̄ et catal' cuiusd̄ homin̄
ignoti die et anno sup̄ d̄ felon̄ cepit et abduxit cont̄ pacem &c.

An Indictment for assaulting and robbing of a man upon the high-way of a Gelding and his purse, and 20. s. of money in it, and for the taking of two Mares found in the high-way.

INquir &c. si I. I. &c. vi et arm' in reg. via ducent' a W. vsq; ad B. in com̄ Sect. 287
p̄d̄ in R. S. gen̄ adtūc et ibid̄ exist' in pace &c. insult' fecit et 1. spadoñ
color' nigri p̄cij &c. et x. s. in pecun' numerat' exist' in 1. purfa valor' 1. d.
exist' de bon̄ et catal' dict' R. S. apud B. p̄d̄ adtūc et ibid̄ in reg. via in-
uent', felon̄ cepit et abduxit, cont̄ pac' &c. et 2. equas color' &c. p̄cij &c. de
bonis et catallis D. C. apud A. in Com̄ W. in reg. via ibid̄ adtunc et ibid̄
inuent' cepit et abduxit, contra pacem &c.

An Indictment for the robbing, beating, and wounding of one on the high-way, and taking from him 10. s.

INquir &c. si I. S. &c. vi et arm' in quod̄ loco ibid' voc' the Ashdownes Sect. 288
cross, in via reg. ibid' in A. B. insult' fecit et ipsum adtūc et ibid' verber'
vulnes et maletreat' ita q̄ de vita sua desperabat' et x. s. in pecun' numer'
sup̄ p̄son̄ ipsi' A. B. adtunc et ibid̄ exist' de pecun' bonis et catallis p̄d̄
A. B. adtunc et ibid' inuent' felonice cepit et asportauit contra pacem &c.

An Indictment for assaulting of a woman, and feloniously taking from her 5. s. 4. d. in money.

INquir &c. si I. B. &c. vi et armis &c. in quand' E. C. apud C. in Com' Sect. 289
p̄d̄ insult' fecit et 5. s. 4. d. a person̄ ipsi' E. adtunc et ibid̄ inuent' felon'
cepit et asportauit, contra pacem &c.

An Indictment for stealing out of a close foure Sheepe.

INquir &c. si I. S. &c. vi et armis clausum I. S. senioris gen̄ apud B. in p- Sect. 290
regchi de D. in Com' p̄d̄ fregit et intrauit, et 4. oues p̄cij 5. s. de bonis et
catallis ipsi' I. ibid̄ inuent' felon̄ cepit et asportauit, contra pacem &c.

An Indictment for breaking of a house in the day time, and taking of 6. li. out of a chest, and against one for ayding and comforting the said felon.

INquir &c. si R. C. die &c. domum P. S. apud G. in com̄ p̄d̄ circiter ho- Sect. 219
ram 1. post meridiem eiusd̄ diei fregit et intrauit ac 6. l. in pecunijs
numer' in quād̄ cista adtunc et ibid̄ exist' de bonis et catallis p̄d̄ P. S.
apud C. in Com̄ p̄d̄ adtunc et ibid' inuent' felonice cepit et asportauit
contra

Indictments, and

cont' pac' &c. Ac si G. L. &c. sciens q' p'f. R. B. felon p'd modo & forma p'd sic fecisset apud E. p'd in Com' p'd, die & anno su p'd felonice abbet-tavit, confortavit, & concealavit, contra pacem &c.

An Indictment of murder committed by the father upon his own daughter with his sist.

Sect. 292

INquit &c. si I. L. de &c. die & anno &c. apud &c. in quod' loco voc' E. T. in Com' p'd, vi & armis &c. in quand' A. L. filiam p'd I. in pace Dei & dict' d'næ reg. exist', ex malicia sua p' cogit' insult' fecit, verberavit & maestraçt', ita q' de vita sua desperabat, ac p'd I. cum suis pugnis adtuc' & ibid' felon' sup' corpus p'cussit' dans eid' A. vnam plagã mortal' de qua quid' plaga ead' A. incontinent' adtuc' & ibid' obiit. Et sic p'd I. p'd A. adtuc' & ibid' felon' interfecit & muraavit, cont' pac' &c.

An Indictment for the counterfeiting of Testers, and for the prying and uttering of them.

Sect. 293

IV' p'sent' &c. q' H. P. nup de L. Seruingman, die &c. anno &c. 40. p'cias cunei argenti voc' Testers, de cunco dict' d'næ Reg. et curren' monet' Angl', ad similitud' et instar veri cunei Angl' et monet' dict' d'næ reg. apud Stanley Abbey p'd in Com' p'd falso et p'ditorie fabricavit & contrafecit, et diuisis ligeis dict' d'næ reg. die et anno su p'd apud S. p'd in Com' p'd, vt vera Monet' dict' d'næ reg. falso exposuit vteravit et soluit, cont' form' stat' in hñdi calu ædit', et cont' pac' &c.

An Indictment for counterfeiting, making, and uttering of false money, viz. Sixpences made with coining Irons, of false mettall.

Sect. 294

INquit &c. si W. H. de &c. die & anno &c. apud &c. falso & p'ditor' cuneis ferreis, voc' Coyning p'rons, cuncã dict' d'næ reg. viz. Sixpen-tes, Angl' Testers, ex falsis mettal' contrafecit et cunauerit, ad similitud' bone et public' Monet' Angl' attingen' ad 5. s. et p'd falsam monet' sic vt p'f. p'ditor' cuneat' p'd die & loco, et in diuisis alijs locis in Com' p'd et di-uisis diebus et vicibus ligeis dict' d'næ reg. ign' pro bona monet' felon' & p'ditor' exposuit et vter', cont' pac' &c. cont' alleg' &c.

An Indictment for burning of a dwelling house, a barne, and a waive load of Barley in the same barne, and against one for comforting the said felon, after the felonie done.

Sect. 295.

INquit &c. si W. B. de &c. vi et armis, viz. baculis et cuktellis quand' domum mansional', ac vnum hor' cuiusd' W. T. necnon caruc' hordei in horreo p'd exist', et continen' ad valenc' 30. li. de bonis et cæallis eiusdem W. apud T. p'd in Com' p'd, die et anno p'd felon' et voluntar' igni-avit, accendit, cremavit, et cum igne destruxit, cont' pac' &c. et cont' form'

Statuti.

Statuti inde ædit et p̄uis. Ac si I. K. nuper & c. sciens p̄d. W. B. felon̄ p̄d̄ in forma p̄ced̄ sic facient̄ dict̄ die & anno apud T. p̄æd̄ in com̄ p̄d̄ felon̄ conclauit, procurauit & abbetrauit contra pacem dom̄ reginæ.

Accessories

An Indictment against two being prisoners, for breaking of the prison, and letting out two prisoners.

Inquiratur & c. si B. C. F. G. nuper de & c. nuper arrestat̄, in prison̄ & Sect. 296
detent̄ in gaola dict̄ dñæ reg' de & c. pro diuisis felon̄ per ipsos sepe-
tim perpetrat̄ 8. die Feb. anno & c. vi et armis & c. p̄d̄ gaolā dict̄ dñæ
reginæ de F. p̄ced̄ in com̄ p̄ced̄ apud & c. fregerunt & I. C. nup de & c
& I. S. prisonarios in eadem gaola existē ad tunc & ibidē felon̄ ad lar-
gum ire permiserunt contra pacem & c. ac contra formam statut̄ & c.

An Indictment for breaking of prison by one committed for felony.

Inquiratur & c. si A. B. nup & c. existē in prison̄ dñæ reg' apud C. Sect. 297
& c. pro diuersis felon̄ vnde corā Iustic' pacis dictæ dñæ reg' in com'
p̄d̄ ad Sessionem tenē coram eisd̄ Iustic' primo die & c. anno & c. felonice
ab gaola illā ad tunc & ibidē transit et felonice euasit cont̄ pacē & c.

An Indictment grounded upon a statute law, against one that keepeth Greyhounds, hounds, and ferrets, who may not dispend 40. s. per annum.

Inquiratur & c. si A. B. nuper de & c. Quod cum in pliam apud West' Sect. 298
nup ædit inter alia cōtinet̄, qd̄ nullus Laborarius, artifex nec vllus ali'
laicus qui non habet terr̄ & tenement̄ ad valen' xl. s. per anñ, nec vllus
cappellanus seu aliquis ali' Cletic' si ipse non habet benefic' ad valenc'
x. li. per. anñ prouis. existit qd̄ tunc impostet̄ non habet seu custodi' vl-
lum canē leporat̄ voc' a grey hound, vel canem venaticum voc' a hound,
seu alios canes pro venation̄, vteretur venat̄ voc' fferrets, vel magnis re-
tibus voc' Hayses, vel retibus hare pipes, aut alijs engenis quibuscunq;
ad capiend̄ aut destruend̄ feras, lepores aut cuniculos sub poen̄ impriso-
nament̄ per vnum annum inteḡ pro vt in act' Parliament̄ p̄æd̄ plen'
continetur: p̄æd̄ A. B. non habens terr̄ & tenement̄ ad valenc' xl. s. per
anñ leporat̄ voc' Greyhounds, venatic' voc' hounds, et alios canes ad
venand̄ apud N. in com' p̄ced̄ habet & custod̄, ac etiam venat̄ voc' fer-
rets, vt supra die et anno apud N. in com̄ p̄d̄ vitur, ad capiend̄ et di-
struend̄ feras, lepores et cuniculos contra formā statut̄ p̄æd̄, vel in con-
temptum dñæ reginæ nunc, et contra formam statut̄ p̄æd̄ & c.

An Indictment for stealing of foure oxen, and of the accessories to the same felony before and after the same felony done.

Inquiratur & c. si A. B. de F. in com̄ N. yeoman, die & anñ & c. 4. boues p̄cij Sect. 299
& c. de bonis et catallis. I. S. de W. in com̄ p̄ced̄ inuent̄ felon̄ furat̄ fuit
cepit & abduxit. Et si W. B. de N. in Com̄ p̄d̄ yeoman, die & anno & c. Accessorie;
I 3. apud

Indictments, and

apud N. in Com̄ predict fuerunt consentientes & abbetan̄ predict A. B. ad feloniam predict in forma predict faciend̄ contra pacem &c. Et pur les accessaries apuz en cest maner. Et si H. W. & P. R. nuper de &c. sciens predict A. B. felon̄ prædict in forma prædict fecisse apud T. prædict & alibi in Com̄ predict, predict 10. die &c. eundem A. B. felon̄ receperunt, contra pacem &c.

An Indictment of wilfull Murder.

Sect. 300.

INquiratur &c. si T. S. de D. in Com̄ p̄d̄ p̄oman, 20. die Iunij an̄i &c. vi et armis, viz. gladijs, baculis, et cultellis in quend' W. P. de S. in Com̄ p̄d̄ Husb. in pace Dei et dict' dñæ Reg. existens, ex malitia sua p̄cogitata apud L. in Com̄ p̄d̄ insult fecit et cum quodã ense ad valenc' x. s. quem idẽ T. in manu dextra adtunc et ibid̄ habuit et tenuit p̄f. W. sup̄ dextram partẽ capitis sui p̄cussit dans ei plagã mortall', de qua quidẽ plaga p̄d̄ W. P. à p̄d̄ 21. die Iunij vsq; ad 12. diẽ Decemb. lan̄guebat et tunc de plaga p̄d̄ moriebat. Et qd̄ p̄d̄ T. apud L. p̄d̄ ex malitia sua p̄cogitata felon̄ & voluntarie interfecit & murderavit, contra pacem &c.

An Indictment of Manslaughter against two, and against one other as accessorie to the same.

Sect. 301

INquiratur p̄ dñã Regina, si A. B. de C. in Com̄ D. p̄oman, & W. F. de T. in Com̄ p̄d̄ Husbandman, 2. die &c. in I. W. de C. in Com̄ p̄d̄ Laborer, apud L. p̄d̄ insult fecer & ipsum I. W. adtunc & ibid̄ idẽ A. B. cum quodã armicudiu qd̄ dict' A. B. in manu sua dextra tenuit in guttore ipsi' I. felon̄ p̄cussit, de quo istu p̄d̄ I. interiit & moriebatur. Et p̄d̄ W. F. cum quadam tendite voc' a hedge Bill, quam ipse in manibus suis tunc tenuit ipsum I. adtunc et ibid̄ percussit et ipsum A. B. ad interficiend' et murderand' p̄d̄ I. adtunc et ibidem felon̄ auxiliavit. Et sic A. B. p̄d̄ die anno et loco p̄d̄, p̄d̄ I. W. felon̄ murder et interfecit: et qd̄ H. W. de P. in Com̄ p̄d̄ gen̄ sciens p̄d̄ A. B. p̄d̄ feloniam et murderum præd' in forma præd' fecisse apud L. et alibi in dict' Com̄ decimo die &c. eundem A. B. felon̄ recepit, contra pacem &c.

Accessorie.

An Indictment of Trespass for breaking and entering into a Close.

Sect. 302

INquiratur p̄ dñã Regina, si I. S. de N. in Com̄ N. 10. die Iu. anno &c. vi et armis &c. clausum A. B. de H. apud F. in Com̄ p̄d̄ fregit et intrauit et herbã A. B. ad valenc' x. s. ibidẽ nup̄ crescentum quibusdã auerijis depastat fuit cõculcauit et consumpsit. Et alia enormia ei intulit ad grauedam̄ ipsi' R. G. et contra pac' dñæ Reg. Coron̄ et dignitat' suas.

An

An Indictment for lying in wait to kill one, and for assaulting, beating & wounding of him, and for entering into and breaking of his close.

INquir p̄ dñā reg. si R. C. de B. in Com̄ N. Laborer, 8. die &c. anno &c. Sect. 303
 apud B. p̄ iacuit insidijs ad interficiendū W. S. de T. in Com̄ p̄ dñi
 bandman, et in ipsum ad tunc insulē fecit, verber, vulneravit, et malectraet
 ita q̄ de vita eius desperabat. Ac etiam si p̄ dñi G. et R. vxor eius 30. die
 Octob. anno sup̄ dñi clauium ipsius W. apud B. p̄ dñi fregerunt et intrauer
 et herbam suam ad valenc' &c. ibid' crescē cum quibusd' aūijs depastat
 fues conculcauer et consumpser cont' pac' &c.

*An Indictment of Trespasse for breaking and entering into a close, and cutting
 downe Ashes in the said close.*

INquir p̄ dñā reg. si A. B. de C. in Com̄ L. Clericus et W. D. de ead' Sect. 304
 villa et Com̄ Clericus 4. die Augusti anno &c. clausum A. B. de M. in
 Com̄ p̄ dñi freger et intrauer et traxinos ipsi' A. B. ibid' crescē ad valenc'
 40. s. iuccider et aīportauer ad graue damnum &c. ac cont' pac' &c.

*An Indictment for a Riot committed by many upon two, and for beating and
 wounding of them, upon the Statute of Anno 2. R. 2. cap. 7.*

INquir pro dñā reg. si A. B. nuper de M. in Com̄ M. Peoman, aggre- Sect. 305
 gatis sibi quampluribus malectrofor et pacis dñā reg. pturbatos ignof
 ad numer' &c. modo guerrino arrat' 6. die Iunij anno &c. apud S. in com̄
 p̄ dñi riotose et routose illicite congregauer et coadunauer et tūc et ibid'
 in R. W. et W. P. ipsos interficiendū insulē fecer, et ipsos R. et W. tunc et
 ibid' verberauer vulnerauer et malectraclauer, per q̄ de vita sua despera-
 batur cont' pac' dñā reg. &c.

*An Indictment against two for assaulting of one, and for taking of foure Kine
 from him that he had taken damage feasant in his land, and was carrying of
 them so the pound.*

INquir p̄ dñā reg. si I. L. de B. in Com̄ S. Peoman, et I. I. nup de ead' Sect. 306
 villa in Com̄ p̄ dñi 15. die &c. apud B. p̄ dñi vi et armis in et sup I. D. in-
 sulē fecer et ad tunc et ibid' 4. vacas, quas in et sup ter' suam damñ facieñ
 cepisset et 2. consuetud' vill' p̄ dñi ibid' imparcari vouisset ab eod' I. G.
 riotose ceper et ab inde cont' eius volūtat' abduxer cont' pac' dñā reg. &c.

*An Indictment for a rescous made against the Sherifes Bailifes, of one by
 them arrested by force of the Queenes Writ: and for the taking away and
 detaining of the said Writ.*

INquir p̄ dñā reg. si R. W. de D. in Com̄ L. die &c. anno &c. apud Sect. 307
 D. p̄ dñi in Com̄ p̄ dñi vi et armis &c. in et sup B. C. et I. H. balliuos itine-
 rant

Indictments and

rant T. vic' I. rescussum fecerunt et quendam T. T. quem p̄d B. C. et I. H. virtute brevis dict' dñe reg' p̄d vic' direct' cepissent et attachiat fuissent ab eis B. C. et I. H. et extra eorum custodiā ceperint: et etiam breue p̄d ab eis balliuus itinerariā custodiuit et ditinuit et adhuc detinet in malum exempl' totius populi dñæ reg. ibid' p̄pe commorantis ac cont' pac' &c.

An Indictment of manslaughter, committed by two, and one as accessorie after the manslaughter done.

Señ. 308.

INquit pro dñæ reg. si S. W. de L. in Com' E. fabricat' et W. S. de C. in Com' p̄d P̄coman, 2. die Aprilis anno reg. Eliz. &c. 6. in A. B. de C. in Com' p̄d operarium apud C. p̄d insult' fecer', et ipsum A. B. ad tunc et ibid' idem S. W. cum quodam gladio quem dict' A. in manu sua dext' tenuit in collo ipsius I. percussit, de quo ictu p̄d I. interiit ac moriebat'ur. Ac idem S. W. cum A. B. inuen' cum dicto gladio ad tunc et ibid' grauif' vulnerauit: de quibus quidam vulneribus et ictib' idem I. interiisset si non interiisset de p̄d vulnere in collo percus'. Et p̄d W. S. cum quadam tendite voc' a ffo, est Will, quam ipse in manibus suis tenuit ipsum I. ad tunc et ibid' percussit et ipsum W. S. ad interficiend' et murdrand' p̄d I. ad tunc et ibid' feloñ auxiliauit: Ac sic S. W. p̄d I. die anno et loco p̄d feloñ murdravit & interfecit: Et p̄d L. B. nuper de &c. in Com' &c. gen' sciens p̄d S. W. feloñ et murdrum p̄d in modo & forma p̄d sic fecisse apud E. et alibi in dicto com' 10. die &c. eund' A. B. feloñ. recepit contra pacem dominæ Regine coronā et dignitat' suas.

Accessorie.

An Indictment against two, for hearing of these words spoken by one, videlicet A vengeance on the Queene, and of such false Councell. And then declaring of the same to the Sherife of the Shire.

Señ. 309

INquit pro dñæ reg. si W. I. de S. in Com' N. Clericus die &c. apud W. p̄d deum præ oculis non habens et ligeantiam debet' minime portans falso et prodit' ut falsus prodit' et inimic' ipsi' dñæ reg. dict' die et anno apud N. p̄d coram A. B. et C. D. de E. in com' p̄d P̄coman, obstinate et malitiose dixit et propagauit hec verba sequentia in Angl' verbis (*A vengeance on the Queene, and of such false Councell.*) tam contra ligeanc' et pac' dñæ reg. quam cont' formam Statuti in hñdi casu adit' et prouif. Et sic p̄d A. B. et C. D. sciens p̄d I. dicta verba proditor locut' fuisse, falso et proditor cont' ligeanc' debet' suam concealere et secrete custodire cont' pac' dñæ reg. et cont' formam statuti in hñdi casu adit' et prouif. vsque ad 1. diem Martij anno &c. q' dicti A. B. et C. D. dicta verba sic proditor per dict' I. loquunt' coram N. S. milite vicecomiti com' p̄d ac R. S. gen', retulerunt et ostenderunt.

Concealing.

An Inquisition taken before a Coroner upon the view of the body dead, how he came to his death : In which it is found that he dyed of a feuer or ague by the visitation of God, and not otherwise.

Inquisitio capt̄ apud S. in Coñ S. 20. die &c. anno &c. coram I. B. Sect. 370
 vno coronatorum dict̄e dominæ Reg. in Coñ p̄d̄ super visum corporis A. B. nuper de E. in Coñ p̄d̄ Husbandman, ibidem iac̄n mortui per sacram̄ &c. Qui dicunt super sacram̄ suum q̄ ita accidebat apud G. p̄d̄ die &c. anno &c. quod p̄d̄ A. B. egrotabat apud G. p̄d̄ de Febri in 10. die Aprilis vsque ad 20. diem mensis eiusdem, Quo quidem die ex Febri p̄d̄ & visitatione Dei adtunc & ibidem p̄d̄ A. B. circa horam 10. eiusdem diei ante meridiem obiit. Et Iuratores p̄d̄ dicunt, quod p̄d̄ A. B. ex nullo alio morbo egritudine aut infirmitate ad mortem suam deveniebat sed hec est causa mortis sui & non aliter. In cuius rei testimoñ huic Inquisitioni tam p̄d̄ Coronator quam Iuratores p̄d̄ sigilla sua apposuerunt.

An Inquisition found before a Coroner upon the view of the body dead, in which it is found that S. A. being Keeper of the Earle of Pembroke his Parke, finding one hunting in the same Parke required him to stand and yeeld himselfe, he neuerthelesse defended himselfe and would not yeeld : whereupon the Parke Keeper, with a Forest Bill with a thrust in the brest killed him.

Inquisitio indentat̄ capt̄ apud Sarefield, in Coñ S. 9. die Februarij Sect. 311
 Anno &c. per sacram̄ &c. Qui dicunt super sacram̄ suum, q̄ cum quid' S. A. parcius prenobilis W. Coñ P. parca suæ de P. in Coñ p̄d̄ 20. die Ianuarij anno regni dict̄e dnæ Reginæ 4. circa 11. horam eiusdem diei inueniebat p̄d̄ T. H. in parco p̄d̄ venant̄ & vagrant̄ ad damnum ibidem faciend'. Et p̄d̄ T. H. post clamorem per p̄d̄ S. adtunc & ibid' leuat̄ ad pacem dict̄e dnæ Reginæ ad stand̄ rect' reddere se volebat sed ad malitiam suam exequend' & continuand' & pacem dict̄e dnæ Regine diffugiend', vi & armis tunc & ibidem se defendebat p̄d̄ S. A. adtunc & ibidem veniens ad eundem malefactorem sic inuent' arrestand' & capiend' cum quadam tendite Anglicæ voc' a Forest Bill, quam p̄d̄ S. A. in manu sua dextra tenuit p̄d̄ T. H. vi & armis resistentem adtunc & ibidem in pectus ipsius T. percussit, de quo quidem ictu idem T. H. 1. die Februarij tunc proxim' sequen' apud Sarefield, p̄d̄ in Comitatu predict' obiit. Et Iuratores predicti vterius dicunt super sacramentum suum, Quod p̄d̄ S. A. non occasione alicuius discordie contumelij aut alicuius mal-

Indictments and

maleuolenc' siue odij ꝑ cogitat sed solummodo ob causam ꝑ d̄ et non alijs
ꝑ d̄ T. H. percussit vt prefertur: In cuius rei testimonium &c.

*An Indictment of confederacie or combination by Oath against
the Queene and others.*

Sect. 3 12.

INquiratur pro domina Regina, si I. H. de B. in Comitatu L. Æseoman,
& W. P. de G. in Comitatu predicti Æseoman, E. F. de C. in Comitatu
predicti Æseoman, die Lunæ proxime post festum Sancti Michaelis
Archangeli obligauerunt, et fides suas mutuas insimul dederunt intra-
uerunt et sacramenta sua super librum prestiterunt, quod in alto et basso
iusticia et iniusticia iure et iniuria se ad inuicem tenerent et in omnibus
occasionib' querelis et demand' quibuscunque contra ipsos vel quemlibet
eorum mouend' ad sectam domini Regis seu alicuius alterius partis et
combiñ et confeder' cont' dictam dominam Reginam et cunctum popu-
lum suum, in magnum prejudicium et lesionem totius populi dictę dñę
Reginę et contra formam statuti in huiusmodi casu editi et prouisi.

*An Indictment upon the Statute of Maintenance, for the maintaining of one
in an Action of Formedon en descender.*

Sect. 3 13

INquit pro dñā Regina, q̄ cum in statuto in Parlamento apud Westm̄
nuper editi inter cetera continetur, q̄ nulla persona de regno dominę
Reginę Anglię cuiuscunque status gradus siue conditionis fuerit, ali-
quam querelā in aliqua Curia nec alibi manuteneat, nec sustineat sup
pœnam imprisonmenti et faciend' dominę Reginę finem et redempti-
onem ad voluntatem ipsius dñę Reginę prout &c. Quidam tamen P.
M. de P. in Com' N. Æseoman, statut' ꝑ d̄ minime ponderans quandam
querelam cuiusdam loquelę quę E. in Curia dñę Reginę nunc Eliz.
coram Iusticiarijs dictę dñę Reginę de communi banco Westm̄ per
breue ipsius dñę Reginę de *Forma donationis en descender* inter R. G. ꝑ-
tent et N. A. tenend' de 5. acris terrę &c. cum pertiñ in C. pro parte ipsi'
N. tenend' 2. die Aprilis anno &c. apud N. in Com' ꝑ d̄ manutenuit et
sustentauit, et adhuc sustentat in dictę dñę Reginę nunc contemptum, ac
contra formam statuti et contra pacem dictę dñę Reginę.

An Indictment of forcible entre upon the Statute of Anno 8. H. 6.

Sect. 3 14

INquiratur pro domina Regina, Quod cum in statuto in Parlamento
domini Henrici 6. nuper Regis Anglię apud W. Anno regni sui octa-
uo tenē editi inter cetera continetur, Quod si aliqua persona de aliqui-
bus

bus terris vel tenementis manu forti expulsa sit vel disseisit vel pacifice expellat & postea manu forti extrateneatur vel per aliquod feoffament vel discontinuationem inde post talem ingressum ad ius possessoris defraudand' et tollend' aliquo modo fiat, habeat pars in hac parte grauata versus talem disseisitorum Assisam nouæ disseisinæ vel breue de transgressione, Et si pars grauata per Assisam vel actionem transgressionis recuperet per veredictum vel alio modo per debitam legis formam inueniatur, Quod pars defendens in terris vel tenementis vi ingressa fuit vel ea per vim post ingressum suum tenuit, recuperabit querens damna sua ad triplum versus defendentem. Et vltimus finem & redemptionem ad dominam Reginam faciat prout in statuto plenius apparet: Quidam tamen I.D. de D. in Comitatu predicto Peoman, & R.S. de eodem Comitatu Peoman, Statutum predictum minime verum primo die Maij anno &c. apud D. predict' in Comitatu predicto quendam W. S. de vno mesuagio siue tenemento cum pertinentijs in D. predict' per mandatum W. Bush manu forti expellauerunt & disseisuerunt ac ipsum sic expulsum & disseisit a predict' primo die Maij vsque diem captionis huius Inquisitionis extratenuerunt & adhuc extra tenent, contra pacem dominæ Reginæ coronæ & dignitat' suas, & contra formam statuti in huiusmodi casu editi & prouisi:

An Indictment for shooting in a Hand-gunne, against one that may not spend a hundred pounds per annum.

Inquiratur pro domina Regina, quod cum I.R. de W. in Comitatu predict' generos. non habens terras tenementa feod' vel Annuitates ad vsu suum proprium annui valoris centum librarum nono die Iulij, anno regni Regis Richardi primi apud S. in Com' M. sagittauit in quodam torment, voc' a Handgunne, contra statutum in huiusmodi casu editi & prouisum. Sect. 315.

The Title of the generall Sessions of the Peace, in the Countie of Chester.

¶ Sessio pacis generalis dñæ Reginæ tenet apud Cest' in Com' Cest', viz. quarto die Maij, auno reg. dñæ Elizabethæ, Dei gratia Angl', Franc', & Hibern' Reginæ fidei defensor &c. decimo, coram S.H. D.L. S.E. & alijs Iusticiarijs pacis in Com' predicto.

Inquisitio capti ibi per sacrament R.M. de &c. Qui dicunt super sacramentum suum, quod cum in statuto &c.

The

Indictments, and

The Traverse of an Indictment of forcible entry.

PRo A. B. C. D. E. F. versus dominam reginam in travers super Indictament.

¶ Et prædict' A. B. C. D. et E. F. per I. B. attornatum suum veni et dicunt, quod dicta domina regina nunc ipsos seu aliquem ipsorum aetione Indictament' præd' gravare seu impetere non velit aut debet: Quia protestand' quod Indictament' prædict' minus sufficiens in lege existit ad ponend' ipsos respondere, pro placito tamen seperatim dicunt quod quoad vi et armis, & quicquid quod est contra pacem dictæ dom' Reginæ, necnon ad intracionem, disseisinam, expulsionem, extratentionem, et quicquid quod est contra formam statuti præd' ijdem A. B. C. D. et E. F. dicunt quod ipsi in nullo sunt culpabiles modo et forma prout per indictament' præd' superius supponitur. Et de hoc ponunt se seperatim super patriam: et R. C. armiger qui pro domina regina hic in hac parte sequitur, pro ipsa domina regina similiter &c.

An Indictment for making of false gold at Roan in France, and for uttering of it in England.

Sec't. 316.

Inquiratur pro domino rege & domina regina, Quare cum in statuto in Parlamento dictorum domini regis, et dominæ reginæ nuper ten' apud Westm' duodecimo die Nouembris annis regnorum dicti domini regis, et dominæ reginæ, primo et secundo autoritate eiusdem parliamenti inactitat' et ordinat' fuit. Quod si aliqua persona siue aliquæ personæ post viccesimum diem Ianuarij extrunc proxim' sequen' introduceret siue introducerent à partibus transmarinis in hoc regnum Angliæ vel in aliquod dominium, huius dicti regni Angliæ, aliquas falsas et contra factas cuneas, monetas siue pecunias de auro aut argento alicuius alterius regni, non existent' de proprijs cuneis, monet', siue pecunijs de hoc regno Angliæ, scientes præd' cuneas, monet', siue pecunias, fore falsas et contrafact', Ea intentione ad veterand' siue soluend' prædictas falsas et contrafactas cuneas, monetas, siue pecunias, infra hoc regnū Angliæ et dominij eiusdem regni per merchandisas vel aliter. Quod tunc talis persona siue personæ sic vt prædict' est offendentes & eorum conciliatores, procuratores, auxiliatores, et abbettatores in tali casu, existimati erunt et adiudicabuntur fore offenditores in alta proditioe. Et quæ prædicta persona siue personæ offendentes, et post eorum legitimam convictionem siue attincturam subibunt tales pœnas mortis & forisfacturas terrarum, bonorum, & carallorum suorum, sicut alij offendentes in casibus atq' proditiois, prout in eodem statuto satis apertè declaratur: Quidam tamen H. S. nuper de Hallifax in Com' Ebof Merchant, alias dict' H. S. de Hallifax in com' E. Merch' post præd' viccesimum diem Ianuar', et post ordinationem statuti prædict' viz. vndecimo die mensis Nouem-

Nouembris annis regnorum Philippi et Marię Dei gratia Regis et Reg. Hispaniã, Franciã, Angliã, vtriusque Cecilie, Ierusalem, et Hibernã, Fidei defensorum, Archiduc' Austriã, Duc' Burgundiã, Medowlañ, et Brabant, Com' Haspurgij, Flaundr, et Tirolis, 3. et 4. numerum 16. li. & 10 s. in 60. et sex pec' voc' halfe Soueraignes and English Crowns, de ære, cupro, aleameno, et diuersis alijs metallis insimul mixt, falso et proditorie apud Roane, et Diepe, in partib' transmarinis in regno Gallie, ad similitudinem bonarum dimid' Sufferanciarum et coronar' Auri de cuna dictorum domini regis et dominæ reginæ huius regni Angliæ, per quosd' falsos prodit' apud Roane et Diepe p'd in p'd partibus transmarinis falso et prodit' ibidem fabricat' et contrafact' a p'd regno Gallie vsque ad hoc regnum Angliæ, et ad Ciuitatem Norwichie introduxit et introduci procurauit: Et p'd H.S. p'd 60. dimid' sufferanc' voc' threestoze halfe Soueraignes, ac prædict' sex coronas Angliæ voc' sixe English Crownes, modo et forma p'd fore falsas et fabricat' secundum formam & similitudinem bonar' dimidiarum sufferanc' & Coronarum huius reg. Anglię affirmans dictas sufferanc' & Coronas illas fore de bono auro et de habili monet' huius Regni Anglię s. falsas dimid' sufferanc' & vnã Coronam, voc' halfe English Soueraignes, and one English Crown, de p'd 60. & sex dimid' sufferanc' & Coronis in forma p'd ex ære cupro aleameno fabricat' & contrafact' Cuidam H.B. hic apud Norwic' in com' p'd pro vno equo, vno gladio, & vno leuto de bonis & catallis p'd H.B. per ipsum H.S. de eodem H.B. ad tunc & ibidem emp't, pro bona solutione falso fraudul' & proditorie ad tunc et ibidem vtterauit soluit & liberauit, cont' pac' &c. ac contra formam statuti &c.

An Indictment of trespassse for breaking of a close, and destroying of Wheate then growing in the same.

Iuratores presentant pro domina Regina, quod W. C. nuper de D. in Com' p'd Arm' T. B. &c. tertio die &c. vi et armis &c. Clausum I. N. apud S. in Com' p'd in quodam campo vocat' &c. fregerunt et intrauerunt & tres quarterias frumenti ipsius I. N. ad valenc' trium librar' ad tunc & ibidem crescent' cum quibusdam bigis siue carucis equis & pedibus suis ambuland' conculcauerunt & consumpserunt, Et alia enormia ei intulerunt, contra pacem dictorum domini Regis & dominæ Regine nunc &c.

Sect. 317

An

Indictments, and

An Indictment or Inquisition before the Coroner super visum corporis, of one who killed one in his owne defence.

Sect. 318

Inquisitio indentat capē apud T. in Coñ Cestriae, 3. die &c. anno &c. coram I. M. gen 1. Coronā dict' dnē reg. in Coñ p̄d super visum corporis A. B. nuper &c. ad tunc et ibid' super terram mortui iacē p̄ sacrament' &c. I. H. &c. ac de tribus alijs villat' propinquirib', viz. A. B. C. in Coñ p̄d ad inquirend' qualiter et quomod' p̄d A. B. ad mortem suam deuenit qui super sacrament' suum dicunt. Quod cum ipse A. B. 15. die Octobris anno regni &c. 5. circa horam 7. ante meridiē eiusd' die apud T. p̄d in Coñ p̄d, vi et armis cont' pac' dict' dnē reg. in quēd' R. nuper de T. p̄d in Coñ C. p̄d Butcher, ad tunc et ibid' in pace Dei et dict' dnē reg. exist' insultum fecit et ipsum R. B. cum quod' baculo vocat' a Pikefozke, quem idem A. in manib' suis tenuit, verberauit, ac super brachium suum grauius percussit, ita vt idem R. B. pro ipsi' vitæ saluatione à p̄d A. B. quant' potuit, fugit vsq; ad magnam concauam pipam vocat' a hollow stake, vltra quam ipse R. B. à pref. A. fugere non potuisset. Et sic ipse R. B. seipsum, ac vitam suam defendē p̄d A. B. p̄d insultum assidue continuād' super posterior' partem capitis ipsi' A. dicto 15. die Octobris anno 5. hora et loco sup' p̄d; cum quodam baculo voc' a hrotone Bill, p̄cij &c. quem idem R. B. ad tunc et ibid' in manib' suis tenuit percussit, dans ei plagam mortalem, tres pollices lōgam, vnā pollicem latam et dimidiū vni' pollicis profund' : Super quam quid' plagam ipse A. B. languid' iacebat vsq; ad 20. diem Octobris p̄d, in quo quidem 20. die Octobris anno &c. idem A. apud T. p̄d in Coñ p̄d ex ipsa plaga ei dat' modo et forma p̄d moriebat'. In cuius rei testim' &c.

An Indictment or Inquisition taken before the Coroner super visum corporis of one slaine by misfortune, by one as he was shooting at the Buttes.

Sect. 319.

Inquisitio indentat capē apud B. in Coñ &c. die et anno &c. coram R. H. Armig'; 1. Coronā dict' dnē reg. in Coñ p̄d sup' visu corporis I. C. nup de R. in Coñ p̄d Laboyer, ad tunc et ibid' super terr' mortui iacē per sacrament' I. B. senioris I. H. &c. ac de tribus alijs villat' propinquirib', viz. de M. R. et E. in Coñ p̄d ad inquirend' qualiter et quomodo p̄d I. E. ad mortem suam deuenit: qui sup' sacrament' suum p̄d dicūt, q' cum quid' C. W. nup de Ciuitate C. in Coñ Ciuit' C. Sherehan, cum multis alijs, 2. die &c. anno &c. 6. sup' p̄d, circa horam 1. post meridiem eiusd' 2. diei apud B. p̄d in Coñ C. p̄d in pace Dei ac dnē reg. exist', ac ibid' ad metas Angl' voc' Buttes, sagittan' ad tunc et ibidem venit p̄d I. E. ad metas p̄d, ac dum
præ-

præd' C.W. ad ipsas metas interfagittand' fuit, ipse I.E. obiter & inpro-
uifo posuit se inter metas præd' vt præd' C. W. sagittabat ad metas præd
cum quadam sagitta precij &c. dicto secundo die Iulij, ac hora & loco
supradictis per infortunium percussit præd' I. E. in gutture dans ei mor-
talem plagam in profunditate duos pollices. Super quam quidē plagā
ipse I.E. a præd' secundo die Iulij vsque ad quintum diem eiusdem mē-
sis apud R. præd' in comitatu Cestriæ præd' languidus iacebat, ac in eo-
dem quinto die mensis Iulij præd' ipse I. E. apud T. præd' in com' Cestrē
præd' de predict' plaga modo et forma præd' moriebatur, Ac etiam Iu-
ratores præd' super sacramentū suum præd' dicunt, quod præd' C. W. dicto
secundo die Iulij, aut aliquo tempore post eundem secundum diē men-
sis Iulij non habuit aliqua bona seu catalla infra predict' com' Cestrē. In
cuius rei testim' vtrisque partibus huius inquisit' tam præd' coronat' quā
præd' Iur' sigilla sua posuer' die & anno primo supra d'.

*An Indictment against the husband and his wife for lying in waite, and for the
assaulting, beating, and wounding of one.*

Inquiratur pro domino rege & regina, si N. B. nuper de T. in comita-
tu Cestriæ yeoman, K. W. vxoreius &c. 17. die &c. anno &c. apud T.
iuxta T. in com' præd' in quodam loco voc' le Hall yard, iacuerunt in in-
sidijs et ad tunc et ibidem insidiati fuerunt quendam R. H. et in ipsum R.
ibidem vi et armis &c. insultum fecerunt, verberauerunt, vulnerauerunt
et maestraetauerunt. Ita quod idem R. languidus exist' ac de vita sua
desperat', vi et armis, & contra pacem &c.

Sec. 320

*An Inquisition of wilful murder taken before diuers of the Iudges & others,
as Iustices of the Peace, for a murder done in Westminster.*

Inquisitio cap't apud Westm' in com' Midd' vicesimo tertio die Apri.
anno regni Eliz. &c. 16. coram I. Southcot vno Iusticiario' dictæ dnæ
reginæ ad placita coram ipsa regina tenend' assign' Rob. Mounson v-
no Iusticiar' eiusdē dominæ reginæ de banco Gilb. Gerrard armig',
Attornato dictæ dominæ reginæ generali, Williel' P. & B. R. armig'
Iustic' dict' dnæ Reginæ ad pacem in comitatu predicto conseruand',
necnon ad diuersas felonias, transg'r, et alia malefact' in eodem comitatē
perpetrat' audiend' et terminand' assignat' per sacramentum 12. Iur' exti-
tit præsentat', quod R. S. nuper de ciuitatē Westmonaster' in com' Midd',
et I. T. nuper de ciuitatē W. præd' in com' præd' yeoman, 20. die M. Anno
reg' Eli. &c. 16. vi et armis viz. gladijs, baculis, &c. circa horā sext' post
merid' eiusdē diei ex malitia sua p' cogitat' apud ciuit' W. præd' in com' præd'
in quēd' W. R. I. in pacē dei et dict' dnæ reg' ad tunc et ibid' exist' intulit
fecer'

Sec. 321.

Indictments and

fecer̄ & p̄d̄ R. S. cum vno gladio quem ipse p̄d̄ ad tunc & ibidē in manū sua dextra habuit & tenuit p̄d̄ W. R. I. super dextrum brachium ipsius W. ad tunc et ibidem felonice percussit et dedit ei ad tunc et ibidē vnam plagam mortal' profunditatis quatuor pollicium et latitudinis vnus pollicis, de qua quidem plaga mortali p̄d̄ict' W. R. I. apud Ciuitatem W. p̄d̄ in Com' p̄d̄ die et anno sup̄d̄ict' instanter obiit. Et qđ p̄d̄ict' I. T. p̄d̄ 19. die Martij, anno 16. sup̄d̄icto apud West. p̄d̄ in Com' p̄d̄ felonice fuit p̄sens, procurans, abbetans, confortans & auxilians p̄satum R. S. ad feloniam et murdrum p̄d̄ict' in forma p̄d̄ict' faciend' & perpetrand', contra pacem dict' & dñæ Reginæ nunc. Et sic p̄d̄ict' R. S. & I. T. die, anno, loco, & Com' p̄d̄ict' p̄satis W. R. I. ex malitijs suis p̄cogitatis felonice & voluntarie interfecerunt et murtherauer, cont' pac' dict' & dñæ Reg. nunc, Coron' et dignitat' suas.

An Indictment of Manslaughter against many, some for striking of the partie slain, and some others for comforting and ayding of them being present, and some as accessaries after the fact committed, and that diuers of them fled.

sect. 322.

Inquisitio cap̄t' apud Cest' infra Wardam Castri domini Regis ibidem die Veneris proxim' post festum Apostolorum Simonis et Iude; Anno regni Regis Rich. tertij post conquestum Angliæ secundo, coram T. H. & J. I. Coron' dicti domini Reg. Hund' de B. in Com' Cestriæ super visum corpus I. C. felonice interfecti per sacramentum &c. Qui dicunt sup̄ sacramentum suum, qđ T. W. nuper de M. in Com' Cest' yeoman, R. B. nuper de M. in Com' Cest' armig', N. B. nuper de M. & alij &c. die Sabbati proxim' festum Exaltationis sancti Crucis, Anno regni Regis R. 3. post conquestum Angliæ secundo, apud H. in Comitatu Cest' in insidijs iacuerunt pro dicto I. C. ad ipsum verberand', vulnerand', et felon' interficiend' vi et armis, et contra pacem domini Regis: Et dicto die Sabbati, et anno p̄d̄ apud H. p̄d̄ in ipsum I. C. insult' fecer̄: Et p̄d̄ T. W. die Sab. et anno p̄d̄ apud H. p̄d̄ felonice percussit p̄d̄ I. C. super caput suum vsq; ad cerebrum cum quodam gladio precij &c. et dedit ei plagā mortal' vnde obiit die Veneris p̄x' post festum Sancti Mich. Arch. tunc p̄x' sequen' apud Cest' p̄d̄ict', infra ward' Castri domini Regis ibid'. Et sic p̄d̄ T. W. ipsum I. C. dicto die Sabbati et anno apud H. p̄d̄ict' felon' interfecit: Et quod p̄d̄ict' R. B. eisdem die et anno apud H. felonice percussit p̄d̄ict' I. C. super tibiam suam, dextram cum quodam gladio precij &c. et dedit ei plagam mortalem vnde obire debuisset si non obijisset de ictu quam p̄d̄ict' T. W. ei prius dedit. Et sic p̄d̄ictus R. B. ipsum I. C. dicto die Sabbati, et anno apud H. p̄d̄ict' felonice interfecit. Et quod p̄d̄ict' N. B. I. H. I. M. et R. C. dicto die Sabbati et

Anno

An̄ apud H. pred' felon̄ fuer' p̄sent̄, auxiliantes, confortantes & abbet-
tantes pred' T. W. ad felon̄ p̄d̄, in form' pred' faciend̄ vi et armis & conē
pacem dict' dñi regis. Et qd pred' R. B. N. B. I. H. I. M. & R. C. eisd' die
Sabbati & An̄ apud H. pred' felon̄ fuer' p̄sent̄, auxiliantes, abbetan-
tes et confortantes, pred' T. W. ad feloniam pred' in form' pred' faciend̄
vi & armis et contra pacem dicti dñi reg. &c. Et qd I. B. nup de M. in com'
Cest' gen' frater R. B. milit' iam defuncti T. B. nuper de M. in com' Cest'
gen' fra' p̄d̄ I. H. B. nup de M. in com' Cest' sēn gen' frater p̄d' T. W. B.
nup de M. in com' Cest' gen' fil' p̄d̄ R. B. milit' iam defunct' &c. eisdem
die Sabbati & an̄ apud M. p̄d̄ in com' Cest' felon̄ fuer' vi, auxilio, con-
filio, & abbetamento p̄d̄ T. W. & R. B. ad felon̄ pred' in form' p̄d̄ faci-
end' vi et armis, et contra pac' dict' dñi regis : Et qd W. E. nuper de E. in
com' Cest' gen' R. H. nuper de M. in com' Cest' yeoman, I. H. nuper de
ead' in com' pred' yeoman' &c. die lunæ proxim' post festum S. Mich.
Arch. Anno reg. Reg. R. 3. post conquestum Angl' secundo apud M. in
com' p̄d̄ felon̄ assistauer', receptauer', & confortauer', pred' I. W. et R. B.
armig', scientes ipsum T. et R. felon̄ pred' in form' pred' felon̄ fecisse vi
& armis et contra pacem domini Regis. Item dicunt Iuratores pred', qd
p̄d̄ T. W. R. B. N. B. I. H. &c, post felon̄ pred' fact' die Mecur' p̄x' post
festum Michaelis Archang' An̄ suprad̄ reg' pred' fugerunt, et se eadem
felon̄ pred' retraxerunt a com' Cest' vsq; villā de Whitchurch, in com'
Salop felon' vi et armis, & contra pacem dñi regis. In cuius rei testimo-
nium &c.

*An Indictment for keeping a bawdy house, and using of un-
lawfull games.*

I Vratof p̄sent' qd N. W. de A. et I. Tailor, et E. vxor eius &c. sunt cō- Sect. 323
munes lupinar' & diuersis dieb' et vicibus ante diem hui' inquisitionē in
domib' suis scituat' &c. manutē hospic. lupinar', nec non diuersas p̄son'
suspect' ibid' ludentes ad luda illicit', viz. tables, cardes &c. tam in die q̄
in nocte, post horas debitas ei legit' ad grauamen' inhabitatium ibid' ac
malum exemplum omnium aliorū ligcorum dñi Regis &c.

An Indictment for keeping of euill rule.

I Vratof p̄sent', qd W. H. de pochia S. Clement in com' Midd' et Ma- Sect. 324.
ria vxor ei' die &c. an̄ &c. ac diuisis dieb' antea et postea hucusq; cu-
stodierunt et adhuc custod' lupanar', luxuriam, et fornicat' p̄ oib' ho-
minibus et mulierib' ad talia nefanda opera disposit', ac custod' com-
munem dicing and carding &c. et alia illicita ad grauamē omniū vicinor'
ibid' inhabitant', & in malum exemplū aliorū ligeor' &c. contra pacē &c.

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An Indictment for keeping of a bawdy house.

Sect. 325 **I**Vrať p̄sent, qđ R.M.de &c.in com' &c.W.H.de &c.die & añ &c.ac diũs tēporib⁹ antea & postea apud &c. tenent, custodiunt, occupant et frequentant in mansionibus suis ibidē cōmunia hospitia lupanar, luxur & fornicationē, & p̄mittunt tam seculares q̄ regulares et laicos homines et alias p̄sonas suspectas non bonæ gest⁹ nec famæ cum meretricibus carnaliter concubere ad magnū nocumentum tot⁹ populi dñi reg' ibidē p̄p̄e cōmorantium et malum exemplū omniū aliorū in tali casu delinquentium nisi cit⁹ in hac p̄te debiť provideat remediū ac contra pacem &c.

An Indictment for slandering of a Iurie.

Sect. 326 **I**Vť dant curiā intelligi. Qđ cum ipsi tali die & Añ apud &c. cuncti fuerant ad inquirendū in et interloquendū de diversis articulis et offensis sup̄ eorū sacrament̄ pro dict' dño reg. ibi die et añ suprad̄ venit quidā T. B. de S. in com' p̄rad̄ vt barretor et pacis dñi reg' p̄urbator, & p̄red' iuratores. vili pendit et scandalizavit die end' sic in Angl. verbis, *ffie our you false harlots, pampered knaves, and pertured knaves, ac alia minatoria et contumel' verba eisd' Iuraf̄ dixit in magn' redarguationē et vilipend' Iuraf̄ p̄d̄ ac retardat̄ executionē eorum iuramentē, et cont' pacē &c.*

The words.

An Indictment against a mans wife as a common Barrator and sower of dissention amongst her neighbours, and a common scold.

Sect. 327 **I**Vrať p̄sent, qđ A.E. vxor &c. de &c. in com' &c. non est bonæ famæ nec conuersationē honestē sed malę disposition' barretator et pacis dñi Regis p̄urbator: Ita quod verisimile est facere murd̄, homicid', lites & discord' ac alia damna et grauamina inter ligeos doñi reg. ibidē p̄text' p̄missor, et est comun' obiurgat̄ et blasphemat̄ vicines suos, et magna scādala eis ibidē imponit, ad magn' scandala eis ibidē imponit, ad magn' nocument' omnium inhabitant' villæ p̄rad', et p̄niciosim exemplum omnium alior' in tali statu delinquentē, & cont' pacem &c.

An Indictment for a Rape committed by a Minister, upon a maide of foureteene yeeres old.

Sect. 328 **I**Vrať p̄sent, qđ T. Thorneton de &c. in com' &c. Clericus, die et añ &c. vi & armis, viz. gladijs, baculis, &c. in I.F. ad tunc ætatis 14. annos apud &c. insultum fecit & corpus et ventrem p̄d̄ Io. ad tunc et ibidē manib⁹ suis felon' vulneravit, fregit et laceravit, necnon eadē Io. contra voluntatē ipsius Io. ad tunc et ibidē carnalif. cognouit, & felon' rapuit cont' pacem &c.

An Indictment against forebidders of the markets within the Verge.

IVrat p̄sent, qd I. R. de &c. & R. S. &c. a die & Anno &c. vsq; diem Sect. 329
 captionis hui' Inquisitionis apud C. in com' p̄ced' infra virgam, singulare commodum suum & non utilitatem reipublicæ indebitè affectantes, blada, grana & alia victualia quæ vsque civitat' Londō et villæ Westm̄ p̄d' in com' p̄d' p̄ sustentationē populi dict' dñi regis ibid' venerunt & venire debuissent p̄cep' p̄d' forstallauerunt et regratauer' et in dies forstall' et regratare non desistunt, p̄ qd blada grana et alia victualia multo maioris carioris et altioris precij efficiuntur quam debet si forstallatores et regratores hñdi non fuissent, in dict' dñi Reg. nunc contemptū et ligecorum suorum maxime dispend' et grauamen, ac cont' for̄m diuersorum stat' in hac parte qd' et cont' pacē &c.

An Indictment against a Gaoler (for enlarging of one committed to prison) within the Verge upon suspicion of felonie without warrant.

IVr p̄sēt, qd W. H. de &c. die et añ &c. apud S. p̄d' in com' p̄d' infra virgā Sect. 330
 cepit et arrestauit quendam R. E. nup de &c. p̄ suspicionē felonē et ipsū R. ad tunc & ibid' in prisona dñi Reg. sub custod' sua pro felonē p̄ced' p̄ spacium vnius horæ detinuit: Et postea die et añ suprad' p̄d' W. H. p̄d' R. F. apud S. p̄d' in com' p̄d' infra virgam felonē, voluntarie et volenter ad largum suum ire p̄misit, cont' pacē &c.

An Indictment against a mans wife, for stealing xx.s. in money.

IVra p̄sent, qd I. W. vxor &c. de &c. alias dict' I. W. de E. p̄d' in com' Sect. 331
 p̄d' Spinster, die et añ &c. vi & armis &c. xx.s. in pecunijs numeratis de bonis & denarijs I. B. apud E. p̄ced' in com' p̄dict' ad tunc & ibid' inuenit felonē furat' fuit cepit, & asportauit, cont' pacem &c.

An Indictment against a wife for stealing 60. li. in money, and against another as accessorie.

IVratores p̄sent, quod Io. W. vxor &c. alias dict' Io. W. de F. p̄d' in com' Sect. 332.
 p̄d' Spinster, die añ &c. lx. li. in pecunijs numerat' de bonis & denarijs I. E. p̄d' in p̄d' eamē ad tunc et ibid' inuenit felonē furat' fuit et asportauit contra pacem &c. Et qd W. W. nup de E. in com' p̄d' Butcher, sciens pref. Io. W. felonē p̄ced' in for̄m p̄ced' fecisse eandem Io. dictis die, añ & loco felonē confortauit, auxiliauit & recepit, cont' pacē dict' dñi regis &c.

Accessorie:

Indictments and

An Indictment for stealing of three mens coats.

Sect. 333.

IVrat' p'sent, qd T.S. & W.H. de &c. in com' &c die, Anno &c. vi & ar-
mis &c. tres tunicas viriles de panno laneo coloris *Tawney*, ad valenc'
&c. de bonis et catallis cuiusdam ho'is ignoti apud H. in com' Midd' ad-
tunc et ibid' felon' furat' fuit, cepit et asportavit cont' pac' &c.

An Indictment against an Heretike for using of words.

Sect. 334

IVratores p'sent, quod T. M. de &c. est homo diabolicus et commu'n
hæreticus fidem Catholicã et obseruantiam eiusdẽ magnopere machi-
nans & contemnẽs. Et qd ipse tali die et anno &c. apud p'd parochiam
in p'sentia diuicfor' subditoꝝ, ac legeoꝝ, dicti domini Regis hæc verba
scandalosa & hæreticalia dixit, retulit et p'palauit: *Christ' neuer died
noz ihed his bloud for vs, but only for them that were in Limbo Patrũ,
& as for Images in the Church they be but Idols, cũ multis alijs verb'
scandalosis et hereticalib' in cõrept' fidei Cathol' ac in p'niciosum exem-
plum aliorum ligeorum dict' dñi reg' ac contra pacem &c.*

*An Indictment for breaking of a house, and taking out of a Chest in the
house seven pounds in money.*

Sect. 335

IVrator' p'sent, qd R. T. de &c. et I. C. de &c. tali die & añ vi et ar-
mis &c. domum T. P. apud p'd villã in com' p'd fregeꝝ et septem libꝝ
in pecu'n numeratis de bonis & denarijs predict' T. in cista pred' existe'n
adtunc & ibid' extra cistã p'd felon' furat' fuerũt, ceperũt, & asportauerunt
cont' pacem dict' dñi regis &c.

An Indictment for a maim in both the hands.

Sect. 336

IVrat' p'sent, Quod cum H. P. de &c. tali die & Añ apud C. p'd in quo-
dã loco voc' E. fuit, in pace Dei et dicti dñi reg' dict' die & Añ apud
C. pred' in præd' loco voc' E. venerunt A. B. C. D. & E. F. et in dict' H.
P. ibid' insultũ, vt felon' dict' dñi Reg. infidiã & ex insultu p'mditã p
mandat' et procuracionem P. P. de &c. fecerunt: Et pred' A. B. cum quo-
dã baculo ad valenc' &c. quẽ ipse in manib' suis adtunc et ibid' tenuit p'd
H. P. sup dextram manũ suã adtunc et ibid' felon' p'cussit & ipsum H. P.
adtunc & ibid' vulnerauit & felon' mahemauit sic qd venã et nerui eiusd'
dextræ manus retract' & mortificat' deuenẽ, p qd p'd H. P. auxilium et
potentiã dextr' manus pred' totalit' amisit. Et præd' C. D. cũ vno alio ba-
culo ad valenc' &c. q' ipse in manib' suis adtunc & ibid' tenuit præd' H.
P. sup sinistr' manũ adtunc et ibid' felon' p'cussit et ipsum H. adtunc et i-
bid' verberauit, vulneꝝ, et felon' mahemauit sic qd venã et nerui eiusdem
manus sinistræ retract' et mortificat' deuenẽ, p qd idẽ H. P. vim, auxiliũ
et potentiã eiusd' sinistr' man' totaliter amisit contra pacem &c.

An

An Indictment upon the statute of Anno 5. R. 2.

IVrat p̄sent, qd cum in stat̄ in Parliam̄ dñi Regis Rich. nuper Regis Sect. 337
 Angliæ secundi apud Westm̄ An̄ reḡn̄ sui quinto tenē ædit̄ inter alia
 ordinat̄ sit, Quod nullus faciat ingressum in aliquib⁹ terē siue tenētis nisi
 in casu vbi ingressus ei datur per legem, et in illo casu non manuforti nec
 multitudine gentium sed licito et quieto modo tantum. Et si quis in con-
 trarium fecerit et inde debito modo conuict⁹ fuerit p̄ imprisonam̄ cor-
 poris sui puniatur, & ad voluntatē domini Regis redimat̄ p̄ut in eodem
 stat̄ plenius continetur. Quidam tamen I. S. de &c. statutū pred̄ mini-
 ponderans nec poenā in eodē content̄, die &c. An̄ &c. in quodā tenē
 cum p̄t̄n̄ et quatuor ac̄ terē cuiusdā I. B. apud H. p̄d̄ in com̄ p̄d̄ in quo
 eidem Iohanni ingressus non datur per legē ibid̄ ingressus fuit, in dicti
 dñi reḡ contemptū, Ac contra form̄ stat̄ pred̄,

*An Information wherein the partie desireth the good abearing
 against one.*

DAt̄ est curiæ intelligi p̄ relationē et testimoniū I. P. T. I. et alioꝝ qd Sect. 338
 R. M. de S. in com̄ &c. est communis Barrectator et pacis dñi Reḡ
 perturbator vocand⁹ vicini suos Theeves, knaves, & alia h̄ndi ignomi-
 nia, necnon communis furator bosci: Ita qd verisimile est murdrū, ho-
 micid⁹ lites et discord⁹ inter vicinos ibidem in dies oriri nisi citius provi-
 deatur inde remedium ad motionē omniū inhabitantiū in villa pred̄ ac
 in malum exemplum omnium aliorū legiorum dñi Regis,

*An Indictment against one for keeping of vagabonds, whores, and idle and
 suspected persons, and euill rule in his house.*

IVratores p̄sent, quod T. E. de &c. in domo sua continue recipit hospitat̄ Sect. 339
 et supportat vagabond⁹ meretrices et alios diuersos hoēs ociosos suspect̄
 & malæ conuersationis. Et continue custod̄ malam regulā & gubernū
 in domo sua ad graue nocument̄ et perturbationē omniū vicinorū suorum,
 ac contra form̄ diuersorū stat̄ &c. ac contra pacem &c.

*An Indictment for breaking of a close, and driving away of
 Cattel out of the Close.*

IVrator p̄sent, qd T. S. de &c. die & an̄ &c. vi et armis &c. clausum Sect. 340
 I. D. apud H. p̄d̄ fregerunt & intrauerunt & aueria ipsius I. D. adtunc
 & ibid̄ depascat̄ ceperunt & abinde fugauerunt cont̄ pacem &c.

*An Indictment for Trespasse for breaking of a close, and eating
 of the grasse with cattell.*

INquiratur &c. si A. B. et C. D. de &c. die et Anno &c. vi & ar-
 mis &c. clausum E. F. apud W. predict⁹ in com̄ predict⁹ fregerunt

Indictments and

& intrauit et herbam suam ad tunc & ibidem cum quibusdam auerijis suis, viz. equis, vaccis et bob' depascat fuc' conculcauit & consumpserunt contra pacem &c.

An Indictment for breaking into a close, and treading downe the grasse.

Sect. 341

Inquiratur &c. si A. B. de &c. die et Anñ &c. vi & arñ &c. clusum D. E. apud C. p̄d̄ in com̄ p̄d̄ fregit & intrauit & herbam suam ibid̄ ad valēc' &c. pedib' ambuland' conculcauit et consumpsit. Et alia enormia &c. ad graue damnum &c. et contra pacem &c.

An Indictment for breaking of a close, and cutting downe of trees and underwoods.

Sect. 342

Iuratores p̄sentant, qd A. B. nuper de C. in com̄ &c. die & anñ &c. vi et armis &c. clusum D. E. apud C. p̄d̄ in cen̄ p̄d̄ fregit et intrauit, et arbores & suboscus suos ad valenc' &c. ibid' nuper crescen̄ succidit et asportauit ad graue damnum &c. ac contra pacem dicti dñi Regis &c.

An Indictment for taking of a Cade of sprats by extortion, without any warrant or cause so to doe.

Sect. 343.

Inquiratur &c. si W. B. de &c. tali die & añ apud S. p̄d̄ in contemptu dñi Reg' & per extorcioñ arrestauit et abduxit bona et catall' cuiusdā T. H. viz. quandā cadam, voc' à cade of sprats, ad valenc' &c. de bonis et catallis ipsi' T' apud S. p̄d̄ ad tunc et ibidem inuent' absq; waif' seu causa rationabili cepit et asportauit in contempt' dicti dñi Regis, ac contra form̄ stat' &c.

An Indictment for not repairing the pauement of a highway, which ought to be repaired by a bishop.

Sect. 344

Iuratores p̄sentant, qd pars regie viæ apud S. in com̄ p̄d̄ in quantitate viginti pedum iaceñ et existeñ ex opposito certis terris siue tñtis domini Episcopi Cestr' ibidē est ruinosā p̄ defect' reparationis pauiamē ibid' ad graue et commun' nocument' populi dñi reg. Et qd p̄d' Ep̄us debet facere et reparat' p̄d' pauiamē ex suis proprijs expens. et iux' form' stat' &c.

An Indictment against the prior of Saint Iohns Ierusalem and the Master of the Sauoy, for stopping of a common Sewer.

Sect. 345.

Iuratores p̄sentant, p̄ dño Rege qd Prior hospitalis S. Iohannis Ierusalem, et magister hospitalis de Sauoy, obstupant & quilibet eorū obstupat cursum aquæ de le common Sewer apud S. pred' in com' p̄d' qd debet et a tēpore quo non extat memoria consueuit habere cursum et recursum suū a tēp' pred' Prioris vsq; ad tēp' p̄d' magistri hospitalis de Sauoy pred' & ab inde vsq; ad Thamesin: Ita qd p̄ defectu hūdi cursus aquæ ibid' non potest fluere neq; refluxere sed in tempore pluuiali pred' regiam

giam viam sæpe superfluit pro defectu mundationis eiusdem, ad graue et commune nocumentum populi domini Regis &c.

An Indictment against a Bishop and Churchwardens, for not repairing of a ruinous and broken bridge.

IVrat presentant &c. qd communis pons apud Strond' &c. adeo ruinofus et contractus existit pro defectu reparationis eiusdem pontis qd homines per p'd pontem itinerantes absq; magno periculo nō possunt itinerare ad graue et cōmune nocumēt populi dñi reg'. Et qd dñ' Ep'us Cest' et g'ardiani ecclesię pochialis beatę Marię virg' de S. pred' ipro tempore existentes debent reparare, sustentare et manutene're, et quilibet eorum pro pte sua debet reparare, sustentare & manutene're pred' pontē ex suis proprijs custagijs, et expens. viz. pred' Ep'us ex parte occidentali eiusdem pontis & pref. gardiani ex parte orientali. Sect. 346

An Indictment for stopping and enclosing the Kings high way with hedge and ditch.

IVrator p'sentē, qd A. B. de &c. 6. die Aprilis &c. vi & armis &c. regiam viam apud &c. tam fossat quā sæpi iniuste obstupavit et inclusit: Quæ quidem via iacet in vico voc' &c. et extēdit se vsq; regiam viā apud hospitalem S. Cornelij, ita qd hoīes neq; pedestres, neq; equestres p p'd viā pertansire possint. Et qd pred' via debet et a tempore quo non extat memoria solebat esse communis via quousq; A. B. illā in form' pred' fecisset cont' pacem &c. ad graue damñ et cōmun' nocumēt legeor' dicti dñi reg. Sect. 347

An Indictment for killing of one in his owne defence taken super visum corporis.

INquisitio capt' apud D. in com' pred' die & anñ &c. coram R. T. vno coronat' dicti dñi Reg. in com' pred' de et super visum corporis A. B. de C. in com' pred' ycoman, ibid' iacen' interfecti ac mortui, eiusd' A. B. p sacramēt xij. Qui dicunt sup sacramēt suum qd vbi quidam I. G. nup de &c. in com' p'd Husband, fuit in pace dei et dicti dñi Reg' nunc apud C. pred' 4. die Maij, Anñ &c. circa horā quartam post meridiem eiusd' diei venit pred' A. B. ex malitia sua p'cognita et in ipsum I. G. ad tunc & ibid' insultū fecit et ipsum ibid' verberasse et interfecisse voluit continuand' insultum illum a domo cuiusdā T. B. in C. pred' vsq; quendam locum voc' &c. in p'd. Et idē I. G. videns ipsum A. B. tā malitote disposit' fugit vsq; quēd' murū in diē' loco voc' B. quē murū ob metum mortis sue euader' nō potuit, sicq; idē I. G. in saluationē vitæ ei' erga p'f. A. B. remanebat. ad Sect. 348

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se defendē erga ipsum A.B.& cum quodam cultello voc' a wood knife, precij &c. qd tunc tenuit in manibus suis in defēsa sua eundem A.B. super sinistram partem capitis sui percussit, dando eidem A.B. tunc & ibidem quendam ictum vnde idem A.B. languebat vsque horam decimā in nocte p̄d' diei, qua nocte idem A.B. obiit. Et sic idem I. G. ipsum A.B. ad tunc et ibid' se defendendū interfecit. In cuius rei testim' &c.

An Inquisition taken before a Coroner of the death of a man which was slaine by one Se defendendo.

Sect. 349.

Dicunt super sacramentū suum, qd accidit die, anno et hora infra scriptē apud Westm̄ infra contēt, q̄ contentio exorta fuit inter infranominat' &c. verbis contumeliosis & opprobrijs ex parte ipsius W. motis: Ita qd idem W. vi & arm̄ in pred' W. R. tunc ibid' insultum fecit, et ipsum ibid' verberavit, vulneravit et ipsum interfecisse voluit, sup quo idem W. R. ab ipso W. in quantū potuit se extraxit et vsq; quandā septem ex pte boreali cuiusdam cāpi ibid' fugit, vltro quā nullo modo euadere potuit, et ex ea causa idem W. R. vltim' non potuit fugere absq; periculo mortis. Et p̄d' R. W. eūd' W. R. velociter et furiose in sequu' fuit ad ipsum interficiendū insult' malitiose continuand'. Sup quo idem W. R. precipiens se nullo modo viuū inde euadere posse nisi se melius defendē ad p̄d' R. W. se reuertebat, & eund' R. W. cum baculo infra scriptē super caput suum percussit et dedit ei plag' infra scriptē seipsum W. R. legitime defendendū, vnde idem R. W. instanter obiit. Et sic idem Iurato' dicunt qd pred' W. R. non interfecit p̄d' R. W. felon' nec ex malitia p̄cogitat' sed seipsum defendendū vt ipse qui mortem suam p̄prium alias euadere nō potuit. Et qd idem W. R. nulla habet bona nec catalla.

An Indictment for a riotous rescous of cattell, taken damage feasant.

Sect. 350.

Iuratores presentant qd cum R. B. tali die et Anno &c. legitime fuit possessionat' de & in maner' de H. cum pertinē in W. in com' &c. idē R. eisdem die & anno apud W. pred' in com' p̄d' inuen' quādam aueria, videlicet &c. in quodam campo continē per estimationem 20. acras pasture, parcel' manerij de C. in com' p̄d' ibidem damnum facientes quæ quidem aueria sic tunc & ibidem damnum facientes I. R. & quidā T. die & anno supradict' nomine districtiōis ad tunc & ibidem ceperunt & vsq; S. in com' pred' fugauerunt, vbi secundum legē et consuetudinem regni Angliæ in quodam parco ibid' imparcare voluissent. Quidam tamen T. B. nuper de W. &c. T. C. &c. aggregatis eis sibi quā plurib' alijs malefactoribus ignotis pacis dei & dñi reg' perturbatorib' ad

ad manerū &c. modo guerrino arraiat' vi & armis &c. die & añ supraꝛ apud S. pred' in p̄c̄, I. R. & T. route et riotose ceperunt & rescusserunt, cont' form̄ diuersi. stat' in h̄ndi casu nup' edit' & prouis. ac contra pacē &c.

An Indictment for maintenance in the Common pleas.

I Vratores presentē, Quod cum in stat' in Parlamento dñi Ed. nuper regis Angliæ tertij apud Westmoñ, añ regni sui viceſimo tenc' edit' inter cetera cōtinetur, qd nulla persona regni Angliæ cuiuscunq; stat' gradus seu conditionis fuerit aliquam querelam in patria nec in curia dñi Reg. manuteneat seu sustineat sub pœna imprisonē & faciend' dicto dño regi finem & redemptionem ad volun' dict' dñi regis quilibet iuxta statum, gradum & demerita sua, p̄ut in eodē stat' plenius apparet. Quidam tamen T. D. nuper de &c. stat' pred' aut pœnam in eodem content' minime ponderans, die et añ &c. quandam querelā loquelæ quæ est in curia dicti dñi regis ad placita p̄ billam inter quendā M. E. vid' & I. F. subuic' & T. P. vic' Midd' ad quandā transgressionem eid' M. E. p̄f. I. illat' vt dicitur p̄ parte pred' M. in curia dict' dñi regis manutēn' & sustērauit, & adhuc manutenet & sustentat in dictæ dñe reg. nunc contemp̄t' & populi sui graue damnum, ac contra formam statuti & ordinationis pred'.

Seçt. 351

An Indictment against diuers, for using a prisoner in prison for suspicion of felony very hardly, thereby to compell him to accuse one of felony falsly.

I Nquiratur p̄ dño rege si I. O. de I. in comitatu &c. W. W. de eisdem villa & com' Merchant, balliui dñi regis villæ pred', R. P. de &c. custos gaolæ dñi reg. villæ pred', & I. H. de &c. seruiens ad clauem infra burgum siue libertatem villæ pred', die & Anno &c. apud I. pred' in com' pred' vi et armis &c. quendam W. T. prisonarium in prisona gaolæ pred' pro suspicionē felon' detent' recipere ea intentionē qd ipsi bona & cæta diuersor' ligeorum dñi regis falsiter & extorsive & iniuste acquisit' eundem W. quibusdam funis & cordulis p̄ pedes de ter' leuauerunt & scorsum per pedes, scz. pedib' scorsum & capite deorsum, pependerunt. & ipsum p̄ talem duritiā & pœnam ad accusand' quendā T. B. ligeum dñi regis de eo quod ipse felonice furat' fuisset viginti lib' sterlingor' & tres annulos aureos ad valenc' xx. s. de bonis & catallis A. C. ad tunc & ibidem felonice arctauerunt & compulerunt, contra pacem domini regis pred' &c.

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An Indictment against one, for procuring one to commit a Burglarie and robbery in a house.

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I Vratores present, Quod I. W. nuper de L. clericus, alias dict' &c. tali die et añ &c. apud paroch' M. magna infra sanctuariam ibidē in warda de A. London, maliciose & felonice abbettavit et procuravit P. W. de &c. ad felonice frangend' et intrand' in domum W. Prioris hospitalis sancti Iohānis Ierusalem in Anglia apud Sainct' Johns Clerkenwel in pred' com' Midd' infra pred' hospitalē pred' Prioris ibid', et ibidem felonice furand' capiend' et asportand' vnum Ciphum argenteum et deaurat' vocat' a Goblet pred' Prioris ad valenc' &c. et vnam ollam argē parcell' deaurat' eiusdem Prioris ad valenc' &c. et alia bona pred' Prioris ibidem existē: Quarum quidem abbettationis & procurationis pre-textu pred' R. die &c. vi & armis &c. domum & mancionem dicti Prioris apud &c. infra hospitalē pred' in comit' &c. circa horam secundam in aurora & antea meridiem eiusd' diei burglariter & felonice fregit, et pred' Ciphum de argent' deaurat' vocat' a Goblet ad valenc' C.s. & pred' ollam argent' parcell' deaurat' ad valenc' x.li. ac alia bona eiusdem Prioris, viz. duo Saltseria de argent' & deaurat' ad valenc' &c. de bonis et cattallis dict' Prioris ad tunc & ibidem inuenē felonice furat' fuit, cepit et asportavit, contra pacem &c.

An Indictment for Murder and felony committed within the Verge by one and his servant, upon a Sericant at Armes

Sect. 354

I Nquiratur &c. Si A. B. & C. D. seruiens pred' A. B. tali die & anno lex eorum malitia precogitat ac insulu & affraia p eos præmeditat, vi & armis &c. apud L. pred' in parochia &c. infra virgam in quendam W. P. seruientem dñi Regis ad arñ insult' et affraiam fecerunt et ipsum W. P. ad tunc & ibidem vulnerauerunt, verberauerunt & male tractauerunt, & cum quibusdam gladijs quos in manibus eius dextris ad tunc & ibid' tenuerunt pref. W. P. ad tunc & ibidem felonice interfecerunt et murderauerunt, contra pacem &c.

An Indictment against one for keeping of a common tipling house, that he is a common barrator, and keepeth diuers suspicious persons in his house, both men, and women, and vagabonds, drinking, and swearing, and using vnlawfull games: sleeping in the day, and watching in the night, And for holding of an hereticall opinion of our Saviour Christs humanitie.

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I Vratores &c. Quod A. B. de E. &c. est comun' Tiplator' ceruisæ & communis batretator & pacis dñi Regis perturbat' & custod' & manutinet quotidie & noctanter in domo sua apud &c. diuersas personas suspect'

suspecti tam homines quam mulieres et vagabondi ibidem bibentes, iurantes, & ludendi ad luda illiciti, viz. apud cardes and dice, in noctibus post horas debite & legitimas, & qui vigilantes in nocte et dormientes in die: nec non habet fidem & opinionem contra fidem dei. Et hæc verba dixit in Anglicana tali die & anno &c. in presentia A. B. C. D. & aliorum legiorum dicti domini Regis: *God neuer tōke fleshy nor bloud of our Lady in malum exemplum & magnum nocumentum omnium aliorum legiorum dicti domini Regis coronam & dignitatem suas.*

An Inquisition taken before a Coroner finding that R. H. was rowing in a Boat upon the River of Seuerne, and suddenly fell out of the Boate, and so was drowned.

Inquisitio indentata capta apud Worcester in comitatu predicto primo die Augusti, anno regni excellentissime principisse Mariæ primo &c. coram G. H. genitro vno coronato dictæ dominæ Reginæ comitatu predicto ad inquirendum qualiter & quomodo quidam Richardus Hochecks in comitatu predicto husbandmanni, ad tunc & ibidem iacentis mortui, ad suam mortem devenit per sacramentum proborum et legalium hominum villæ de W. predictæ et trium aliarum villarum propin quarum, videlicet N. B. & D. scilicet per Sacramentum R. L. &c. Qui dicunt quod ita accidit apud W. predictæ in comitatu predicto xxx. die Julij anno supradicto quod predictus R. H. fuit remigrans in Lintro vocato a Boate, super aquam Sabrinæ & in remigratione predictæ predictus R. H. ex infortunio repente cecidit de eodem in aquam predictam, et merusus fuit. Et sic dicunt quod idem R. H. ad mortem suam devenit & non aliter, nec alio modo. Et quod predictus Lintrum attachiatus est eo quod fuit causa seu occasio mortis suæ et appreciatur ad 4. solidos 4. denarios, et remanet in custodia W. H. In cuius rei testimonium tam sigilla predictæ Iuratæ quam sigillum predictæ Coronatæ huic Inquisitioni indentatæ sunt appensa datæ die et anno prius supradictæ.

An Indictment of murder of one man taken before the Coroner, against one that committed the murder, and two that were present, maintaining procuring and aiding him in the doing thereof.

Inquisitio indentata capta apud W. in comitatu predicto secundo die &c. Anno &c. coram G. H. generoso vno Coronatorum dictæ dominæ Reginæ comitatu predicto super visum corporis cuiusdam R. D. apud W. felonice interfecit ad tunc & ibidem mortui iacentis per sacramentum proborum & legalium hominum de W. predictæ et trium aliarum villarum propin quarum, videlicet &c. ad inquirendum qualiter & quomodo præ-

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pred' R. D. ad mortem suam deuenit, videlicet per sacramentum &c. Qui dicunt sup sacramentum suum per prædict' A. B. C. prolocutores eorum, quod vbi prædic' R. D. fuit in in pace dei & dictæ dominæ Regine in regia via ambulans inter Castrum Pulderbach & Wrintnal in com' pred' 20. die Augusti, Anno suprad' circa horam septimā post meridiem eiusdem diei, vbi venit R. A. de W. præd' in comitat' p'd' Labou- ter, vt felo dictæ dominæ Reg. contra pacem eiusdem dñæ Regine cor- ron & dignitat' suar' die, anñ, hora & loco p'd' ex malitia et malo proposito suo precogitat' in insidijs iacuit, ea intenc' ad murdand' & interficiend' prefat' R. D. ac in pref. R. tunc & ibid' insult' fecit, & eund' R. cum quodam baculo vocat' a piked staffe, precij &c. quem in manibus suis tenuit super occiput capitis sui felonice percussit dans ei plagam mortal': de qua quidem plaga mortal' idem R. a pred' 20. die Aug. anñ supradict' vsq; secund' diem Sept. tunc proxime sequēti languebat & moriebat'. Et sic dic' qd' pred' Rowland' prefat' R. D. ad tunc & ibid' voluntar' & felonice murdrauit & interfecit, & quod habuit in bonis nihil, dicuntque in- super, Quod quid' R. A. de W. in comitatu p'd' Husbandman, T. W. de W. p'd' com' p'd' Butcher, die, anno, hora & loco pred' personaliter inter- cesserent manutinentes procurantes & auxiliantes p'f. Row. A. ad felo- nium & murdrū feloñ in forma p'd' ppetrand' et perfaciend'. Et qd' p'd' R. A. habuit in bonis et catallis ad valenc, &c. et remanent in manibus A. A. vxor' eius, & quod pred' T. W. nihil habuit in bonis et catallis ad presens

An Inquisition taken before a Coroner, finding that W. V. hanged himself, in a wood in his girdle.

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INquisitio indentat' capt' apud A. in com' pred' die & anno &c. corā G. H. gen' vno coronat' dictæ dominæ Regine comitat' predict' sup vi- sum corpor' cuiusdā W. V. ad tunc & ibidem mortui iacēti per sacra- mentum proborum et legalium hominum villat' de A. pred' et trium aliarū villat' propinquarū, viz. W. H. & M. ad inquired' qualiter et quo- modo idem W. ad mortem suam deuenit, viz per Sacramentū &c. Qui triat', elect', onerat' et iurat' ad veritat' de premissis dicend' per p'd' A. B. C. eorum prolocutores, dicunt super eorum sacramē, quod predict' W. V. xx. die &c. anno supradicto in quodam bosco iuxta Acton predict' vocat' Danozs wood, circa horam quartam post meridiem eiusdem diei felonice, vt felo dictæ dñæ Reg. die, anñ, hora et loco predict' De- um præ oculis non habens sed instigationē diabolica seduct' cum qua- dam zona curreo vocat' a letherne girdle, precij &c. se suspendit, in- terfecit & murdrauit. Et sic dicunt, quod prædictus W. ad mor- tem suam deuenit & non aliter, & primi inventores eius fuerunt T. V. & I.

& I. W. pleg' eor' I. H. & T. H. cor' Iustic' itinef' cum ad partes illas venef', et habuit in bonis ad valenc' 7. li. 6. s. 8. d. viz. in manib' T. V. de A. pred' &c. 6. s. 8. d. in manib' R. M. &c. 10. s. &c. In cuius &c.

An Inquisition taken before a Coroner, finding that one was murdered upon a heath by one unknowne.

Inquisitio indentat' capt' apud W. in com' pred' die & an' &c. corā G. Sect. 359
H. vno coronat' dictæ dominæ Rnæ com' pred' sup' visum corpor' cuiusdā N. H. alit' in com' Cest' apud Wyates heath, infra dñum de W. in com' p'd felon' interfect' ad tunc & ibidem mortui iaceñ per sacramentum proborum et legalium hominum villat' de W. pred' ac trium aliarū villat' propinuarū, viz. &c. ad inquirend' qualiter et quomodo p'd' N. ad mortem suam deuenit, viz. per Sacramentū &c. Qui elect' iurat' et onerat' per p'd' A. & B. eorum prolocutores dicunt: Quod vbi pred' N. fuit in pace dei, et dictæ dnæ reg. apud Wyates heath pred' in com' pred' die et an' supradict' circa horam tertiā post meridiem eiusdem diei ibi tunc venit quidam homo adhuc ignotus, felonice vt felo eiusd' dnæ Reg. per regiam viam ibid' ex malicia et malo proposito suo p' cogitat' in indijs iacuit et in p'fat' N. ad tunc & ibid' insultū fecit, ac cum quodam baculo vocat' a piked staffe, precij &c. quem ipse ad tunc et ibidē in manibus suis tenuit, p' N. sup' vertic' capitis sui feloñ percussit dans ei plagam mortal' vnde cecidit ad terram: ratione cuius idem N. a pred' die, anno et hora languebat vsque 24. dicm &c. tunc prox' sequent', & sic tunc & ibid' de pred' plaga mortali moriebatur.

An Indictment before the Coroner for killing and robbing of one by the highway, and flying thereupon, and a towne amerced for not reprehending the felon.

Inquisitio indentat' capt' apud B. in com'. p'd' in quodā loco ibid' voc' Sect. 360
Laflesse crosse, 4. decemb' an' &c. coram W. W. gen' vno Coronat' dictæ dnæ Regiæ com' p'd' sup' visum corporis cuiusdā I. W. nuper de L. &c. ad tunc et ibid' iaceñ mortui per sacramē bonor' & legalū hoīum villat' de Buylas p'd', & trium aliarū villat' propinuarū, viz. &c. ad inquirend' qualiter et quomodo pred' I. W. ad mortem suam deuenit, viz. per sacrament' &c. qui dicunt super sacrament' suum per A. B. C. prolocutores, qd vbi p'd' I. W. 2. die &c. an' supradicto fuit in pace dei & dictæ dnæ Reg' equitans inter vill' de Wenlock magna, & Buylas magna p'd' in com' pred', sic accidit circa horam vndecimam ante meridiem eiusd' diei' Qd quidam T. L. nuper de H. in com' predict' Seruingman, deum præ oculis non habens ex malicia et male p'positis suis p' cogit' apud

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apud Latwelle crosse p̄d' in com̄ pred' in insidijs iacuit. Ea intentione ad
murdrand' et interficiēd' pref. I. W. Ac p̄d' T. L. ex predict' malitia sua
precogitat, vi & armis &c. in prefat' I. W. ad tunc et ibid' insultum fecit,
et ipsum I. W. ab equo suo sup quem idem Io. tunc equitavit in terram
deiecit & collum ipsius Iohannis ad tunc et ibid', vi et manu forti torfit &
fregit vnde idem I. W. ad tunc die, an̄, hora, & loco suprad' (vt prædi-
citur) voluntar' & feloñ murderavit et interfecit: Et vlti^o dicunt Iura-
tores p̄d' quod præfat' T. L. immediate post feloñ & murdrum predict'
in form' pred' perpetrat' ad tunc & ibid' vnam crumenam Coriam precij
4. d. & 40. s. in nummis numeratis in dicta crumena tunc existē de bo-
nis & cattallis ipsius Io. dum vixit ad tunc & ibid' a corpore ipsius I. feloñ
cepit. Et sup inde T. L. per defectum & negligentiam inhabitanc' vil-
lat' de Bayldas pred' fugam fecit tunc minime reprehensus existē pro
murdro et felonio predict'. Ideo amerciat' pred' villat' de B. pred. ad
C. s. pro h̄ndi elcap' secundam formam statut' in huiusmodi casu edit' &
prouisi. Et dicunt etiam Iurat' prædict' super sacrament', quod predict'
T. L. predict' secund' die Septemb. anno suprad' seu vnquā postea nulla
habuit bona neque cattalla terras nec tenementa in comitat' predict'. In
cuius &c.

*An Inquisition before a Coroner, where it is found that a woman
killed her selfe with a knife.*

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Inquisitio indentat' cap̄t' apud A. in com̄ pred' die & an̄ &c. corā I.
A. vno Coronat' eiusdem domini Regis sup visum corpor' K. vxor
G. S. ad tunc & ibidem mortui iaceñ per sacramentum proborum et
legalium hominum de A. pred' et trium villat' propinuarū, viz. &c.
ad inquirēd' qualiter et quomodo eadem K. ad mortem suam deuenit,
viz. per Sacramentū &c. Qui elect', iurat' et triat' ad veritatem inde di-
cend', per predict' A. B. eorum prolocutor' dicunt super sacrament' suum,
Quod pred' K. deum non habens præ oculis suis sed instigatione dia-
bolica seduct' die &c. anno &c. apud W. in Com' pred' cum quodam
cultello precij 3. denar' seipsam feloñ percussit dextra parte gutturis suæ
ad profunditatem decē pollicium vnde eadē K. languebat ab eodem die
vsque ad diem &c. extunc proxim' sequent' & moriebatur. Et sic dicū
qd eadem K. ad mortem suam deuenit et non aliter, et nihil habuit in bo-
nis. In cuius rei testimonium &c.

An Indictment of one in London for consening of Clothiers.

Iuratores pro dña Regina presentant, q̄ S. S. nuper de London mercator scissor est persona valde mali nominis, fame & cōuersaē inhoneste communis deceptor & defraudator subditorum dict' dñæ Regine, Et q̄ ipse 30. die &c. anno &c. 30. apud London, viz. in parochia S. Laurentij in veteri Iudaismo in warda de Cheape London p̄d & diuersis alijs locis & diebus infra Ciuitatem p̄d tam antea quam postea, quendā Radulphum Wyat de Ciuitate Wigorn Clothier, & multos alios fideles subditos dict' dñæ Regine decepit & defraudauit, & per fraudem, astuciā, & deceptionem, Anglice by cosenage, diuersos pannos laneos, vocat Broad-cloathes, tam de p̄d Radulpho Wyat quā de diuersis alijs dict' dñæ Regine subditis perquisiuit, habuit & precepit, in pauperationem subditorum dict' dñæ Regine nunc, & in contemptum dict' dñæ Regine & in pessimum ac perniciosissimum exemplum omnium aliorū ligeorum subditorum dict' dñæ Regine in hñdi casu delinquent', & cont' pacem dict' dñæ Regine, Coronam & dignitatem suas: Nec non cont' formam statuti in hñdi casu editi & prouisi.

Concordat cum Recordo.

An Indictment against William Hacket, for treason and conspiracie, viz. for practising the deprivation of the Queene, and for traiterous words against her, and for defacing of her armes, &c. Translated into English out of the verie Indictment it selfe.

The Jurie doe present for the Queene, that W. Hacket late of Dunde in the Countie of Northampton Peoman, as a false traitor against the most excellent and Christian Princesse, our Soueraign Lady Eliz. his naturall and Soueraigne Liege Lady, hauing not the feare of God in his heart, nor weighing his due allegiance, but seduced by the instigation of the diuell, maliciously and traiterously compassing, imagining, deuising and intending the deprivation and deposing of our said Soueraign Lady Eliz. from her honoꝝ and royall name of the Imperiall Crowne of this Realme of England, on the 21. day of July, in the 33. yeare of the raigne of our Soueraigne Lady Eliz. now D. of England, at London, that is to say, in the Parish of Saint Brides, in the Ward of Ffaringden extra London, and diuers other daies and times betwixt the 12. of Februarie last past, and the 25. day of July, in the said 33. yeare of her Ma. raigne, as well in the Parish and Ward aforesaid, as elsewhere in London aforesaid, of his owne peruerse and traiterous minde and imagination, maliciously, expecty
adu.

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aduisedly, directly, and traiterously in the presence and hearing of sundry faithfull subiects of our said Soueraigne Ladie these false malicious and traiterous English words following, concerning our said soueraigne Lady the Queenes Maiestie, falsely, maliciously, aduisedly, expressly, directly and traiterously said, rehearsed, published, and spoke, *viz.* That the Queenes Maiestie (meaning thereby our said soueraigne Quene Elizabeth) did represent all Hypocrisie, and had forfeited her Crowne, and was worthy to be depriued, and that he had been of that opinion these 4 yeares, and that he defaced her Armes in Kaies house thereby meaning the house of one Ralph Kaies, situate and being in Knight-riuer-Street, in the Parish of saint Gregorie nere Paules, in the Ward of Baynards castle L. to take away her whole power of her authority, and was moued thereunto by the Spirit, & that he neither was, nor is sozie therefore to the great scandall and derogation of the person and roialty of our said soueraigne Lady the Qu. and to the subuersion of the state of this realme of Engl., and contrarie to the forme of a statute in this case made and provided, and also against the peace of our said Soueraigne Lady, her Crowne and dignities &c.

Another Indictment against the said W. Hacket, for practising the desposition and death of the Quene, for stirring sedition in the realme, for raising of the Queenes Armes, and her picture, and for thrusting an Iron instrument into that part of the picture that represented the breast & heart of the Qu. and that he treated with two others for the bringing to passe of their purposes, And for traiterous words vttered against the Quene, translated into English out of the very Indictment it selfe.

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The Iurie present for the Qu. That W. Hacket late of Dundel in the County of Northampton yeoman, as a false traitor against the most excellent and Christian princeesse, our Soueraigne Lady Elizabeth by the grace of God of England &c. hauing not the feare of God in his heart, nor weighing his due alleagiance, but seduced by the instigation of the deull, and intending wholly to withdraw, put out, and extinguish the heartie loue, and the true, & due obedience, which a true and faithfull subiect of the Qu. should beare, and by the law is bound to beare towards our said Soueraigne Lady the Qu. The first day of July in the 33 yere of the raigne of the said Qu. at London in the parish of S. Gregorie nere Paules, in the ward of Castle Baynard London, falsely, maliciously, and traiterously intended, imagined, went about, and compassed the said Quene his soueraigne and natural liege Lady, not onely from her Roiall state, title, power, and gouernement of this Realme of England, vtterly to depriue, despose, cast downe and

and diſherite, but alſo to bring and put the ſaid Quēnes Maieltie to death and ſmall deſtruction and ſedition in the ſaid realme of England to raiſe by, leuie, and make, and alſo wholly to ſubuert and deſtroy the ſtate of this whole Common-wealth, being in and throughout euerie part thereof well conſtituted and ordered : And to the intent he might fulfill and bring to paſſe thoſe his aforeſaid trayterous purpoſes, imaginations, compaſſings, and intents : The ſaid William Hacket afterward, that is to ſay, the firſt day of July, in the xxxij. yeare of the reigne of the Quēnes Maieltie that now is, did come to the manſion houſe of one Ralph Kaies, ſituate and being in Knight-riſer ſtreete, in the ſaid pariſh of S. Gregories in the ward aforeſaid, and then and there maliciously, diuellishly, and trayterouſly rased and deſaced the Armes of the Quēnes maieſty, then and there in the ſaid houſe being, with this intent, traierouſly to take away, put doſtwe and ouerthrow the power and auzhoritie of the ſaid Quēne : And that the ſaid William Hacket, ſo, further accompliſhing and effecting of his ſaid trayterous purpoſes, imaginations, compaſſings, and intents the ſaid firſt day of July, in the ſaid xxxij. yere of her Maielties reigne, in the houſe of the ſaid Ralph Kaies, ſituate in the pariſh and ward aforeſaid, did trayterouſly raze a certaine picture of the Quēnes Maielties, then and there in the ſaid houſe likewise being : And then and there did maliciously and trayterouſly put in and thruſt an yron inſtrument into that part of the ſaid picture, that did repreſent the breaſt & heart of the Quēnes Maieltie. And afterward, that is to ſay, on the xvj. day of July in the xxxij. yere of the raigue of the Quēnes Maieltie that now is, the ſaid William Hacket trayterouſly came to the houſe of one John Walker, ſituate and being in the pariſh of S. Mary Sommerſets, in the ward of Quēnehithe in London aforeſaid, with intent trayterouſly to conferre and treat with one Edmond Coppinger Gentleman, and Henry Arthington Gentleman, concerning his traytrous purpoſes, imaginations, compaſſings, and intents aforeſaid : And that the ſaid William Hacket afterward, that is to ſay, on the xvj. day of July, in the xxxij. yere of the reigne of the Qu. Maieltie that now is, at London aforeſaid in the houſe of the ſaid John Walker in the aforeſaid pariſh of S. Mary Sommerſet in the ſaid ward of Quēnehith in London, of his own peruerſe & traytrous mind and imagination, maliciously, aduicedly, expreſly & traytrouſly, did treat & had conference with the ſaid Edmond Coppinger, and Henry Arthington, by what waies, means, and maner, the ſaid traierous purpoſes, imaginations, compaſſings & intents might be accompliſhed & brought to paſſe. And there vpon y^e ſaid xvj. day of July, in the ſaid xxxij. yere, in y^e ſaid houſe of John Walker aforeſaid, ſituate and being in the ſaid pariſh of S.

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Marie Somersets in the said ward of Quenehith London, in the presence and hearing of the said Edmond Coppinger, & Henry Arthington, being then and there in the said house, the said Hacket these false trayterous English words following of our said Soueraigne Q. Elizabeth, falsely, maliciously, advisedly, expressely, directly and trayterously said, rehearsed, published and spoke, viz. That the Quenes Maiestie (meaning our said soueraigne Lady Quene Elizabeth) had forfeited her Crowne, and was worthy to be depriued. And that furthermore, the said William Hacket there vpon the said xvj. day of July, in the said xxvij. yeare, in the said house of John Walker, scituate in the parish of S. Mary Somersets, in the said ward of Quenehith London; maliciously and trayterously moued and stirred by the said Edmond Coppinger, and Henry Arthington, traiterously and openly to declare and publish in London aforesaid, that the Quenes Maiestie that now is, had forfeited her Crowne; to the great offence and derogation of the person of the Quenes Maiestie, and to the subuersion of the state of this Realme of England, and contrarie to the peace of our said Soueraigne Lady, her Crowne and dignities, &c.

An Indictment of Recusancie vpon the Statute of 1. and 23. Elizab.

Sect. 366.

IVratores presentant pro dña Regina, quod I. S. nuper de parochia S. Margaretæ in Westm̄ in com̄ Midd̄ armig', Qui xx. die Septemb' Anno regni Reg' Eliz. &c. quadragesimo primo fuit ætatis sexdecim annorum & ultra non accessit Anglice did. not repaire Ecclesie sue parochiali de parochia S. Margaretæ in Westm̄ p̄d̄ in com̄ Midd̄ p̄d̄, nec alicui aliæ Ecclesie, capellæ aut. vsuali loco communis precationis nec ibidem fuit tempore comunū precationis ad aliquod tempus infra sex menses proxim̄ sequent̄ præ d̄ xx. diem Septemb', anno xlj. suprad̄, sed abstinuit ab eisdem Anglice hath forborne the same, a præ d̄ xx. die Septemb', anno xlj. suprad̄, p̄ præ d̄ spacium p̄d̄ sex mensium extunc, pxim̄ sequent̄ cont̄ tenorem cuiusdam statuci apud Westm̄ in com̄ Midd̄, ann̄ regni dictæ dñæ Reg' nunc primo, p̄ vniformitat̄ communis p̄cationis, ac cont̄ formã statuc̄ anno regni dictæ dñæ reg' nunc 23. in hūdi casu ædit et. p̄uil. in dictæ dñæ Reg' nunc & legū suar̄ contempt̄ manifestum, necnon contra pacem dictæ dñæ Reg' nunc coron̄ & dignitat̄ suas &c.

Memorand̄, that the course is, that the partie indicted must appeare in proper person, and pleade to the Indictment.

A plea to the Indictment next before.

Midd. ff.

ET prædict̄ I. S. in propria persona sua venit & defendit totum & quicquid contra pacem & in contemptu Dominæ Reginæ nunc aut legum.

legum suarum superius fieri supposit'. Et protestand' quod indictament' præd' vers. cum exhibet minus sufficien' in lege existit ad quod necesse non habet nec per legem terræ tenetur respondere: Pro placito tamen idem I. S. ulterius dicit quod de præd' non accessu alicui Ecclesiæ capelle aut vsuali loco communis precationis aut de abstentione inde contra formam statuti præd' in indictament' præd' significat' vel de aliqua alia transgression' offens. aut contempt' in indictament' præd' superius supposit', quod ipse in nullo est inde culpabilis. Et de hoc ponit se super patriam &c. Et Henricus Fermor gener' qui p' domina Regina in hac parte sequitur similis. Ideo ven' inde Iur' &c.

The Venire facias for the returning of a Iurie, to trie the cause betwixt the Queene and the partie indicted.

ELizabeth Dei gratia Angliæ, Franciæ, & Hiberniæ Regina, fidei defensor &c. vic' Midd' salutem: Præcipimus tibi quod non omitas propter aliquam libertatem in Balliuatua tua quin Venire facias coram N. M. maiore ciuitat' nostræ London, et socijs suis Iusticiarijs nostris ad goalam nostram de Newgate de prisonarijs in eadem eisten' deliberand' assign' apud Iustice hall in le olde Baylye, die veneris scilicet xiiij. die Iunii proximi futur' ad horam primam post meridiem eiusdem diei viginti & quatuor liberos & legales homines de visnet' S. Margaretæ in Westm' in comitatu nostro Middlesexiæ: ad recogn' super Sacramentũ suum, si I. S. de Parochia S. Margaretæ in Westm' in Com' Midd' gen' culpabilis sit de quadam transgression' et contemptu vnde idem I. S. indictatus existit, necne &c. Et habeas ibi tunc nomina Iurat' præd' et hoc breue. Teste præfat' N. M. Maiore pd' apud Iustice hall pd', septimo die Maij, Anno regni nostri quadragesimo secundo.

Fermor.

Executio istius præcept' patet in quodam pannello huic præcept' annex'.

Respons. { Roger' Clerke }
 { Humphred' Welde } vic'.

An Indictment of Burglarie, and for hanging up the good man of the house by the thumbs upon a beame with pot-bookes, and for binding with cordes the good man of the house and his wife, and for taking out of a chest five pounds in money.

I Vrat' præsentant, q' G. C. nuper de M. in Com' Cestriæ & alij ignoti Sect. 367
 xvj. die Martij, Anno regni Edvardi sexti Dei gratia Angliæ, &c.

Indictments, and

quinto circa horam vndecimam in nocte eiusdem diei apud A. in com̄ C. domum cuiusdam R. W. vi & armis, viz. baculis gladijs & dagarijs burglariter ac felonice fregerunt & intrauerunt, Ea intentione ad spoliandū & depredandum prædict' R. W. et in prædict' R. W. ac R. W. filium suum & Ioh. vxor' eius adtunc et ibidem insultum fecerunt, & ipsum R. W. cum quodam instrumento vocat' pot-hooks, pollices ipsius R. W. super trabem, vocat' a beame, domus prædict' ipsum adtunc & ibid' suspenditur & prædict' R. W. & Ioh. vxor' eius cum cordis ligauerunt & 100.s. in pecunijs numerat' in quodam cisto content' de bonis et cattallis prædict' R. W. adtunc & ibidem inuent' felonice ceperunt, asportauerunt, & spoliauerunt, vi & armis, ac contra pacem dicti Domini Regis, ac contra formam statuti in huiusmodi casu edit' & prouif.

An order to bee obserued in the right framing of Indictments.

Quis, quando, vbi, quid, cuius, quomodo, quare.

Quis.

Quis, the person with his name, surname, addition of the towne, Countie, Art, and Degree.

Quando.

Quando, The day and yeere.

Vbi.

Vbi, The Place, Towne, and Countie.

Quid.

Quid, The thing taken, the colour, the marke, the price and value.

Cuius.

Cuius, The owner of the thing, and whose it was.

Quomodo.

Quomodo, The manner of the doing, and how.

Quare.

Quare, The intent, which is comprised in this word (Felonice.)

SYMB.

SYMBOLEOGRAPHY.

Of Compromise and Arbitrements.

A Compromise defined.

A Compromise or Submission, Arbitrium, Compromissum, Submissio, is the facultie or power of pronouncing Sentence betwene persons at controuersie, giuen to arbitratozs by the parties mutuall priuat consent, without publike authoritie, 8. Ed. 4. 2. Sect. 1.

Compromise diuided.

Euerie Compromise is generall or speciall, Dyer 217. placit 6. 4. Sect. 2. Elizab:

Compromise generall.

A Generall Compromise is of all quarels, actions, executions, and denaunds, &c. Sect. 3.

Compromise speciall.

A Speciall Compromise is euerie submission to order, which is not so generall, as when it is of certaine matters, facts, or things onely, as of trespassse, or of all actions of trespassse, or of a plaint or debt, or detinue &c. Sect. 4.

Parts of Iudgements.

As of euerie other iudgement, so of iudgements which growe by a compromise, there are two parts, the persons, and the question. Sect. 5.

Persons in iudgements.

Persons chiefly regarded in Compromise, are the struing parties, and the Arbitratozs. Sect. 6.

Persons struing.

The parties struing be they, betwene whom the controuersie dependeth, and which compromise the same, Dyer 217. 4. Eliz: Sect. 7.

Persons struing two.

And they must be two at the least, namely the plaintife, and the defendand, of which sometime there be two, or moze of a side. Sect. 8.

The Plaintife.

The Plaintife is he which moueth the question.

The Defendand.

The Defendand is he against whom the question is moued.

What persons may Compromise, and what not.

All persons both male and female may compromise, but such as are prohibited by nature, or by law. Sect. 9.

Compromise and

Impediments to compromise.

Sect. 10. **B**y nature some are prohibited to compromise though defect of the mind, and some though defect of the bodie.

Impediments in mind naturall.

Sect. 11. **T**hrough the defect of the mind, is when either age is such that by nature they want discretion, or being at age they want it, either naturally or casually: as infants vnder one and twentie yeares olde, 10. H. 6. 14. 18. E. 4. 2. 7. E. 4. 5.

Impediments in mind casuall.

Sect. 12. **A**nd furious madde lunatikes, during their lunacie, 12. E. 4. 8. and Ideots.

Impediments in bodie.

Sect. 13. **D**efect of the bodie is such infirmities as hindreth the principall senses necessarie for the attaining of knowledge: as dumnesse, deafnesse, and blindnesse.

Dumnesse and deafnesse naturall and casuall.

Sect. 14. **A**nd therefore persons by nature dumb & deafe, cannot compromise, as it seemeth, for they cannot haue vnderstanding, neither can they grant, Perkins Sect. 25. But persons blinde, dumb, and deafe by chance, which can write and read, may well by writing compromise.

Impediments legall, subiection, ioynt power.

Sect. 15. **S**uch persons seeme prohibited by law to compromise, as be subiect to others power, or haue only ioynt power with others, as bondslaves, or villeins, lest the award should become void on their part, 35 E. 3.

Couerture.

Sect. 16. **I**n like manner, women couert without their husband, 2. Hen. 3. 9. Ed. 3. 28.

Death ciuill.

Sect. 17. **A**nd persons ciuilly dead: as Monkes, Friers, Canons, professed Nuns, and such other votaries, which be in subiection to their soveraignes, 14. H. 8. 16. 2. R. 2. 5.

Compromise.

Sect. 18. **H**ereunto may be added men, compelled to submit by threats, or imprisonment, 8. Ass. 25. 7. E. 4. 2. 1. for in submission the consent ought to be free.

Attainder and Outlawrie.

Sect. 19. **O**f this sort also are persons attainted of felony or treason, and persons outlawed or wained in personall actions, for they haue no goods, 36. H. 6. 26. 16. H. 6. 47. 21. H. 7. 7. 8. E. 4. 4. 5. H. 7. 16.

Ioynt power.

Sect. 20. **P**ersons prohibited to compromise for that they haue only ioynt power with others, are the single members of severie Corporation without

without their fellow members, as a Dean without a Chapter, an Abbot without his Couent, a Maior without his Comminalty, the Master of a Colledge or hospitall without his fellowes, and so of other societies and guildes, 21. Ed. 4. 13. And in award, it seemeth that such persons onely may of themselves compromit, as may of themselves make good grants.

Arbitrators defined.

An Arbitrator is an extraordinary iudge, which is chosen, and hath Sect. 21
power to iudge, giuen to him by thonly mutual consent, wil compromise and election of priuat persons striving, to thend they may decide their controuerkes, 19. H. 6. 36. who because the controuerke is committed to his pleasure and arbitrement, is termed an arbitrator, and so that it is done by y mutuall promise or compromise of the parties, he is called Cōpromissari⁹ iudex. Dyer 536. 19. E. 39. ¶ A Iudge hauing cognisance by the compromise of the parties: his power is larger then the power of any ordinary or other extraordinary Iudge appointed by a magistrate, for an arbitrator hath power to iudge according to the compromise after his own mind, as well of the fact as of the law, not obseruing the formes of law, but thother Iudges are tied to a prescript forme limited to them by the law or Magistrate, of which they be only executors. For which cause Tully saith wel: Aliud est iudicium, aliud arbitrium: nam iudicium est pecuniar certæ, arbitrium incertæ: ad iudicium hoc modo venimus, vt torā licē aut obtineam⁹ aut amittam⁹: ac arbitrium hoc modo adimus, vt neq; nihil neq; tantū quant postulamus consequamur, whence springeth this old saying, Hee that putteth his coat to daving, is like to lose a quarter.

The choise of Arbitrators.

Seeing then the power of Arbitrators is such and so great and uncontrollable, warines must be used in the choise of them. In which Sect. 22.
two things seeme necessary to be regarded, namely that the Arbitrators be sufficient and indifferent.

Sufficiencie of Arbitrators considered.

Touching their sufficiencie, such persons are to bee elected, as haue Sect. 23.
sufficient skil of the matter compromitted, and haue neither legal nor natural impediments to giue an vpright sentence. Natural impediments be thogh defect of mind or body, natural impediments thogh defect of mind be infancy (for infants by reason of their tenderness of yeres, want discretion to manage themselves, and their own affaires) madnes, and Ideocie, for they who are maimed with these blemishes, are vtterly voyd of vnderstanding. And although I haue read some examples of sage sentences giuen by soles, yet dare I not aduise my friends to expect alwayes the like at their hands. As this:

Compromise and

A Fooles Arbitrement.

Sect. 24

That an hungry begger espying dainty chere in a cookes shop, hastned thither, and being set downe did eat a small piece of his owne bread, and incontinently receiued such wonderfull comfort by the sweet smell of the cookes rates and sauces, whereof he tasted no bit, that he confessed that his eager stomack was as wel satisfied therewith, and had as good a repast, as if he had indeed stuffed his panch with the best chere there: which the cooke hearing, straightwayes with a sterne countenance bids the poze caitife pay for his bzeakefast, whereat the simple guest was mightily amazed, and the craftie cooke so much the moze earnest: insenmuch that this poze man and the cook were content therein to abide the award of him that should next passe by: no sooner was the submission made, but thither commeth a most notozious naturall foole, to whom as their Judge they rehearsed the matter, which being heard, the Ideot caused the poze man to put so much money betwene two balens as the couetous cooke exacted, and to shake them in the cookes hearing: which done, this arbitratoz awarded, that as the cooke had fed the poze man with the only smel of his rates, so the poze man should pay him therefore with the only sound of his coine, which sentence was highly approued of the hearers.

A simple Magistrates Arbitrement.

Sect. 25

Not much vnlke to this, is that, which is repozed of a couetous churle, who sorrowed extremely, for that he had lost a purse with one and twentic angels in it. But an honest man hauing found the same, of more conscience deliuered it to the same churle, who not once thanking him that was the byinger, falls to account his coine, and finding onely twenty angels in the purse, with great rigour exacted the odde angel, and because the honest man denied the finding thereof, he conuented him befoze a magistrat of a corporation, whose wealth and authority far exceeded his wit (as in such places commonly happeneth for that affection and simplicitie be their ordinary electoers.) The plaintife sweareth, there were one and twenty angels in the purse which he lost: the def. that there were onely twenty in that which hee found: Whereupon the Magistrat pronounced, that the purse found was not the plaintifes, and therefore adiudged him to restore vnto the defend. the purse with twenty angels, leauing the plaintife to good fortune for the finding againe of his purse with one and twenty angels. I thinke a may may trie a thousand fooles in the like cases, befoze hee receiue the like sentence.

Defects of the body in Arbitrators.

Sect. 26

The defects of the bodie hindering iudgement, are infirmities, by which the principall senses necessarie for the apprehension of know

knowledge, are impaired, as by deafnesse, dumnesse, and blindnesse.

Arbitrators indifferent, who are?

And for indifferencie, it is good that the Arbitrators bee void of Sect. 27
malice and fauor to either of the parties, that they be not notozious by outlary, excommunication, or suspected of any other notozious crime, that they be neither irreligious nor couetous: For albeit as it is said, an Arbitrator hath herein absolute power, yet ought his iudgement or sentence to be sincere and incorrupt, according to right and equitie, without malice, flattery, and every other vicious affection or perturbation, which may in any sort leade him awy from the right of iustice and equitis.

Hitherto of persons in submissions.

The Question.

The question which containeth the matter of the arbitrement fol. Sect. 28
loweth.

The Question is a thing in controuersie declared to the Judge or Arbitrator, to the end it may by him be decided, Dyer fol. 216 4. Eliz. pla. 6.

The Question double.

And every question is either about the fact, or about right. Sect. 29

The Question of the fact.

A Question of the facte, is when such a fact is inquired of, as is Sect. 30
doubtfull.

The question of right.

The Question of right, is when the fact being knowen, it is yet Sect. 31
doubtfull how much is therby growen right and due to each partie by law.

What is to be considered in each question.

And in every question hereupon arising, it is to be considered Sect. 32
whether the thing in question be arbitrable or no: for in vaine it is to compromit things not arbitrable. Let vs therefore see what things be arbitrable, and what not.

What things are arbitrable, and what not.

Things and actions personal incertain are arbitrable: as trespasse; Sect. 33
a ward taken away &c. 22. H. 6. 39. 14. H. 4. 2. 4 H. 6. 17. But things certaine are not arbitrable but when the submission is by specialty, if they be not ioyned with others incertaine: as debt with trespasse, 4 H. 6. 17. 2 H. 5. 2. 12 R. 2. Dyer 33. H. 8. fol. 51. pla. 14.

But chattels reall or mixt, are not arbitrable by themselves: as Charters of lands, 7 H. 6. 60. 14 H. 4. 24. if the submission bee not by specialtie, 19 H. 6. 3 H. 6.

For

Compromise and

Also an Annuitie is not arbitrable, if the submission be not by specialtie, 9. H. 6. 60. 14. H. 4. 18. 3. H. 4. 6.

For a freehold, 11 H. 4. 12. 14 H. 4. 18. and 19. and 24. 54. E. 3. 16. 12. Ass. pla. 26. 21. E. 3. 15.

For debt upon arrearages of account befoze Auditozs, 4. H. 6. 17. because such debt is due by record, 3. H. 4. 5. 6. H. 4. 9.

Also if seemeth that neither such things as were not in rerum natura at the time of the submission, though they happen to be befoze the award made be arbitrable: as if the submission be of ewes with lambe, which after the submission and befoze the award made haue lambs, it seemeth they haue no power to make any award touching the lambs.

Matters concerning the comunonwealth seeme not arbitrable as all criminall offences, as treasons, felonies, &c. touching the crime, for it is for the benefit of the comunonwealth, that such offenders bee made knownen and punished.

Also causes matrimoniall seeme not abitrable, lest men should separate those whom God hath ioyned together.

Circumstances regarded in submission. First that it be in writing.

Sect. 34

Now that wee haue set forth the persons and things necessarie in euery compromise, it is good to consider such other circumstances as be requisite in the same.

Thre things therefore beside the persons and things are meet to be obserued in euery compromise.

First that euery compromise be made by writing with the parties, covenants or bonds sufficient to binde their heires and executozs to performe the award which shall thereupon be made, that both the arbitratozs may know their power, and the parties how farre they are subiect to their sentence. And also lest their labour and iudgement therein should be frustrate for want of meanes to compell the same to be executed.

Of the power giuen to Arbitrators.

Sect. 35

Secondly, it is behouefull that the very compromise arme the arbitratozs with sufficient authority to do all things necessary for the ending of the controuersies, as to appoint times & places for their meeting, to examine, and decide the matter compromitted, and to bring the parties with their proofs, evidences, and witnesses thither together befoze them. And to punish the persons defectiue, and to expound and correct such doubtful sentences and questions, as may arise upon their award, inconuenient to either parties, contrary to equity, and the arbitratozs good meaning, which inconueniences could not by them be foresene at the making of the award, as it oftentimes happeneth: for temporis filia veritas, truth is the daughter of time.

of

Of time and place.

Thirde, that by the compromise, conuenient time and place be limited for the yeelding vp of their award to the parties or their attornies, deputies or assignes, least the parties should otherwise be long lingered with vaine hope of an endlesse end, and that the arbitratozs may befoze the set time finish their award: for whatsoeuer they do arbitrate after the time appointed, is void, 8. H. 6. f. 18. Sect. 36.

And it is all void that is not contained in the submission, or necessarily depending therupon, 7. H. 6. f. 40. 8. H. 6. f. 18. 3. H. 6. f. 11. as shall moze largely appeare, when we come to the doctrine of arbitrements.

The instrument of compromise or submission, may be made in fozm following.

A Compromise or submission, with conenants to performe the same.

This Indenture made &c. between A. B. on the one partie, and C. D. on the other partie, witneseth, that the said A. B. and C. D. do by these presents willingly compromit and submit themselves, and eyther of them, to the award, arbitrement, order, rule, downe, and iudgement of E. F. and G. H. arbitratozs indifferently named, elected, and chosen by the said parties to arbitrate, award, order, decree, and iudge, of and vpon all and al maner of actions, suits, quarrels, debts, accounts, trespasses, controuersies, debates, & demands whatsoeuer, had, made, moued, depending, or accrued, or which might haue bene had or moued between the said parties at any time or times befoze the date hereof, except one adion of debt &c. depending betwæne the said parties in the D. Haiekties Court of common plaes, or befoze &c. and except one debt of r. li. due to the said A. B. by the said C. D. for the price of certaine cozne &c. and except all lands and tenements of the said A. B. and such like exceptions &c. So alwayes, that the same arbitratozs do make their award, order, and iudgement, of and concerning the premisses to be made, by wyting indented, vnder all their hands and Seales, on this side, and befoze the x. day of June now next ensuing, & one part of the same deliuer or cause to be deliuered by the said Arbitratozs to the said A. B. or his certaine atturney or atturnies in that behalfe, requiring y same, the said x. day of June now next comming at or in y parish Church of K. in the said county of Pozke. And the other part of the said award to the said C. D. his atturney or atturnies, deputie, or assigne, requiring the same at the said day and place: and so alwayes, that the said arbitratozs do not by the said award order or appoint any act or acts, thing or things, to be done or perfozmed, by, or to any person, or persons, other then to or by y said parties to these presents, their heirs, excoz. administrat. or assignes, or some of them, and not to or by any stranger or strangers to this present submission. And the said A. B. and

and

Compromise and

and C. D. & either of them for themselves, their heires, executoꝝ, and administrators, and the heires, executoꝝ, and administrators of either of them, doe by these presents mutually covenant, conclude, promise, and agree to and with the other his executoꝝ, and administrators, & eueꝝy of them, that neither they, noꝝ either of them, will at any time hereafter reuoke the authozitie hereby giuen to the said Arbitratoꝝ, noꝝ discharge them noꝝ either of them in the said facultie oꝝ power of Arbitration. And that they and either of them, and the heires, executoꝝ, administrators, and assignes, of either of them, on their seuerall parts shall and will well and truly obserue, perfoꝝme, fulfill and keepe all and euery clause, sentence, article, submission and agrément in these presents mentioned on his oꝝ their part to be perfoꝝmed and kept, according to the tenoꝝ, true intent, and meaning of the same. In witnes whereof, the said parties to these presents haue interchangeably set to their hands and seales, the day and yeare aboue written.

Of binding the parties to performe the award.

Sec̃. 38.

OK the parties may submit themselves to a ward by obligation, with condition according to the effect of the said Instrument of submission, but that seemeth perillous, for that so they may for a trifle hazard the whole penaltie of the bond, which were too muchieuous. Neuertheles if any be willing to aduenture, the parties may be bound either to other, and the condition may be made in forme following.

The condition of an Obligation to performe an award.

Sec̃. 39.

THe condition of this Obligation is such, that if thaboue bounden A. B. his heires, executoꝝ, administrators, and assignes, and euery of them do on his and on their part and behalfe, well and truly stand to, obey, perfoꝝme, fulfill and keepe the award, arbitrement, order, rule, doome, and iudgement of S. T. and W. K. arbitratoꝝ, indifferently elected and chosen, as well on the part of the said A. B. on the one partie, as on the part of the aboue named C. D. on thother party, to arbitrate, award, order and iudge, of, and vpon all and all maner of actions, suits, quarrels, debts, accompts, trespasses, controuersies, debates, and demaunds whatsoeuer had, moued, depending, oꝝ accrewed, oꝝ which might haue been had oꝝ moued, betwene the said parties at any time oꝝ times befoꝝe the date hereof, except one action of Eic̃tione firmæ, depending betwene the said parties in the Kings Maiesties court commonly called the Kings Bench, as by the Records thereof in the same court remaining, it doth and may appeare, and except out of this submission, all landes and tenements of the said A. B. (oꝝ any like exception.) So alwaies that the same award, arbitrement, order, and iudge

iudgement, of, and concerning the premises bee made by writing indented vnder all their hands and seales befoze the first day of December now next ensuing, and one part of the same deliuered or caused to be deliuered by the said arbitratoꝛs, to the said A. B. or his certain attourney or attorneis, deputy or deputies in that behalfe requiring the same the said first day of December now next ensuing, at, or in the parish Church of R. in the said Countie of Poꝛke: and the other part of the said award be likewise deliuered by the said arbitratoꝛs, to the said C. D. or his certaine attourney or attorneyes, deputie or deputies in that behalfe requiring the same, at the said day and place. And so that by vertue or occasion of the said award neither of the said parties, nor the seuerall heires, executoꝛs, or administratoꝛs, of them, or any of them be to do any act or thing, to or by any stranger to the same award and to these presents. And so as the said A. B. do not discharge the said arbitratoꝛs befoze the said time. That then this present obligation to be vtterly void and of none effect, or else to stand, remaine, continue, and be in full strength and vertue.

Of the condition to performe an award of lands.

And if the award be concerning a title to land, the words in the condition may be thus.

As well, of, for, and concerning the right title, interest, vse, possession and demand, of, and in the manoꝛ of S. with the appurtenances in S. in the said county of P. & all lands, tenements, & other hereditaments with thappurtenances in S. aforesaid, in the occupation of the said A. B. and his assignes, as, of, and vpon all actions, trespasses, suits, quarrels, debtes, duties, debates, griefes, inconueniences, and demaunds, had, mooued, stirred, or depending, betweene the said parties, concerning the said mannoꝛ, tenements, and premises, or any part thereof. And also, if the said A. B. befoze the feast of P. now next comming, doe shew vnto the saide arbitratoꝛs, all such writings as hee hath concerning the said mannoꝛ and premises, at such time and place, as the said arbitratoꝛs shall appoint for the sight thereof. So alwayes that, &c. vt supra. That then, &c. vt supra.

Whether power to arbitrate may bee assigned.

An arbitratoꝛ chosen cannot grant, or assigne ouer his authority of arbitration to any other, 8. Ed. 4. fol. 1. & 9. because it is but a made power, which is not to be granted ouer: notwithstanding the opinion in 47. Ed. 3. 20. to the contrary. Neither doeth the submission extend to giue the arbitratoꝛs power to elect others.

Whether

Compromise and

Whether the Compromissors may discharge the Arbitrators, or no.

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And it seemeth that albeit the parties haue agreed vpon daymen or arbitrators, yet befoze the arbitrement made, either of the parties may reuoke the authoritie giuen to the arbitrators, and discharge them thereof, for power may be countermanded, but if the submission be made by bond, then the bond seemeth to be forfeited, 5. Ed. 4. 1. 21. H. 6. 30. 38. H. 6. 6. 49. Ed. 3. 9.

But by Ashton Justice, if two plaintiffs and one defendant, or two defendants and one plaintiff put themselues to the award of others, neither the one plaintiff without the other, nor the one defend. without the other, may discharge the arbitrators, 28. H. 6. 6. And by Finch 49. Ed. 3. 9. If the submission be by deed, the discharge must be likewise be by deed. So much of submissions, arming the arbitrators with power: Now of arbitrements issuing from the same.

What an Arbitrement is.

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An arbitrement, or award therefore, arbitramentum, laudum, arbitracus, Libr̄ intracionē debet in arbitri 2. & 3. is nothing else but the very doome, order, and decree pronounced by arbitrators vpon the controuersie, soz the ending whereof they were chosen by the struing parties, Dyer 356. 10. Eliz. pla. 39.

Of things regarded in Arbitrement.

forme of arbitrement
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In the forme of euery Arbitrement, fise things are specially to be regarded.

1 First, that it bee made according to the very submission or compromise touching the things compromised, and euery other circumstance, as is said, 9. Ed. 4. 44. Plow. 396. a

2 Secondly, that it be a final end of the controuersies compromised, 19. H. 6. 36. 21. Ed. 4. 38.

3 Thirdly, that it appoint either partie to giue or doe vnto the other some thing beneficiall in apparance at the least, 43. Ed. 3. 28. Dyer 356 19. Eliz. pl. 39. 12. H. 7. 39. H. 6. 9. 22. Ed. 4. 25. 7. H. 6. 40. 19. H. 6. 36. 10. H. 6. 19.

4 Fourthly, that the performance thereof be possible, 22. H. 6. 46. 8. Ed. 4. 1. & 9. 17. Ed. 4. 5. H. 7.

5 Fifthly, that there be a meanes how either party may by law attaine vnto that which is awarded vnto him, 5. Ed. 4. & 24. 17. Ed. 4. 5. 18. Ed. 4. 22. & 23. 5. H. 7. 23.

Soz if it faile in any of these poynts, then is the whole arbitrement voyd and of none effect, as it doth manifestly appeare by these speciall cases following. As,

An

An award that the parties shall obey the arbitrement of A. B. is void, for power cannot be assigned, 8. Ed. 4. 19.

An award that any of the parties shall be bound, or do any other act by the advice of the arbitrators, is not good, because they cannot make severall awards, 18. Ed. 4. 22. 23. but that the parties shall be bound, or make an assurance by the advice of counsell is good, 18. Ed. 4. 22. & 23.

Arbitrement that the parties shall be nonsuit in actions, is not good, for everie award ought to be a satisfaction to the parties, and a determination of things compromitted, so as one partie have amends, but when one hath bin nonsuit, he may begin again, 19. H. 6. 36. 21. E. 4. 38.

But an award that the parties shall make discontinuance and retraysits of their suits, is good, 21. E. 4. 38. 5. H. 7. 22.

If the submission be of divers things, and the award onely of some part of them, yet is the award good, for that part notwithstanding, as if the submission be of all actions reall and personall, and the award of actions personall onely: and it be de iure & possessione, and the award is only de possessione, 19. H. 6. 6. per cur. notwithstanding the contrary opinion of Pri for, 39. H. 6. 9.

An award that an action shall be sued betwene the parties, by the advice of A. and B. is good, for that A. and B. in this case are not arbitrators, but executors of the award, yet quere, for it is uncertain whether they will give advice; or no, 8. Ed. 4. 1. & 4.

Arbitrement that the plaintife shall pay to the defendant x. li. and release to him all actions. And that the defendant shall release to the plaintife all actions, is good, 18. H. 6. 18. & 19.

Arbitrement that either partie shall release to other all actions, and that because the one hath trespassed moze then the other, he shall pay to the other, x. s. is good, 20. H. 6. 18. & 19.

Arbitrement that either party shall goe quite against other, is good, 20. H. 6. 18. & 19. 10. H. 6. 14. 19. H. 6. 36. 22. H. 6. 39. Dyer 356. 16. Eliz pl. 39. 21. H. 6. that it is not good, if the submission were by parol, 9. Ed. 4. 8.

An arbitrement in trespass is not good, if it award not some thing to the plaintife for amends, 43. Ed. 3. 28.

In trespass of goods taken, it is no good award, that the defendant shall retaine part of the goods, & the plaintife haue the rest, 17. Ed. 3. 16.

In debt of x. li. it is no good arbitrement, that the plaintife shall retaine the one moiety, and the defendant haue the other, 45. Ed. 3. 16.

In trespass, award that if the defend. will wage his Law, that he is not guilty, that then he shall go quite, and that the plaintife shall release unto him, seemeth good, 46. Ed. 3. 17.

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Award, that foz so much as the one hath done moze trespasse then the other, therefore he shall giue him a peny foz amends, and that the other shall goe quite against him, is good, 19. H. 6. 3. 6.

By Prior, if two submit themselues to arbitrement of all trespases &c. and it is awarded, that the one shall make amends to the other, and nothing is awarded foz the others benefit, this award is void, 7. H. 6. 40. 39. H. 6. 9. 22. Ed. 4. 25. So if it were that the one onely shall goe quite against the other, foz an award must be final, obligatorie, and satisfactorie to both parties, 7. H. 6. 40. 19. H. 6. 36. 20. H. 6. 18.

Award in trespas of goods taken that the defendand shall carrie and redeliuer the goods taken to the plaintife, is good, 12. H. 7. 14. &c. 15.

Award that the one partie shall pay xx. s. or enfeoffe &c. is good, and the performance of either sufficeth, 21. H. 6. 22. H. 6. 52.

An award that one of the parties shall doe an act to an estranger, is void, if the parties be not bound, 22. H. 6. 46.

¶ If an award be to pay x. li. to an estranger, it is voyd, foz how can he pay the same, if he will not accept it, 22. H. 6. 46. 8. Ed. 4. 1. & 9.

¶ If the award be that he shall cause an estranger to enfeoffe the other partie, foz he hath no meane to compell the stranger, 17. Ed. 4. 5. So if it be awarded that he shall be bound with suerties, 18. Ed. 4. 2. 23. 5. H. 7. 23.

Arbitrement that money shall be paid at a day to come, is good, foz the partie may thereof haue an action of debt after the day, if it be not paid accordingly, 20. H. 6. 12. 5. Ed. 4. 7. But award to doe any other thing at a day to come, is void, if the submission be not by specialtie, because the partie hath no means to compell his aduersarie to performe it, 5. Ed. 4. 7. & 24.

An award is void (as is said) if it neither be executed, nor any means by law foz the execution thereof: as if it be awarded, that the one shall pay to the other x. li. this is good, foz he may recouer the same by action of debt. But if it were awarded that the one should deliuer to the other an acre of land, or doe such like act executorie, it were voyd, if it be not deliuered straight way, or prouision made by bond, or otherwise to compell the performance thereof according to the award, 19. H. 6. 36. 20. H. 6. 12. 5. Ed. 4. 7. 19. Ed. 4. 8.

Thus much of the doctrine of Arbitrements, now of their severall formes.

*An Arbitrement, or award of lands, by which the partie
concomitant to performe it.*

Sect. 47.

THis Indenture made &c. betwene T. A. &c. of the one partie, and B. D. of &c. of the other partie, Witnessech, that whereas there hath

hath hau, and yet is contention, variance, & suit betwixt the said parties, not only for and concerning the right, title, and interest, of and in a certaine quantity of ground, by estimation two acres or thereabout lying in B. and adioyning to the Hill of the said T. K. in T. aforesaid, claimed by either of the said parties to be his owne land and inheritance: But also for and concerning certaine wayes to the Hill of the said T. through the ground of the said L. from all the Townes, Villages, Hamlets, and other places in the North side of the riuer of D. bordering, lying, and being within the space of r. miles of the said Hill, and all other matters and controuersies betwixt the said parties. For the friendly ending and appealing of which said variances & controuersies, the said parties haue compromised and submitted, and by these presents do compromit & submit themselves, and all matters in variance aforesaid, to the order, arbitrement, award, dome, and iudgement of J. W. and T. W. Whereupon the said Arbitrators hauing viewed the said ground in variance, and perused diuers writings and euidences concerning the same, and heard the testimony and witness of diuers ancient men & neighbors dwelling nigh the said ground, as well touching the occupation and vsage of the said ground by the said T. K. and his ancestors, as also the said waies vsed vnto the said mill, by the inhabitants aforesaid time out of mind, do make & declare their award, order, dome, and iudgement touching the premises and euery part of them. And the said T. K. and L. D. do covenant and grant severally either of them, to and with the other, for themselves, their heirs, executors, and administrators, in maner and forme following. And first the said Arbitrators doe order, award, and iudge, And the said L. D. is so contented and agrad, and accordingly doth covenant & grant, for him and his heires, to and with the said T. K. his heires &c. that hee the said T. K. shal and may fro henceforth haue, hold, occupy, and quietly enjoy to him and his heires for euer, the said parcell or quantity of ground, containing by estimation two acres, lying and being on the North side of the riuer of D. directly euer against the said Hill, and demaine lands of the said T. K. in T. aforesaid, as it is now bounded and meared forth with stones by the said Arbitrators, And shall also haue, and may take to his and their owne proper vse all the trees now standing or being, or that hereafter shall growe in and vpon the said ground, and all other profits and commodities coming of and vpon the said ground (only the thozes, bzars, and herbage, excepted and soze-pised) with free libertie, entry, and passage, for the selling, hewing, leading, carrying away, and taking of the same trees, and all other the said profits and commodities (except before excepted) at all and euery time and times hereafter, at his and their pleasure. And

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that the said T. K. his heires and assignes, and all & euery other person and persons, that shal come & bring any corne to the mill of the said T. K. called L. Mill, from the said towne, villages, hamlets, or any other place inhabited, shal haue free libertie, waies, and passage for the carrying, fetching, and bringing of their corne to the said Mill, as well ouer and throughe the said parcell of ground set forth and measured as is aforesaid, as also throughe and ouer other the grounds of the said L. M. in K. aforesaid, in as ample and large maner and forme, as the inhabitants of the said towne, villages, and hamlets, or other places haue bin accustomed and vsed to do at any time heretofore, and as it is now most commonly vsed. * And shall and may tie and fasten any their horses, mares, or other beasts, wherewith they carry any corne to the saide Mill, to any tree growing, or other thing, being in and vpon the said ground, so that the string, cord, or rope, exceed not the length of foure whole yards at the most. * And that the said T. K. his heires and assignes, shal & may lawfully at all and euery time & times, so oft as need shal require, amends and repaire, al and singular the waies, & euery part thereof, for the ease, safeguard, and passage of the inhabitants of the said towne, villages, hamlets, & places inhabited, coming & going to and from the said Mill, without any let, trouble, variation, or contradiction of the said L. M. his heires or assignes, or any of them. And that the said L. M. his heires or assignes, shall at all times within the space of two years next ensuing the date hereof, doe make, knowledge, and suffer, or cause to be made, knowledge, and suffered, all and euery act and acts, thing and things, as shall be reasonably deuised or aduised by the said T. K. his heires or assignes, or his or their learned counsell, at the only proper costs & charges in all things of the said T. K. his heires or assignes, for the further and better aduance & sure making as well of the said parcell or quantity of ground, containing about y. acres, as also of the said waies, in maner and forme before expressed, vnto the said T. K. his heires and assignes for euer, according to the true effect, meaning, and purport of these presents; In consideration wherof it is further ordained, awarded, demed, and iudged by the said Arbitrat. * and the said T. K. doth so couenant &c. that he the said L. M. his heires and assignes, shall and may haue, take, and enjoy ouerly the grasse and herbage, with the thornes and briers ycerely growing, or being in, or vpon the said parcell or quantity of ground so bounded or set forth, as is aforesaid. And in further consideration of the premises, the said T. K. hath paid to the said L. M. at the sealing hereof, at the request of the said Arbitrators, the summe of xx. li. &c. * In witness whereof, not onely the said parties to these present Indentures of awarde interchangeably haue put their seales, and subscribed their names: but also

the said Arbitrators to both the parties of these Indentures, haue put their seales, and subscribed their names the day and yeate &c.

An other Arbitrement of debt, where the parties are bound to performe it.

TO al true christian people to whom this present wrytting of a ward Sect: 46.
 Indented shall come, G. W. G. P. S. S. & L. P. of &c. send greting in our Lord God euerlasting. Whereas diuers suites &c. betwæen L. W. & J. S. of &c. For pacifying, ordering and ending whereof, the said L. W. & J. S. haue bound themselues either to other in the sum of 100. li. of lawfull English money, by their seuerall obligations bearing date &c. with conditions thereunder wrytten, to stand to &c. vt supra, of the said G. J. S. & L. Arbitrators indifferently elected and chosen, as well vpon the part and behalfe of the said J. S. as of the said L. W. to a ward, arbitrate, order, rule, iudge, end & determine all, and all maner of suits, debts, actions, controuersies, debates and demands whatsoever, depending betwæne the said J. S. and the said L. W. & W. W. his sonne and heire: so that the said a ward were made and giuen vp in wrytting vnder the hands and seales of all the said Arbitrators, at or before the &c. at &c. as by the said obligations and conditions amongst other things doth and may appere. * Know you now, that the said G. J. S. and L. taking vpon them the charge & burden of the said a ward, and hauing deliberately heard the griefes, allegations & proofes of both the said parties, doe by these presents, arbitrate, a ward, order, deime, and iudge of and concerning the premisses in maner & forme following that is to say, * First they doe a ward, order, deime and iudge by these presents, that the said J. S. his executors or administrators, or some of them, shall well and truely pay or cause to be paid vnto the said L. W. or his certaine Atturney, executors or administrators, or some of them at or before the &c. at or in the &c. CCC. li. of &c. and at or before the &c. other CCC. li. of &c. in full satisfaction of CCC. li. For payment wherof the said J. S. stood bound to the said L. W. in and by foure seuerall obligations, wherof two are alreadie forf. as therby may appere. * Also the said Arbitrators doe a ward, order, &c. that the said J. S. his executors and administrators, or some of them, at their or some of their costs and charges, shall before the &c. cause and procure, that all suits, bills, plaints & informations heretofore conuenced against the said L. W. in any Court or courts whatsoever, either by or in the name of the said J. S. or by or in the name of H. S. his son, or by or in the name of our Soueraign Lady the D. Hatellie that now is, and of euerie or any of them, or by or in the name of any other person or persons, by the consents, meanes and procurements of them, or any of them, shall thence

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to, with surcease, and be no further proceeded in by them, nor any of them
or by the meanes, consent or procurement of them, or any of them. And
before the ꝛc. be utterly discontinued and made void. * And the said
Arbitrators doe further award, order decree & iudge by these presents,
that for the sure payment of the said sum of CCC. li. the said J. S.
and G. S. within two daies next after tender or deliuerie of the one
part of this present award to the said J. S. shall dwell and sufficiently
make, seal and deliuer as their deeds to the said L. W. in ꝛc. one obli-
gation or wryting obligatorie sufficient in the Law, wherein and where-
by the said J. S. & G. S. shall acknowledge themselves, and either of
them to be jointly and severally bounden to the said L. W. in the sum
of CCC. li. of ꝛc. with condition thereupon in due forme of Law im-
posed for the sure payment of þe said sum of CCC. li. parcell of CCC. li.
at or in the ꝛc. before ꝛc. And the other CC. li. residue of the said sum of
CCC. li. at or before the ꝛc. and at ꝛc. * Also the said Arbitrators doe
further award ꝛc. that the said J. S. his executors or administrators, or
some of them, shall and will before the ꝛc. at his and their owne proper
costs and charges, cause and procure to be cancelled and made void one
recognisance of CC. li. bearing date the ꝛc. knowledged and enrolled in
the R. Hateskies high Court of Chancerie, wherein and whereby the
said L. W. standeth bounden to the said J. S. in the said sum, with con-
dition thereunto annexed, that if the said L. W. his heires, executors,
and administrators, and euerie of them, should well and truly obserue,
performe, fulfill, and keep all and euerie the couenants, grants, articles
and agreements, which on his and their partes were to be obserued,
performed, fulfilled and kept, conteyned and specified in one indenture,
bearing date the ꝛc. had and made betwene the said L. W. on the one
partie and the said J. S. on the other partie, concerning the marriage of
W. W. son and heire apparant of the said L. W. & A. S. daughter of
the said J. S. according to the true intent, purpozt and effect of the said
indenture: That then the said recognisance to be void, and of no effect,
or else to stand ꝛc. as by the said recognisance and indenture more plain-
ly and at large appeareth, * And also that the said J. S. his executors,
or administrators, or some of them, shall, and will before the feast of ꝛc.
deliuer, or cause to be deliuered vnto the said L. W. his executors, or
administrators, or some of them, in the said now dwelling house of the
said L. W. aforesaid, the said indenture of couenants concerning the
foresaid marriage, cancelled or to be cancelled. In witnesse whereof the
said Arbitrators to both parts of this present award indented, haue set
their hands and seales. Dated ꝛc.

*An Arbitriment or award of debts made by an Earle upon
submission by bond.*

TO all true Christian people, to whom this present writing of a
ward indented shall come, The right Hon. Gentle Marshall of
England, &c. sendeth greeting, &c. Whereas diuerse suits, variantes,
cōtrouersies, & debates, heretofore haue bin had, moued, & depending,
betwēn T. G. of L. in the county of P. yeoman, on the one party, and
F. D. of D. in the said county gentleman, on the other party: for pac-
tying, ordyning, and ending whereof, the said T. G. & F. D. haue bound
thēselues either to other in the sum of CCC. li. of £. by their seueral
oblig. bearing date &c. now last past, with condition therevnder writ-
ten, to stand to, abide, perforce, fulfil, and keep the award, order, rule,
some, iudgem. and determinatiō of the said earle indifferently elected
and chosen by the mutual consent, and at the earnest and humble request
& petitio of both the said parties, to arbitrate, award, order, iudge, and
determine of, for, and concerning all and all manner of actions, suites,
quarrels, debts, duties, and demands whatsoever, had, moued, or de-
pending, or which hereafter might be had, moued, or depend betwēne
the said parties, by reason of any matter, thing, or things whatsoever,
accrued, or grown frō the beginning of the world, vntill the day of the
date of the same obliga. so yf the same award were made in writing in-
dented, vnder the hand and seale of the said earle before the xix. day of
£. and thone part of the same writing indented, deliuered, or caused to
be deliuered by the said earle to the said T. G. to his executors &c. or a-
ny of thē, or to their, or any of their vse, vpon, or before the said xix. day
of £. at, or in the now mansion or manor house of the said earle, called
S. in £. and the other part therof, to the said F. D. &c. vi supra, as by
the said oblig. and conditions therof doth & may moze at large appear.
* Know you now, that the said earle of his more good will and fauour
which he beareth to both the said parties, and of the great and honora-
ble respect, which he hath of their future quietnesse, taking vpon him
the charge and burden of the said award, and hauing deliberately at
sundry times at large heard & considered the griefes; allegations, and
prowes of both the said parties, doth by these presents arbitrate, award,
order, determine, and iudge, of and concerning the premisses in manner and
forme following, viz. * That the said F. D. his £. or some of them, shall
well and truly pay, or cause to be paid vnto the said T. G. his £. or
some of them, the sum of Cxx. li. of £. in the £. in manner and forme
following, viz. vpon £. lxxx. li. thereof; and vpon £. other lxxx. li.
thereof residue, and in full payment and satisfaction of the said summe
of Cxx. pound. * And that in consideration thereof, the said T. G.
shall permit, and suffer all suits, actions, quarrels, debts, duties, and
demands,

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demands, growne before the date of the said obliga. to cease, and be discontinued, and no further prosecuted by him, or any other by his procurement. * And furthermore, sozasmuch as the said J. M. is charged, as is aforesaid, for the payment of the said sum of Clr. li. partly by reason of a iudgement heretofore given for the said T. G. against one L. S. in the M. maiesties court, commonly called the B. Bench, in action of debt, in which the said T. G. hath recovered against the said L. S. C. Clr. xv. li. and iij. d. as by the record thereof remaining in the said court appeareth. His hono. doth further award by these presents, in reliefe and ease of the said J. M. that if the said J. M. his ex. or any of them, do wel and truly pay, or cause to be paid, the said sum of Clr. li. according to the true meaning of this present award. And if the saide L. S. his heires ex. or some of them shall not well and truly satisfie, content, and pay unto the said T. G. his ex. the said severall summes aboue in this award appointed to be paid by the said J. M. before the severall dayes herein aboue mentioned: That then and at all times after any such default of payment so to be made by the said L. S. his ex. the said T. G. his ex. shall permit and suffer the said J. M. his executors and administrators, and euery of them, at the costs and charges of the said J. M. his executors and administrators effectually to prosecute, or cause to be prosecuted all and euery such execution and executions vpon the said iudgement so had for the said T. G. against the said L. S. as to them, or any of them, or the learned counsel of them, or any of them shall seme good. And all and euery sum and sums of money thereby to be obtained, to take and conuert to the onely proper vse and behalfe of the said J. M. his executors & administrators, without any account, recompence, or payment thereof, or therefore to be yielded or made to the said T. G. his ex. or any of them: any thing in this present award contained ex. notwithstanding. * In witnes whereof, the said Cartle to both the parts of this present award hath set his hand and seale; Dated ex.

All such couenants & conditions as be vsually made for the assurance or enioying of lands or tenements, goods, and chattels, may be inserted into awards, as shall seme good vnto the Arbitrators or parties.

Of notice of the Arbitrement.

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And when the Arbitrators haue made their award, according to the submission, albeit perchance they be not bound to giue notice thereof to the parties, yet it seemeth very requisite, that they should in due time, before that either partie be to perfoyme any part thereof, notify the same vnto the, lest otherwise they might break their bonds or couenants in that behalfe (if any such be) before they know the same. Notwithstanding, that the booke in 8. E. 4. 1. & 9. be doubtful in that point.

The

The small cause and effects of Arbitrements.

And thus, by that which hath bin discoursed, it sufficiently appeareth (as we thinke) that the scope and end of Arbitrements, and other Judgements, is all one: And chiefly, the small determination of strife, suit, and controuersie, 19. H. 6. 36. And so consequently their effects be almost equall. But the Lawes seeme moze fauourable to Arbitrements then other Judgements, insomuch, as by Arbitrators the strict course & tedious ceremonies of Law suites (which are most commonly wont to wearie suiters, and picke their purses) are cut off, and shorter decisions by them made, with little or no cost at all.

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We deferre to shew how Arbitrements may be pleaded in barte of other actions, untill we come to their fit place amongst our presidents of pleadings, and so end this Treatise.

An award made by an Arbitrator touching Copyhold Land, betweene an Alderman of London, and another.

Tall Christian people, to whom this present writing of award indented shall come, *H. T.* of Lincolnes Inne, in the Countie of Middlesex Esquire, sendeth greeting in our Lord God everlasting. Whereas suit, variance, and debate heretofore hath bene, and yet is had, moued, and depending, aswell in the Quenes Maiesties Court of Requests, as in diuers other Courts, betweene *R. B.* Citizen and Alderman of London of the one party, and *R. C.* of *B.* in the Countie of *M.* yeoman of the other party, of, for, and concerning the right, title, vse, interest, and possession of diuers lands, tenements, and hereditaments, with the appurtenances, lying and being in *B.* within the Manor or Lordship of *T.* within the said Countie of *M.* and containing by estimation about two hundred acres of land, meadow, pasture, and wood, commonly called or knowne by the name of *Hebines* Land, for the appeasing, final end, and determination of all which said suites, variances, and debates, the parties aforesaid haue submitted and compromitted themselves to stand to, obey, and performe the arbitrement, ordinance, doome, and iudgement of me the said *H. T.* Arbitrator, indifferently elected, named, and chosen by both the said parties, indifferently to arbitrate, order, decree, award, and iudge, as well of, for, and concerning the estate, right, title, interest, vse, and possession of all and singular the said premisses, and euery part and parcell thereof, as also of, for, and vpon all manner of actions, suites, quartels, debts, debates, trespasses, and demaunds whatsoever, heretofore had, moued, litred, or depending betweene the said parties, from the beginning of the world untill the twentieth day of Nouember last past, as by their severall writings obligatorie, wherein

Sect. 50.

Itm.

either

Compromise and

either of the said parties stand bounden to thother of the same parties in the summe of C. li. bearing date the said xx. day of Aprill, and made for the true performance of the said award, nor at large it doth and may appere. Whereupon the said W. T. hauing taken vpon him the charge and burden of the said arbitrement. And hauing present before him both the said parties, and hauing also very aduisedly and deliberately weighed and considered the titles, claimes, allegations, and proofes, of either of the said parties to the said premises. And vpon sight and due consideration of all the euidences, writings, & proofes shewed and made before me the said W. T. by both the said parties; do award, arbitrate, order, daine, and iudge of the premises in maner and forme following: that is to say, First, I the said Arbitrator do award, daine, order, and iudge, that the said R. C. or his heires at all times within threë yeres next ensuing the date of these presents, vpon lawfull and reasonable warning by the Steward, Bayliffe, or Kæue of the said manor of T. for the time being shall at the next Court so to be holden, then next after such warning had, surrender & giue vp into the handes of the said R. H. his heires or assignes in open Court, according to the custome of the said Manor, to the vse of the said R. H. and his heires for euer all and singuler the aforesaid lands, tenements, and hereditaments, hereafter in these presents mentioned, expressed, and declared: that is to witt, one mansion or dwelling house, wherein the said R. C. now dwelleth, with all edifices and buildings &c. And further, more, I the said W. T. do award, ordaine, daine, and iudge by these presents, that the said R. H. his heires or assignes at the said Court, where, and when the said surrender shall be so made; shall assure and conuey vnto the said R. C. or to his heires, that shall so surrender the premises as aforesaid by copy of Court roll, according to the custome of the said Manor, or otherwise as by the said R. C. his heires and assignes, or any of them, or by his or their learned counsell shall be reasonably deuised or aduised, and at the proper costs and charges of the said R. C. his heires and assignes, not altering by the laide assurance or assurances so to be deuised or aduised, as is aforesaid, any custome, liberty, or iurisdiction of the said Lordship, manor, or other the premises, with all and singuler the said landes, tenements, and hereditaments, and all other the premises, with their appurtenances whatsoever, before by these presents ordered and iudged to be surrendered, as is aforesaid (4 acres of land now in the occupation of ec. parcell of the premises to be chosen by the said R. H. &c. suchy excepted and excepted.) To haue and to hold the same landes, tenements, and all other the premises with the appurtenances (except before excepted) vnto the said R. C. and to his heires males incorrupt within the fourth de

gré of consanguinitie, according to the auncient custom of the said Spane. And if it happen that the said R. C. doe deceale before the said surrender made, as is also said, Then to haue and to hold the said premisses with the appurtenances to the heires of the said R. C. which so shall surrender the same, and to his heires males incorrupt within the fourth degre of consanguinitie &c.

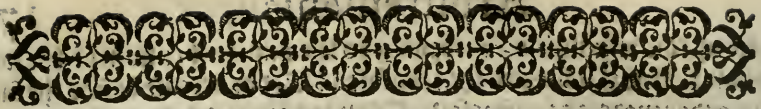
An award reciting that either of the parties stand bound to other to performe the award. And that the award is made before the prefixed time in the Obligations, and with the full consent of both the parties.

Tall Christian people, to whom this present writing indented of an award shall come, R. W. & R. C. send greeting in our Lord God everlasting. Know ye that whereas variance, strife, debate and controuerse hath hertofore bin had, moued, and stirred betwixne A. B. of C. and D. C. of F. of, so, and concerning the right, title, interest, vse, possession and occupation of &c. for the appealing & ending whereof, either of the said parties by their mutuall assents, consents and agreements, haue submitted, compromitted, and bound themselves either to other by their seuerall writings obligatorie, bearing date &c. in the sum of &c. to stand to, abide, obey, obserue, performe, fulfill and keepe the award, arbitrement, ordinance, doime and iudgement of vs &c. Arbitrators indifferently elect and chosell, betwixen the said parties, & and for the premisses, as by the said seueral obligations with condition for the performance thereof more at large appæreth. Whereupon we the said Arbitrators taking vpon vs the labour, busines & charge of the saime award and willing to set the said parties at a small peace, vnite and concord, for and concerning the premisses, haue by god aduise and deliberation, seene, heard, and thzoughly examined both their titles, allegations, euidences and protes, in and to the said premisses, and thereupon before the day and time appointed vnto vs by the said Obligations, for the making, giving vp, and finishing of the said award, we the said Arbitrators by and with the full assent, consent and agreement of both the said parties, doe make, publickly, declare and giue vp this our present award betwixne the said parties, of, so, and concerning the premisses, in maner and forme following. First we award, ordaine, doime and iudge that &c. Also we award &c. And finally we award, ordaine, doime and iudge &c. In witness whereof, we the said Arbitrators, and also both the said parties to the award, haue interchangeably put our hands and seals, the tenth day of M. in the thentieth yeare of the raigne of our Soueraigne Lady Elizabeth, by the grace of G D D of England, France, and Ireland, Quene, Defendoz of the Faith, &c.

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1. 52



SYMBOLEOGRAPHY.

Of the Chancerie, Proceedings in the Same, and Supplications, Billes and Answers.

The Chancerie.

Sec. 1.



King, by Gods fauor, we intend somewhat to discourse of the maner proceeding in Chancerie Suits, and to let downe some presidents therof, to the performing whereof, it seemeth requisite first to vnfold the nature of Equitie, conscience and the rigour of the common Lawes of this Realme, as the proper object or matter whereabout such Suits are for the most part occupied, to the intent it may with the moze facilitie be vnderstood, how, and when such Suits are fitly to be taken in hand. Therefore we will first speake of *Summum ius*, (which oftentimes precisely regardeth the verie letter and words of the common Lawes :) For remedie whereof, parties grieved, pray ayde of this honozable Court of Chancerie, to bvide extremitie, and reduce such rigour to Equitie and Conscience.

Of strict or precise Law, which is called Ius summum.

Sec. 2.

Aristotle calleth it exact or precise Law, because that, if it haue no allay in it to qualifie the harshnesse and seueritie of it, it is vnpleasant and slowe in fast, and repugnant to Equitie.

And Budæus saith, that this word (*strict* and precise Law) is a word which, amongst the Ciuilians, signifieth verie hard Law, exact and full of rigor, and almost vniust: for they that write of the Law, make these words, *strict* Law, and Equitie, opposit the one to the other: thus saith Budæus: The Lawyers do also terme it, *Ius subtile*, subtil Law. Other Lawyers doe terme it, *Summum ius*, law in the highest degree, or most exact, and it is so taken of them, when men stand moze vpon the letter of the law, then vpon the meaning of the writor, or maker of the law. In which behalfe, it so falleth out oft times, that vnder a colour of know-

know

knowledge of the Lawes, many grosse and dangerous errors be committed; Corahus Musell. lib. 2. cap. 8. Nu. 127. Oldendorpius divideth this Jus summum, or Lawe in the highest degree, into two branches: the one proper, the other improper.

Lawe in the highest degree, so properly termed or taken, is an undoubted and infallible rule of honestie, which may generally without exception be put in execution in any common weale, whether it be originally grounded upon the lawe of Nature, or upon the lawe of Nations: For examples wherof you may take all the rules and principles of the lawe, for these rules and principles of the lawe, doe in their kinde, most strictly and exactly define and bound out the matter which they handle, barely, and nakedly, without any regard of circumstances of the fact y^e may fall out, of which sort of rules are these. Keep thy word, hurt no man: these are generall rules of Lawe in the highest degree, so righteous and full of iustice in their kind, that by the lawe of Nature it selfe, better and more rightfull cannot be giuen, Lib. 1. F. de pactis.

But here you see no respect had to any circumstance, of your word, or hurting, for this point belongeth to Equity, or the Court of Conscience, which with vs is called the Chauncery, as the case may fall out: and the lawe in the highest degree, being thus properly take, is wrongfully termed by the common sort of men, wrong in the highest degree: for to speake generally, and at a word, it is the iustest reason that may be, whether naturall, or ratiounall, so farre is it from being to be rightfully taken wrong; buttill it be stretched, and as it were set vpon tenure hookes, to be drawne to some inconuenient circumstance of the fact: as when a man doth couenant or giue his word to do some dishonest fact, or hurtfull and dangerous to the Common wealth. In which case, if a man should wrest this rule of Lawe, keep thy word, in stead of doing right in the highest degree, hee should commit iniustice in the highest degree: not because the lawe hath any fault in it selfe, but because through his error, and cauelling with the Lawe, he worketh wickednes, not iudging aright the circumstances of the fact, wherin lawe and right standeth; Li. Si. F. de pactis.

Lawe in the highest degree improperly taken, is so termed, when by an ouer rigorous and hard interpretation, it is drawne to inconuenient kinds of facts, or by colourable arguments is drawne to frustrate the good meaning of the Lawe, L. Inciuile cum L. seq. F. de legibus. Many examples hereof we haue in the lawe: as it is a lawe, that no man shall be forced against his will to comence or maintaine any suit or action: Now put the case that A. S. is wrongfully impleaded by A. P. who hath framed a cunning action full of glorious shewe against him the said A. S. But A. P. finding in conclusion that he is not able to proue

and

Of the Chauncerie.

and make good his action, becommeth non suit; *A. S.* prayeth clemency of the Judges against this wrongfull veration of *A. S.* and hee the said *A. S.* in defence of this wrongfull veration, bygeth this rule of Law, that no man is compellable to maintaine an action: shal he be heard in this case? So saith Iustinian, this false gloss of *A. S.* is not to be suffered or bozne withall. This terme or word of Lawe in the highest degree being thus taken, we may wel say, that law in the highest degree is wrong in the highest degree: For the more subtilly that a man doth argue, and the more authorities he heapeth together, to inforce such a law, so much the more and greater wrong and iniustice shall be done.

Of Equitie.

Sec. 3.

Equitie is that which is commonly called equal and some times equall and iust, and sometime equall, iust, *Lib. 1. & Pen. F. de Iusticia & iure, l. si & ius F. certum peccatur, Arist. termeth it Epiciecces,* and other terme it Epicieccan, which is as much to say, a mitigation or, or moderation of the law written, in some circumstance, either of the things themselves, of the persons, or of the times. Law (saith *Donatus*) is that, that maketh all things streight, and not pliable to the one, nor other. Equitie is that, that dispenseth with many points of the law. *Oldendorpius* saith, that Equity is nothing else, but a sound or upright will or judgement of an honest man, nothing crafty or subtle, so measuring out to every man that, that is his, that in the meane while no man is wronged, as appeareth most elegantly in *I. bona fides: l. Incurrit F. de pos.*

Equity as some other say, is a reasonable measure, containing in it selfe a fit proportion and rigo, so that it differeth from Lawe in this, that law is a determinate sentence set downe according to the rules of the law: But equity is a certaine proportion and allay, upon good occasions setting on side the common rules of the lawe, and so they call it a ruled kinde of Justice, allayed with the sweetnes of mercy.

Equity is diuersly termed in the Law, sometime it is very significantly called a Conueniency, because it ministreth amongst men, a fit proportion, answerable to the persons, the matters, the places, and the times. Sometimes, plaine dealing is called Equity, which is opposite to the dealing of man by nice poynts of the Law. Sometime it is taken for naturall Justice, or the Law of Nature. Sometime it is taken for Law that is opposite to forged and deuised law. Sometime it is taken for Religion &c. And to be short, Equity is the correction or amendment of a good Law, which is defective in some part, by reason of the generalitie of it.

Of the division of Equitie.

Equitie is two fold, written and not written, for Equitie may be v. Sect. 4.
 sed both in schole, and places of Iudgement two waies: the one, by
 taking god hede, how, and in what sort, Princes and Lawyers haue
 obserued Equitie, in making and setting downe of Lawes, appointed
 to be rules and squares of mens actions: so that if at any time any case
 falleth out, which is in all points answerable to the Law, void of any
 different circumstances, which might require some chang or alteration
 of the Law, they may accordinly frame their iudgements, being sure
 and out of doubt, that the law of Equitie is already chalked out of them.

An other way Equitie is to be practised in these particular cases,
 which daily fall out, and haue no certain line & square set out for them
 in the Lawes already made, so that we must be forced to deliuer our
 iudgements in them, according to certaine circumstances, applyed as
 nereely as we can, to the principals of our Law. And herein standeth
 the greatest vse of Equitie, most fit for Common weales: and therfore
 we may well call it an unwritten Equitie, not because we are at our li-
 berties to define and determine of it, without due regard had to the
 Law written, but because it taketh some libertie not to bind it selfe to
 the generall Rules of the Law.

Of the efficient cause of Equitie.

GOD is the efficient cause of Equitie, who hath so disposed of the Sect. 5.
 nature of mankind, that we are not in any wise, able to set down
 a certaine rule for future thinges, and yet hath bestowed vpon vs so
 much knowledge, as whereby we may frame certain generall rules of
 honest life, which may serue for directions in all particular actions and
 facts, daily and houely falling out amongst men, if they be duely and
 carefully examined by the rule of Equitie, which hath her eye cast vpon
 all ordinarie circumstances.

Of the materiall cause of Equitie.

The Law of Nature, the Law of Nations, and good maners, are Sect. 6.
 the materiall cause of Equitie, for a well minded man, and of
 sound iudgement will make of these thre an wholesome and verie me-
 dicinable mirture for any Stats and Common wealth. But the mat-
 ter whereabout this Equitie must occupie and busie her selfe, are the
 affaires of men, infinit as they fall out, for right or Law will be right-
 ly ministred, if as matters fall out, the circumstances thereof duely
 considered, the ministers of the Law doe frame their Iudgements ac-
 cordingly.

Of the Chauncerie.

Of the formall cause of Equitie.

Sect. 7. **T**he formall cause of Equitie is the matching and leuelling of facts falling out, and the circumstances thereof, with the rules of the Law, as buildings are framed to Carpenters lines and Squares.

Of the finall cause of Equitie.

Sect. 8. **T**he finall cause of Equitie, or effect is, to keepe an equalitie amongst the state of men, who are at much odds and Squares amongst themselves, to the end the Common wealth may be p̄serued in safety, which standeth for the most part in righteous iudgements.

Why Equitie is sometimes compared to a rule.

Sect. 9. **N**ot vnfitly is Equitie termed the rule of maners: for as by a rule the faults of a building are discouered, so doth Equity iudge a right, both of the w̄ritten law, and also of all mens actions & behauiors: and therefore such as are ministers of Justice, apply and frame their iudgements, after the square & rule of god and egall, that is to say, of Gods Law, and the Lawes of Nature. Against which Lawes, what iudgements soeuer be giuen, can not be but vnjust and vnrighteous.

How Equitie and Clemencie differ.

Sect. 10. **T**here is a difference betweene Equitie and Clemencie: for Equity is alwaies most firmly knit to the will of the Law, which way soeuer it bends, whether to Clemencie or to seueritie. But Clemencie is only proper to the Prince, or those Magistraits, that haue like power of administration of Justice, as Princes haue.

Of the difference betweene Equitie and strict Law.

Sect. 11. **S**trict Law and Equitie differ herein, that strict Law doth set downe in a generall sort what it enacteth, and is seuer, & not to be moued, one way or other: it taketh order for things, once for all: the grounds & principles which it bringeth forth are vniuersall & full of seuerity and sharpenesse, from which rules it will not start aside, nor the breadth of an haire. But Equitie is fitly compared to a Shoemakers shop that is well furnished with all sorts & maner of lastes for mens feete, where each man may be sure to finde one last or other that shall fit him; be he great or smal. It is not also vnfitly compared to an Apothecaries shop, stozed with all kind of drugs, fit for all the maladies & diseases of men. Which drugs notwithstanding, in case they should be vnskillfully compounded together, would in stead of healing, work present death to the patient that should receiue them: for it requireth the industrie and equit

quisite art of a good Physician, to make a right composition, discerning and tempering by iust proportions good venims from euil. In like sort in affaires both publike and p̄inate, equity doth particularly & carefully examine the causes, the times, the circumstances, the sorts and differences of persons, and matters, and by former iudgement giuen in like cases, gathereth and frameth an absolute and perfect deciding and determining the matter presently in question and sute.

And S. German to the like effect saith, Equitie is a righteoufnesse tempered with mercy, which considereth all the particuler circumstances of the deed, Doct. & Stud. lib. 1. c. 16.

This Equity saith hee, must allwaies be obserued in euery lawe of man, and in euery maxime or generall rule thereof, so that mens acts are so diuerse & infinite, that it is impossible to make any generall law which may aptly meet with euery particular act, and not faile in some speciall case. Therefore Law-makers do foresee things which may oft happen: insomuch as strictly to obserue the word and tenor of the law, were in some cases but against iustice and the commonwealth, Therefore in such cases we must stick fast to that which reason and iustice require, which is, that equity may mitigate rigorem iuris, which equity is no other thing, then an exception of the law of God, or of the law of reason, from the generall principles of mans positive law, not agreeing with them in some particularity, which exception is inwardly implied in euery generall ground or maxime of the law. And yet taketh not away the very right, but substituteth right in stead of that which by thonly letter of the Law seemeth to be right, & is not. Neither may we therefore accuse the Law of cruelty, which (as is said) generally taken, is good of it self, & not cruel, though it reach not fully to euery particular circumstance of mens actions. And therefore if a law were made, that no man vnder the paine of death, should open the gates of a citie before the Sun rising, yet he who for sauing the citizens flying from their enemies to the same gates, openeth them before that time, offendeth not the intent and equity of that Law, Do. St. lib. 1. cap. 6. If a Statute were made, that whosoever doth such an act should be put to death: yet if one of non sanæ memoriæ, or any infant of tender yeeres, which wanteth discretion do such an act, they shall not therefore suffer death. Or if a Statute were made, that whosoever receiveth or aideth with meat, drink, or etherwise, J. S. an offendor knowing his offence, shall be accessory therunto as a felon, yet if his wife knowing his offence receiue and aide him, she shall not thereby be a felon: For in the generality of such Statutes, madmen, infants, and his owne wife are not intended to be included, but excepted by implication. By all which we may gather, that the outward words of the law only, are not the law, but

Of the Chauncerie.

but the inward sence and meaning thereof: For our Lawes (as all other lawes) haue two parts, that is to say, the flesh & soule, The letter resembleth the flesh, the intent & reason, the soule: Nam ratio legis est anima legis, The Law may be compared to a Nut, whereof the letter resembleth the shell, the sence the kernell, and as the profit of the Nut is not in the shell, but in the kernell, so the fruite of the Law is not in the letter, but in the sence: and as hee which resteth vpon the shell leaseth the fruit of the nut, so he which stiaeth vpon the letter wanteth the profit of the law, for the letter is sometimes larger, and sometimes narrower then the intent which Equity regardeth, Plow. 9. b. 465. a.

And Bracton of Equity writeth thus: Equitas est rerum convenientia quæ in paribus causis paria considerat iura, & omnia bene cõequiparat. Et dicitur æquitas quasi æqualitas, & vertitur in rebus, id est, in dictis & factis hominum. Lib. 1. c. 4. Sect. 3 5.

How the Chauncery is termed the Court of Conscience.

Sect. 12.

And forsomuch as this Court hydlet the rigour of the common Law, by giuing actions and exceptions for remedies where by law none were, according to equitie and conscience, to maintaine æquum et bonum, the common people terme the Chauncery the Court of Conscience: yet herein conscience is so regarded, that Lawes be not neglected, for they must ioyne hands in the moderation of extremitie, Diuers. Cur. 105. Nam ipsæ etiam leges cupiunt vt iure regantur, id est, vt leui, facili, ac benigna interpretatione temperentur, verèq; dicitur, Nullus recedat à Cancellaria sine remedio, 4. H. 7. 4.

Of Conscience.

Sect. 13.

This Conscience is defined, Reliqua in homi rationis scintilla, bonorum, malorumq; factorum, index & iudex: igitur & bipertita ea approbatio, scz. & opprobatio, illa in bene, hæc in secus factis. Iustus Lipsius lib. ciuilibus doctrinæ cap. 5. or thus.

Conscientia est tacitum animi infallibileque facti nostri iudicium, à communi iusticiæ formula, quam Deus insculpsit omnibus hominibus, productum, per q̄ aut accusatur res mala aut defendit bona, Oldendorpius, Corasius in Miscel. lib. 4. c. 20.

Conscience is an actuall applying of knowledge to some particuler act of man, as S. Germaine saith, Doct. & Stu. cap. 15. And Synderesis, which is termed a naturall power of the soule, perswading good and dissuading euill, D.S. lib. 1. c. 13. & is nothing else but attentæ obseruationis occasio cum omnibus circumstantijs eius, Thucida. lib. 7. and ministrereth the generall principles of that knowledge. Vere igitur dicitur, Cõsciencæ verâ nisi adhibeat, Iudex nõ potest causam scdm æquitatem,

tatem definire, si mille testes totidēq; videat ob oculos instrūta: Conscientia enim (cum mille testium vim obtineat) certa est non fallitur. Ac in probātionib⁹ sepe vel error, vel dol⁹ versat, sicut experientia heu nimis frequens nos docet. *Oldend.*

Of Judgements in Chancerie.

So great is the power, iurisdiction and maiestie of this court, that Judgements therein giuen are not to be controuled or reuerled in any other court, than the high court of Parliament, which is the chiefest of all other Courts in this Realme, Diuer. Cu^r 105. 37. H. 6. 14. Sect. 14.

Of the power ordinary of the Chancery.

And this Court is armed with twofold power that is to say, with power ordinary and absolute, 9. Ed. 4. 15. Sect. 15.

By ordinarie power the Lord Chancelor proceedeth as at the common Law, as in proceeding upon Recognizances there knowledged, and traueses of offices, in which parties are to plead and ioyne issue as at Common law. And so in suit against or for, Clerke of the Chancerie, and other persons priuiledged by Attachment there for matter of action remediable by the common Law &c. But when they be at issue, the Record must be transmitted into the King Bench, to be tried by Jury. And when it is so tried, it must be remaunded into the Chancerie, that iudgement may be there giuen, and execution had vpon the same, 24. F. 45. 14. E. 4. 7. 8. E. 4. 6.

Of the power absolute of the Chancery.

The absolute power is not tied to the rules of the common Lawe, but by that matters may be examined omnib⁹ vijs & modis quib⁹ rei veritas melius sciri poterit, and iudged scdm allegata et probata, and not by Iurie of 12. men, as at the common Law, But by examination of witnesses, as in the courts of the civil law, Smith de repub. Anglⁱ li. 2, ca. 12. Diuer. Cu^r 106. 9. E. 4. 15. Neither is such precise forme of pleading vsed in the Chancery, as at the common law, nor any advantage to be taken for mispleading, or want of forme, so as the substance of the matter be sufficiently disclosed in conscience, Diuer. Cu^r 106. 9. E. 4. 15. 24. E. 3. 45. 14. E. 4. 7. Sect. 16.

Diuers other speciall authorities and priuiledges hath the Lord Chancelor by sundry Statutes, as thereby appeareth. And partition made in the Chancerie rendring rent is good, and may well be sent into the Kings Bench, and execution thereupon made by Scire facias, 37. H. 6. 43. li. Aff. 32. And if lands be recovered from a woman whereof she was endowd in the Chancerie, she may haue a Scire facias there to be newly endowd, 29. Aff. 23.

Of the Chauncerie.

Of a Subpœna.

Sect. 17.

And seeing the ordinary means to call and bring in the parties to answer in this Court, is either by the Serieant of the mace, as befoze, or by Subpœna, which only is the original proces of this Court; and must be directed to the parties, Doct. St. li. 1. c. 17. Smith de repub. Angl' li. 2, ca. 12.

Causes remediable in the Chancery.

Sect. 18.

Having thus perused equitie and Summum ius, with their differences, and also what Conscience is, wherenpon suits in this court doe chiefly lie: It seemeth good now specially to consider such speciall cases as be remediable in Chancerie, and for which a writ of Subpœna lieth there, as in cases following.

A Subpœna lieth in no case but where the common law faileth; so as the partie who in equitie hath wrong, can have no ordinarie remedie by the course and rules of the common Law, 39. H. 6. 26. 7. H. 7. 11. as in these cases following, and such like.

As if the K. by his letters patents giue vnto A. goods forfeited to his highnes by treason, A. may sue for the same in Chancerie, 39. H. 6. 26.

And it seemeth if one Coerecutor alone release debt due to the testator, his companion may thereof haue remedie in Chancerie against his Coerecutor onely, if no couin be in the debtors: but if there be, then against them both; 4. H. 7. 4. Diuer. Cuf 106.

And by Moyle, if a Quare impedit by two Coperceners, the one make a false plea of couin betwene him and the defendant, then his companion by suit in the Court, may inforce him to ioyne with him in a true count; 6. E. 4. 10.

If lands in ancient demesne extended by Statute Merchant, be recovered by common recouerie, the cognizæ hath no remedie but in conscience, 7. H. 7. 11.

If feoffees in trust, commanded by cestuy que vse to exstee his vendæ, refuse to doe it, a Subpœna lieth for the vendæ against them, 37. H. 6. 36.

If cestuy que vse deuise by his will, that his feoffees make an estate to A. S. for life, the remainder to B. in fee, and A. refuse to take his estate, B. after the death of A. may by Subpœna compell the feoffees to make estate to him accordingly, per Lenny & Fiuch, 37. H. 6. 36.

Denat in borough Engliſh enfeoffeth A. to the vse of the feoffor and his heires, and die, his yongest sonne shall haue a Subpœna and not the eldest, for the vse is of the of nature of the land, 5. E. 4. 7.

If a man make a feoffement in trust of lands descended to him ex parte matris, and die withoul issue, his heire ex parte matris may haue a Subpœna, 5. Ed. 4. 7.

If a man make a feoffment to perfoyme his will, & after to infeoffe his heires, and declare his will for yeares, and die, hauing issue a sonne and a daughter by one venter, and a daughter by another venter, the souer dieth without issue befoze the will be perfoymed, his sister of the whole blood is to haue execution of the estate by the feoffees, for possessio fratris de feodo (of an vse) facit sororem esse heredem, and the will for yeares is no impediment of the possession: but otherwise if it had bene of franktenement by the Reporter, 5. Ed. 4. 7.

If A. seised in fee to the vse of a woman, who taketh an husband, and he selleth the land to S. for money, which the wife receiueh, and A. at their request infeoffe the vendee, the husband dieth, the wife may haue a Subpoena against the vendee, hauing notice hercof, or else against the feoffee for recompence: for this is the sale of the husband only, 7. E. 4. 14.

If A. know that W. is infeoffed to mine vse, or of my will, or hath goods giuen to him to mine vse, and buy the lands or goods for money, a Subpoena lieth against the vendee and vendee to perfoyme the will or vse, 5. Ed. 4. 7. 11. Ed. 4. 8. Diuers. Cur. 106. But against the vendee only if the vendee haue no such notice, Diuers. Cur. 106.

A man by Subpoena may enforce his feoffee of trust to bring actions in their names, 7. E. 4. 29. as trespass against trespassors, 11. E. 4. 8. yet if the feoffee had released to the trespassor, Cestuy que vse had bin tene dileste, 11. Ed. 4. 8. or Assise, 2. Ed. 4. 2. or trespass for goods giuen to his vse taken away, 7. E. 4. 29. But not an appeale of robbery, because they be not compellable to ioine battaile, 7. E. 4. 29.

If a feoffment be made to the chiefe Lord, or others, to vses, he may refuse to execute the estate for ertinguishing of his Seigniozie, and no Subpoena lieth against him, 16. E. 4. 4.

The heire of the feoffee in trust being in by descent, is compellable by Subpoena to execute an estate according to the trust, 2. Ed. 4. 6.

If a wife will that her feoffees shall infeoffe her husband, he may not compell them thereunto, for the will of a wife in this case is void, 18. Ed. 4. 11.

If A. be bound to F. to the vse of C. C. in Chancerie may compell F. to sue A. for the same, 2. Ed. 4. 2.

If K. deliuer money to A. to deliuer to his executors or administrators to dispose of, and A. deliuer the same vpon bond to B. to keepe and redeliuer to him, K. dieth, his executors or administrators may in Chancerie compell A. to sue the obligors for the money, 4. Ed. 4. 37.

If P. be bound in a statute Staple to J. & H. to the vse of J. and H. releas to P. no Subp. lieth against P. notwithstanding that he had notice of those, for euery man may lawfully aide himselfe, 11. E. 4. 8. Diuers.

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Cuſ 106. The like of an Obligation to two, to the uſe of one, the remedie is againſt him that did ſo releaſe, Diuerſ. Cuſ 106. 11. E. 4. 8.

If A. be bound to B. to the uſe of C. and B. releaſe, C. may haue remedie thereto in Chauncerie, 7. H. 7. 11.

If a man pay debt due by ſpecialtie without an acquittance, or haue an acquittance, and loſe it, he ſhall haue remedie in Chauncerie, 22. E. 4. 6. 7. H. 7. 11. But it ſeemeth to be otherwiſe, if the debt be by matter of record, for elſe might all records be auoided by witneſſes which would deſtroy the common law, 22. Ed. 4. 6. Diuerſ. Cur. 106. Doct. and Stud. lib. 1. cap. 12.

A Subpoena lieth on a promiſe or agreement by word: as to build a houſe, or to doe any other lawfull act, 8. Ed. 4. 4. Diuerſ. Cuſ 105.

An action lieth againſt Creditors in Chauncerie vpon a ſimple contract without ſpecialtie, 7. H. 7. 11.

If there be two obligors, and the obligee giue longer day of payment to thone of them, and ſue thother, he may haue a Subpoena, 6. E. 4. 41.

If goods be giuen to defraud creditors, they may haue remedie in Chauncerie againſt the donors, or ſuch as haue the poſſeſſion of the goods, 16. Ed. 4. 9.

If a man be ſuertie for anothers debt, and the debtor and others be bound to ſaue the ſuertie harmeleſſe, and the ſuertie haue alſo goods deliuered by the debtor to ſaue him harmeleſſe: notwithstanding the ſuertie pay the debt, yet if he ſue his obligation, the debtor may haue a Subpoena for reſtitution of his goods ſo pawned for the ſame, leſt hee ſhould be twice charged thereto, 16. E. 4. 9.

If a man buy a debt due by obligation, & be bound to pay a ſumme of money to the vendor for it: yet forſomuch as the thing ſold is choſe in action in the vendee he can haue no proprietie, and thereto hath not quid pro quo, the vendee may be releued in Equitie for his owne Obligation, 37. H. 6. 13.

And for euidence, whercof the plaintife knoweth neither the certain contents nor contentment, he may haue remedie in Chauncerie, Diuerſ. Cur 105.

Learn whether if a tranſitorie perſonall action be ſued in a forreine Countie, the defendand may ſtay the plaintife in Chauncerie by Injunction, Diuerſ. Cuſ 106.

So neceſſarie be theſe remedies in the Chauncerie vpon equities allowed by Law, that it ſeemeth to ſome not inconuenient to haue assigned ſuch remedies for the 7. ground of the lawes of this Realme, which are ſaid to conſiſt of 6. grounds only: firſt, the law of reaſon, 2. The Law of God: 3. Generall Cuſtomes of the Realme: 4. Principles or Maxims of Law: 5. Particular cuſtomes uſed only in certaine places
of

of this Realme, 6. Acts of Parliament, Doct. and Stud. lib. 1. cap. 3, 4, 5, 6, 7, 8, 9, 10, 11, and 17.

If a man bound in a single obligation or bill of debt, pay the money according to the bond, neither taking an acquittance thereof, nor cancelling the specialtie of the same, he is by the common law chargeable to pay the same debt againe, by vertue of the said specialtie: But may haue remedy thereof in the Chancerie. Doct. and Stu. li. 1. ca. 6. 1. H. 7. fol. 14.

¶ A view of certaine cases wherein the partie grieved seemeth wronged in conscience, and yet is remediless in Chancerie. Sect. 19.

Of an vniuertuall waeger of Lawe in an action of debt vpon a simple contract, Doct. and Stud. li. 1. cap. 18.

Of a false verdict by a graund Iurie in Attaint, Doct. and Stud. li. 1. ca. 18.

For damages where a man hath right or title to land in the possession of another, and may by action recouier onely the land, but no damages: for the meane occupation there is no remedy for the same damages in Chancerie: As if the tenant in taile be disseised, and the disseisor die seised, and his heire is in by discent, against whom the issue in taile bringeth a Formedon, he may recouer the land, but no damages, Doct. and Stud. li. 1. cap. 19.

A man may not deny that which he hath once affirmed of record in a Court of Record, nor affirme that which he hath once denied of record in a Court of Record, nor that whereof he wilfully estopped or excluded himselfe by deed indented, or other wise: And if a daughter which is sole heire to her father sue livery with her bastard sifter, she is remediless by law, Doct. and Stu. li. 1. ca. 19.

If a thing be found by verdict against truth before iudgement, Do. and Stu. li. 1. ca. 19.

Where the cause of the Lawe ceaseth, the law also ceaseth in conscience: As lessee for yeares recouereth by iudgement treble damages for a trespass of waste done by an estranger, And he in the reuerision dieth before his action of waste be ended, yet in conscience he ought to sue execution for his single damages, for he had no more hurt thereby, Do. and Stu. li. 1. ca. 19.

A Law grounded vpon a false presumption, is not to be holden in conscience, Do. and Stu. li. 1. ca. 19.

Conscience may not preuaile against a lawfull Custome, either generall or particular: As in discent of lands to the eldest sone by the common Law, to the yongest by Wozough English, and to all by Gavelkind, Do. and Stu. li. 1. ca. 19.

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So if a man without consideration make a deed of feoffment of 2. acres of Land, lying each in a severall shire, and make livery of seisin in the one acce onely in the name of both; that wherein livery of seisin was made, onely passeth in Law and conscience, Doct. Stu. li. 1. ca. 20.

If one joyntenant of a wood sell the wood, and keepe all the money receiued for it wholly to himselfe, his fellow may haue remedie in Chaucerie lib. 1. ca. 19. And so it seemeth, if they were joyntenants in common, or coparceners of other thing.

If a common person of his mere motion without other consideration make a feoffment of a manor, without these words (with the appurtenances) he hath right onely to the demeanes and commons, and rents of the attornment: but neither to Advowson appendant, nor villein regardant. But in the Kings case, notwithstanding the words (with the appurtenances) were in the grant: yet neither Advowsons, nor Villeins doe passe, either by law or conscience, vnlesse they be especially named, Doct. Stu. li. 1. ca. 19. 6. Ed. 3. 286. Regist. fo. 228. Fundamenta legum, fo. 70. 43. E. 3. 27.

If a lease for yeares be reseruing rent, with a clause of reentry, the rent is behinde, the lessoer dieth before demand, the heire can neither enter by law nor conscience: Otherwise if he made a lawfull demand thereof, Doct. Stu. lib. 1. ca. 20.

If tenant in Dower solwe the land and die before the cozne be reaped, her executoers shall haue the cozne: but not the grasse, nor other fruits, Do. St. li. 1. c. 21.

If tenant for life, or tenant in taile after possibilitie of issue, alien in fee, he in the reuerision or remainder may enter, and haue the land by the forfeiture in law and conscience. Do. Stu. li. 1. ca. 20. 45. E. 3. 3.

Euery Law ordained for the disposition of lands or goods, contrarie neither to the Lawe of God, nor to the lawe of Reason, bindeth in the Court of Conscience, Doct. and St. li. 1. ca. 20.

Whether one of the age of 20 yeares, who hauing reason and willdome to gouerne himselfe, selleth his lands for money, and therewith buy other lands of better value, and taketh the profits thereof, may haue his first land againe in conscience, as he may in law, repaying the money which he receiued? It seemeth he may, because the contract is insufficient by reason of the infancie, Do. Stu. li. 1. ca. 21.

If a man sell his land by a sufficient and lawfull contract, though he want luerie or attornment, or such other solemnities of the law, yet the selloer is compellable in the Chaucery to performe the contract, Do. Stu. li. 1. ca. 22.

If the tenant for life impanelled on an Inquest lose issues, and die, they are leuiable by law on him in the reuerision: & so be the husbands issues

issues after his death vpon the wiues land, and as it seemeth in conscience for the necessitie of the execution of Justice, Doct. Stu. li. 2. ca. 21.

No man is bound in conscience to pay the penaltie of a penall statute, nor other penaltie, vntill it be lawfully recovered against him, Doct. and Stud. li. 1. ca. 23.

If A. infeoffe B. in fee of land vpon condition, that if he infeoffe any other, that A. and his heires may enter: this condition seemeth void in law and conscience, because it is contrarie to the Maximes of the law, notwithstanding the intent of the parties, for thintent most be ordered by law, & if it be not, it is void, as by a seoffement of lands without recompence to A. for euer, he hath estate for life only, for want of the word (heires.) And a lease to A. and his heires for 20. yeres, shal go to his ex-ecutors, because it is a chattel, & so by seoffement without recompence to a man & his wife, and a third person, the husband and wife take only the moiety, because they are but one person in law, Do. Stu. li. 1. ca. 24.

A fine with proclamation, and no claime within five yeaeres, extinguissheth the right of all estrangers aswell as of the parties by law.

And by conscience also, as it seemeth, because thereby the right and title is made certaine, and thereby the common wealth moze quiet, and it is not contrary to Gods law, Doct. and Stu. 25.

Common recovery with vouchers vpon writs of Entre orderly pursued, and no recovery in value to be had in deed, barre the issue in taile in law, 23. H. 8. Br. Taile 23. 14. Ed. 4. 14. & 19. 13. E. 4. 1.

And in conscience as it seemeth, for as the intailes are made by law, West. 2. c. 1. euen so by law may they be adnulled. And such lawes as concerne right or property to things, and be not contrary to the lawes of God, or of reason, are good in conscience, Do. and Stu. li. 1. ca. 6.

If a disseisor giue the lands to J. S. in taile, and he granteth vnto the disseisee rent out of the same lands, in consideration whereof the disseisee releaseth his right, this graunt bindeth the issue in taile for euer in law and conscience, because this release doth confirme his estate which the disseisee might else haue defeated Do. Stu. li. 1. ca. 27. 44. E. 3. 22.

If the body of a debtor that hath nothing, be by iudgement imprisoned, vntill he pay his debt, he seemeth remedlesse in conscience, Do. Stu. li. 2. ca. 29.

A recovery with vouchers of an annuitie intailed, bindeth the issue in taile neither in law nor conscience, because a writ of Entre doth not lie for an Annuitie, nor any other writ then only a writ of Annuitie against the person of the grantor or his heire, hauing assets by descent: Or against a Coppozation, if it be granted to be perceiued out of their cofers, for that an Annuitie is no freehold in law, Do. Stu. li. 1. 30. 44. Ed. 3. 5. 2. H. 4. 13. Fitz. Nat. bre. fol. 152.

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If tenant in taile be disseised, and die, and a collaterall auncestor to the heire in taile release to the disseisor with warranty and die, and the same warranted descend vpon the said heire, he is barred in law and conscience, D. S. c. 31. 35. H. 6. 63. 41. E. 3. 7. 45. Ed. 3. 23. 19. H. 6. 59. 15. H. 7. 9. & 10. 21. H. 7. 39. 3. H. 7. 9.

Tenant in taile after possibilitie of issue is dispunishable for waste by law and conscience, because he had once inheritance, 45. E. 3. 3. 39. E. 3. 16. and thereby power to waste without punishment, which power endureth so long as his estate. Do. Stu. li. 2. ca. 1.

If a man be outlawed before he haue knowledge of the suit, albeit the surmised cause of action be vntrue, yet the King may haue his goods by law and conscience, by reason of his disobedience in not appearing, to the hinderance of the effect of law, for he is bound to take notice of the suit being of record at his peril. And the forfeiture groweth by a general Statute made for the necessaries execution of Justice: But it seemeth the defendant may haue remedy in conscience against him, which caused him to be outlawed without iust cause, Do. Stu. li. 2. c. 3. 21. H. 7. 7. 9. H. 6. 20.

If an estranger do waste lands which an other holdeth for yeares life, in dower, or by courtesse, without the tenants assent, the owner of the reuerſion may recouer the place wasted, and treble damages against the tenant, in law,

And in conscience, notwithstanding that the stranger be insufficient to recompence him for the same, for it is his owne act and folly to take such estate subiect to the chance, Do. Stu. li. 2. ca. 4.

If a reall action be brought by a very lawfull heire, and yet bastardy being pleaded in him, he is vntruelly certified by the Ordinarie to be a bastard, and so barred, the tenant knowing this certificat to be vntrue, ought not in conscience to retaine the land, yet is there no remedie for him in Law, nor in Chancerie, as it seemeth, for that the Bishops certificat is the highest triall that the law affordeth in this behalfe. And every stranger may take aduantage of this certificat, and no more wayes may be awarded for further triall of the truth thereof, for the auoiding of the inconuenience which might happen, if another Bishop should certifie such a bastard to be legitimate, Do. St. li. 2. c. 5.

If a feoffment in fee be made without deede, or a gift in taile, or a lease for life, the remainder over in fee: or if a tenant for life grant his whole estate by deed velle, reseruing rent, in these cases the reseruatiō is void in law, and there is no remedie therfore but in conscience, Do. Stu. li. 2. ca. 9.

Learn whether Executors or Administrators hauing assets, be compellable in Chancerie to make amends for trespassse done by their testator.

testator, or to pay debt due by him vpon a simple contract, Doct. Stu. li. 2. ca. 101.

If the tenant in fee haue two sonnes and die, and A. S. abate, and the elder sonne make his executors and dieth, and the yonger recouers against the abator in Assise of Mortdauncester the landes and damages from the death of his father; the executors of the elder brotger haue no remedy for the damages accrued in his life time; as it seemeth, Doct. and Stu. li. 2. ca. 13.

Tenant in dower hath no remedie in Equity against the aliene of her husband for damages growling betwene his death and her demournd. Doct. and Stu. li. 2. ca. 13.

Tenant for life disseised dieth, his disseisor dieth, his heire entreteth, against whom the owner of the reuersion recouereth the lands, but no damages by law or equitie, Doct. Stu. li. 2. ca. 13.

If a man seised of lands knowing that another hath good right thereunto, leuieth a fine with Proclamation, to extingnish such right, And maketh no claime within five yeares, he is remediless in law and equitie, Doct. Stu. li. 2. ca. 14.

A man seised of Lands in fee hath a daughter, she marrieth and hath issue, and her father dieth, the husband so soone as he knoweth of his fathers death, hasteth to take possession of the land, but befoze he come to it, his wife dieth, he shall not be tenant by the Curtesie of England by law nor conscience; because he had not actuall possession thereof in the lifetime of his wife; Doct. Stu. li. 2. ca. 15.

If without consideration a new rent be granted without diede, or a reuersion without attornment, the grantee is remediless, Do. Stu. li. 2. ca. 15.

A man seised in fee of lands holden by knights seruice, deuiseeth the whole to A. B. the deuisee thereof is remediless for a third part thereof, for that there is no marime in law for him. Do. Stu. li. 2. ca. 15.

If the tenant make a feoffment of the land which he holdeth by priority, and taketh estate thereof backe againe and dieth, the Lord of whom he held by priority is remediless, Doct. Stu. li. 2. ca. 15.

If the grantee of a rent charge take a feoffment from the grauntoz of parcell of the lands charged to his owne vse, the whole rent is extinct by the vnitie of possession, because such rent is against common right: And the law deemeth it his owne folly to accept the feoffment, and neither his ignorance of the deed, nor of the law can help him, Do. Stu. li. 2. ca. 16. & 17. *Pet Quare* in equity, because the grantoz himselfe is priuie to the said feoffment, Doct. Stu. li. 2. ca. 17.

A graunteth a rent charge out of 2 acres of land vnto B. and then infeoffeth D. of the one acre in fee to his vse, and after D. intending to extin-

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extinguish the whole right, causeth the same acre to bee recouered against him, by common recouerie in a writ of Entre sur dissein in le Pott, in the name of the said grantee (not knowing thereof) and of another man, who by force thereof entred and dieth, so that the grantee is sole seised of all the same acre by suruiuor, to the vse of the said H. The whole rent is hereby extinct by law through the unity of possession, though the vse be to H. and it is also extinct in conscience as to the grantor, because he is neither partie nor priuy to that by which the extinguishment groweth. But Quere whether in conscience the grantee ought to haue the whole rent of H. who caused the said recouerie to be so had, Do. and Stu. li. 2. ca. 17.

If a villein granted for life, purchaseth lands in fee, and the grantee entred before the villein alieneth the same, the grantee shall haue the land for euer as perquisite, by reason of the villein. And this both by law, 5. Ed. 4. 61. and by conscience, Doct. Stud. li. 2. cap. 18. Perkins sect' 94, 95, 96, and 97.

If one haue a villein for yeares, as executor, who purchaseth lands in fee, the executor by law & conscience shall haue the same lands in fee to the behoofe of his testator, & they shall be deemed assets in his hands D. St. li. 2. c. 18. because he hath them by reason of his villein.

If a lawyer ignorantly or affectionately giue wrong counsell to his client, who followeth it to his trouble and losse, yet is he reuindictive, as it seemeth, Do. St. li. 2. ca. 19. Therefore it is good to aske aduise of none but such as be learned in the lawes, and of good conscience.

If a man without consideration giue lands by Indenture to H. and his heires, vpon condition, that if he pay not vnto J. S. x. li. rent yearly, that then the said J. S. may enter &c. which rent is not paid, yet the said J. S. may neither enter by law nor conscience, because he is neither party nor priuy to the said condition, notwithstanding the intent of the giuer, for such intent being not grounded vpon the law is void, Doct. Stu. li. 2. ca. 20. Pl. 25. B. But the feoffor as it seemeth may lawfully re-enter, because the words of the Indenture imply a condition in law to that effect, Do. and Stu. li. 2. ca. 20.

If a man without consideration confirme the State of his lease for life, the remainder to another in fee, this remainder is void in law and equitie, because a remainder cannot commence, but at the same instant that the particular estate, whereupon it dependeth, began, Doct. Stu. li. 2. ca. 20. Pl. 25. B. yet the feoffor and his heires in this case may enter for the breach of the said condition.

If by a feoffment indented it be agreed that the feoffee shall yearly pay to A. B. & his heires a certaine rent, & that if he pay it not, that A. B. and his heire may enter &c. albeit the feoffee pay not the money, yet
may

may neither the said A. B. nor the scoffor enter, for that there is no clause of reentre in the said déede. Howbeit it seemeth he may haue remedy in Chancery for the said yearly paiement, Do. Stu. li. 2. ca. 21.

If A. promise to giue vnto B. a summe of money, or other thing of méere motion without any consideration, the partie is not bound to performe this promise either by law or in Chancery, because it is nudum pactum, Do. Stu. li. 2. ca. 24.

If A. promise to giue B. r. s. in consideration of a trespasse by him done vnto B. yet A. is not therby bound in law nor conscience, because this is an accord, for which none action lieth. And notwithstanding this accord, B. may haue his action for the said trespas, because the accord is executorie, Doct. Stu. li. 2. ca. 24.

If a man haue one sonne before marriage, and another after, and bequeatheth all his goods to his sonne and his heire, it seemeth both in Law and conscience, that the sonne bozne after marriage shal haue the goods, for he is heire by the common lawes of the Realme, of which the spirituall iudges are bound to take notice, and to giue sentence accordingly of temporall things, notwithstanding that by the common lawes the other sonne is legitimate and the testator's heire, for the auoiding of the inconuenience which might happen by the contrarie iudgements in seueral Courts. In like maner temporall Iudges seeme bound in conscience to take notice of the common Law, when they are to iudge spirituall things, and to order the iudgements according to the same, Do. Stu. li. 2. ca. 25.

Joyntenants and tenants in common of an Aduoluson, must within sixe moneths after auoidance agree and ioine in presentment of their Clerke. And the eldest suster of the Coparceners must present first, and then the seconds, by turne, or by such composition as they make thereof, except the yongest coparcener be the Kings ward, in which case the presentment belongeth to the King. And if they keepe not this course of presentment within the sixe moneths, they lose their presentment for that time. And the Ordinarie may present by Laps both in law and conscience, Doct. Stu. li. 2. ca. 33.

And if the auoidance be by death, cession, or creation, the sixe moneths comience at the death, creation, or cession, and the patron is bound to take notice thereof. And if by resignation or deprivation, then from notice thereof giuen by the Ordinarie to the Patron. If by vniou, from the agreement how they shall present Doct. St. li. 2. c. 31.

The wife surviving her husband which tooke a lease for yeares, or life in both their names, may lawfully and with good conscience waive and relinquish it; So may an executoz refuse a terme made to his testator, if he haue not assets, Doct. Stu. li. 2. ca. 33.

If A. infeoffe an Abbot by doede indented vpon condition, and the Abbot only performeth not the condition, the feoffor both in law and conscience may reënter and haue his land againe as in his former right, Do. Sc. li. 2. 34.

Warrantie Collaterall.

A Ban seiled of lands in fee hath issue two sonnes, the elder brother goeth beyond the sea, and remaineth there vntill it be commonly reported that he is dead, the father dieth, the yonger brother entreteth into his lands as his heire, and alieneth with warrantie, and dieth without issue of his bodie, leauing no land to descend to his next heire, and afterwards the elder brother returneth, and claimeth the lands in his owne right, yet is he barred by law and conscience, for that it is the act of his ancestoz, whose heire he is, by whom as he might haue had aduantage to haue had his lands by descent from him as his heire, if he he had had any, so it seemeth reasonable, that for the priuity of blood he sustaine disaduantage by him, because both the seller and the buier were ignorant of the elder brothers life and right, by reason of his owne absence. Do. Sc. li. 2. ca. 49. Lit. sect. 7. 34. 705. 707. But if such heire were bouched by force of such warrantie, he may enter into the warrantie, as one that hath nothing by descent from that ancestoz, and so auoid the warrantie.

Debt against one as heire of another
If the father bind him and his heires for the payment of a debt, and die, leauing assets by descent to his son and heire, he is bound to pay the debt by law and conscience, because he hath such benefit by him, Do. Sc. li. 2. ca. 49. 26. H. 8. fol. 1. 40. E. 3. f. 38. 12. E. 3. f. 9. 13. E. 3.

It is agreeable both with law and conscience, that a man outlawed either in felony or in actions personals, that forfeit and lose al his goods, because it is so ordeined for the necessitie of the administratiō of iustice Do. Sc. li. 2. ca. 49. 43. E. 3. f. 18. 21. Aff. 12. 39. H. 6. f. 26. 21. H. 7. fol. 7. 49. E. 3. f. 5. 16. E. 4. f. 6.

The like is of forfeiture of goods attached by default of appurance, as well in Court Baron, as in Courts of Record; 28. H. 6. f. 3. 4. H. 6. f. 29. & 40. 21. E. 4. fol. 78.

A man is disseised of lands, the disseisor selleth the land, the aliene knowing of the disseisin, obtaineth a release with warrantie from a collaterall ancestoz of the disseisee, who also knoweth that the disseisee hath good right and title to haue the same lands, that collaterall ancestoz dieth, the warrantie descendeth vpon the disseisee as his heire without assets, yet the disseisee is barred by law and conscience, for it were inconuenient that such releases and other writings should be auoided by such allegations of conscience, D. Sc. li. 2. c. 50. Lit. sect. 707.

If a feme covert being of full age leuy a fine by her husbands compulsion, yet after his death shee shall neuer for that cause by law nor conscience be admitted to auoid such fine, for the inconuenience which might thereof ensue, if by such nude auerments, matters of record should be auoided, Doct. and Sc.li. 2.c. 50. 7. H. 4. fo. 23.

If goods be wreched vpon the Sea, that is, where goods be cast or come into the Sea by Shipwreake, so that no man, dog, or cat, come a liue to the land out of the Shippe, or barge wherein they were carried (which is deemed a wrecke, West. 2.c. 4.) and the owner thereof pro- ueth them not to be his within a yeare and a day after such wrecke, then the king ought to haue them both in law and conscience, because he is soueraigne head of the people, and owner of the narrow seas, and is to scōwre them (as it seimeth) from pirats, and because the property of goods must needs be in some person, otherwise they would perishe, which were against the weale publike, and in this case the first owner of the goods is vnknowne. And the like is it, of an Estray, or Deodand but not of goods voluntarily waiued, or casually lost and found by others, for in these two last cases, the proprietie remaineth still in the first owners, Doct. and Sc.li. 2.c. 51. 35. H. 6. fo. 27.

The like seemeth to be where a subiect hath wrekes by prescription, 1. 1. H. 4. fol. 16.

Now that we haue partly seene where a Subpœna lieth, and where not, let vs set downe somewhat of the ordinary proceeding there- vpon.

Of the ordinary proceedings in the high Court of Chaucerie.

If the partie grieved takes out his writ of Subpœna against the partie or parties offending, which Subpœna is in hæc verba. IACO. bus Dei gratia Angliæ, Scotiæ, Franciæ, & Hiberniæ, Rex fidei defensor &c. A. C. salutem. Quibusdam certis de causis corā nobis in Cancell' nostra propositis tibi præcipimus, firmiter iniungentes qd omnib' alijs præ- cetermissis, et excusatione quacūq; cessante, in propria persona tua sis coram nobis in dicta Cancell' nra a die Pasche proximi futuri in vnū mensem vbicūq; tunc fuerit, ad respondē sup' hijs quæ tibi obijcientur tunc ibid'. Et ad faciend' vlteri' & recipiend' q' Cur' nostra cōsiderauerit in hac pte. Et hoc sub pœna centum libr' nullaten' omittas. Et habeas ibi hoc breue. Teste meipso apud W. 12. die Febr' Ann' reg' nri &c.

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A Subpœna to Answer.

George &c.

But if the Defendant be a Noble man, then no Subpœna is alwayes used, but a letter by the L. Chancelloz, or Lord Keeper, thus:

After:

A Letter to a noble man in stead of a Subpœna to answer.

After my very hearty commendations to your L. wherex there hath bene of late a bill of complaint exhibited into the court of Chancery against you by W.D. gentleman, I have thought good to give you notice therof rather by these my private letters, then by awarding her Maiesties ordinarie processe: Wherefore these are to pray your L. to give order for the taking out of a copie of a bill, and for the putting in of your answer thereunto, according to the vsuall course in such cases accustomed, at, or befoze O. Tab. Hill' next insuing. Of the which nothing doubting but that your Lordsh. wil haue the care and regard which appertaineth, I leaue your L. to the most mercifull keeping of thalmightie. From Saint A. the 9. of May. 1564.

Your very louing friend
Io. Puckering.

The Supercription

To my very good Lord, J. L. D. these.

Subcties to yeelde damages to the def.

And it is to be noted, that by the statute 15. H. 6. ca. 4. a Subpœna is not grantable without sureties to yeeld damages vnto the def. if he be vniustly vexed, and it were good to obserue this course, for auoiding of causelesse and trifling suites, to which most men be ouerprone.

Costs for default of a bill.

Yet if the def. do appeare at the returne of the Subpœna, and no bill be put into the court by the plaintife against him, then costes are to be granted for such wzongfull vexation. And thereupon he may haue a Subpœna ad solvend' for the same costs in fo:me following.

Iacob^o Dei gratia Angl' &c. I. S. salut' &c. usque firmiter iniungentes, qd tu soluas, vel solui facias R. N. 40 s. qui p considerationē dñi Cancell', vel dñi custod' magni sigilli, et Cuf Cancell' nostr' p̄ eidē R. adiudicat' fuer' p misis & expensis suis quæ ipse sustinuit ratione et occasione cuiusdā queremoni, q̄ tu erga eundē R. in Cancell' nra p̄d' minime prosequer' cum effectu, iuxta formā stat' inde edit' et prouis. vel tu ipse sis corā nobis.

Qd; thus, p expensis solvend'.

Quod tu soluas, vel solui facias p̄f. R. vl. s. qui eidem R. adiudicat' fuer' in Cancell' p̄d' pro expensis suis occasione iniuste vexation' q̄ ipse nuper indebitè sustinuit in quadam billa versus ipsum R. in eadem Cancell' ad prosecutionem tuā ne p̄ fact' iuxta formam &c. ut supra.

Qd; thus.

Quæ sustinuerunt occasione cuiusdam breuis nostri de Subpœna eis direct' adfect' tuam prosecuti ad comparand' corā nobis in dicta Cancellar'

cellar nra ad cert diem iam preteritum, pro eo quod tu ad die in dicta bri content aliquam billam siue materiam versus eos minime exhibueris, vel tu ipse sis &c. Per Cancell'.

Although the writ import, that the Bill is put in before the taking out of the same, yet if the plaintife put in his bill by the returne of the writ it is sufficient, and no further proccesse passe. And although the writ mentioned the paine of C.li. or such like, yet if the defend. doe not appeare at the returne of the writ, either by himselfe or his Attainey, the said paine is not forfeited or leuable, for it is in terrorem tantum, 8. E. 4. 6. 10. H. 7. 4. Then vpon Dthe made befoze some master of the Chauncerie for the seruing of the Subpoena, which Dath must be; that it was serued on the defendant himselfe, or at his dwelling house, so that he might haue notice thereof, or that the deponent did see an other serue the same, as aforesaid, or that the defendant confessed to the deponent, that he was serued, an Attachment shall be awarded against the defendant as is said, in hæc verba.

The time to put in the Bill.

Plaine in the writ not forfeitu.

Othe for seruing the Subp.

Of an Attachment.

Iacobus &c. *ut antea*, vic. South. salutem, Præcipim' tibi qd attach. A. C. Ita qd eum habeas coram nobis in Cancell' nostra in craft. sanct' Trinitatis proxim futur' vbicunq; tunc fuer' ad respond' nobis tam de quodâ contemptu per pref. A. C. nobis illat' ut dicitur, quam sup' hijs quæ sibi obijcientur tunc ibid'. Et ad faciend' viteri' et recipiend' qd cur' nra considerauerit in hac parte. Et hoc nullaten' omitt'. Et habeas ibi hoc bfe. Teste &c.

Sect. 22

And if the defendant cannot be found vpon the attachment, and that the Shirife returne; qd defen. non est inueni' in balliua sua, sometimes the Court vpon motion wil (if the plaintifes suit be for the stay of some suit or action of extremity at the common law) stay the defendants suit, untill he hath answered the plaintifes bill, and satisfied the Court for his contempt, but in ordinary causes the party procceds to his Attachment with proclamation, which followeth in hæc verba.

Non est inuentus reuernd.

An Attachment with Proclamation.

Iacobus &c. Vic' S. Salutem, Præcipimus tibi qd in omnibus & singulis locis infra balliuam tuam, tam infra libertates quam extra, vbi magis expedire videris, ex parte nostra publice proclamari fac' quod A. B. sub poena ligeantia suæ coram nobis in Cancellaria nostra in octabis sancti Michaelis proxim futur' vbicunque tunc fuer' personaliter compareat, & nihilominus si ipsum A. B. interim inuenire poteris, ipsum attach. Ita quod eum habeas coram nobis in dicta Cancellaria nostra ad diem p'dictum, ad respondendum nobis tam de quadam contemptu per

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prefat'

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pref. A. B. nobis illaſ vt dicitur, quam ſuper hijs q̄ ſibi obijcientur tunc ibi. Et ad faciend' vltcrius & recipiend' qd curia noſtra conſiderauerit in hac parte. Et hoc nullaſ omittas. Et habeas ibi hoc bre. Teſte, &c.

An Attachment in the Cinque Ports.

Sect. 24.

Rex &c. praed. et fideli ſuo W. Brooke Milit' dno Cobham Conſtabular' caſtri ſui Douor, ac deputat' ſuo in officio cuſtodis quinq; portuum ſuorum ſalutem, vobis mandamus qd ſub ſigill' offic' veſtri balliuo libertat' villæ de Haſtings, vel Maiori vel Iuratori b' antiquæ villæ decis in mandatis qd attach. H. S. Ita qd eum habeat &c.

An attachment in the Countie Palantine of Lancaſter.

Sect. 25.

Rex &c. Cancell' ſuo ducatus ſui Lanc. vel eius deputat' ibid' ſalu' vobis mandamus qd p bre noſtr' ſub ſigill' nro com' noſtri ducatus p' vic' noſtro eiſdem com' decis in mandatis qd attach. R. S. Ita qd eum habeat coram nobis in Cancell' noſtra in quindena Paſch. proxm̄ futu' vbicunq; tunc fueſ ad reſpond' nobis tam de quoda' contemptu per pref. R. S. illaſ vt dicitur quam de alijs ſibi tunc ibid' obijciend', et ad faciend' vltcri' et recipiend' qd cur' nra conſiderauit in hac parte. Et hoc nullaten' omitt' & habeat ibi bre qd ſibi inde deuenit. Teſte &c.

The attachment for coſts is of the ſame forme of the attachment next befoze (verbatim) and is thus endorced, viz. Per cur' ad ſectam A. B. quia non ſoluic expenſ. And if the Attachment be awarded againſt any dwelling within the Countie Palantine of Cheſter, then it is directed to the Chamberlane of the County Palantine of Cheſter, and is of this forme enſuing.

Sect. 26

Iacobus Dei gratia Angl', Scotiæ, Franc' et Hiber' Rex fidei deſenſor &c. Camerario ſuo Ceſtr', Salutem, Mandam' vobis qd p bre noſtrum ſub ſigill' noſtro com' noſtri Palatini Ceſtr' decis in madaſ vicecom' com' pred' qd attachiat R. M. geneſ. Ita qd eum habeat coram nobis in Cancell' noſtra in quindena Paſchæ proxm̄ futu' vbicunq; tunc fueſ ad reſpondend' nobis tam de quodam contemptu nobis ſper' p'fat' R. illaſ vt dicitur quam de alijs tunc ibidem obijciendis. Et ad aciend' vltcrius & recipiend' quod curia noſtra conſideret in hac parte. Et hoc nullatenus omitteris. Et habeat ibi hoc breue. Teſte meipſo apud Weſtm̄ 14. die Mar' Anã regni noſtri.

William Cordell.

And

And the Attachment is endorsed as followeth:

Per curiam ad lectam I. B. & alijs quia non soluit expens.

The returne of the Attachment by the Chamberlaine.

Responsio Ro. comit Leicestr camerae com Pallantin Cestr.

Virtute istius breuis mihi direct' per breue dn̄e regiñ sub sigillo com Pallantin' pd' dedi in mandat prout vltorius mihi præcipitur vic' comit pdict' qui mihi sic respondit vt sequitur.

The Sherifes returne to the Chamberlaine.

Infranominae R. M. non est inuentus in balliua mea.

Ro. St. miles vic' com Cestr.

And if the Sherife returne, quod def. non est inuentus in balliu sua, vpon that Proclamation, then a Commission of Rebellion insueeth as followeth, to such Commissioners as the plaintife nameth.

Of a Commission of Rebellion.

Iacobus &c. dilectis sibi A. B. C. D. E. & F. salutem, Quia A. B. cum per Sect. 27.
 publicas proclamaciones per vic' South, in diuersis locis eiusdem comit virtute breuis nostri eidem vicec' direct', ex parte nostra præcept' fuerit, q̄ idem A. B. sub poena ligeantiae suæ coram nobis in Cancell' nostra p̄sonalit' compareret. Mandato tamen nostro in ea parte parere manifeste contempsit. Ideo vobis coniunctim & diuisim mandamus, quod p̄f. A. B. vbicunq; fuerit inuent infra regnum Angliæ tanq̄ rebellem & legis nr̄æ contemptor' attach. vel attachiari faciat. Ita q̄ cum habeatis, vel haberi faciat coram nobis in dict' Cancell' nr̄a in crastino animarum p̄xitñ futur' vbicunq; tunc fuerit, ad respondend' sup̄ hijs quæ sibi obijciuntur tunc ibid'. Et ad faciend' vlti' & recipiend' q̄ Curia nr̄a considerauit in hac pte. Et hoc nullatenus omittat. Damus enim vniversis & singulis Vicec', Maiorib', Balliuis, Constabular', & alijs Officia', Ministris, ligeis & subditis nr̄is quibuscunq; tam infra libertates quam extra tenere p̄sent' firmis in mandatis q̄ vobis & cuilibet vestrum in executionem p̄missorum intendentes sint, & assistentes in omnibus diligenter prout decet. In cuius rei testim' has literas nostras fieri fecimus patentes. Teste &c.

A Superseas of the Commission of Rebellion.

Rex &c. dilectis sibi A. B. armigero T. G. & H. S. generosis salutem Sect. 28.
 licet nos nuper per literas nostras patentes vobis coniunctim & diuisim mandamus quod T. K. vbicunq; inuent foret infra regnum nostrum Angliæ tanquam rebellem & legis nostræ contemptorem attachiari vel attachiari fac' ita quod cum habeatis vel haberi fac' coram nobis in Cancellar' nostra ad certum diem in eisdem literis patentibus content'

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ad respondendū nobis tam de quodā conceptu p̄ p̄f. T.K. illat̄ vt dicebat̄
tur, quam de alijs sibi tunc ibidē obijciend̄, p̄ut in eis̄ literis plenī⁹ conti-
neſ. Quibusdā tamen certis de causis nos iam (special̄ & mouentib⁹ vobis
& cuilibet veſtr̄ mandam⁹ q̄p̄ cuicunq; execut̄ literar̄ nr̄arum pateñ p̄d̄
p̄ vos seu aliq̄e v̄m fact̄ vel faciend̄ verſus p̄d̄ T.K. ſup̄edeatis omnino
p̄d̄ literis pateñ in contrar̄ aliqua non obſtant̄. Et ſi iplum T.K. p̄textu
literarū pateñ p̄d̄ ceperitis ſeu aliquis v̄m ceperit, tunc iplum a priſonā
qua ſic detinetur ſi ea occasione & non alia detineatur in eadem ſine dila-
tione deliberari faciat̄. Teſte &c.

A Superſedeas to the Chancellor of the County Palatine of Lancaſter:

Sect. 29.

REX &c. Cancell' ſuo ducatus ſui Lanc' vel eius deputat' ibidē ſalutem:
Quia A.B.&c. vobis mandamus q̄p̄ breue noſtrum ſub ſigillo nr̄o
comit̄ ducat̄ Lanc' cuſtodibus pacis noſtr̄e in dicto comitatu Lanc' ac
vic' eiudē comit̄ & eorum cuilibet detis in mandat' &c.

A Superſedeas to the Chamberlaine of the County Palatine of Cheſter.

Sect. 30.

REX &c. Camarario ſuo Ceſtr̄ vel eius locum tenenti ibidem ſalutem.
Quia P.H.&c. vobis mandam⁹ q̄p̄ breue nr̄m com̄ p̄d̄ tam Juſtic'
nr̄is apud Ceſtr̄ quam Juſtic' nr̄is, ad pacem in com̄ Ceſtr̄ conſervand̄ af-
ſignat̄, ac vic' eiudē com̄ & eorum cuilibet detis in mandatis &c.

A Superſedeas of an Attachment.

Sect. 31.

REX &c. vic' W. ſalutem, licet nos nuper per breue noſtr̄ tibi p̄ceperi-
mus quod Attachiareſ A.R. Ita quod cum haberes coram nobis in
Cancellar̄ nr̄a ad certum diem in dict' b̄ri contenē v̄bicunq; tunc foret ad
respondendū nobis tam de quodā conceptu p̄ p̄f. A. illat̄ vt dicebat̄ quam
de alijs sibi tunc ibidem obijciend̄. Quibusdam tamen certis de causis
nos iam mouent̄ tibi p̄cipimus q̄p̄ executioni h̄ris noſtri p̄r̄d' verſus
p̄fat' A. fact̄ vel faciend̄ ſuperſedeas omnino. Et ſi iplum A. ea occasione
ceperis, tunc iplum a priſona qua ſic detinetur ſi ea occasione & non alia
detineatur in eadem ſine dilatione deliberari facias. Teſte &c.

Of an Injunction.

Sect. 32.

Aſid if the partie defendant cannot be taken by the vertue of the
ſaid Commission: then if the plaintifes ſuit be ſoz title of land, the
Court ſometimes grants an Injunction to the plaintife ſoz poſſeſſion,
till the defendant hath appeared, answered, and ſatiſfied his contempt.
If ſoz ſtay of ſuit at the common law then an Injunction vpon motion
of the Court may be obtained: ſoz the proceeding in this Court is, by
the ſaid writs, and by orders, iniunctions, and decrees, which if the
defendant reſiſt, his puniſhment ſoz this reſiſtance, and ſoz his con-
tempt

Puniſhment
for the con-
tempt.

tempt in not appearing, is imprisonment in the prison of the Fleet, as is said, during the Lord Chancelloꝝ, oꝝ Lord Keeper their pleasure, oꝝ untill he wil obey and perfoꝛme the oꝝder and decreꝛ of the same court, 37.H.6.13. and 14.39.H.6.26.

Of apparance.

But if the Defendant appeare by Atturney, vpon Affidavit, oꝝ oath made, that the Defendant is not able to trauaile foꝛ the answering of the same cause personally in the Chauncery without danger of life, oꝝ by reason of extream age, oꝝ other infirmities, oꝝ reasonable cause, then oꝝ otherwise the Chancelloꝝ oꝝ L. Keeper, oꝝ the master of the Rolles by their discretions may, and often do grant Commissions to certaine Gentlemen of credit in the countrey where the Defendant dwelleth, to receiue and certifie his answer in wꝛiting, including the Complainants bill within the same Commission. The foꝛme of such Commission ensueth.

Sect. 33
Affidavit of
vnableesse
to trauaile.

Of a Dedimus potestatem, or Commission to receiue an Answer.

Rex &c. dilectis sibi W.S. & A.B. armig' salutem. Cum I.B. quādam petitionem coram nobis in Cancell' aꝛ verlus W.C. & I. vxor eius nuper exhibuit, quodq; eidem W. & I. p breue nostr' pꝛcipimus, quod essent coram nobis in dicta Cancell' nostra ad certum diem iam pꝛæteritum, petitioni pꝛæ responsur'. Ac iidem W. & I. adeo impotentes tui existant, quod vꝛq; Cũ Cancell' nostr' pꝛdict' ad diem illum ad responsiones suas eidẽ petitioni faciendas absque maximo corporum suorum periculo laborare non sufficiunt vt accepimus. Nos statim eorũdẽ W. & I. pie compatientes atq; de fidelitatibus vestris pleni⁹ confidẽtes, dedimus vobis vel duob' vꝛm potestatem & auctoritatem ipsos W. & I. de & super materia petitionis pꝛd' diligenter examinand'. Et ideo vobis vel duobus vꝛm mandam⁹, quod ad certos diem & locũ quos ad hoc pꝛuideritis ad pꝛæfat' W. & I. accedatis, si commode ad vos laborare non possint, ac ipsos W. & I. de & super materia petiẽ pꝛd' sup Sacramẽta sua coram vobis vel duob' vestꝛ corporaliter pꝛstand' diligenter examina dicta q; suas responsiones recipiatis & in scriptis redigat, & cum illas sic receperitis, eas nobis in Cancell' nostra pꝛd' cum renore pꝛd' ac nomina Attorũ suorũ ad lucrand' vel pꝛdend' in pꝛmissis in Octabis &c. vbicũq; tunc fuerit sub sigillis vestris vel duorum vestꝛ plane distincte & aperte mittatis. & hoc breue. Teste &c.

Sect. 34

Which Commission is commonly returned with this indorsement.

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Returne of the
Commission.

Executio istius breuis (or) istius Commissionis patet in quibusdam
scedula eidem annexis.

Adding the Commissioners names thus :

W. S.

A. B.

And then to file the said Bil which is sent inclosed in the said Com-
mission, and the defendants answer to the backside of the same Com-
mission. And vnder the said answer the commissioners most common-
ly cause the defendant to subscribe his name, or to set his marke, and
set downe thereunder also these or the like words :

Capta apud C. in Com Eborum, 23. die A. Anno regni Iacobi
Dei gratia, Angliz, &c. coram nobis.

W. S. &

A. B.

Deliuery of
the Commissi-
on in Court.

The Commissioners subscribing their names also to the said an-
swer. And when this or any other Commission retournable in this
Court is executed and returned, it must be brought into the same
court, either by one or more of the Commissioners thereof, or by some
other credible person: but if any other then some of the Commissioners
doe put it into the Court, he must make oath that he receiued the same
Commission at the hands of some of the Commissioners thereof, and
that by his consent, procurement, or knowledge, it hath not bin ope-
ned or altered, since he so receiued the same.

Oath.

*Of a Superedeas to stay the execution of a Commission
to examine witnesses.*

Sect. 35

And yet sometime vpon good cause a writ of Superedeas is awar-
ded to stay the execution of such and other Commissions in this
fozme following:

Rex præd' & fideli suo Io. domino Darcy, Ac dilectis G. F. A. F. et
T. R. armigeris salutem. Licet nos nuper p breue nostrum assignauimus
vostres vel duos vestrum, ad quoscunq; testes super quibusdam Interro-
gat in dicto breui nro interclus. p parte W. W. que, versus R. M. et I. S
defendentes. Ac q vos examinationes testiu pd' nobis in Cancellar' no-
stram ad certu diem in dicto breui nostro limitat' sub sigillis vestris triu
vel duorum vestru mitteritis, prout in eode breui nostro plenius contin.
Quibusdam tamen certis de causis nos ad presens specialiter mouentib',
vobis precipim' q in executione dicti breuis nostri per vos, tres vel duos
vestrum, vterius fact' vel faciend' minime pcedatis, sed inter superede-
aus, vnico dict' breui nostro vobis prius in contrarium direct' non ob-
stañ, T. meipso apud &c.

A

A Commission to prove that one who had made Affidavit, that the defendant was so sick and impotent, that he could not appear in the Chauncerie, to answer the plaintifes bill, had therein deposed untruly.

Rex prædilecto & fideli suo O. domino S. Iohn de Bletsoe ac dilecto Sect: 36.
 sibi Lodouico Dyue R.N. & R.A. armiger salutem. Cum nuper cur
 nostræ Cancellar ex parte I.G. militi relatum fuerit & suggestum erat p sa-
 cramentũ cuiusd' R.L. q̄ p̄fat' I.G. crastin' S. Mart' ultimo præterito ita la-
 borauit aduersa valetudine & adeo impotens sui exitiũ q̄ vsque diei cur
 nostræ Cancell' p̄d' ad diem illum ad respons. suam petitioni R. G. armig'
 fiend' absq; maxim' corpor' sui periculo laborare non sufficiebat. Et nos
 veritat' expiscari & inuestigare volentes vt tuiti' & consultius pro iusticia
 in hac parte procedere valeamus p vos certiorari volum', dedim' vobis
 igitur tribus vel duobus vestr' ac p p̄sentes dam' potestata' & aucthoritat'
 scrutandi, inquirendi, et inuestigandi tam super articulis et interrogator
 per antedict' R.G. coram vobis tribus vel duobus vestr' deliberand' et ad
 testes quoscunque ministrand' quos maxime protestatione p̄missor fore
 videritis necessitat' coram vobis euocandũ. Ac ipsos testes et eorum quẽ-
 libet tam de et super articulis p̄d' cum cunctis circumstant' diligent' exa-
 minand', examinationesq; suas in scriptis redigend', quam omnibus alijs
 vijs, medijs et modis quibus melius sciueritis, seu poteritis vtrum p̄fat' I.
 G. ita languidus fuit ad dict' diem crastin' Mart' q̄ absq; periculo sui cor-
 por' laborare minime potuit. Et ideo vobis tribus vel duobus vestrum
 mandam' q̄ visis p̄sentibus ac tenore articulorum et interrogatorior p̄d'
 per p̄fat' Reginald' ministrando, et per vos plene intellectos testes præd'
 quos in hac parte vt p̄d' est fore videritis necessarios euocetis coram vo-
 bis tribus vel duobus vestrum ad certos dies et loca, quos ad hoc prouid-
 deritis, venire que faciatis, ac ipsos et eor' quemlibet de et sup veritate p̄-
 missor sup eorum sacramentis coram vobis corporalit' p̄stand' diligent'
 examinatis, examinationes suas recipiatis, & in scriptis redigatis & tunc
 cum sic feceritis nos inde in Cancell' nra de omni facto vestr' in hac pre
 in octabis S. Hillar' pxim' futur' vbicunque tunc fuerit sub sigill' vestris
 trium vel duor' clau. reddatis certiores vna cum breui nobis remittend'.
 Teste rege apud Westm' 28. die No. anno regni regis Jac. 3.

Of imperfect Answer.

But if the defendant appeare personally, or by Atturney, and make Sect: 37.
 an imperfect answer, then vpon demurter tendered, and motion
 made in Court by the plaintifes counsell, shewing the imperfection of
 such answer, an order will be made, that the defendant shal make a bet-
 ter answer by some certaine time, and therupon issueth a Subpœna ad
 faciend'

Subpœna to
 make a better
 answer.

faciendum meliorem responsum.

Receiving and ioyning in Commission ad examinand testes.

Sect. 38.

Reple.

Subpoena ad
reiuungendum.

AD when the defendant hath made a perfect answer, the plaintife either of his owne accord, or by order in Court must reply, or be dismissed for want of a replication, and ordered to pay to the defendant costs for his wrongfull peration, but upon replication put in by the plaintife, the plaintife is to take out a Subpoen against the defendant ad reiuungend, & iungend in commissioñ ad examinand testes, which differeth nothing from the said Subpoen ad Comparand, but that it is indorsed with these or the like words:

Ad reiuungendum & iungendum in commissioñe in materia
W.S. Naming the plaintife.

Reioinder:

Surreioinder.
Issue.

Commission.

And thereupon the defendant must put in his reioinder to the plaintifes replication. And if any other matter be in the defendants reioinder then was in his answer, then may the plaintife put in a surreioinder, and thereby answer the same, and so procede to perfect issue, the forme of all which hereafter appeareth: And the parties being so at issue, they either examine their witnessses before the examiners of the Chancerie in Court, or doe procure a Commission, ad examinandqum testes, to certaine persons of good credite, in forme following.

Of a Commission ad examinand testes.

Sect. 39.

Iacobus Dei gratia, Angliæ, Scotia, Franciæ, & Hiberniæ Rex, fidei defensor &c. dilecti sibi I. F. R. H. armig' R. W. & N. S. generosis salutem. Sciatis quod dedimus vobis, tribus vel duobus vestrum, potestatem, & auctoritatem testes quoscunque de & super quibusdam interrogatorijs tam ex parte W. V. armigeri quereñ, quam ex parte A. M. vid' defen' vobis tribus vel duobus vestrum deliberandum diligent' examina. Et ideo vobis tribus vel duobus vestrum mandamus, quod ad certos dies & loca quos ad hoc prouideritis testes prædictos coram vobis tribus, vel duobus vestrum venire fac & euocetis. Ac ipsos testes, & eorum quemlibet de & super Interrogatorijs prædictis super sacramenta sua coram vobis tribus, vel duobus vestrum, per sancta Dei Euangelia corporaliter præstant' diligenter examinetis. Examinationesque suas recipiat, & in scriptis in pergamento redigatis. Et cum illas sic cepertis, eas nobis in Cancellariam nostram in quindena Pasche proximum futurum, ubicunque tunc fuerit sub sigillis vestris trium vel duorum vestrum claus. distincte & apertè mittatis una cum Interrogatorijs prædictis, & hoc breui: Prouiso
semper

semper q̄ dict' defend' habeant p̄monitionem p̄ spacium quatuordecim dierū, de die & loco executionis huius Commissionis ante executionem eiusd', T. meipso apud Westm̄ 7. die Febr̄ ann̄ regni nr̄i secund'.

The returne of which Commission is commonly indozced vpon the same thus :

Executio istius Commissionis patet in quibusdā scedul' eidem cōmissiōi annexis.

The Commissioners names.

W. S. A. B. C. D.

And then to file the interrogatozies and depositions to the backside of the Commission, & vpon receipt of such Commission, the Commissioners, or the partie which hath the carriage of the same, if the day and place for execution thereof be not limited in the Commission doe vse to giue notice thereof to the partie in writing vnder their hands thus :

Notice of the execution of the commission.

A notice whereby Commissioners may give the parties warning of the time and place of their sitting for the execution of such Commission.

After our heartie commendations, where as we haue receiued his Maiesties Commission forth of his highnes Court of Chancery, to vs and others directed for the examination of witnesss betweene C. S. plaintife, and W. A. defendant. These are to signifie vnto you, that for the execution of the same Commission, wee whose naues are subscribed, haue appointed to sit at S. in the countie of D. the last day of the next moneth, by eight of the clocke in the forenone of the same day, which wee haue thought good to signifie vnto you, that you may haue vsur Commissioners and witnesss then there ready accordingly, if you thinke it expedient for you. And so bid you farewell, 27. Febr̄. 1600.

Sec. 40

Your louing friends,

W. S. A. B. C. D.

Of citing witnesss.

And if such Commission giue authoritic to them, to cite, and call witnesss befoze them; they vse to doe it by such a Precept as followeth.

Sec. 41

The Precept of Commissioners, to bring witnesss before them to be examined.

By vertus of his Maiesties Commission forth of his H. Court

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of Chancery to Sir A. P. knight, L. K. esquire, and vs, directed for the examination of witnesses betwene C. S. plaintife, and W. K. defendan: These are in his Maiesties name to charge and command you, and euery of you, whose names are hereunder written, personally to appeare before vs at S. the last day of this moneth of August, by eight of the clocke in the forenoone, then and there to depose your severall knowledges, vpon the part and behalfe of the said C. S. And hereof faile you not, as you will answer your defaults at your perils. Dated this 15. of August. 1600.

Your very louing friends,
A. B. C. D.

To our louing friends, Master B. L. G. C. R. P. I. P.
Esquiers. L. C. R. T. Gentlemen.

Subpœna ad Testificand'.

Sect. 42

But if that no such power be giuen by such Commission, then if the witnesses will not appeare gratis, they are compellable thereunto by Subpœna ad testificand' in maner following.

Subpœna ad testificand' coram Commiss.

Iacob. &c. Quibusdam certis de causis &c. sitis coram dilectis nobis R. & C. armig' E. H. et E. C. gener' vel duobus eor' Commissionarijs nostris virtut' breuis nostri de. Dedimus potestati eis direct' ad certos diem & locum quos p̄fat' Commissionar' vobis Scire facias (Aliter apud N. in Comit' B. 20. & 21. die Aprilis p̄xim' futur') ve ipsi vos tunc & ibidē, de, & super quibusdam Inter' p̄ parte A. B. diligent' possint examinare & ad faciend' vterius et recipiend' quod per dictos Commissionar' nostros vel duos eorum in ea parte, considerat' fuerit, Et hoc sub pœna centū libr' nullaten' omittat'. Et habeat' ibi hoc breue. Teste meipso apud Westm' &c. *ut supra.*

Of the stile of Interrogatories.

Sect. 43

Interrogatories to be ministred to the witnesses to bee produced vpon the part and behalfe of A. B. compl. against C. D. defendan (if they be for the plaintife:) But if for the defendan, vpon the part and behalfe of C. D. defendan, against A. B. complainant.

In primis, Doe you know the said parties, plaintife and defendan, or either of them &c.

Item, Doe you know &c. As the cause requirerth.

Of the stile of the Depositions thereupon taken.

Sect. 44

The Depositions taken at H. in the Countie of E. the last day of April, in the third yeare of the reigne of our Soueraigne Lord Iames by the grace

grace of God, of England, Scotland, France and Ireland King, defender of the faith, &c. vpon the part and behalfe of A. B. p̄saintife against C. D. defendant, (or vpon the part of C. D. defendant, at the suit of A. B. plaintife) by vertue of his Maicsties Commission fourth of his highnesse Court of Chauncery, to R. S. C. L. P. Q. and W. M. or to thre, or two of them directed, for the examination of witnessles betweene the said parties.

I. A. of A. in the Countie of C. Laborer, of the age of xlvj. yeares or thereabouts, s̄worne and examinsd, deposeth and saith vpon his oath as followeth.

Item, to the first Interrogato^y hee deposeth and saith, that &c. As the matter is &c. And so vpon the rest of the Interrogatories.

The direction of the Commission being executed Illustrissimo domino nostro Iacobo Regi in Cañ sua, *Of Publication, Hearing, and Breviates, and after that then this,* Certific^o de positione testium ex parte A. B. & C. D.

After that the witnessles be so examined in the Court, or by com^{mission}, as is aforesaid, Publication is to be had, and thereupon a day of hearing is to be procured. Against which time, Breviates must be made of the effect of the pleadings, depositions, and other proofes and evidence, and the counsell perfectly instructed of the whole state of the matter, and a Subpœna ad audiend^u iudiciũ, made and deliuered to the partie in conuenient time befoze the said day of hearing: At which time, albeit that vpon the hearing the matter be dismissed, yet may the parties haue the depositions of their witnessles exemplified vnder the great Seale of England for the furtherance and maintenance of their rights and titles; at, and by the common law. But if the matter be decreed for the compl. after the decree past and enrolled, hee may haue a writ de Executione Iudicij which must be serued vpon the defendant. And if hee refuse to iustifie the same, then vpon oath made therof, processe of contempt is to issue against him in forme aforesaid. And if such decree be in suit of landes, and the defendant abide all the said processe of contempt, and still detaine the possession of the landes from the plaintife contrary to the said decree: then vpon motion thereof made in the Court, a Commission is vsually granted to the Sheriffe, and some others nere adioyning to the landes in question, to put the plaintife in possession, and to keepe him in possession according to the said decree.

Sect. 45.

Subpœna to hear iudgement.

Exemplification of the depositions.

A writ de executione iudicij Contempt.

Commissio to put the plaintife in possession.

A Com^{mission}

A Commission to the Sherife to put and keepe the plaintife in possession according to an order therein taken, untill a cause then depending in iust bee heard and determined.

Sect. 46

REx &c. vic' Kane salutem. Cum p' ordinationem cap't in Cancell' nostra 3. die Iulij vltimo p'terito inter W. A. querent' et W. Y. et alios defendent', ordinat' fuit q' p'd' W. A. et assignat' sui pacifice & quiete haberent, gauderent et occuparent vnum messuag' siue tenement' cum perti'n iacent' et existent' in E. & R. in Comitatu pred' inter partes pred' in Cancell' pred' in controuersia pendent' indecisa absq; vexatione, molestatione siue interruptione pred' W. Y. siue aliquarum personarum sub titulo, interesse, iur', vel pcuratione suis donec materia inter partes p'd' in Curia nra p'd' finaliter determinetur. Et quia iam ex testimonio fide dignorum accepim', q' diuerse alienigine ignota inhabitant' extra Com' Kane per pcurationem p'd' defend' vt asseritur possessione messuag' et ten' p'd' cu' p'ti'n vi & armis, ac manu forti tenent in defraudatione et contemp'tu ordinis p'd', ac ipsum W. A. & assignat' suos extra possessione messuag' & ten' p'd' custodiunt contra formam et effectum ordinis predict': tibi igitur p'cipimus q' immediate post receptione huius breuis assumpt' tecum sufficient' potest' Comit' nostr' Kane p'dict' in p'pria p'sona tua ad messuagium, siue ten'tum pred' accedas & attachiari & arrestari facias quascunq; personas ibid' inueneris possessione messuag', ten' siue ten' p'd' siue alicuius parcell' tenentes, & eos & eorum quemlibet de die in diem duci facias vsque prisonam nostram de Fleete gardiano nostro ibidem liberandum & ibidem moratur' quousq; de eorum deliberatione aliter duximus ordinandum. Ac vterius tibi p'cipimus firmiter iniungendo q' inde p'd' W. A. & assignat' suos in pacifica & quiete possessione eiusdem de tempore in tempus manuteneas donec aliter inde a nobis habueris specialiter in mandatis. Et quid inde feceris sciri facias Cancell' nostro. Teste &c.

A Cerciorare to Commissioners to certifie the depositions taken by Commission.

Sect. 47

REx &c. dilectis sibi A. B. & C. D. gener' salutem, Volentes certis de causis Cerciorari super quasdam depositiones testium inter H. G. querent' & C. D. defend' p' vos, tres vel duos vestrum virtute breuis nostri de Commissione vobis in ea parte direct' cap't & adhuc penes vos residen', vt est dictum, vobis mandamus quod depositiones p'rad' cum omnibus eas tangen' adeo plene & integre prout coram vobis cap't fuer' nobis in Cancell' nostram in quindena Pasche proxima futur' vbicunq; tunc fuerit sub sigillis vestris trium vel duorum vestrum distinct' & aperte mittatis & hoc breue. Teste &c:

Of

Of a Commission to examine witnesses in perpetuall memorie.

First the plaintife must exhibit his bill, and thoreby shew his title to the land, lease, or such like matter that he hath right unto, and that the witnesses which call p^{ro}ve his title are aged, and not like long to live, whereby he may be in danger of the losse of the thing in question. And therefore to pray to have a Commission directed to certaine Gentlemen of credit and worship for the examination of the said witnesses. And also to pray p^{ro}cesse of Subp^oena against him, her, or them to shew cause, if he or they can, why the plaintife should not examine his witnesses, as aforesaid. The forme of which p^{ro}cesse ensueth, in hec verba.

Jacobus Dei gratia Anglⁱ, Scotiæ, Fran^{ciæ}, & Hiberniæ Rex, fidei defensor &c. I. S. salutem. Cum A. B. exhibuit coram nobis in Cancellar^{ia} nostra quandam petitionem vt quidam testes in perpetuam rei memoriam versus te examinarent, et ne id tibi in p^{re}judicium cederet: Tibi p^{re}cipim^{us} firmiter, in iungentes, q^{uod} ob omnibus alijs p^{re}termissis, & excusatione quacunq^{ue} cessante, in p^{ro}p^{ri}a p^{er}sona tua, vel p^{er} tuam A^uthenticam, aut deputat^{um}, sis coram nobis in dicta Cancellaria nostra infra quatuordecim dies immediate post receptionem hui^{us} brevis (si tibi ita visum fuerit) vt dicti testes, aut alij quicunq^{ue} ex p^{re}terita ibid^{em} similiter examⁱⁿ possint, (si ita velis) vel vt ostendas & p^{ro}ponas, vel ostendi & p^{ro}poni facias, tunc & ibid^{em} bonam sufficient^{er} & p^{ro}babilem mat^{er}iam p^{ro} p^{re}terita quare iidem testes p^{ro} p^{re} dicti A. B. in forma p^{re}dicta examⁱⁿ & postea eorum examⁱⁿationes secund^{um} ordinem & cursum dictæ Cui^{us} nostræ publicari & divulgari non debeant.

Sec^{ti}o 48.

Concerning the matters of the Chaucerie, Note what ensueth.

And if the party defend. doe appeare, either by himselfe, or his counsaile, and shew such sufficient cause as the Court wil allow of, why the plaintife should not examine his witnesses, as is aforesaid, then the plaintife may not proceed therein, while he can better satisfie the court to the contrarie. But if the defendan^t be contented, and will doine with the plaintife in examination, then after examination so had, there can be no publication thereof during the lives of the witnesses, unless the defendan^t doe assent, or unless the plaintife, or some other in his behalfe doe make oath, that the matter whereupon the witnesses were examined, is to take triall at the common Law, either at the Assises or at the barre. And that A. B. or more of the witnesses before examined, are necessarie witnesses, and not able to trauell to the said triall. And upon such oath taken, his or their depositions are to be published of course. And to be amplified, if the party so require.

But if the party defend. doe not appeare upon the said writ, neither

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by himselfe, nor his Atturney, by the end of the said xiiij. dayes, nor shew no cause of stay thereof, whether it be in terme or out of terme time, then vpon oath made of the seruing of the same writ, the Lord Chancelloz, Lord Keeper, or Master of the Rolls for the time being, at the request of the plaintife, will appoint Commissioners for the examination of the plaintifes witnesses, according to certain orders prescribed in that behalfe.

There be also many other different formes of Subpœna's and Commissions, of which some doe hereafter ensue.

Subpœna ad testificandum super petitionem.

Sect. 49.

AD testificandum pro parte tua in quadam materia content. in quadam petitione ad sectam tuam versus quendam W. M. coram nobis in dicta Cancell' nra nuper exhibitæ, vel tu ipse sis coram nobis &c.

Aliter ad testificandum ad Assisas quare super articulis.

Sect. 50.

Sitis coram Iustic' nostris ad Assisas in com' H. capiend' ad p'p' Assisas in com' pd', tenend' apud L. die Lunę, in tertia septimana quadragesimæ, ut ijdem Iustic' vos tunc & ibid' p' pte R. W. de, et sup veritatē quorund' articuloꝝ p' pf. R. versus A. B. exhibit' possint examinar, Et sub pœna, &c.

Subpœna ad ostendendum causam quare evidenc' non deliberentur.

Sect. 51.

Rex, &c. Quibusdam &c. vsq; vbi cunq; tunc fuerit ad ostendendum quare evidenc' et script' pte in Cancell' nostr' pd', nup' deliberatæ, & ibid' adhuc reman' W. C. deliberari non debeant: Et ad faciend', &c. ut sup.

Subpœna ad testificandum ad Assisas in London.

Sect. 52.

Sitis coram dilecto et fideli nostro Edmundo Anderfon Milite capital' Iusticiar' nostro de banco, ac Iusticiar' ad assisas in ciuitate London capiend' assisn' apud Guildhaldam ciuitatis London pd' die veneris, videlicet nono die instantis mensis Februar' proxima futuræ, ut ijdem Iusticiar' vos tunc & ibidem pro parte H. T. possint examinare. Et hoc &c.

Subpœna ad testificand' coram Vicecomit' London.

Sect. 53.

Iacobus Dei gratia Angliæ, Scotiæ, Frañ, &c. W. I. salutem: Quibusdam certis de causis coram nobis in Cañ nostra propositis: Tibi præcipimus, firmiter iniungentes, quod omnibus alijs prætermisiss, & excusatione quacunq; cessante, in propria persona tua sis coram Vicecomit' Ciuitatis nostræ London, apud Guildhaldam eiusdem Ciuitatis die

Iouis

Iouis pximū futurū, ad testificand' veritatē in materia coram eis pendent' & ad faciendum vltius, & recipiendum q̄ de contingerit ordinari tunc ibidem. Et hoc pœna centum librar' nullatenus omittas. Et habeas ibi hoc breue. Teste meipso apud Westm̄ vltimo die Martij, Anno regni nostri 3.

Subpœna pro Evidentijs adferendis.

Rex R.D. salutem. Quibusdam certis de causis coram nobis in Cancell' nostra ppositis: Tibi præcipimus, firmiter iniungentes, quod omnibus alijs pretermittis & excusatione quacunque cessante, in ppria persona tua sis coram nobis in dicta Cancell' nostra in quindena Sancti Hillar' proxima futur', ubicunq; tunc fuer', adsciens tecum omnia & omnimoda cartas, scripta, euidentias, & munimenta in custodia tua, aut alicuius alterius personæ, aut per tuum deliberationem ad tuum vsum existen', vnum melluagium, vocat' Le G. & horreum cum omnibus terris eisdem melluagio pertiñ concernen', in quadam petitione p̄ W. T. coram nobis in Cancell' nostra p̄d' versus te exhibit', content' specificat', & ad faciend' vltieri, & recipiendū q̄ Curia nra considerauerit in hac parte. Et hoc nullatenus omittas. Et habeas ibi hoc breue. Teste &c. Sect. 54

Aliter pro Obligatione deliberanda.

Adferens tecum quandam Obligationem per quam W.C. Miles tenetur et obligatur T.B. milif nuper marit' tuo iam defuncto in ducentis marcis in custodia tua existen', vt dicitur, & ad faciend' vltieri, &c. *vt supra.* Sect. 55

And when a suit hath depended vnp̄secuted two yeares, they award a Subpœna de Atturñat' faciend', in this forme.

Rex B.R. salut' &c. (vsque tunc fuerit, & tunc sic) ad faciend' Atturñat' in materia quæ est coram nobis in dicta Cancellaria nostra inter te defend', & M.S. quereñ per billam, & ad faciend' &c. *vt supra.* Sect. 56

Commissio ad recipiendum responsū, & ad examinandum testes quoscunque & ad audiendum & terminandum.

Rex dilectis sibi A.T. armigero, & B.S. armig', salutem, Cum A.W. C. nuper exhibuit, quodque eidem R. per breue nost' præcipimus quod esset coram nobis in dicta Cancellaria nostra ad certum diem iam præteritum sub certa pœna in dict' breui nostrò contenta petitiōn' præd' responsuf: Sciatis quod assignauimus vos, ac tenore præsentium damus vobis vel vni vestrum potestatem & auctoritatem responsiōn' præfati Sect. 57

R. ad

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R. ad petitionem pred' recipiend', & in scriptis redigend', et quoscunq; testes, de & super materia in petitione & responsione p'd', content', examinand', ac eandem materiam iuxta sanas discretionones vestras vel vnus vestrum audiend', et finaliter determinand'. Et ideo vobis mandamus, q' viso tenore petitionis pred', quam vobis mittimus p'sentibus interclusam, p'raefat' R. coram vobis, vel vno vestrum venire faciatis, ac responsionem suam petitioni pred' in forma p'redicta, sciendam super Sacramentū iurum recipiatis, et in scriptis redigatis, necnon testes p'd', coram vobis vel vno vestrum ad certos dies & loca, quos ad hoc p'videritis coram vobis venire faciatis, & euocetis, ac ipsos, & eorum quemlibet, de & super veritate petitionis, & responsionis p'd', ac de & sup' articulis omnibus et singulis p'missis, qualitercunq; cōcernū sup' eorū sacramentaliter prestand', diligenter examine, examinationesque suas recipi, & in scriptis redigi. Et cum eas sic ceperitis eandem materiam partibus ad id vocatis, visisque eorū scriptis & auditis hinc inde eorū rationibus, et allegationibus, omnibus vijs, modis & medijs quibus melius sciueritis, aut poteritis, vel vnus vestrum sciuerit, aut poterit, iuxta sanas discretionones vestras vel vnus vestri finaliter determinetis, vel vnus vestrum determinet: Sin autē nos de omni eo q' inde feceritis vel vnus vestrum fecerit, in Cancellaria nostra sub sigillis vestris, vel vnus vestrum in Quindena Sancti Michaelis p'ximū futurū, vbiunque tunc fuerit distincte & aperte reddat certiores, hoc breue, vna cum petitione, responsione, & testium examinationibus p'redictis nobis remittentes &c.

Commissio ad audiendum & terminandum materiam in petitione, & responsione, & ad examinandum testes quoscunque.

Sect. 58

Rex dilecto sibi A.B. salutem. Quia de & super veritate querimoniam in quadam petitione coram nobis in Cancellaria nostra per T.C. versus I.R. & alios nuper exhibita content', ac de & super veritate in quadam responsione per partes p'redicta in hac parte facta, & in eadem Cancellaria similiter exhibita, necnon de & super omnibus articulis & circumstantijs querimoniam & responsionem illas concernent', ut tutius & consultius p' Iustitia in eisdem exhibend' p'cedere valeamus vobis de quorum fidelitatibus, & p'uidis circumsp'ectionibus plene confidimus, Dedimus vobis, vel duobus vestrum potestati & auctoritatem audiendi & examinandi materiam in petitione, ac responsione, ac in omnibus articulis & circumstantijs p'predictis, querimoniam, & responsionem illas concernent', hijs p'raesentibus annexam, & specificam & eandem materiam iuxta sanas discretionones vestras finaliter si poteritis determinand'. Et ideo vobis, vel duobus vestrum mandamus, quod ad certos dies & loca, quos ad hoc p'videritis, testes quoscunque inter partes

tes præd', quos maxime pro testificatione veritatis præmissorum fore videritis euocandos, coram vobis vel duobus vestrum euocetis. Ac ipsos testes & eorum quemlibet de & super querimonia, responsione, articulis, & circumstantijs præd' super sacramenta sua diligenter iuretis, & examinetis. Et super hoc auditis hinc inde earum rationibus, et allegationibus, ac alijs vijs ac modis, quibus melius sciueritis aut poteritis eandem materiam vt prædict' est finaliter si poteritis determinetis. Sin autem, nos in Cancellaria nostra de omni eo quod inde feceritis in quindena sancti Hillar' proxim' futur', vbicunq; tunc fuerit, sub sigillis vestris, vel duorum vestrum distincte, & apte reddatis certiores, remitteñ nobis tunc tenores prædict', vna cum hoc breue. Teste &c.

*Commissio ad examinandum Testes ad locum & diem certum,
de valore bonorum & catallorum.*

Rex dilect' ac fidei suo R. B. Milit', ac dilect' sibi I. D. & P. W. ar- Sect. 59.
miger' salutem. Sciatis q̄ nos de fidelitatibus, & prouidis circumspetionibus vest' plurimum confidentes assignauimus vos, ac tenore presentium damus vobis vel duob' v'rm plenam potestatem et authoritatem inquirendi, tam per depositiones quorumcunq; testium, coram vobis producend', & examinand'. quam alio quocunq; modo ad libitum vestrum, quæ bona & catalla fuerunt I. M. generosi, siue alterius cuiuscunq; remanent infra domum mansionslem, siue firmam de C. in E. in comitatu Oxon' quo tempore Ro. Bi. possessionem eiusdem domus siue firmæ natus sit, & cuius valoris siue præcij eadem bona & catalla sic infra eandem domum, & firmã præd' existentia ad tunc fuerunt, et extiterunt. Damus etiam vobis, vel duobus vestrum potestatem & auct'horitatem testes quosdam quorum seperalia nomina in quibusdam Interrogator' presentibus interclus. ac eisdem testibus seperaliter proponend', inserta apparebunt de & super eisdem Interrogat' diligenter examinand'. Et ideo vobis mandamus, q̄ ad certos dies & loca quos ad hoc prouideritis, testes prædict' ac alios quocunq; quos maxime p̄ testificatione veritatis fore videritis necessarios & oportunos coram vobis vel duobus vestrũ venire faciatis, & euocetis, ac ipsos testes, & eorum quemlibet tunc & ibid', tam de & sup' pleno & iusto valore omnium & singulor' bonorum, & catallorum prædictorum quam de & super Interrogator' prædictis, super sacramenta sua per sancta Dei Evangelia coram vobis, vel duobus vestrum corporaliter p̄standa diligenter examinetis. Examinationesq; suas recipiatis, & inscriptis in pergameno redigatis. Et cum eas sic ceperitis, nos inde, ac de omni eo quicquid pro meliore cognitioñ præmissorum feceritis, vel duo v'rm fecerint in Cancellaria nostr' in O'ab'is Sancti Michael' proxim' futur', vbicunq; tunc fuerit, sub sigillis vestris, vel duorum vestrum clauf. distincte.

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distincte, & aperte reddatis certiores, remitteñ nobis Interrogator^o predic^t
vna cum hoc breue. Teste &c.

Commissio ad supervidendum & distinguendum Vastum.

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Rex dilect^o ac fideli suo Willihelmo P. Milit^e, ac dilect^o sibi W. T. ar-
miger salutem. Sciatis q^o nos de fidelitatibus, & providis circumspe-
ctionibus vest^ris plenius confidentes assignauimus vos, ac tenore p^rsentium
damus vobis plenam potestatem et auctoritatem audiendi & examinand^o
quandam materiam in quibusdam articulis his p^rsentibus annex^o contentam, &
specificatam, & eandem materiam iuxta sanas discretioñ vest^ris finaliter si
poteritis determinand^o. Et ideo vobis mandamus, quod ad certos dies et
loca, quos ad hoc p^rouideritis ad quoddam vastum vocat^o blacke downe
super M. in com^o S. in articulis p^rsentibus specific^o p^rsonaliter accedatis, vastumq^{ue}
illud supervideatis, ac tam p^r depositiones testium quam alijs vijs, modis, &
medijs quibus melius sciueritis aut poteritis diligent^{er} inquirat^o quantum
inde ad maner^o de H. & quant^o inde ad maneriu^o de W. in com^o p^rsentibus pertinere
debeat, & super inde, limites, bundas, metas et diuisas, inter vnum & alium,
& quantum ad vnum, & quantum ad alium maneriorum predict^o pertine-
re vobis constare poterit, poni faciat & limites examinationesq^{ue}; testium p^rsentibus
recipiatis, & in scriptis redigatis, omnesq^{ue}; alias depositiones testium an-
te hac examinatas, munimenta, scripta, recorda, transcripta, territoria, char-
tas, ac alias evidencias quascunque per partes in articulis p^rsentibus specificat^o,
coram vobis exhibend^o acceptetis & inspiciatis. Et super hoc, materiam
in articulis p^rsentibus specificat^o iuxta sanas discretiones vest^ras finaliter si pote-
ritis determinet^o: Sin autem nos in Cancellaria nostra de omni eo quod
inde feceritis in quindena Sancti Michael^o p^rxima futur^o vbi cunq^{ue}; tunc
fuerit sub sigillis vest^ris distincte & aperte reddatis certiores, remittentes
nobis articulos p^rdictos vna cum p^ræsentibus. Teste &c.

*A Commission directed to the Lord Deputy of Ireland, and the Lord
Chancellor, with others, for the hearing and determi-
ning of a Title of Land.*

Sect. 61.

IAmes by the Grace of God &c. To our trustie and right well beloued
Sir W. S. Knight of the order &c. V. Deputie of our Realme of Ire-
land, W. C. Archbishop of D. our Lorde Cauncelloz there, Sir J. W.
Knight chiefe Justice of the Pleas there, J. B. Esquire, chiefe Baron
of our Eschequer there, J. A. Esquire, one of our priuie Councell
there, J. D. Esq. second Justice of our chiefe Bench there, R. F. Esq.
our Serieant at the Law there, and L. D. Esq. our Solicitoz there,
Know ye, that for certaine considerations thereunto meuing, and of
our

our more motion, and for y^e great confidence and trust we haue in your fidelities, circumspections, p^rouidences, & wisdomes, we haue deputed, ordeined, authozised, appointed, constituted, giuen and graunted, and by these presents do depute, ordeine, authozise, constitute, appoint, giue, & grant vnto you, or any vij, viij, vj, v, iiij, or iij, of you (of which we will that &c. be alwaies one) full power, iurisdiction and authozitie to hold plea, heare, determine, discusse, decree, and finally to iudge of all and singular actions, debates, strifes, quarrels, rights, titles, and demands whatsoeuer they be, as well reall as personall, which by plaint, supplication, or bill to be exhibited, or otherwise by any manner of meanes else, shall or may appeare, or come befoze you, or any vij, viij, vj, v, iiij, or thre of you, (of which we will that &c. be alwayes one) of, for, and concerning the interest, right, title, demaund, and possession of two parts or moities, of all those lands &c. with the appurtenances in the countie of D. within the said Realme of Ireland, to be by D. D. late of &c. J. D. widow, J. D. G. D. D. Gentlemen, and sonites to R. D. late deceased, & R. D. nephew to the said J. G. and D. or by any of them seuerally, or iointly, or any ij, iij, v, or vj, of them against C. S. alias H. Lord of A. within our said Realme of Ireland, and all and euerie other person or persons, which shall claime from, by, or in the right of the said Lord, or in his or their owne right or rights, or by any meanes else whatsoeuer it be, which he or they claime to haue to the said moities of the two partes of the said landes, &c. with the appurtenances aforesaid: giuing and graunting, and by these our Letters Patents we doe giue and graunt vnto you, or to any vij, viij, vj, v, iiij, or iij, of you, (of which number we will that &c. be alwaies one) full power, iurisdiction, and authozitie to call befoze you, or any vij, viij, vj, v, iiij, or iij, of you, (of which we will that &c. be alwayes one) at such times and places according to your good discretions, which vnto you, or any vij, viij, vj, v, iiij, or iij, of you, (of which we will that &c. be alwayes one) and to cause the said Lord H. or any which claimeth in his or their owne right or rights, or by any waies or meanes else whatsoeuer, any interest, right, title, or possession in the two partes or moities of the said landes, &c. with their appurtenances aforesaid, or any patcell thereof, to answer, reioine, and ioine issue, or otherwise plead, as the cause & matter shall require, and vpon any plaint, supplication, action, or suit whatsoeuer, which shall be exhibited, or come befoze you, by the aforesaid D. D. J. D. J. D. G. D. and R. or by any of them iointly or seuerally, or any ij, iij, v, or vj, of them, of, and concerning the said two parts or moities of the said landes, &c. with their appurtenances aforesaid: Giuing and graunting, and by these presents we do giue and graunt vnto you, or any vij, viij, vj, v, iiij, or iij, of you, (of which we

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will that ꝛc. be alwaies one) full power, iurisdiction, and authozitie; according to your wisdoms, discretions, and providences, to call before you all maner of witnesses, and to examine all charters, euidences, muniments, writings, & euery other thing else, which may be a mean to proue, fortifie, disclose, or make euident the interest, right, titles, demaund, or possession of any of the afozenamed parties, to the said two parts or moities of the said landes ꝛc. with their appurtenances afozesaid, and vpon the same throughtly and with mature deliberation and iudgement considered & weighed, we do giue & grant vnto you, or any viij. vij. vi. v. iiij. or ij. of you, (of which number we will that ꝛc. be alwaies one) full power, iurisdiction, and authozity to proceed to the full order, decree, definition, sentence, & final iudgement; according to your discretions, of the interest, right, title, demand, and possession of the said two partes or moities of the said landes ꝛc. with their appurtenances afozesaid, and to decree the possession of the premises to him, or them, to whom of right it ought to appertaine, and his or their said possessions to maintaine: And if any of the parties afozenamed, or any other person or persons which shall haue to doe in the same matter or cause, do wilfully or obstinately withstand or disobey any processe, order, decree, sentence, or iudgement, which shall be directed or giuen in the premises by you, or any viij. vij. vi. v. iiij. or ij. of you; (of which number we will that ꝛc. vi. supra, be alwaies one:) Then wee will and commaund you, and by vertue of these our Letters patents giue full power, warrant, and authozity vnto you, or to any viij. vij. vi. v. iiij. or ij. of you, (of which number wee will that ꝛc. be alwaies one) to commit him or them to prison, there to remaine till his, her, or their conformities shal be therein had, willing and commaunding you, or any viij. vij. vi. v. iiij. or ij. of you (of which we wil ꝛc. be alwaies one) that at such times & places, as to your discretions, or to the discretio of any viij. vij. vi. v. iiij. or ij. of you, of which number ꝛc. be alwaies one) shall seme fit and conuenient, diligently to attend, apply, & with speed put in execution the effect of this our Commission, so as the complainants before named, or any of the which shall haue to doe therein, may not haue iust cause to make further complaint for delay or want of Justice, willing and commaunding you, or any viij. vij. vi. v. iiij. or ij. of you, (of which we will ꝛc. be one) to admit no dilatorie exception to any supplication or supplications, bill or bills of complaint exhibited, or to be exhibited before you, or any viij. vij. vi. v. iiij. or ij. of you, (of which number wee will that ꝛc. be alwaies one) or otherwise to the ouerthrowing of this our Commission: But according to our meaning herein to proceed, and to goe to the full hearing, ordering, decreeing, iudging, and determining of the right, title, and demaund of the parties

parties aforesaid, of, for and concerning the premises, and euerie part and parcell thereof, and accordingly to decree and iudge, as to equitie and right shall appertains: any Act, Statute, Law, Provision or Ordinance to the contrarie thereof notwithstanding. And therefore faile you not, if you tender our sauo: for if our said subiects M. D. P. J. F. G. D. and K. D. should be put from such triall of their right to the premises, as by this our Commission we haue provided for them, their disabilitye and want of riches, wealth, freindship and aliance considered, and of the other part of the said Lord of H. their aduersarie, being thoroughly furnished of all those thinges, and withall being a Lord by birth, and of great calling and authority, and inhabiting within the said Countie, where the said lands &c. doe lie, our said subiectes should be in perill and danger to be without remedy at our common Lawes there, which were no small mischiefe to them. The premises considered, we haue granted this our Commission according to the tenor aforesaid. And further we will and command you, and by vertue hereof giue full power and authoritie vnto you, or any iij. by. vi. b. iiij. or iij. of you, (of which we will that &c. be one) that after the right, interest, title and demand decreed, adiudged and determined, as is aforesaid: that you haue consideration vnto the hinderance, losses and damages, which the complainants, or any of them, as is aforesaid, haue had and sustained, by reason of the wrongfull detaining of the possession of the premises and the said damages by you, as is aforesaid, taxed and extracted, thereof to cause a full execution and satisfaction to be had and made vnto the said complainants, and euerie of them, as is aforesaid. And for the better putting in execution of this our Commission, we wil and command the Sherife of that our said Countie of D. and all other our officers for the time being, to whom in this case it shall appertaine, that they and euerie of them be attendant vpon you, or any iij. by. vi. b. iiij. or iij. of you (of which we will &c. be one) for the executing, fulfilling and doing of all and euerie Act and Acts, thing or things, as shall be by you, or any iij. by. vi. b. iiij. or iij. of you (of which &c. be alwaies one) comanaded, limited, or appointed. In witesse whereof &c.

Having hitherto in some sort shewed the Writs of Commissions, and course of proceeding in Chaucerie suits: It seemeth needfull now to expresse what Bills of Complaint, Answers, Replications, Reioinders and Surreioinders be, with diuers formes thereof, according to the causes of suit.

What a Bill of Complaint is.

A Bill of Complaint is a declaration in writing, shewing the
 Plaintifes grieffe, and the wrong which he supposeth to be done Sect. 62.

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vnto him by the defendant, and what damages he sustaineth by occasion thereof, praying proces against him for redresse of the same, as may appears by many examples hereafter following, whereupon Hostiensis hath these Verbes.

Quis, quid, coram quo, quo iure peratur, & à quo,
Recte compositus quisque libellus habet.

And first the matter of euery Will ought to be true. Secondly, the same matter ought to be layd downe therein plainly and certainly in euery circumstance of the thing, person, time, place, manner of doing, and other accidents. And thirdly the same ought to be sufficient in law, both for the forme thereof, & for the matter, that it be such as is examinable in this Court, which being otherwise, may be dismissed thence.

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The direction of all Bills in the Chancerie, must be at the top thereof. And when there is neither Lord Chancelor, nor Lord Keeper, it is thus:

To the Kings most excellent Maiestie, in his Highnesse Court of Chancerie.

In most humble manner complaining, sheweth vnto your most excellent Maiesty, your most humble and obedient subiect H. C. &c.

And when there is a Lord Keeper, thus:

To the right Honourable Sir Iohn Puckering, Knight, Lord Keeper of the great Seale of England.

And when there is a Lord Chancelor, then thus:

To the right Honorable Sir C. H. Knight, Lord Chancelor of England.

Their other titles of Honor may be also added in the said direction, but they are not much necessarie.

What an Answer is.

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An answer is that which the defendant pleadeth or saith in Barre, to auoid the plaintifes Bill or Action, either by confession & auoiding, or by denying and trauersing the materiall parts thereof. And the title of such Answer is thus:

The Answer of A. B. defendant, to the Bill of Complaint of C. D. complainant.

But if there be many defendants, then thus:

The ioint and seuerall Answers of A. B. and C. D. defendants, to the Bill of Complaint of E. F. complainant.

An Answer is called in Latin Exceptio, quæ dicta est quasi quædam exclusio quæ interponi a cationi cuiuscunque rei solet, ad excludendum id quod in intentionem condemnationis iure deductum est. *Flavianus.*

What

What a Replication is.

A Replication is the plaintifes speech or answer to the defendants answer, which must affirme and pursue his bill, and confesse and auoide, deny, or traaverse the defendants answer. And note, that the plaintife ought to reply the next Terme after that the defendant hath answered, else may he giue him day to reply: by which day if hee doe not reply, the defendant may procure a dismissal, and get costs. Sect. 65.

Et dicta videtur Replicatio quod vel implicatam & quasi rectam exceptionis iniquitatem replicet & patefaciat: vel potius quod æquiritatem actionis ab excipiente rei rectam & quasi complicatam explicet atque aperiat. Hottomanus.

And the title of a Replication is thus:

The Replication of W. P. Complainant, to the answer of R. C. Defendant.

What a Reioinder is.

A Reioinder is the answer which the Defendant maketh to the Plaintifes replication, which must pursue and confirme his answer, and not swarue from the same, and sufficiently confesse & auoid, deny, or traaverse each materiall part of the Plaintifes replication, Est autem reiuñtio seu duplicatio, vel allegatio, quæ datur reo ad infirmandum replicationem actoris & confirmandum exceptionem rei. Spieg. Sect. 66.

If the parties be not at issue, by reason of some new matter disclosed in the defendants reioinder, that requireth answer: then may the plaintife surreioine to the said reioinder, and the defendant in like manner to the surreioinder, if there be cause, which happeneth verie seldomie.

And the title of a Reioinder is thus:

The reioinder of C. A. defendant to the Replication of E. W. Complainant.

What a Surreioinder is.

A Surreioinder is a second defence of the Plaintifes action, opposite to the Defendants reioinder. And therefore Hottomanus calleth it, Triplicatio, quæ est secund' actionis defensio contra rei duplicationem opposita. Sect. 67.

And thus is the title of a Surrender.

The Surreioinder of E. W. Complainant to the Reioinder of C. A. Defendant.

A Bill of complaint for entring into and making secret estates of Copyhold landes, wasting part thereof, and mingling part thereof with the landes of others, to disinherite the Plaintife by having the Copies thereof.

Humbly complaining sheweth unto your Honorable H. H. C. of Sect. 68.
W. in the County of Worke esquire: That whereas H. C. late of
W. b. lly. S.

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S. Ciquire deceased, father to your Orator, was in his life time by good and lawfull conueyance and assurance in the Law, lawfully seised to him and to his heires in fee simple, according to the custome of the Barony of W. in the said Countie of W. of one copyhold or customarie Mesuage or Tenement, and of certayne customarie lands, medowes, & pasture, to the quantitie of 100. acres, or thereabouts: and the said H. C. your Orators father so being thereof seised as aforesaid, and being visited with sicknesse during the minority of your said Orator, by good and lawfull conueyance and assurance in the Law, and according to the custome of the said Barony of W. did conuey, assure, and surrender the said copyhold or customarie Mesuage or Tenement, and other the premises, with the appurtenances, into the hands of A. B. the Lord of the said Barony, for the better maintenance, and to the vse of your said Orator. To haue and to hold to your said Orator, and to his heires and assignes, at the will of the Lord, according to the custome of the said Barony: by force whereof, your Honorss said Orator in the Court of the said Barony paid his fine, and was of the said copyhold and customarie tenements, with the appurtenances, by the then steward of the said Barony of W. admitted tenant. But so it is, if it may please your Honor, that all the Euidences and Copies, of, and concerning the said Mesuage, lands, tenements, and premises, being left in the hands, custody, and possession of your Orators said father whilest he liued, in right belonging vnto your Lordships said Orator, are now by casuall and sinister meanes come to the hands and possession of one H. H. of D. in the said Countie of W. who by colour of the hauing thereof, hath wrongfully entred into the said Mesuage, lands, and premises aforesaid, and hath made and conueyed vnto himselfe, and to others to his vse, diuers and sundry secret Estates thereof, and doth pretend wholly to disinherit your Lordships said Orator of the same, notwithstanding your said Orator hath by diuers and sundry meanes in friendly manner oftentimes sought to haue the said Euidences and Copies, and requested the same at the hands of the said H. H. and also that he would yield vnto your said Orator the quiet possession of the said Mesuage, lands, and premises, to whom he doth well know the same in right to belong and appertaine: Yet that to doo, he hath not only denied and refused, and still doth deny and refuse to doe the same: but of his further malice against your said Orator, he doth threaten your Orator in such sort, that your Orator for want of the said Euidences and Copies, daereth not make his iust and lawfull entry, in, and to the same: And also the said H. hath committed and doth continue daily great and outragious wastes and spoiles, in decaying of the Houses, felling downes of the Wood and Timber-trees of the premises, to your Orators great losse
and

and disinherison, and contrarie to all right, equitte and godd conscience. In tender consideration to hereof, and forasmuch as by the strict course of the common Lawes of this Realme, your L. said Orator hath not any ordinarie remedie for the obtaining and recovering of the said evidences & copies, for want of the certain knowledge of the contents and dates thereof, and what in them be contained, neither can your Orator learne against whom to soumence any suit for the said mesuage, lands and promises, for that the said H. H. and others, to your Orator altogether unknown, haue confederated themselues together against your said Orator, and haue contrived & made amongst themselues diuers secret estates & conueyances, and haue so intermingled the same, to, and with other lands, tenements & hereditaments, to, and with certaine of their owne freehold and inheritance, that your Orator knoweth not which the same be, nor how much thereof the said H. H. and other his confederates do severally hold, wherby to conuence any action or suit, or make any lawful entry, into, or for the same, without your Orators great danger: and yet your Orator hopeth that vpon the corpo, all oth of the said H. H. he will manifest such matter, whereby your Orator may the moze better, easily & readily, proceed and attaine to the recovering of his iust and lawfull right & inheritance of the premises: for the furtherance wherof, it may please your good L. to grant vnto your said Orator, his Maiesties most gracious Writ of Subpoena to be directed to the said H. H. commanding him therby at a certaine day, and vnder a certaine paine therein to be limited, personally to be & appere in his Ma. high Court of Chancery, thē & there to answer to the premises &c.

*The Answer of H. H. Defendant, to the Bill of Complaint
of H. E. Complainant.*

The said defendants saith, that the said Bill of Complaint against him exhibited into this honorable Court, is verie vncertaine, untrue and insufficient in the Law to be answered vnto by this said defendant for diuers and sundrie apparant faults and imperfections therein contained: and deufed and exhibited into this honorable Court, partly of malice and euill will, without any iust cause conceiued against the said def. to the intent thereby vniuſtly to bere and molest him with tedious trauell, being an aged man, and to put him to great expences, being verie poore: but chiefly to the intent and purpose to wearie, impoverish and terrifie him this defendant: Neuerthelesse, if by the order of this honorable Court, this defendant shall be compelled to make any further or other answer vnto the said untrue, uncertain and insufficient Bill of Complaint, then and not otherwise the advantage of exception

Seca. 69.

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thereof to this defendand, at all and euerie time and times herafter saued, for further answer thereunto, and for a full and plain declaration of the truth, touching so much of the materiall contents of the said bill, as in any sort concerneth this defendand, He for himselfe saith, That whereas the said complainant in his said bill alleageth, that one H. C. his father deceased, was in his life time by good and lawfull conueiance and assurance in the Law, lawfully seised to him and his heires in fee simple, according to the custome of the said Banoz of W. in the said bill mentioned, of one copihold or customarie mesuage or tenement, and of certaine customarie lands, medowes and pastures, to the quantitie of an hundred acres, or thereabouts: and that he being thereof so seised and visited with sicknesse, during the minozity of the said complainant by good and lawfull conueyance and assurance in the Law, and according to the custome of the said Banoz of W. did conuey, assure and surrender the same copihold or customarie mesuage or tenement, and other the pzemisses, with the appurtenances thereunto belonging, for his better maintenance, to the vse of the said complainant. To haue and to hold to the said complainant, and to his heires and assignes, at the will of the said Lord, according to the custome of the said Banoz: And that by force therof, the said complainant in the Court of the said Banoz paid his fine, and was of the said copihold or customarie tenements with the appurtenances, by the then Steward of the said Banoz of W. admitted tenant. He this defendand saith, that to his knowledge, the said H. C. late father of the said complainant, was neuer either lawfully seised to him and to his heires, according to the custome of the said Banoz of W. of the said tenements and pzemisses in the said Bill mentioned, by any good and lawfull conueyance and assurance in the Law, according to the custome of the said Banoz: nor did euer conuey, assure and surrender the said customarie tenements and other the pzemisses, to the vse of the said complainant, his heires and assignes: neither did the said complainant euer pay his fine for the same in the said Court, neither was he euer lawfully admitted tenant thereof, as he the said complainant in his said Bill vntreip pretendeth. And whereas the said complainant in his said Bill also pretendeth, that the evidences and copies, of, and concerning the said mesuage, lands, tenements and pzemisses, being left in the hands, custodie and possession of the said complainants father whilest he liued, in right belonging vnto this complainant, are now by casuall meanes commen to the handes and possession of this defendand, and that he by colour of the hauing thereof, hath wrongfully entred into the said mesuage, lands and pzemisses aforesaid, and hath made and conueied to himselfe, and to others to his vse, diuers and sundrie secret estates therein, and doth pretend thereof

thercof wholly to disinherit the said complainant. This defendand saith, that none evidences or copies, of, or concerning the said mesuage, tenements and pzemisses, are by casuall meanes, or otherwise come to the hands or possession of this defendand, and that by colour of hauing thercof, he this defendand, neither wrongfully entred into the said mesuage, tenements and pzemisses, nor any part thercof, neither hath he this defendand conueyed, to himselfe, or to any other person to his use, diuers and sundrie, or any secret estates therof, neither doth he pretend thercof wholly to disinherit the said complainant, as in the said Bill it is vntuely alleaged: without that, that the said complainant by diuerse and sundrie meanes in freindly maner hath oftentimes sought to haue the said evidences and copies, and requested the same at the handes of this defendand: and also that he would yeeld vnto your said Orator the quiet possession of the said mesuage, tenements and pzemisses, or that he this defendand doth well know the same, in right to belong vnto him the said complainant, as in the said Bill it is vntuely alleaged: and without that, that he this defendand of malice against the said complainant doth threathen him the said complainant, in such sort, that he for want of the said evidences, dareth not make his iust and lawfull entrie or clame, to and in the same pzemisses, or that he the said defendand hath or could commit, or doth or can continue daily committing great and outragious waxes and spoiles, in decaying of the houses, and selling downe of the wods and timber trees of the pzemisses, to the great losse and disherison of the said complainant, and contrary to all right, equity and good conscience, as in & by his said Bill of complaint he hath most vainely and vntuely alleaged. For touching the said supposed threates this defendand saith, that he is a verie feeble poore old quiet man, verie desirous of the fauor and good will of all men, and therefore neither willing nor able by his threates to terrifie or feare the said complainant, being a gentleman of worship, power and liuing, hauing many kinsfolks, alies, freindes and seruants, so that he this defendand, hath rather iust cause to be afraid of the said complainant, then the said complainant to feare him. And further touching the said waxes and spoiles, this defendand saith, that the said customarie or copyhold lands in *W.* aforesaid, are holden of the *Manor* of *W.* aforesaid. And without that, that the said complainant hath, or ever had any lawfull title to commuence any action or suit, or to make any entrie, against or vpon this defendand, for any lands, tenements or hereditament, in the said Bill of complaint mentioned, as it is therein vntuely alleaged: and without that, that this defendand can vpon his coꝝpoꝝ all oth manifest such matter, whereby the said complainant may the more better, easily and readily proceed and attaine to the recouering of any iust or lawfull right or inheritance.

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or in any other maner then in this answer is set down, as the said complainant vnwisely ghesseth, and most vainely hopeth, as he in his said Bill alleageth: And without that, that any other matter, thing or things, clause, sentence, article or allegation in the said Bill of Complaint contained, materiall or effectuall in the Law to be answered vnto by this defendant, and not herein confessed and auoided, denied or trauesed, is true. All which matters this defendant is ready to auer and pꝛoue, as this honozable Court shall award: And therefore prayeth to be dismissed out of the same, with his reasonable costes and charges in this behalfe wrongfully and without cause sustained.

The Replication of H. E. Esquire complainant, to the Answer of H. H. defendant.

Sect. 70.

THe said Complainant for Replication saith, that he will auerre maintaine and iustifie, his said Bill of complaint, into this honozable Court exhibited, and euerie matter and thing therein contained, to be certain, true and sufficient in the Law to be answered vnto by the said defendant, and not demised & exhibited into this honozable Court of any malice or euill will, but vpon iust cause conceiued against the said defendant, as the said defendant in his answer vntuly hath alleaged. And for further Replication saith, that the said H. C. late father of this repliant, was lawfully seised to him and to his heires, according to the custome of the said Manor of W. of the said tenements and other things in the said Bill mentioned, by good and lawfull conueyance and assurance in the Law, according to the custome of the said Manor: And did conuey, assure and surrender, the said customaris tenements and pꝛemises to the vse of the said repliant and of his heires, and the said complainant did pay his fine therefore, and was lawfully admitted tenant therof, as he the said complainant in his said Bill verie truly pretendeth. And also he saith, that the evidences and coppies, of, and concerning the said tenements and pꝛemises, are come to the hands of the said def. and that by colour therof, the said def. hath wrongfully entred into the said mesuage, tenements and pꝛemises, and hath conueyed to himselfe and to others to his vse, diuers and sundrie secret estates therein, as in his said Bill of complaint is also most truly declared: and that the said complainant hath oftentimes sought and requested to haue the said writings, coppies and evidences at the hands of the said defendant: and also that he would yeld vnto him the quiet possession of the said mesuage and pꝛemises: and also that the said def. hath & still doth commit, and continue daily committing great & outragious waikes and spoiles, in decaying of the houses, and selling downe of the woods and timber trees of the pꝛemises, to the losse & disherison of hon chis complainant,

nant, as in the said Bill of Complaint is truly alledged: And without that, that any other matter or thing contained in the said Answer, materiall or effectuall to be replied vnto, and not herein sufficiently confessed or auoided, trauesed or denied, is true. All which this complainant is readie to auer and proue, as this honozable Court shall award. And prayeth as he befoze in his said Bill of Complaint hath prayed.

A Bill to stay suit at the common Law upon an Obligation, because the money is satisfied in diuers payments and reckonings:

If most humble wise complaining, sheweth to your good Lordship Sec. 71.
Jr. D. That wheras one **H. B.** of **D.** in the Countie of **D.** Esquire now deceased, hauing many daughters to aduance, which were then but of tender yeares, did about 21. yeares now last past, make his last Will & Testament in writing, & by the same did giue & demise amongst diuers and sundrie other legacies amounting to a very great value, the sum of **C. li.** to **A.** one of his daughters, and of his said last Will & Testament did nominate, constitute and appoint your said Orator, and one **G. R.** Esquire being his nere kindisman, and assured good freind his exrecutors: but also did commit the gouernement and education of his said childzen vnto them, and after died. By, & after whose decease, and befoze the probat of the said last Will & Testament, the said **A.** died: by reason whereof your said Orator alone proued the said Will, and toke vpon him the execution of the same, and afterward one **J. W.** being a man very basely bozne, & of very little credit, did without the priuitie, consent, or good liking of your said Orator, or of any other to whom the said **H. B.** had committed the gouernment and education of his said childzen, contract himselfe with the said Anne, and with her did marry: After which marriage, albeit your said Orator greatly disliked there with, & that the said **H. B.** had bequeathed vnto the said Anne but the summe of **C. li.** yet your said Orator, in respect of the nere alliance betwene him & the said childzen, & to the end they should liue in the better credit & account, was amongst the rest contented to bestow on the said Anne **C. li.** moze then her said father bequeathed vnto her: & there upon, at the speciall request & earnest suit of the said **J. W.** and the said Anne then being his wife, and for their better credit, aduancement, and preferment, did not onely presently pay and deliuer to the said **J. W.** in readie money the summe of **L. li.** parcell of the said summe of **C. li.** so bequeathed to the said **A.** his wife, as is aforesaid, but also became bound vnto the said **J. W.** in the summe of **C.** pounds, for the payment of **L.** pounds moze, at certaine times in the Condition of the said Obligation mentioned, which amounted to the full summe of **C.** pounds, so bequeathed as is aforesaid to the said **A.**

And

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And then also became bound vnto the said J. W. in one other bond, in the summe C. li. for the payment of C. li. at certaine times in the condition of the said Obligation limited, which your said Orator of his owne liberality, and for the aduancement of the foresaid Anne, gaue vnto her sithence: Which bonds so made, the said J. W. hauing had many occasions to vse money, hath often made meanes to your said Orator, to relieue his necessitie therein, befoze such time as the same summes or any of them grew due vnto him, to be paid by the said seuerall obligations, by reason whercof your said Orator about the first day of July in the first yere of his Maiesties reigne that now is, payed and deliuered vnto the said J. W. the summe of l. li. moze in part of payment and satisfaction of the said summe of C. l. li. grow- ing by the said two seuerall obligations, wherein your said Orator standeth so bound, as is afozesaid: and your said Orator likewise paid and deliuered vnto the said J. W. at such times as the said J. W. hath demanded the same diuers seuerall summes of money, amount- ing in the whole to the sum of xxj. li. viij. s. which the said J. W. hath accepted in part of payment of the said summe of C. l. li. and which the said J. W. knoweth to be true, and also your said Orator hath payed by the hands of J. B. to the said J. W. and in discharge of some debts due by the said J. W. and by his appointment at seuerall times, the summe of lxx. li. vi. s. viij. d. which the said J. W. hath also accepted in part of payment of the said summe of one hundred and fiftie poundes, which said seuerall summes the said J. W. hath from time to time accepted, as in part of payment, and discharge of the said sum of C. l. li. And your said Orator also standeth bound for the onely debt and due- tie of the said J. W. for the payment of twentie poundes moze vnto J. B. esquire, which your said Orator alwaies hath bin, and yet is ready to pay for the said J. W. when he shall be thereunto required, so that your said Orator, hath in the whole paid and satisfied vnto the said J. W. and in discharge of the debts of the said J. W. the full sum of one hundred foure score and eight poundes and moze, which is moze than your said Orator needed to haue paid vnto him as any money due vnto the said Anne, wife of the said J. W. for the said J. W. doth very well knowe, that the said J. B. did not deuise or bequeath any moze vnto the said Anne, than the summe of one hundred poundes. And doth also very well knowe, that hee hath diuerse and sundrie times, vpon the receipt and payment of the said seuerall summes, not onely confessed the receipt of the same, but also faithfully promised vnto your said Orator, that he would cancell and deface the said Ob- ligations. Yet notwithstanding, so it is, if it may please your good Lordship, that albeit the said J. W. doth very well know, that your
said

said Drator hath fully satisfied and payed vnto him the said summe of 100. pounds, bequeathed by the said W. B. vnto the said Anne, and hath also fully satisfied and payed vnto him 88. pounds and moze, partell of the said 100. pounds, which your said Drator gaue vnto the said Anne of his owne free liberalitie, for the aduancement of the said A. and that the said Obligations, viz. one of 100. pounds, for the payment of 50. pounds, and one other Obligation of 200. pounds, for the payment of 100. pounds, which your said Drator became bound in, vnto the said J. W. were for the selfesame debts, which your said Drator hath at seuerall payments, as is aforesaid, payed vnto him in discharge, and in part of satisfaction of the said seuerall Obligations, ought in all right, equitie, and good conscience, to be cancelled and defaced, vpon the payment of the residue of the said summes which is behind, & which your said Drator is ready to pay, yet he the said J. W. hauing a very greedy and couetous disposition to enrich himselfe, albeit he doth very well know the said seuerall Obligations to be in effect fully satisfied and discharged, as is aforesaid, and that he hath not at any time bene any thing dammified by the forbearing of the said seuerall summes, yet hath he now lately commenced suit vpon one of the said Obligations, in his Maiesties Court of Kings Bench, and vpon the other Obligation, in his Maiesties Court of Common Pleas, meaning to take the whole forfeiture of the said seuerall Obligations against your said Drator, in that your said Drator did not in truth alwayes pay vnto him the said seuerall summes, according to the condition of the said Obligations, but did alwayes pay the same at such times as the said J. W. had occasion to vse it, and as he did at any time demaund it, and doth with all the expedition he can, and with the most hardnesse that he may vse, seeke to recouer the penalties of the said seuerall Obligations against your said Drator, contrarie to all right, equitie, and good conscience, and to the great hurt and hinderance of your said Drator. And albeit your said Drator hath diuerse and sundrie times earnestly required of the said J. W. not onely to cancell and deface the said Obligations, vpon the payment of the residue, and surcease his seuerall suites commenced vpon the same: yet that, or any of them to doe, he hath denyed and refused, and still doth denie and refuse, contrarie to all right, equitie, and good conscience: In consideration whereof, and forasmuch as your said Drator hath no good matter to plead in Barre of the said seuerall Actions, by course of the Common Lawes, in that albeit he hath in truth payed and satisfied the said seuerall summes, in such sort as the said J. W. held himselfe contented therewith, yet can he not make any profe of the payment of the same, according to the conditions of the said seuerall

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Obligations: And for that also the said *J. W.* hath not in any sort bin dammissed by the so bearing of the said summes of money, or any part thereof, and yet if he had, forasmuch as your said *Dzatoz* hath fully paid vnto him fourescore and eight pounds more then he need to haue paid, and that of his owne liberalitie, there is now no reason why he should seeke by rigoz of Law to take the forfeiture of the said seuerall Obligations, albeit it were true, that the same were not fully satisfied and discharged in such sort as they ought to be: May it therefore please your good Lordship, to graunt vnto your said *Dzatoz* the *K. Maiesties* most gracious seuerall *Writs* of Subpoena and Iniunction to be directed to the said *J. W.* not only straitly charging and commanding him by the same, at a certaine day, and vnder a certaine paine therein to be contained and limited, personally to appeare befoze your good *L.* in the *Kings Maiesties* most high Court of Chancerie, then and there to answer to the premisses, but also inioyning him by the same, his Counsellors, Atturneyes, and Solicitors, to stay and surcease the said seuerall Suites, and no further to proceed in the same, vntill other order shal be therein taken by your good *L.* And your said *Dzatoz* shall pay for your good *L.* in honoz long to endure.

A Bill for the detaining of a lease for yeares, and taking the profits of the lands leased, and secret taking of a Cow distrained and impounded by the plaintife out of the pound, and charging him with the esloining of the same Cow.

Sect. 73.

Humbly complaining, sheweth to your good *L.* your daily *Dzatoz* *J. C. of W.* in the Countie of *D.* Gentleman. That whereas one *T. C. of W.* afoze said Gentleman, was lawfully seised in his demesne, as of fee, of and in diuers and sundry lands, tenements, hereditaments with the appurtenances, set, lying and being in *W.* afozesaid, And he so being thereof seised about the twentieth day of May, in the first yeare of the reigne of our Soueraign Lord the *Kings Maiestie* that now is, at *W.* afozesaid, for and in consideration of a certaine sum of money to him by the said *J. C.* well and truly contented and paid, and by indenture of lease, the certaine date whereof your said *Dzatoz* knoweth not for that he hath not the said Indenture, did demise, grant, set, and to farme let the same vnto the said *J.* and his assignes, soz and during the full end and terme of two yeres then next following. By force whereof your said *Dzatoz* was thereof lawfully possessed, vntill about the second yeare of the raigne of the *Kings Maiestie* that now is, *K. B. W. G. P. T. R. W. W. J. W. C.* and *K.* his wife by casuall meanes hauing obtained and gotten into their handes, or into the handes of some of them, the said Indentures, confederating themselmes together of purpose,

purpose, to wrong your said ozatoz, and to expel & put him fro his law-
ful and quiet possession of the pzemisses, oz the greatestt part thereof, en-
tered into one parcell of the pzemisses called B. fields, being then sow-
ed with oats by your said ozatoz, and at the same time put in one colw
and heyfer, very maliciously to depasture and eate the grai[n] and cozne
of your said ozatoz therein then growing, which said colw and heyfer,
was, and remained there depasturing, eating, and treading downe
the said graine and cozne, vntill your said ozatoz came & distrained the
said colwe and heyfer foz damage there doing, and impounded the said
colw and heyfer in a pound ouert, at H. aforesaid, as lawfull was foz
him to do, shortly after which unpounding of the said colw and hey-
fer, that is to say, vpon the ry. day of Septem. the said R. W. W. Jf.
W. C. and K. his wife repaired vnto the dwelling house of your said
ozatoz at H. aforesaid, and then and there required your said ozatoz
to deliuet the said colw and heyfer forth of the said pound, affirming
that they weresent thither to that intent and purpose by the said R.
B. W. C. and J. T. which to doe your said ozatoz refused, as law-
full was foz him to do, because the said W. Jf. C. and K. his wife, noz
any of them, did then and there tender vnto your said ozatoz, any a-
mendes oz satisfaction, foz, oz towards the said trespasse: But so it is
if it may please your good Lordship, that about eleuen oz twelue of the
clocke in the night of the said ry. day of Sept. the said colw and heyfer
was conueyed forth of the said pound, (the doze oz gate of the saide
pound being fast locked) by the said R. B. W. C. J. T. R. W. W. Jf.
W. C. and K. his wife, oz some of them, as your said ozatoz verillie
thinketh, and is perswaded in conscience, sithence which time, the
said B. C. and T. haue most falsely and unconscionably charged, and
still charge your said ozatoz foz the esoyning and conueying away of
the said colwe and heyfer, and haue thereupon not onely commenced
suit against your said ozatoz at the common Lawe, but also by colour
of hauing the said Indenture, haue made and contriued vnto them-
selues, oz some of them, oz to some other persons, to their, oz some of
their vses, sundry secreete estates of the pzemisses, and do yet most
wrongfully detaine, and withhold the possessions of a great part of the
pzemisses from your said ozatoz, to his great hurt and impouerish-
ment: And forasmuch as your said ozatoz hath not any ordinarie re-
medie by the due course of the common Lawes of this Realme, foz
the recoverie of the said Indenture; foz that he knoweth not the cer-
taine date oz contents thereof, noz wherein the same is conteyned:
And so thereby not snely very like to lose his lawfull and rightfull pos-
session, of, in, and to the pzemisses, but also standeth in great danger
to lose great damages foz the supposed esoyning of the said colwe
and

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and Heyser, vnlesse it please God, as your said Orator hopeth it wil, to moue the hearts of the said B. C. E. W. F. C. and R. his wife, vpon their answers and othes in this honozable court, to discouer & disclose the trueth of their euill dealing and disorder in breaking of the said pound, and taking forth of the said Cow and Heyser, conueying them to vnknowne places, of purpose to charge your said Orator therewith. And forasmuch as they haue denied and refused, & yet doe refuse and denie, either to permit or suffer your said Orator quietly to haue and take the issues and profits of the said p̄misses, or to deliuer vnto him the said Indenture of lease, although hee hath oftentimes most gently, and friendly required and desired them so to doe: It may therefore please your good Lordship &c. As before is said in Sectio 61.

The answer of the same Bill.

Sect. 73.

The said defendants say, and either of them for himselfe severally saith, that the said Bill of complaint is very vncertaine, vntue, and insufficient in the Law to be answered vnto by these defendants, or any of them for diuerse apparant faults and imperfections therein contained, and the same very friuolous, as these defendants think, for sundry causes, and namely for that, that it is thereby supposed, that they and others, by reason of hauing the custody of the said supposed indenture or lease pretended to be made by the said T. C. in the said bill named to the said complainant of the said demesne lands of the Highlow aforesaid, for y. yeares now ended, if any such were, haue made or contriued vnto themselves, or to some other persons, and to their vles, sundry secret estates of the p̄misses, whereif any such estates had bin made, they be already determined. And the said defen. further say, that as they verily thinke by the scope of the said bill, containing in it selfe much like matter, set out with many words, and in effect no matter worthy to be examined in this honozable Court, the same bill is deuised and exhibited into this honourable Court, of mere malice and euil wil, to the intent to molest and trouble these defendants, and others in the same bill named being quiet poore men, dwelling almost seuen score miles from the Citie of W. with long and tedious iornies to make their personall appearance in this honourable Court, to answer the said friuolous and vntue bill, without any good or iust cause so to doe. Whadvantage of exception to the manifest incertaintie and insufficiencie of which vntue bill of complaint to these defendants, and either of them saued, for answer thereunto, they, and either of them for himselfe severally saith, that they thinke it to be true, that the said T. C. of H. in the said bill named, was lawfully seised in his demesne, as of fee, or fee taile, of, and in diuerse lands, tenements, and here:

hereditaments, with the appurtenances, set, lying, & being in *H.* aforesaid, and that he being thereof so seised about 2 yeres now last past, did demise, grant, set, and to farme let the same vnto the complainant for 2 yeres, as it is in the said bill alleaged, without that, that these defendants of purpose to expel the said complainant from his lawfull possession of the premises, or the greatest part thereof entred into the said parcell of the premises, being sowed with oates, by the said complainant, or at the same time put in one cow, and one heifer, very maliciously to depasture and eat the graine and cozne of the said complainant growing therein. *M* that the said cow and heifer to these defendants knowledge, remained there depasturing, eating, or treading down the said graine and cozne, vntill the said complainant came and distrained the said cow and heifer, for damage there doing, and impounded the said cow and heifer in a pound ouert at *H.* aforesaid, to their knowledge, as in the said bill is very vntruely alleaged. And without that, that shortly after the said impounding of the said cow & heifer, that is to say, the 11 day of *S.* the said *R. W. W. J. W. C.* and *R.* his wife, by the knowledge of the said defendants, or either of them, repaired vnto the said dwelling house of the said complainant, at *H.* aforesaid, and then and there required the said complainant to deliuer the said cow and heifer forth of the said pound, affirming, that they were sent thither to that intent and purpose by these defendants, and the said *P. T.* in the said bill named, as in the said bill is vntruely alleaged. And without that, that to these defendants knowledge there was any such cause, that any amends so should haue bene tendered vnto the said complainant, for, or towards the said supposed trespassse. *M* that about 11 or 12 of the clocke in the night of the said 11 day of *S*eptemb. the said cow and heifer, were conueied forth of the said pound by these defendants, or either of them, or that these defendants, or either of them, haue unconscionably charged the said complainant, for the esloyning and conueying away of the said cow and heifer, or thereupon commenced any suit against the said complainant at the common law, as in the said Bill is very vntruely alleaged, for they these defendants verily thinke, that there was neuer any such cow and heifer, so as is aforesaid, distrained, and without that that these defendants by colour of hauing of the said Indenture in the said Bill mentioned, haue made and conueied vnto themselves, or to any other person or persons to their vses, any secret estate of the premises, or any part thereof, or doe wrongfully detaine and withhold the possession of a great or any part of the premises, from the said complainant, as in the said Bill of complaint it is likewise vntruely alleaged. And without that, that these defendants, or either of them, haue denied and refused, or yet

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doe deny or refuse, either to permit or suffer the said complainant quietly to have and take the issues and profits of the premises, or deliver vnto him the said supposed Indenture or lease, as in the said bill is vntually surmised, for these defendants say, that to their knowledge they neuer saw nor heard read any Indenture or lease. And, without that, that any other matter, thing or things &c.

A Bill to be relieved for Obligations made for Simony.

Sect. 74.

In most humble wise complaining, *Thewesh* vnto your honourable L. your daily Orator *W. C.* Parson of *L.* in the countie of *Y.* That whereas about five yeres now last past, *W.* by the permission of God, now Bishop of *L. and C.* was lawfully seised of the aduowson of the vicarage of *D.* in the countie of *D.* as of one in grosse, by it selfe, as of fe in right of his *B.* aforesaid, and vnto the same vicarage being vacant, did present your said Orator his Clerke, who was afterwards admitted, instituted, and inducted into the same accordingly: which vicarage afterwards by resignation into the hands of the said *B.* to present againe to the same, as the very true patron thereof, became void. And afterward your Orator became an humble sutor vnto the said *B.* in the behalfe of one *R. W.* Clerke, that it should please him to present the same *R. W.* to the said vicarage, which after long suite, it being first agreed betwene your said Orator and one *C. D.* with the knowledge and consent of the said *B.* that your said Orator in respect of the said presentation and admission of the said *R. W.* that there should a certaine summe of money, amounting as your said Orator thinketh, to the summe of thirtie pounds, to be paid at certaine daies then betwens them agreed vpon, for the painment thereof, and that for true painment of the said summe at the said daies, your Orator should become bounden vnto the said *C. D.* by severall obligations, whereupon afterwards, that is to say, the 20 day of *J.* which was in the 28 yere of the raigne of the Quene most excellent *Mariette* that now is, your said Orator for the onely consideration aforesaid, and for the onely benefit of the said *R. W.* aforesaid, became bounden vnto the said *C. D.* in foure or five severall obligations, videlicet, by some obligations in the summe of 20 li. or thereabouts, for the painment of 10 li. and in some other, in other summes for painment of 5. li. or thereabouts, at the said daies and times, between them so as is aforesaid agreed vpon, and thereupon the said *R. W.* for the said considerations was instituted and inducted into the said Vicarage accordingly: which bonds were so made by your said Orator in hope, and vpon the faithfull promise of the said *R. W.* would haue paid and discharged the said severall summes.

Summes of money at the said dates, according to the severall conditions
 of the said obligations : but now, so it is, that if it may please your
 honourable Lordship, that the said R. W. though oftentimes by your
 said orator required hath not paid the said severall summes of money,
 nor any of them unto the said C. D. according to the said severall obli-
 gation, and according to the said agreement, & his said promise in that
 behalfe made, as is aforesaid : by meanes whereof, the said obligati-
 ons, or the most part of them been forfeited, and your orator already
 thereupon impleaded in her Maiesties court, called the Kings Bench,
 and by reasons of the said obligations, or some of them, very like spee-
 dily to be condemned thereupon, if by your L. gracious meanes he be
 not speedily releued, the which said practises are much against all
 right, equitie, and good conscience, and to the great damage, losse, and
 hinderance of your said orator. In tender consideration whereof,
 and forsonmuch as the said promise of R. W. and the said agreement
 for the payment of the said severall summes of money, being matters of
 corruption and unlawfull simonie, were so closly and secretly wrought
 and contrived amongst them, that your said orator is not able to make
 any such due proove thereof, as the strict course of the common Lawes
 of the Realme in this behalfe requireth, and so your L. said orator is
 utterly without remedy by the common lawes to auoid the said bond,
 or to make proove of the said assumption and promise of the said R. W.
 though the same be so well knowne unto the said Bishop, and the said
 C. D. his factor, procurator, for such contracts of simonie, and also to
 the said R. W. that your orator verily thinketh, they will vpon their
 answers hereunto in this honourable Court, vpon their corporall
 othes, if they be not altogether blinded with extreme couetousnesse,
 confesse the truth to be, as is aforesaid. It may therefore please your
 honourable Lordship to grant vnto your said Orator her Maiesties
 most gracious writ of Subpœna, to be directed vnto the said W. B.
 and vnto the said C. D. and R. W. thereby commanding them, and e-
 uerie of them, at a certaine day, and vnder a certaine paine therein to
 to be limited by your Lordship, to be, and personally to appeare before
 your honourable Lordship in her Maiesties most high court of Chan-
 cerie, then & there to answer vnto the premisses, and to abide such fur-
 ther order and direction therein, as to your hon. L. shall seme to stand
 with right, equitie, and good conscience, & also to grant vnto your said
 Orator her Maiesties most gracious writ of Iniunction to be direc-
 ted vnto the said C. D. thereby commaunding and inioyning him,
 and all his Counsaillors, Solicitors, and Attorneies, to stay his said
 suits and proceedings against your said orator, at, and by the common
 lawes, vntill the premisses shall be heard and determined, or otherwise

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ordered in this honorable Court, And your said orator shall daily pray vnto Almighty God for the preservation of your honorable Lordship, in good health long to continue.

A Bill for boording.

Sect. 10.

Humbly complaining, sheweth vnto your Lordship your daily Orator *J. W. of K.* in the countie of *L.* gentleman: That where as about foure or five yeares since, one *C. C.* then the widowe of *B. C.* and now wife to *K. W. of P.* in the county of *L.* yeoman, very earnestly and instantly required of your said Orator, not onely for her selfe and her sonne to be tabled or boarded at the house of the said complainant, but also to haue house come for continuall abode & lodgering with him likewise, promising liberally and fully to recompence both the cost and trouble, which you said Orator, or his household should sustaine therein, vpon hope of which promise and agreement, your said Orator did to the full request and satisfaction of the said *C. C.* table and lodge the said *C. C.* and her sonne, being of the age of seuen yeares or thereabouts, during her widowhood, by the space of two yeares at the least, ended about the Annunciacion of the virgin Mary, in the 20. yere of the *M. Maiesties* raigne, about which time the said *C. C.* tooke to husband the said *K. W.* after which marriage, vpon like promise & agreement which the said *K. W.* your said Orator did likewise boord, or table and lodge in his house the said *K. W.* and *C. C.* her sonne, and a seruant, by the the space of one whole yeare and a halfe, ended about May day last past, during which time also the said *K. W.* put you said Orator to great charge and trouble, with diuers horse, aswell kept in the houses of your said Orator, and at his cost, as also abroad in his chofes and pastures, notwithstanding all which costs, troubles, and charges of your said Orator: Now so it is, if it may please your Lordship, that the said *K. W.* and *C. C.* being departed from the house of your said Orator, craftily, deceitfully, and unconscionably, refuse vtterly, and deny to giue any recompence or consideration to you said Orator for their meat, drinke, lodging, or other charges, contrary to all humanity, equity, and right. In tender consideration whereof, & for that your said Orator is without al helpe by the strict order & course of the common law, so that for the said tabling, lodgering, & charges, there was no certaine time, noz no certaine summe of money agreed vpon amongst the said parties, noz promised by the said *K. W.* & *C. C.* and that also the said agreement was betwixen themselves only without any witness. May it please your *L.* to grant vnto your said Orator the *M. Maiesties* writ of Subpoena, to be directed to the said *K. W.* and *C. C.* and your said Orator shall daily pray for your good Lordship &c.

The Demurrer of R. and W. defendants to the Bill of G. W. complainant.

The said Defendant by protestation, not confessing or acknowledging any thing in the said bill alleaged, materiall against this Defendant to charge him to be true, but rather denied and set forth only of purpose to put this def. to wrongfull veration, costs, charge, and expences in the law; for that before this time, that is to say, about the terme of Easter, in the 25 yeare of the raigine of our soueraigne Lady the Q. Maestie that now is, the said compl. unto this hon. Court of Chancerie, exhibited against this defendant a Bill, containing in effect the same matter which is alleaged in the Bill now exhibited, differing onely in forme, but nothing in substance, saving by adding some five acres, as the number of foure or five, as estimating one close in this Bill at foure acres, in the former estimated but at two; or thereabouts, and another close in this Bill now exhibited, at three acres, in the former estimated at two, or thereabouts, and putting some acres to some other closes, the which before were set downe without limitation or naming of any acres at all, being the selfesame closes and mesuage in the former Bill expessed, vsed, and occupied by the same title and name, and the same number of acres, now put in more of purpose, to give the said compl. some colour to exhibite this Bill, as though it were a new matter, although indeed it be nothing so. **W**herupon the former bill this defendant answered, and thereto the said compl. replied, and this def. rejoyned and so descended to Commission, wherein this defendant joyned with the said complainant, and named Commissioners for himselfe, as the said compl. named others for himselfe, and this defendant then bare halfe the charges of the same commission, as in such cases is vsed. And when the time came, that the same commission was to be sitten on, the said compl. foreclosed the same, neither gaue any warning to this defendant, nor laboured his owne Commissioners, that this defend. ever heard of, to meete for the execution of the same, but suffered the same to lay by the space of five or six termes, or thereabouts, as this def. remembreth: whereupon this def. for his owne expedition at his owne costs and charges, procured a commission for examination of witnesses in the matter directed to the selfe same Commissioners that the former Commission was, and gaue notice thereof to the said compl. and to one of his Commissioners, who agreed to meete at the day and place appointed, where this def. was present with his Commissioners and and witnesses, and one of the said complainants Commissioners was in the towne where the place was appointed the same day and time

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readie to haue executed the said Commission, if the said compl. would haue spoken to him therfore, as this def. was credibly informed, and the said compl. was there present at the same time and place, and did, or might haue spoken with him that was named Commissioner for him, who had a dwelling house in the same towne, being the towne of *D.* in the same countie: and then and there the deponents upon this def. behalfe were sworne and examined by and before these desen. then Commissioners, and some of them sworne in the presence of the said compl. And thereupon the depositions and examinations of the witnesses so sworne, were by these defendants; then commissioners, caused to be ingrossed in parchment, and certified into this hon. Court, and afterwards published, and after publication, this def. staid without doing any thing therein by the space of two termes, or thereabouts, during which time the said compl. did or said nothing at all in the said court touching the said suit, that this def. ever heard of. And then this def. caused the said depositions to be exemplified under the great seal of Engl. to his great charges, which he hath ready to shew to this hon. Court. And the said compl. being not contented with these causelesse verations of this def. Anone after that this complainant had obtained the said commission, the said compl. for this defendants further veration, conuainced suit against this def. in the Ecclesiastical court of the Archb. of Yorke, within whose diocesse the said lands and tenements in *D.* in the bill mentioned be, and where the said archb. of this compl. and def. died, upon furnished matters touching the supposed will mentioned in the said bill, whereupon this defendant to his great charges appeared and answered as behoued for the time, by himselfe and his procor, as is there vndall, which suite the said compl. relinquished also, as this def. thinketh, for he hath heard nothing therof these fy. moneths and more. And now the said compl. meaning nothing els but this def. trouble and molestation, hath renued the said suit in this hon. Court againe, which before he had in the same Court by the said first bil, containing the same matters in effect, and almost word for word, as in the same bill is mentioned, whereunto this def. hath already answered, as appeareth by the same answer remaining of record here in this Court; and the same proceeded upon both, as is aforesaid: wherefore this def. for the causes aforesaid, and for the said double veration in this hon. court by two bills, containing in effect but one matter in substance demurreth in law, and praieth, that he this def. may be dismissed out of this hon. court with his reasonable costs and charges in this suit wrongfully sustained.

A Bill for not surrendering a lease made by the Plaintiffe to the Defendant in trust, to trie a title, and for occupying, and wasting the tenth demised, and for detaining of writings of copyhold lands contrary to their agreement.

Humbly complaining, sheweth unto your Lordship, your daily Sect. 77.
 Orator J. K. of W. in the countie of P. yeoman; That whereas about fortie yeates now last past, one W. B. yeoman was lawfully seised in his demesne, as of fee, of and in one messuage, with the appurtenances in C. in the countie of P. and of, & in diuers lands, tenements meadows, pastures, & hereditaments thereunto belonging, being freehold land in C. aforesaid, & D. in the said countie of P. & he being there of such estate so seised about the first yeare of the raigne of the Q. Ma. ielike that now is, by his last will and testament in writing made, and written in the life time of the said W. B. did giue and bequeath the same to one E. then his wife, and now wife unto your said orator, for the time of her naturall life, the remainder thereof after her decease to one K. B. as by the said Will appeare, and afterward the said W. B. died of such his estate thereof, so as is aforesaid seised, by force of which Will and deuice, the said E. by and after his death entred into the said messuage or tenements, & was thereof lawfully seised in her demesne, as of freehold, for the terme of her life, the remainder thereof after her decease to the said K. B. in forme aforesaid belonging: and also wheras the said W. B. was in his like also seised, of, or in certaine copyhold or customarie lands; lying and being within the Manor of S. in the said C. of P. and holder of the said Manor by copy of the Court rolles of the same manor in his demesne, as of fee, according to the custome of the said manor, and he being thereof so seised died thereof so seised, by & after whose death the said E. his wife was endowd of the third part of the said copyhold or customarie lands and tenements, and according to the custome of the said Manor, admitted thereof tenant by the Steward of the court of the said Manor accordingly, by force wherof she likewise entred into the third part of the said customary tenements and premisses, and was therof likewise seised in her demesne as of freehold, as tenant in dower thereof, for the terme of her life naturall, according to the said custome, and quietly & peaceably occupied and inioyed the same untill about ten yerres now last past. Now that your said Orator through importunacie and earnest perswasions of some friends of the said J. T. and A. L. was contented in some manner to yield unto their suit, and thereupon for the furtherance and triall of the title and interest of the said J. T. about the 14. day of J. in the 26. yeare of the Quenes Maiesties raigne that now is, without any fine, income, or other consideration to him paid, but giuing credit unto

the speeches of the said J. T. and A. L. that they would seeke nothing at the hands of him your said Orator, but only vse the benefit of his present estate, for the resisting of certaine vnlawfull suits and attempts which were then offered (as they then affirmed) as by the said R. and others, did by this your said Orators Indenture of lease, bearing date about the said time demise, grant, and to farme let, to the said J. T. and A. L. all the said seuehold lands, tenements & hereditaments, with the appurtenances in C. 4. h. aforesaid. To haue and to hold the said tenements, and premisses, with the appurtenances, to the said J. T. & A. L. their executors and assignes, from the feast of S. M. the Bishop in winter last past, before the date of the said Indenture vnto the full end and terme of 21 yeeres thence next following, and fully to be complete and ended, if the said C. did so long liue, yeelding and paying therfore yeerely during the said terme of 21 yeeres vnto your said Orator, his executors, administrators, and assignes, 20 s. of lawfull English money, at the feastes of Pentecost, and S. Martin the Bishop in winter by euen portions, as by the same Indenture more at large appeareth: by vertue and proferece of which demise, the said J. T. and A. L. into al the said tenements and premisses, with the appurtenances, about the same time entred, and were thereof possessed, and euer since their entrie haue quietly and peaceably occupied and enioyed the said demised tenements & premisses, and the rents, issues, and profits thereof arising and coming, haue quietly and peaceably taken & conuerted to their owne only vse: which rents, issues, and profits of the premisses, euer since the making of the said leases, which is by the space of ten yeeres now last past, haue bin yeerely worth 4 l. at the least, ouer and aboue al charges and reyses. And in truth at the time of the making of the same lease, it was fully concluded and agtred by and between your said Orator, the said J. T. and the said A. L. and the said J. T. and A. L. in consideration of the making of the said lease to them by your said Orator in maner and forme aforesaid, and for the causes aforesaid, promised, that the said lease, and their said estate thereby made, should be surrendered and yeilded vnto your said Orator, when either the said suits were ended betwene the said R. and them, or either of them, or when they by vertue of the said lease had enioyed the same demised tenements, and premisses, by the space of one whole yeere, for then the same lease was so, as is aforesaid, made onely for the defence and triall of the said estate, right, and title of the said J. T. and A. L. of, and in the same tenements and premisses, and not to the intent that they or either of them should by reason of the same Indenture, according to the purport and tenor thereof, for the terme of 21 yeeres haue and enioy the same, for so small a rent, which neuerthelesse they haue done, and yet doe so

occupy and enioy the same, contrarie to their said faithfull promise and agreement, as is aforesaid, thereof made: and yet not contenting themselves with the said occupation of the said tenements &c. doe not only deny and refuse to yeeld vnto your said orator either the said yearly rent reserued vpon the said lease, or any other consideration for the occupying of the same, and vtterly deny to yeeld vnto your said orator any rent or consideration for the same, being so as aforesaid, behind by the space of ten yeeres: but also doe vtterly deny to yeeld vp vnto your said Orator their said estate and terme of yeeres yet to come, of, and in the said demised tenements and premisses according to their faithfull promises and agreement, so as is aforesaid made, and further since their said entrie in to the said tenements and premisses, they the said J. T. and A. L. or the one of them haue razed or defaced all or part of the houses, edifices, and buildings, which at the time of the making of the same lease were standing and being vpon the said demised tenements and premisses, and the thacke, slate, timber, and stone thereof, haue either giuen away or conuerted the same to their owne uses, without the consent of your said Orator, to the intent that the same tenements might so be made vnnuete for the habitation of your said orator, and his said wife, whereby they might the rather enforce your said orator for want of the said buildings, to yeeld the same vnto them, for little or nothing, by reason of the want of the said indenture, there being onely one part thereof made together, which with such copies as concerne the said copihold lands, are in the hands and possession of the said J. T. and A. L. or of any of them, or of some other persons by the deliuey of them, or of one of them, the certaine number, dates, contents, and other certainties whereof your said orator knoweth not: and albeit y your said orator hath diuers times in gentle manner required them the said J. T. & A. L. to deliuer vnto your said orator the said indenture and copies, and to yeeld vp and surrender vnto your said orator the said interest, of, and in the said demised tenements and premisses, according to the said agreement and trust, yet they so to doe, haue euer hitherto refused and denies, and yet doe deny and refuse to doe the same, and to yeeld vp and surrender the said estate of, and in the said premisses, according to the trust in them reposed, and to repaite and redifie the said tenements and premisses so by them razed, and pulied downe, as is aforesaid, against all right, equitie and good conscience, and against all good and honest dealing, and to the impouertising, and vtter vndoing of your said orator, and his said wife, if speedy remedie be not in due time by your honorable L. provided for the redressing of their said vnconscionable purposes and attempts in the premisses. In tended consideration whereof, and forso much as the said

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Indenture, conclusion promises, and agreements, so as aforesaid, had, and made, by, and betwene your said Orator and the said J. T. and A. L. concerning the premisses, were secretly made and agreed vpon, by, and betwene themselves, and few witnesses being priuie therunto, or present with them at the time of the making thereof, which might testifie the same, and those witnesses (such as they were) be now either dead, or vnto your said orator vtterly vnknewen, being at the same time more strangers vnto your said orator, & then brought thither by them the said J. T. and A. L. as it seemed, of set purpose to circumuent and deceiue your said orator, and his wife in the premisses, your said orator then referring especiall trust and confidence to the said J. T. and A. L. as persons whom he tooke and accounted to haue bin his very especial good friends, and also very substantiall honest men, is vtterly without all remedy by the strict course of the common Lawes of this Realme, of Eng. to recouer either the possession of the same tenements and premisses, or of the said rents, they hauing his said Indenture of lease as is aforesaid, or to recouer the copies: It may therefore please your hon. L. the premisses graciously considered, to grant vnto your said orator, the M. Walesties writ of Subpoena, out of her highnes Court of Chancerie, to be directed vnto the said J. T. & A. L. and either of them there, by commanding them, and either of them at a certaine day, and vnder a certaine paine therein to be limited, to be, and personally to appeare before your hon. L. in the said court of C. then and there to answer vnto the premisses, and to stand to, and abide such order & direction therein, as to your hon. L. shal be thought to stand with right, equity & good conscience. And your said orator shal daily pray vnto God for the preservation of your Honors prosperitie and good health long to continue.

A Bill by an Administrator vpon a promise made vnto the intestate by the defendant, to pay vnto him certaine money in marriage of the defendants daughter with one of the intestate sonnes.

Sec. 78

Complaining, sheweth to your honourable L. G. Earle of S. administrator, of the goods and chattels of the right hon. G. Earle of S. deceased his late father, That whereas about seuen yeres now last past, there was certaine communication betwene the said G. earle of S. in his life time, and one W. K. of K. in the countie of P. esquire, of, for, and concerning a marriage then intended to be made betwene H. T. Esquire, one of the sonnes of the said late Earle, and C. the onely daughter, and heire apparant of the said W. K. And thereupon it was fully concluded and agreed betweene the said late Earle, and the said W. K. and either party did mutuall promise, and agree to and with the other

other, that the said *H. T.* and the said *E.* daughter of the said *W. R.* should marry together, according to the Ecclesiasticall Lawes of this Realme of Engl. at a certaine day by the said parties, for that purpose agreed vpon and appointed. And for and in consideration of the said marriage to be made, as is aforesaid, the said *W. R.* about the same time did assume, and to the said late earle faithfully promise to pay and giue vnto the said late earle 4000 li. of lawfull Engl. money, or thereabouts, at certaine daies likewise in that behalfe betwene them agreed vpon, and now long since past, by reason of which agreement, promise, and assumption so made, as is aforesaid, the said *H. T.* did shortly after the said agreement, marry and take to his wife the said daughter of the said *W. R.* And thereupon the said *W. R.* did well and truly content and pay to the said late earle the summe of 3000 li. parcell of the said summe of 4000 li. or thereabouts. And shortly after and befoze he the said late Earle had receiued the residue of the said summe of 4000 li. he the said Earle died. Now so it is, if it may please your honourable *L.* that the said *W. R.* not ignozant of the premises, and nothing regarding his said agreement and faithfull promise and assumption, so as is aforesaid by him made, to and with the said late earle, but imagining and fraudulently intending, as wel the said late Earle in his life time, as your said *Orator*, being admini^r. of the goods and chattels of the said late Earle, since his death in this behalfe falsly and deceitfully to defraud and deceiue him of the summe of 1000 li. at the least, parcel of the said summe of 4000 li. or thereabouts by him agreed and promised to be paid to the said late *E.* as is aforesaid in consideration of the said marriage, although he the said *W. R.* hath oftentimes, as well by the said late *E.* in his life time, as by the now *E.* since his death vnr^rously required to haue paid the said summe of 1000 li. according to his said agreement, promise and assumption, yet that to doe, hath he euer hitherto denied and refused, and yet doth deny and refuse to doe the same, contrarie to his said faithfull promise & assumption, to the great losse and damage of the now *E.* and altogether against all right, equity and good conscience. Notwithstanding that the said late *E.* in respect of the said marriage, hath couied & assured vnto the said *H. T.* a good estate of inheritance, of diuers manors, land, tenements, and hereditaments worth 3000 li. by the yeare, or thereabouts, whereof the said *E.* his daughter is intituled to haue dower by law: In consideration whereof, and for so much as by reason of the great trust & confidence which the said late *E.* did repose and put in him the said *W. R.* the said agreement promise and assumption, so as aforesaid, betwene them made, was so made secretly and priuately betwene themselves onely, without calling any other persons or persons vnto them to be witnesses thereof which

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which might testifie the same agreement, promise, and assumption, so that for want of witnesses to proue the said promise and assumption, this compl. hath no remedie to recouer the same summe of 1000. li. by the due and strict course of the common Lawes of this Realme, nor otherwise to recouer the said summe of 1000. li. if the said W. R. in his answer to the premisses vpon his othe in this honourable Court shall not confesse the premisses to be true, as the complainant verely thinketh that he wil: It may therefore please your hon. Lordship, the premisses considered, to grant vnto this compl. the D. Maiesties writ of Subpoena, to be directed vnto the said W. R. thereby commanding him at a certaine day, and vnder a certaine paine therein, by your good L. to be limited, to be, and personally to appeare before your hon. L. in her Maiesties high Court of Chaucerie, then and here to answer vnto the premisses, and to stand to, and abide such order & direction herein, as to your hon. L. shall seeme to stand with right, equity, & good conscience. And your said orator shal daily pray vnto almighty God &c.

A Bill for entering into and detaining lands by colour of having execution thereof, and for contriving secret estates.

Sec. 79

In most humble wise sheweth and complaineth to your honourable L. your daily Orator T. G. of &c. That whereas one A. Bilate of W. atoresaid Esquire deceased, about 6. yerres now last past was in his life time lawfully seised in his demesne as of fee, of, and in one parcel of medow called the W. medow, containing by estimation two acres lying and being in W. in the said countie of &c. And the said A. G. so being of all and singular the said premisses seised, about five yeares now last passed of such estate thereof died seised. By and after whose death, all and singular the said premisses descended and came, as the same of right ought to descend and come to your said Orator, as brother and next heire to the said A. G. whereupon your said orator immediately after the death of the said A. G. entred into all and singular the said premisses, and was thereof lawfully seised in his demesne as of fee, and the issues and profits of al and singular the said premisses, did receive, percieve, and take to his owne vse, as lawfull was for him to doe: But so it is right honourable Lord, that about thre yerres now last past, al and singular the deeds, evidences, muniments, terrers, and writings, concerning the said premisses, and of right belonging to your said orator, by casual meanes are come to the hands and custodie of C. B. and W. G. who by colour of having the said deeds, evidences, muniments, terrers, and writings in their hands, haue not onely wrongfully entred into all and singular the said premisses, and expulsed and put out your
said

said orator, of, and from the same, but also have contrived and made diuers and sundrie fained and secret estates of the said premises, to diuers persons to your said orator vnknowne, so that your said Orator knoweth not againgst whom to bying his action by the due order and course of the common lawes of this realme, for the recouery of the said lands, meadowes, and premises, to the manifest disinherison of your said orator and his heires for euer, vnlesse your good L. accustomed fauor and speedy redress be vnto him shewed in that becalfe, and for that you said orator knoweth not the certaine number of the said deeds, euidences, muniments, terrors, and writings, nor the true dates of the, nor wherein the same, nor any of them be contained, whether in bore, bag, or chest locked, sealed, or open, he is also without his remedy by the due order and course of the common lawes of this Realme, for the recouery of the said deeds, euidences, muniments, terrors, & writings, vnlesse your L. help and speedy remedy herein be to your said orator extended: It may therefore please your honourable L. the premises considered, to grant vnto your said Orator the D. Maiesties most gracious writ of Subpœna, to be directed to the said C. B. and W. E. and either of them, commanding them and either of them thereby at a certaine day, and vnder a certaine paine in the said writ to be limited and appointed, personally to be & appeare befoze you ho. L. in the D. high Court of Chancerie, then and there to answer vnto the said premises &c. And further to abide such order and direction therein, as to your good L. shall seme to stand with equity and good consciencere. And your said orator shal daily pray vnto almighty God for the preservation of your honourable L. in good health long to continue.

A Bill that the Plaintife was seised in fee of Copihold lands, and agreed in consideration of mony payable at certaine daies, to lease the same to the defendant for yeares, as appeareth by articles, and that the defendant hath not paid the money, to the plaintifes losse and discredit.

Humbly complaining, sheweth vnto your honourable L. your dayly orator J. S. of B. in the county of P. gent. That wherco Sect. 80
vpon the 8. of Septemer in the 32. yeare of the raigne of the Duænes most excellent maiestie that now is, your said orator and A. his wife, as if the right of the said A. were, and yet be lawfully seised in their demeslie as of fee, according to the custome of the mannoz of S. in the Countie of B. Of and in one messuage or tenement in B. within the Chappelry of B. in the Countie of B. then in the teure or occupation of C. B. or of his assignes, And of diuers landes, meadowes, pastures,

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pastures, commons, profits, and commodities with the appurtenances thereunto belonging. And they being thereof seised, it was then concluded and agreed betwixne your said orator on the one partie, And J. D. and W. D. one the other partie, that your said orator and his said wife within one yeare then next ensuing, should surrender lawfully according to the said custome of the said manor of S. and to conuey vnto the said J. D. and W. D. their executors and assignes the said tenement and premisses to thuse of the said J. D. & W. D. their executors and assignes, from the feast of S. Michael the Archangell, which shall be in the yeare of our Lord God 1591. vnto the ende and terme of eleuen yeares then next following, with sufficient cartbote, hepbote, and hedgebote to be taken vpon the premisses, and for the yerely rent of ry. d. to be paid for the same at two vsuall feasts in the yere, and that in consideration thereof, the said J. D. & W. D. did then couenant and promise, to pay vnto your said orator the summe of 55. li. of lawfull English money in maner and forme following: that is to say, at, or befoze the feast of S. Michael the Archangel now last past 40 pounds of lawfull English money, and at, or befoze the feast of Martin the Bishop now last past 15. li. thereof residue, as in and by certaine articles indented, vnsealed thereof made betwixne them, bearing date the said 18 day of September, in the 32 yeare aforesaid, amongst diuers other things plainly appeareth: But now so it is, if it may please your honozable Lordship to vnderstand, that the said J. D. and W. D. their promises and assumption aforesaid not regarding, but imagining, and fraudulently intending your said Orator in that behalfe falsly and deceitfully to deceiue and defraude, the said 55 li. nor any peny thereof, though oftentimes by your said Orator gently required to make paiement thereof, according to their promise and assumption aforesaid haue not paid, nor haue in any wise contented your said Orator, by meanes whereof your said Orator hath not onely forborne and lost great gains and profits, which he might haue gotten with the said 55 li. by lawful bargaining, buying & selling, if the said J. D. and W. D. had paid the same according to their promises, but also hath thereby been greatly hindred in his credit to diuers persons to whom he was indepted, in seuerall summes of money, and vnto whom he your said orator promised and became bound himselfe by obligation to haue paid the same, at diuers daies now past, vpon hope of the fulfilling and performance of their said promise, assumption, and agræment aforesaid, which is to the grieuous losse and damage of your said Orator, and altogether against al right, equity, and good conscience: In tender consideration whereof, and forsomuch as the said conclusion, promise and agræment was so priuately, and secretly made betwixen your
said

said orator, and the said J. B. & P. B. that no other persons were then present which can testifie the same, so that your said orator for want of due proof thereof, hath no remedy by the vsuall course of the common Lawes of this Realme to recover the same, nor otherwise, if they the said J. B. and P. B. in their answers to the premises in this honourable Court shall not confesse the truth of the premises to be, as is aforesaid, as your L. said orator verely thinketh they wil: It may therefore please your honourable Lordship, the premises graciously considered, to grant vnto your said orator the D. Maiesties writ of Subpoena, to be directed to the said J. B. and P. B. therby commanding them, and either of them, at a certaine day, and vnder a certaine paine therein to be limited by your good L. to be, and personally to appeare before your good L. in her Maiesties most high Court of Chancerie, then and there to answer to the premises, and further to abide such order & direction therein, as to your good L. shall seeme to stand with right, equity & good conscience. And your said orator shall daily pray vnto almighty God for the preservation of your honoz in good health long to continue.

An answer and demurrer to the same Bill.

The said defendants, and either of them making protestation, and not any waies confessing any thing in the said Bill of compl. contained to be true, in such maner and soyme, as in the same it is thereby set forth & declared, do further say, that the same are altogether devised and contrived of malice, or set purpose, to put these said defendants to wrongfull vexation, great trouble, & expences in the law for following of the same as they are probably induced to thinke, and without any iust ground or reasonable cause by them giuen vnto the said complainant so to do, in which respect, and for because that it evidently appeareth by the said Bill, that if the said complainants allegations were true in such maner and soyme, as in the said bill they are set downe and declared, as these def. verely thinke, and are surely perswaded they are not, the said compl. hath good remedy, and ought to sue for the same by way action, at, and by the common law of this realme, and not in this hon. court, as these def. and either of them take it. And for the other apparant insufficiencies in the said Bill of compl. contained, the said defend. and either of them demurre in law, and demand iudgement, whether they shall make any further answer vnto the said insufficient bill of compl, and doe further pray to be dismissed out of this honourable Court, with their costs and charges, in this behalfe wrongfully sustained: And yet neuerthelesse, if the said defend. or either of them shall be compelled by the order of this hon. Court, to make any further or
other

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other answer to the said vnttrue and vnsufficient bill of complaint: then they and either of them for the satisfaction of this hon. Court, in the truth of all the matters in the said bill most vntrely obiected by the complainant, against the said def. for further and full answer thereunto, and for plaine declaration of the truth therein: They the said def. and either of them say, that true it is indeed, that there was a certaine speech or communication had betwene the said complainant and these said defendants for such a bargaine to be had and made betwene them in such sort, for the lease and payments, as they are by the said bill alleaged, the which said communication was then set downe in certaine articles bearing date, in the said complainants Will alleaged. And it was then also most materiall, for these said def. further couenanted and agreed on the part of the said complainant, that that said communication should be by him the said compl. put in writing by deede indented, and according to the Law be executed by sealing and deliuering thereof, as these said def. then did, and yet do take it, and moreover, that the said compl. and G. B. of C. in the Countie of D. Esquire, should become bound iointly and seuerally vnto the said defen. for the true performance of all and euery the said agréments, in the summe of 100. li. before the payment of the said summe of 40. li. in the said bill mentioned, being the first payment which they should haue made, the which said communication as the said defendants did account it, was then set downe in writing vnder the terme of articles of agrément, but yet neuer meant to conculde or bind the said bargaine, vntill the same should haue bin ingrossed, sealed and deliuered, and the said oblig. entred at the said compl. costs and trauell, as the said defen. haue ever taken it, and thinke the same wil proue so in law, because it was referred to further writings more effectually in the law to be accomplished by the said compl. the which to doe, he neither yet hath, neither as it seemeth meant to performe, but rather to gaine the said defen. money, without any assurance thereof to be made vnto them, for that he hath not caused the said articles to be ingrossed, neither hath he and the said G. B. entred into bond to the said def. or either of them according to the said agrément, but wholly sought, if by any means he could, cunningly to possesse himselfe of the said summe of 55. li. or of so much therof, as he could without any assurance making, or entring into bond to the said defendants (as aforesaid) to the great impouertisement of the said defendants, if the said complainants intent had taken effect, for which causes they the said defendants thinke that the said complainant hath no iust cause of complaint, neither are they the said defendants or either of them bound, as they take it, to performe the said payments in the said bill exprest, without that, that the said agrément was priuately and

secretly

secretly made betwene the said complainant, and the said defendants as in the said bill is most vntuely alleaged, or that the said defendants euer meant any fraud or guile, as likewise in the said bill is verie slanderously pretended. And without that, that any other matter or thing in the said Bill of complaint conteyned, materiall or effectuall in the law to be answered vnto, and in this their answer not sufficiently answered vnto, confessed, and auoided, trauesed, or denied, is true, all which matters, these defendants and either of them are ready to auerre and proue as this hon: Court shall award, and pray that they may be dismissed out of the said Court, with their reasonable costs and charges in that behalfe wrongfully, and without cause sustained.

The Replication of Io.S. complainant, vnto the ioint and generall answers and demurrers of I. M. and P. M. defendants.

THe said complainant for replication saith, in all and euery thing Sect. 82.
and things, as he in his said bill of complaint hath said, & doth and will auerre, iustifie, and maintaine his said bill of compl. and all & euery thing and things, clause, sentence, article, and allegation therein contained, to be good, iust, and true, certaine and sufficient in the law to be answered vnto by the said defendant, and deuised and exhibited into this honorable Court, vpon good and iust cause of suit, as in and by the said bill is most truly set downe and inclosed: And not deuised, imagined, and set forth by this complainant against the said defendants vpon malice or set purpose, to put these defendants to wrongfull and very vniust veration, costs, charges, and suit in law, without any good ground or cause so to doe, as in the said answer it is vntuely alleaged. But the said complainant saith, that the answers of the said defendants are very vncertaine, vntue, and insufficient in the law to be replied vnto for diuers and manifest imperfections therein conteyned. Neuerthelesse, if by the order of this honorable Court this complainant shall be compelled to make any further replication vnto the said vntue, incertain, and insufficient answers of the said defendants, then and not otherwise, the aduantage of exception, to the manifest incertaintie and insufficiency thereof to this complainant, at all and euery time and times hereafter saued, for further replication thereunto, sayth, as in the said bill of complaint he hath said, without that, that at the said time of the making of the said agreement in the saide Bill and answer mentioned, it was further couenanted and agreed on the part of the said complainant, that the said communication should by the said complainant be put in writing by deed indented, and according to the law be executed by sealing and deliuerie thereof. And that

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this complainant, and the said G. B. Esquire in the said answer named, should become bound jointly and severally unto the said defendant, for the true performance of all and euerie the said agreements in the summe of 140.li. in the said bill mentioned, being the first payment which they should haue made, as in the said answer it is verie vntruely alleaged, with this, that this complainant doth and will auerre, and proue that the said communication in the said bill and answer mentioned, set downe vnder the terme of articles of agreement, was euer meant to conclude and bind the said. bargaine, the same not referred to any further ceremony of ingrossing, sealing, and deliuerie, or entring into the said obligation by the said complainant, or G. B. at the costs and trauell of the foresaid complaynant, and the said G. and this complainant also saith that the same agreement was then fully and absolutely made, and not referred to any such further writing more effectually in the law, to be fully accomplished by the said complainant, as in the said answer it is coniecturally and vntruely suggested, and without that, that this complainant, and the said G. B. or eyther of them haue meant to gaine the said defendants money, without any assurance made of the tenements in the said bill mentioned to the said defendants, or wholly sought by any meanes he could, cunningly to possesse himselfe of the said summe of fiftie pounds, or of so much thereof as he could, without any assurance making, or entring into bond to the said defendants, as aforesaid, to the great impouerishment of these defendants, if the complainants intent had taken effect, as in the said answer is vntruely surmised. For this complainant saith, that euer since the making of the said bargaine and agreement, he and the said G. B. haue, and yet are ready to performe and doe, whatsoeuer they did then bargaine and agree to doe, by the same articles, as vnto this honourable Court, shall be truely and sufficiently proued, and this complaynant also saith, that he hath iust cause of complaint, and that the said defendants are bound to performe the said payments in the said bill of complaint mentioned, which he hopeth they shall be compelled to do, by the order of this honourable Court. And without that, that any other matter, thing or things, clause, sentence, article or alleagation, in the said answer conteyned, materiall, or effectually in the law, to be replied vnto, by this complaint, and not herein in this his replication by this complaint sufficiently replied vnto, confessed and annotated, denied or trauersed is true. All which matters this complainant is readie to auerre and proue as this honourable Court shall award, and prayeth as he in his said Bill of complaint hath prayed.

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A Bill for money lent without specialtie and witnesse.

To the right honorable Sir T. B. &c.

In most humble wise complaining, sheweth unto your honourable Sect. 83
 Lordship, your daily Orator E. C. of Ahebourne, in the Countie of
 Darbie, gentleman, That whereas your said Orator by way of prest,
 at the feast of P. in the 18. yere of the reigne of our Soueraigne Lady
 Elizabeth by the grace of God, of England, France, and Ireland, Q.
 defendresse of the faith, &c. did deliuer unto E. C. of A. in the countie of
 P. yeoman, the summe of 20. li. of currant English money, to be paid
 unto him your said orator, at or befoze the feast of S. Bar. the Apostle
 then next ensuing: Now so it is, that although your said orator hath
 many and sundry times required payment of the said 20. li. yet not-
 withstanding, he the said E. the same 20. li. to your said orator hath not
 yet paid, to the great losse and hinderance of him your said orator. And
 fozebecause your said orator hath not any specialtie or witnes to proue
 the deliuerie of the said 20. li. he is therefore thereof without remedie
 by order & course of the common Lawes of this Realme, and is vtterly
 like to lose the said summe, contrarie to all equitie, good conscience, and
 true dealing, vnlesse your honozable L. fauor and lawfull aid be herein
 shewed. In tender consideration whereof, may it please your honozable
 L. the premises considered, &c.

The Answer of the said Bill.

The said defendant saith, That the said Bill of Complaint is very Sect. 84.
 vnttrue and insufficient in the Law to be answered vnto, foze diuers
 apparent matters therein contained, & that the same is deuised by the
 said complainant, and exhibited into this honourable Court of more
 malice and euill will, to the intent to put this defendant to great char-
 ges and expences, without any good matter, or iustt cause, or colour of
 cause so to doe: And that if the said supposed matter were true, as in-
 dede it is not, yet were the same determinable at and by the common
 Lawes of this Realme, and not in this H. Court, whereunto this defen-
 dant prayeth to be dismissed, with his reasonable colles and charges in
 this behalfe wrongfully sustained: without that, that the said com-
 plainant by way of prest at the feast of Pentecost, in the said 23. yere
 of the Quenes Maiesties roigne, or at any other time did deliuer vnto
 this defendant the said summe of twentie pounds, to be paid vnto him
 at, or befoze the said feast of Saint Bartholomew the Apostle, as in
 the said Bill is supposed. And without that, that the said complainant
 many and sundry times required payment of the said twenty pounds,
 as in the said Bill is likewise vntruelly supposed. And without that,

D d 2

that

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that any other matter, thing, or things, clause, sentence, article or allegation in the said bill contained materiall or effectuall in the Law to be answered vnto, and not herein in this his answer sufficiently confessed and auoided, denied or trauesed, is true. All which matters &c.

A Bill of deteining Bonds and Bills paid, praying an Iniunction to stay suite thereupon.

To the right honourable Sir C. H. Knight of the noble order of the Garter, and Lord Chauncellor of England.

Sec. 85

Humbly sheweth vnto your good Lo. J. L. of S. in the dale, in the Countie of D. Esquire: That whereas your said suppliant did long tithence in his fathers life time at diuers seuerall times (the certaintie whereof your Lo. said orator doeth not now remember) vpon some occasion that he then had to vse moze money then he had then in store, did borrow and take to lone of one K. S. of S. in the said county of D. yeoman, diuers summes of mony, vpon receit whereof, your Lo. said suppliant did alwaies deliuer vnto the said K. S. either sufficient obligations of double the summe borrowed, or else his the said J. L. your Lo. said suppliants single bill obligatorie, for repayment of all such summes of money as he then borrowed at such times as were then agreed vpon betweene them. And amongst the rest, your Lordships said orator did about twenty yeres since, as he now remembreth, borrow of the said K. S. the summe of xx. l. for the repayment wherof at a certain day therfore then agreed vpon betweene them, your L. said suppliant did then deliuer vnto the said K. S. his bill obligatorie for his sufficient assurance thereof, the which said twenty pound, like as also all the other summes of money so borrowed by your L. said suppl. as is aforesaid the said J. L. your L. said suppliant, hath most certainly now long tithence repayed vnto the said K. S. at such time as he the said K. S. was wel therewith contented, as well in full discharge of the said bill obligatorie of xx. l. as of all the other bonds and writings so entred into by your Lo. said suppliant as is aforesaid: and in respect that hee the said K. S. had not the said bill obligatorie for the said xx. l. ready to be cancelled and redeliuered at the said repayment of the said xx. li. he the said K. S. did then very faithfully promise vnto him y made the said repayment, that he the said K. S. would assuredly cancel the said bill obligatorie, whensoever the same should next come into his hands: But so it is, if it may please your good Lo. that the said K. S. hath lately put the said bill for the said xx. li. in suit, as your Lo. said suppliant is credibly informed,

informed, meaning to be double paid for the said xx.li. in the said Bill mentioned, against all equitie and good conscience: In consideration whereof, and for as much as your L. said Orator hath no remedie at the common Law, either to recover the said Bill obligatorie for the saide summe of xx.li. from the said K. S. or otherwise to plead in discharge thereof. And forsomuch as the said K. S. hath diuers other the said obligations and writings yet remaining in his handes, which are likewise satisfied, and which he hath promised to deliuer vnto your L. said suppliant at diuers times now long sithence passed, the which to doe, he hath hitherto not fulfilled, and in verie good sort by your L. said Orator, and his seruants oftentimes required, for like recouerie or discharge whereof, your L. said suppliant standeth likewise destitute by the strict course of the common lawes. It may therefore please your good L. to award aswell the M. Maiesties most gracious writ of Injunction, to be directed vnto the said K. S. and all and euerie of his Counsellors, Attornies, Solicitors, and Factors, commanding them and euery of them therby at a certaine day, and vnder a certaine paine therein to be set downe by your good L. no further to proceed in the suit vpon the said xx.li. bill, vntill your L. shall haue taken further direction therein, as also the M. maiesties writ of Subpoena to be directed to the said K. S. commanding him thereby &c.

A Bill to examin witnesses in perpetuam rei memoriam, touching a lease to be made in trust by the plaintife to the defendants.

To the right Honorable Sir C. H. Knight, Lord Chancellor of England.

In most humble wise complayning, sheweth vnto your Honourable Sect. 86.
 Lordship, your suppliant and daily Orator, T. B. of B. in the county of P. esquire: That whereas your said Orator about five yeares now last past, was, and yet is lawfully seised in his demesne as of fee, of, and in one messuage or tenement called B. and of diuers landes and grounds thereunto belonging, or with the same commonly vsed or occupied, lying and being within the Lo: of P. in the Countie of P. and he being thereof so seised, vpon speciall trust & confidence which he then reposed in one W. G. of B. in the countie of P. and M. his wife, by his deed sufficient in the law, did demise, graunt, and to ferme let vnto the said W. G. and M. his wife, when she the said M. was sole and vnmarrried, the said messuage, tenements, and premises, To haue and to hold the same vnto the said W. and M. from the end and expiration of one lease then enduring, and now ended, which the saide

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W. C. then had in the premises for the terme of xxi. yeres thence next following, fully to be compleate and ended: which said lease was not only meant and intended to be to the vse of your said orator, but also at the time of the making hereof it was so declared and expessed, as well by your said Orator, as by the said W. and P. in the presence of diuers witnesses, & not to the vse of the said W. and P. as your Orator shall be able plainely to proue in this H. Court, which notwithstanding by the sinister perswasion, confederacy & procurement of one W. L. of C. in the county of D. yeoman, they the said W. and P. do challenge and claime the said lease to be to their owne vse and behoefe, contrary to the foresaid trust so reposed by your said orator in them the said W. C. and P. and contrary to the foresaid vse thereupon expessed, at the time of the sealing and deliuey of the foresaid lease by your said Orator vnto them as is aforesaid. And forasmuch as the foresaid lease in writing is absolute, without any vse expessed or declared in the deed of the same, And also seeing such witnesses as your said orator hath for the proufe of the foresaid vse declared (at the time of the sealing and deliuerie of the foresaid lease) are now very aged & impotent, & not likely to liue long, and doe inhabite and dwell within the countie of P. and are not able to trauell to the city of London, & if they should chance to die befoze they be examined concerning the premises, then were your said Orator without all remedy for proufe of the foresaid vse and trust so by him reposed in the said W. C. and P. his wife, (except by your good L. it be granted vnto him, that he may haue a commission directed vnto such persons, as to your L. shalbe thought meet, inhabiting in the said county of P. for the examining of the foresaid witnesses, in ppetuam rei memoriam, for the proufe of the foresaid vse & trust reposed by your said Orator in the said W. C. & P.) May it therfore please your most hon. L. the premises graciouly considered to grant to your said Orator &c.

A Bill upon promise, safely to deliuer Sheepe to the Plaintife, by one whose Executor the Defendant is; which Testator and Executor conuerted the said Sheepe to their owne vse, with an answer to the said Bill, and replication thereunto.

To the Queenes most excellent Maiestie, in her Highnes Court of Chancerie.

Memor. This direction is when there is neither Lord Chancellor, nor Lord Keeper.

Sec. 87.

Humbly complayning, sheweth vnto your Maestie, your faithfull Subject W. P. of P. in the county of L. Gentleman, That whereas
about.

about the month of April, which was in the yere of our L. God 1590. one *H. S.* was lawfully possessed of 121. ewes, and 121. lambs, as of his owne proper goods, and he being of them so possessed, about the same time did sel the same vnto your Maiest. said subiect, for the sum of 50. li. of lawful English money or thereabouts to him paid by your said subiect: by force of which bargaine your said subiect was of the said shep lawfully possessed, as of his owne proper goods, and he being thereof so possessed, it was the agreed betwixen your said subiect, and the said *H. S.* and one *G. C.* of *A.* in the county of *H.* husbandman, y the said *H. S.* should deliuer the same shepe to the said *G. C.* to be safely kept by him to the vse of your said subiect, to be brought and deliuered to your said subiect, at your said sub. his dwelling house in *H.* aforesaid, in the said county of *L.* And therupon the said *G. C.* in consideration thereof, and in consideration of 40. s. to him by your said subiect to be paid at the deliuey of the said shep, in sozin aforesaid, did then assume vpon himselfe, and to your said subiect did faithfully promise, y if the said shepe were deliuered vnto him, according to the said agreement, that then he the said *G. C.* would well and safely keepe the same, and bring and deliuer them, or cause the same to be brought and deliuered vnto your said subiect at his said house in *H.* aforesaid, within a certain time after that he should receiue the same: which time is long sithence past. And your highnesse said subiect further saith, that about the first day of *M.* next ensuing the said agreement and promise, all the said sheepe were deliuered vnto the said *G. C.* at *A.* aforesaid, according to the said agreement. But so it is, if it may please your excellent Maiestie, that the said *G. C.* in his life time imagining and fraudulently intending your said subiect in this behalfe craftily and subtilly to defraud and deceiue, did not onely deliuer vnto your said subiect the said sheepe, nor any of them, according to his said faithfull promise and assumption: but contrariwise did take and conuert a great part of them to his owne proper vse, selling some of them to diuerse persons to your said subiect vnknownen for diuerse sums of money, conuerting the same to his owne vse, and killing sundry other of them in his house. And shortly after made his last will and Testament in writing, and therof constituted one *R. C.* his brother his executoy, and died possessed of the said residue of the Sheep. After whose death the said *R. C.* proued the foresaid Testament, and also toke vpon him the burthen & charge of the execution thereof, and by pretence thereof the said residue of the said fivescore and one Ewes, and fivescore and one Lambes, being about fourscore Ewes, and threescore lambs, worth thirty pounds and about, came to the handes and possession of the said *R. C.* who imagining and fraudulently intending your saide subiect in this be-

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halfe subtilty of the said sheepe to defraud and deceiue, hath in like manner solde the most part of the said ewes and lambes, so comen to his hands and possession, to diuers persons to your said subiect vnknowen, so; diuers summes of mony betwē them agreed vpon, and the mony thereof arising hath conuerted to his only vse and behoofe: and albeit your said subiect hath diuers times comen vnto him the said R. C. since the death of the said G. C. gently requiring him either so deliuer vnto him your said subiect such and so many of the said sheepe, so as is aforesaid, comen into his handes and possession, or the value thereof, which very value of such other sheepe, as the said G. C. had in his life time so as is aforesaid conuerted to his owne vse, yet the said R. C. notwithstanding that after the death of the said G. C. the goodes and chattels, which were the said G. C. at the time of his death, sufficient both to discharge, pay, and performe, all the debts and legacies of the said G. C. and to satisfie your maiesties said subiect of and for such, and so many of the said sheepe as came to the handes of the said G. C. and neuer came to the handes, custodie, or possession of him the said R. C. hath euer hitherto denied and refused, and yet doth deny and refuse to yeld vnto your said subiect any satisfaction or any recompence at all, either for the said sheepe, so as is aforesaid, conuerted to the onely vse of the said G. C. in his life time, so as is said, either conuerted to the vse of the aforesaid R. C. after the death of the said G. or by him the said R. still vniustly detained and holden from your said subiect, which vniust dealing of him the said R. C. is to the grieuous losse and damages of your said subiect, and altogether against all right, equitie, and good conscience. In tender consideration whereof, and so; somuch as the said promise of the said G. C. so as is aforesaid made for the deliue-ry of the said sheepe as is aforesaid, was so made in the presence and hearing of the said R. C. and of certaine other witnesses, which be now all dead, but the said R. C. insomuch as for want of such p;ofe as is requisite in that behalfe, he your said subiect is without all remedy either to recouer the said sheep, or any recompence for the same, either by the strict course of the common lawes of this realme, or in this honozable court, otherwise then by the parties owne confession vpon his oath in this honozable Court, which your said subiect verely doth imagin and thinke that he will confesse to bee in such sort, as is here aforesaid. It may therefore please &c.

The answer of R. C. to the Bill next before.

sect. 88

The said defendant by protestation not acknowledging or confessing the matters in the said bill of complaint contained to be true, in such maner and so;me as in the same they be set forth and alleadged, saith,

saith, that the said bill of complaint is very untrue, incertaine, and insufficient in the law to be answered vnto, and the matters therein surmised, are enuiously deuised, and vnconcionably contriued, imagined and set forth, only of purpose to bere and molest this defendand vniustly, and to put him to great trauell, expences and charges of suite, and that without any iust cause or good matter, as this defendand hopeth he shall proue vnto this honozable court, neuerthelesse the aduantage of exception to the insufficiency, and vncertainty of the said bil of complaint, and all other aduantages to this defendand at all times hereafter saued, the said defendand for answer vnto the said bill of complaint saith, that he doeth not certainly know, neither is hee as he thinketh, compellable to take notice, whether one H. S. in the bill named, being about the moneth of April, in the yere of our Lord God 1590. lawfully possessed of firecoze and one ewes, and firecoze and one lambes, as of his owne proper goods, did sell the same vnto the said complainant, for the summe of fittie pounds, as in the said bill is supposed, or whether the said complainant, being lawfully possessed of the said sheepe, as of his owne proper goods by force of such bargaine, there were any such agreement betwē the said complainant, and the said S. and one G. C. of A. in the County of P. for the deliuey of the said sheepe to the said G. to be safely kept to the complainants vse, and to bee deliuered to the complainant at his dwelling house in H. in the Countie of L. as in the said bill is suggested, this defend. as hee thinketh, is not bound now to take notice, being then a stranger thereunto, or whether the said G. C. vpon the former part of the insufficient consideration grounded vpon the premises, or for, in, or vpon the latter, being a lame, blanke and imperfect, or rather no consideration, there naming nihil omnino to be by the said complainant payed vnto the said G. C. did assume and faithfully promise vnto the complainant safely to keepe and deliuer the said sheep, as in the said bil is alleadged, but this defendand saith, that if the assumption be grounded vpon any good consideration, then the complainant might haue his remedy at the common law, if he had any iust cause. And therefore this defendand, as he thinketh, might very well demurre the Lawe vpon the said bill, and demanda iudgement, if he shall be by this honozable Court compellable to answer the complainant any further. Neuertheles, soasmuch as this defendand hopeth that the said complainant shall neuer be able to proue his subtil supposed suggestions in the said bill set forth, and alleaged, for further answer vnto the said bil, saith, that true it is, that the said G. C. in the said bil mentioned, made his last Will and Testament in writing, and therof constituted this defendand his executor, and died, without that, that the said G. C. in his life time, imagining, and fraudulently

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duleently intending the said complainant in that behalfe craftily and subtilly to defraud and deceiue, did not only, not deliuer vnto the said complainant the said sheepe, noz any of them, according to his said faithfull promise and assumption, but contrariwise did take and conuert a great part of them to his owne proper vse, selling some of them to diuers persons to the said compl. vnknown, for diuers summes of money, conuerting the same to his vse, and killing sundry others of them in his house, and died possessed of the residue of the said sheepe, as in the said Bill is vntreuly and vncharitably alleadged against the said G.C. being now dead. For this defendant verely doth thinke and imagine in his conscience, if such sheepe were deliuered to the said G.C. to bee kept and deliuered as is aforesaid, that then the said G. did in his life time well and truly deliuer the aforesaid sheepe accordingly: without that, that after the death and departure of the foresaid G.C. the possession of the said residue of the said fire scoze and one Ewes, and fire scoze and one Lambes, being but the full number of foure scoze Ewes, and thre scoze Lambes, worth thirty pounds and aboue, came to the hands and possession of the said R.C. now defendant, who imagining, and fraudulently intending the said complainant in that behalfe craftily & subtilly of the said sheepe to defraud, and deceiue, hath in like maner sold most part of the said Ewes and Lambes so come to his hands and possession, to sundry persons to the said complainant vnknown, for diuers summes of money betwæne them therfore agræd vpon, and the money thereof arising, hath conuerted to his onely vse and behoufe, as in the said bill of complaint is very falsly surmised, set forth, and alleadged. And without that, that any other matter or thing in the said bill materiall, to be answered vnto, and in this answer not sufficiently answered, confessed, and auoided, traucted, or denied, is true. All which matters, &c. and prayeth, &c.

The Replication of W.P. Complainant, to the answer of R.C. Defendant.

Sec. 89

The said complainant for replication saith in all and euery thing and things, as he in the said bill of complaint hath said, and doth and wil auerre, iustifie, maintaine, and proue his said bill of complaint in all and euery matter, thing and things therein contained to be good, iust, and true, certain, and sufficient in the law to be answered vnto by the said defendant in such maner and forme, as they be in the same most truly set forth and declared, & not enuiously deuised, noz vnconscionably contriued, imagined, and set forth, only of purpose to vex and molest this defendant vniustly, and to put him to great travell, expences and charges of suit, and that without any iust cause, or good matter

as

as in the said answer it is by the said def. vntreuly surmised. And this compl. further saith, that the said answer of the said defend. is very incertaine, vntreue, and insufficient in the law to be replied vnto by this complainant, for diuers apparant faults and imperfections therein contayned, And namely in this, that the said complainant, being in, and by the said bill of complaint, charged to haue had in his hands and possession, diuers of the said sheepe, in the said bill mentioned, doth in his said answer neyther confesse no; denie the hauing therof, as by the said answer it appeareth, so that in reason he ought to be compelled by the order of this honourable Court, to make a better and moze certaine and perfect answer vnto the said bill of complaint, Neuerthelesse, this defendant sauing vnto himselfe, at all times hereafter, all aduantage of exceptions to the manifest incertaintie and insufficiencie of the said answer for further replication thereunto, also further saith, that the said consideration in the said bill of complaint conteyned, is very sufficient to maintaine the said suit in this honozable Court, albeit that no other thing had bene departed with, on the part of this complainant, but onely the credite and deliuerie of the said sheepe, vnto the hands of the said G. C. and yet this complainant hopeth to proue, that there was giuen vnto the said G. C. for and on the behalfe of the said compl. very good matter of consideration for keeping and conueying of the said sheepe, as in the said bill is alleaged. And further this repliant doth, and will also auerre and proue, that diuers of the said sheepe since the death of the said G. C. haue come to the hands and possession of the said defend. which haue been vnlawfully conuerted to his owne vse, against all right, equity, and good conscience, without that, that any other matter, thing or things, clause, sentence, article, or allegation in the said answer contained materiall or effectuall in the Law, to be replied vnto by this compl. and not herein befoze in this his replication sufficiently replied vnto, confessed, and auoided, denied or trauesed, is true. All which matters this compl. is ready to auerre and proue as this honozable Court shal award. And prayeth as he in his said bill hath prayed.

A Bill for a debt vpon a contract without witnesses.

In most humble wise complayning, sheweth vnto your Hon. your Sect. 90.
 I pzoze and daily Drato; T. B. of C. in the countie of Derby Herce, That whereas about two yeres now past, one T. G. of B. in the countie of W. Gentleman, bought of your said Drato;, twelue yards of linnen cloth, pzeice xx.s. and diuers other wares & merchandizes amounting in the whole to the value of twenty markes, or thereabout, for payment whereof the said T. G. earnestly required your said Drato; to so; beare him the said T. G. for y^e space of a month or therabout, then
 next

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next following. And for the said T. G. did then faithfully assume and promise to pay the said debt, unto your said D^rato^r at the moneths end, your said D^rato^r trusting to his bare promise, deliuered unto the said T. G. the said cloth, wares, and merchandises, without taking any specialtie or other securitie for payment of the foresaid money. Now so it is, if may please your honourable V. that the said T. G. perceiving that your said D^rato^r can by no order of the common lawes of this Realme recover the said money for want of specialtie or witnesses to prove the said assumption and contract, being very lately by your said D^rato^r requested to pay the said money according to his said promise, yet neuertheless the said T. G. hath plainly affirmed and answered, that your said D^rato^r shall not have one peny thereof, which if it should so passe without reliefe to your D^rato^r herein, would turne to the great impouderment and damage of your said D^rato^r, who hath ouer many such debto^rs. In consideration whereof, the premises tenderly considered, and for as much as your said D^rato^r is without all remedie for the recouerie of the same by the strict order of the common lawes of this Realme, for want of specialtie or witness, as aforesaid: **Pay** it therefore please &c.

The Answer, and demurrer of the same.

Sect. 91.

The said defendan^t saith, that the said Bill of complaint is verie vncertaine, vntrue, and insufficient in the Law to be answered vnto by this def. for diuers apparant matters and causes therein containd, deuised, and exhibited into this honourable Court, as this def. verily thinketh by the sinister aduice and perswasion of P. C. Atturney at the common law, of malice and euill will, to the intent to put this def. to vniust trouble and veration, That he the said P. C. may thereby gaine, by solliciting of this said matter in this Honourable Court, and not vpon any iust cause so to doe. And further saith the said def. That if the said matters mentioned in the said Bill of Complaint were true, as they be not indeed, yet were the same determinable and to be determined, at, and by the common Lawes of this Realme, and not by this Honourable Court, whereunto this defendan^t prayeth to be dismissed with his reasonable costes and charges wrongfully sustained hereabouts. Neuertheless, if he this defendan^t be compelled by this Honourable Court to make any further answer vnto the said vncertaine, vntrue, and insufficient Bill of Complaint, Then (and not otherwise) the aduantage of exception, to the manifest incertaintie and insufficiencie of the said Bill of Complaint to this defendan^t alwayes saued: For further answer thereunto, and for a full and plaine declaration of the truth, touching the materiall contents of the said Bill

of complaint (if any such be) he this defendant saith, That true it is in
 dede, that about thre yeares now last past, This said defendant or
 some of his seruants to his vse, did receiue of this complainant twelue
 yards of linnen cloth, halfe an ell of cloth, one quarter and an halfe of
 cloth, and two skaines of threed, which he thinketh to be parcel of the
 said wares in the said bill mentioned, & supposed to be bought by this
 defendant of the said complainant, which said wares were so receiued
 by this defendant or to his vse, as is aforesaide, to the intent that this
 defendant should pay to the said complainant, so much money for the
 same as should bee reasonably agreed vpon by this defendant, and the
 said complainant, which said bargain and agreement, this defendant
 is, and euer hitherto hath bin ready to haue performed, without that,
 that the said defendant about two yeares now last past, did buy of the
 said complainant, the said twelue yards of linnen cloth, at, and for the
 said price of 22.s. or the said halfe elle of cloth for the said price of y.s.
 viij.d. or the said quarter and a halfe of other cloth, and two skaines of
 threed for the said price of xvij.d. for hee this defendant saith, that hee
 and this complainant did neuer to his remembrance agree to any cer-
 tain price for the said wares, as in the said bill of complaint is vntreuly
 alledged. And without that, that he this defendant did euer buy of this
 complainant the said tenne yards of veluet, or any part thereof, or any
 other wares or marchandise amounting in the whole to twentie
 marks, or for the paiement thereof, euer required the said complainant
 to forbear him the saide defendant for the space of one moneth then
 next following, as in the said bill is wrongfully alledged. And without
 that, that hee this defendant did faithfully assent and promise to pay
 the said debt vnto the said complainant at the said moneths end. And
 that the said complainant, trusting the bare promise of this defendant
 deliuered vnto him this defendant, the said cloth, wares, veluet, and
 marchandise, as in the said bill is vntreuly alledged. And without
 that, that hee this defendant perceiuing that this complainant can by
 no order of the common lawes of this realme, recouer any part of the
 said money, for want of specialtie or witnesse to proue the said suppo-
 sed assumption and contract, hath plainly affirmed, that hee the said
 complainant shall not haue one peny thereof in such maner and forme
 as in the said bill of complaint is most vntreuly and slanderously alled-
 ged, without that, that any other matter &c. thing, things, clause, sen-
 tence, article, or allegation, in the said bill of complaint contained, ma-
 teriall or effectuell in the law to bee answered vnto by this defendant,
 and not &c.

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*A Bill to be discharged of sundry bonds made by the Plaintife to diuers by the
def. meanes, upon promise that they should not preiudice them,
lying open diuers cunning and lewd practises,
to circumuent the Plaintife.*

Humblly complaining, sheweth vnto your honorable Lo. your daily
Orator J. B. of B. in the Countie of P. yeoman, That whereas
about 16. yeres now last past, certain debts, controuersies, suits, & va-
riances did arise betwene one T. L. of E. in the County of P. yeoman,
and your said Orator, and certaine other freeholders of the Lordship of
Ecclesfall aforesaid, concerning y^e inclosing, vse, possession, & occupation
of certaine parcels of wast or common ground called K. in E. aforesaid,
wherein your said orator & other freeholders, and all those whose estate
they then had, and yet haue in certaine lands in the said Lo. by all the
time, whereof there is no memozy of man to the contrary, haue vsed to
haue common of pasture for their beasts and cattell, vpon y^e said lands
leuant & couchant at all times of the yere, at their wills and pleasures,
as vnto their tenements belonging, which parcels of wast ground one
P. S. Esquire, befoze that time had demised vnto the said T. L. for cer-
taine yeares then enduring: for pacifying & ending of which said suits
and controuersies, and of such suits & controuersies as were then be-
twen the said L. and S. touching the same and other things, your said
orator and T. L. and other of the freeholders aforesaid, and the said L.
by the meanes & intreatie of the said P. S. about the said time did sub-
mit themselues to the order, arbitremēt, & award of J. F. K. B. C. W.
and E. H. touching the said controuersies, and to thend that the said L.
would be contented that the said suits betwœn him & the said S. might
rather by that meanes receiue a quiet end, then by extremitie of law,
there being then great suits betwœne the said P. S. and L. which the
said L. would not otherwise compromit, your said orator & the said D.
was bound vnto the said L. in one obligation of C. li. and vnto the said
P. S. in one other oblig. of C. li. for performance of the said award, the
said P. S. then promising to your said D. that within short time after
the making of the said bond vnto him, he would haue cancelled or made
void the said bond of C. li. made by them vnto the said P. S. the mea-
ning of which bond, your said orator (being a simple vnlearned man)
thought to haue reached no further, but to acts to haue bæne done by
himself against the said award, which he then rather so thought, because
the said P. S. told him so, or to that effect, and they were only so agreed
to haue the condition thereof made befoze the making thereof. And the
said L. was also bound in C. li. vnto your said Orator, and the said D.

foz the performance of this part of the said award, And after wards, viz. about the 11. yeare of the raigno of the D. Gaieitie that now is, the said arbitratoz made an award of the pzemisses, that the said L. should haue enclosed the said grounds, during such terme as he then had therein by the demise of the said J. S. by Indenture without veration of your said Oratoz the said L. D. and other freeholders of the said Co. of C. by meanes of which award the said L. enioyed the pzemisses euer since the making thereof accordingly, without any veration of the said D. oꝝ your said Oratoz, oꝝ any other the freeholders of C. aforesaid, untill such time as the said L. caused the said pzemisses to be purchased oꝝ taken by lease, as lands concealed, and vniuilly withhelden from her Gaieitie, and thereupon caused suits to be commenced against diuers of the said freeholders by information in the Cr. of intrusion supposed to be done by them into the said pzemisses, which suit so long continued, that a verdict and iudgement therein were had foꝝ the said freeholders, wheremy their title to the said common being then in issue, was specially found, as by the records thereof remayning in the said Court it plainly appeareth, whereupon some of the said freeholders (as this compl. thinketh) entred into the said pzemisses being vnfenced. And thereupon the said L. commenced suit vpon the said bond of 100. li. against your said Oratoz and the said D. albeit they neuer interrupted his possession in the said pzemisses, and the said D. and your said Oratoz foꝝ their indemnity likewise prosecuted suit vpon their bond of 100. li. because the said L. in his part had not performed the said award, by meanes whereof your said Oratoz, and the said D. obteyned a verdict and iudgement against the said L. foꝝ the said C. li. L. his said suit against them depending vntried, whereupon the said L. seeing how vniuilly he had dealt with the said D. & your said Oratoz about the pzemisses perceiuing in what ieopardie he stood, and how in equitie he ought not to haue recovered any thing against your said Oratoz and the said D. by his said bond, noꝝ haue had any reliefe foꝝ the said C. li. so by them recovered against him, he the said L. moued your said Oratoz and the said D. by sundry meanes to come to agreement with him foꝝ the said C. li. so recovered against him, whereupon the said D. and your said Oratoz intending a general quietnesse foꝝ all bonds and matters concerning the said pzemisses, at the great and importunate suit of y^e said L. & by the mediation of certayne honest men their friends, vpon y^e faithful promise of the said L. that he the said L. would warrant him your said Oratoz against the said J. S. foꝝ his said bond of an C. pounds, alleaging that J. S. had no cause to sue the same, and that if he had, yet because the matter of the said bond principally concerned him the said L. (as it did indeed) that if your said Oratoz agreed with

him

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him for the premises, that then the said *J. S.* neither could nor would hurt him by reason of his said bond, the said iudgement for the said *C. li.* was released vnto the said *L.* by your said *Orator* hauing none other consideration therefoze, then his said promise of quietnes and discharge of the said *J. S.* his said bond. *Peuert* thelesse, not long after the said agreement, the said *L.* perceiuing himselfe to be discharged of the said iudgement, and intending the vtter vndoing of your said *Orator*, contrary to his said promise, practised with the said *J. S.* touching the said bond by him and the said *D.* made vnto the said *S.* & procured y same to be put in suit against them in the *N. Paiesties* bench. Albeit y said *J. S.* had neuer any losse by reaso of any act done against the said bond to the value of one peny, since which suit the said *J. S.* and *D.* haue secretly growne to agreement betwene themselues, to thintent to lay the whole penalty of the said bond vpon your said *Orator*, notwithstanding the said faithful promise of the said *J. S.* to deliuer in the said bond to be cancelled, and the said *L.* his promise was to saue your said *Orator* harmelesse against the said *J. S.* for the same. Albeit the said *J. S.* neuer had any losse or hinderance by reason of the premises, by meanes of your said *Orator*, neither was any thing attempted or done by the said freeholders against the said *L.* contrarie to the said award, other wise then by the consent of the said *J. S.* who moued or procured the said freeholders to enter in bond one to another, to beare the charges of suits for the defence of their said title of common in the said several parcels of ground, called *K.* and *T.* promising them his ayde and furtherance therein, vnto some of which bonds the said *J. S.* hath subscribed his owne name as a witnesse of the deliuerie thereof, which their hard dealings against your said *Orator* in the premises, are much against all right, equitie, and conscience, to the vtter impouerishment and vndoing of your said *Orator*, his poore wife and children, wherefoze the premises graciously considered, and for as much as, aswel the said premises and agreements of the said *J. S.* with your said *Orator*, and the said *D.* and the said practise had between the said *J. S.* and the said *L.* to put the said bond in suit, as also the said agreement made by the said *J. S.* and the said *D.* for waying of his said suit against the said *D.* and also the said promise or agreement of the said *L.* to saue your said *Orator* harmelesse against the said *J. S.* for the said bond was secretly made amongst themselues, and for that your said *Orator* trusting that they would faithfully haue perfozmed the same to your said *Orator*, called no witnesse to be present to heare the same promise made, and therefore is not able to produce any witnesse to testify the premises, nor hath any meanes to proue the same, other wise then by the answers of the said *J. S.* and *L.* who he verely thinketh will in their
answers

answers to the premises confesse the same : May it therefore please you Lordship, of your accustomed goodnesse, to graunt vnto your said Orator the Queenes maiesties most gracious Writ of Subpoena, to be directed to the said P. S. and T. L. and to either of them, thereby commaunding them, &c.

A Bill for practising with the Plaintifes wife, to receiue of her the plaintifes goodes, and for receipt and detaining thereof.

Humbly complaining, sheweth vnto your good Lordship, your daily orator L. J. of S. in toe Countie of P. Gentl. That where as, about foure or five yeares past, your Orator beeing possessed of diuers goods, and diuers summes of mony, to a great valew, to the end that C. C. of W. in the said County of P. H. his wife, and A. their daughter, now the wife of J. P. of W. in the said Countie yeoman might the better bring to passe, indirealy to game and get into their or some of their custodies and possession, all, or the most part of the said mony and goods, and by that meanes defraud or defeate your Orator therof, by continuall & swifter practise, instigation, & perswasion, then allured, prouoked, and enticed A. J. deceased, being then your orators wife, to grow to some discord and variance with him, & to esioine and conuey into their, or some of their keeping, all, or the most part of the said mony or goods, promising that the same should be ready, and vsed for her vse and behofe: Now so it is, if it may please your good L. that by the said lesod and bad practices of the said C. P. and A. P. and of diuers other persons by their meanes, whose names your orator knoweth not, your Orators said wife about foure or five yeares since, and at sundry times befoze, did with violence breake open some part of your Orators house at S. afozesaid, his chests there being locked, and did esioine, steale, inbeasill, or conuey away from your orator seueall summes of money, and diuers parcels of his gods and household stufte, as well in the night season, as in the day time, to a very great value, the certaintie whereof your Orator knoweth not, but is induced by good reason to belieue, that it dosh amount to the summe of 100. li. at the least, and deliuered or caused the same to be deliuered vnto the custodie and possession of the said C. C. and P. his wife, or A. his daughter, or of some other person or persons, by their, or some of their meanes or consents, whereof your Orator by some good meanes hauing had intelligence, hath sundry times vsed speech and communication with the said C. P. and A. P. touching the same, and in most gentle and friendly manner required to haue the said money and gods so esioined and inbeasilled, as afozesaid, to be to him restozed, or else to haue some recompence for the same, but they haue vtterly re-

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ruled to do either the one or the other, and do still refuse to do the same, and do conuert and dispose the said money and goods to their own uses, whereby your orator shall be utterly thereof defeated, to his great hinderance and impouerishment, contrary to all equity and good conscience, vntlesse by your L. fauor he may be relieved in this most honorable court. Forasmuch therfore as your orator knoweth not the names or number of the said confederates, nor the severall and certain times wherein the said money and goods were conueyed away from him, as aforesaid, nor the quantity, nature, or value of them, wherby to make any lawfull demaund, or to vse any action by the strict rules of the common lawes of this Realme, against them the said C. G. and A. D. or any other their confederats, for these great iniuries and wrongs, as aforesaid, but that the truth and certaintie of all these matters do rest in the priuate & proper notice of the said C. C. and D. his wife, and A. their daughter, or of some one of them, who no doubt vpon their coo- perall oaths wil disclose & set down the truth and certaintie of all these matters: May it therfore please your honorable W. to grant vnto your orator the R. maiesties gracious writ of Subpoena to be directed, &c.

The Answer to the same.

Sect. 94. **T**he said defendants say, that the said bill of complaint against the exhibited into this Honorable Court, is very incertaine, vntrue, and insufficient in the law to be answered vnto by the said defendants or any of them, for diuers and sundry apparant faults and imperfections therein contained and deuised, & exhibited into this H. court, partly of malice and euill wil, without iust cause conceiued against the said C. C. one of these defendants, to the intent thereby to vex and molest him, and his said wife and daughter, with vniust trauel and expences, but chiefly to the intent and purpose to wearie, impouerish, & terrifie him this def. with such suites, so that he shall neither be able nor willing to prosecute the law against him the said compl. for diuers great summes of money which he oweth vnto him the said C. C. this defend. and vniustly detaineth from him, and not for any good or iust cause of suit: neuerthelesse, if by the order of this honorable court these defend. shall be inforced to make any further or other answer to the said incertaine, vntrue, and insufficient bill of complaint, then, & not otherwise, all advantage of exception, to the manifest incertaintie and insufficiencie of the said bill of compl. to these defendants, and euery of the, at all and euery time & times hereafter saued. For further answer thereto, and for a full and plain declaration of the truth of the premisses, These def. say, and euery one of them saith, that neither they, nor any

of them by continual and sinister practise, instigation, and perswasion, did not at any time allure, prouoke, & intice A. J. deceased, then wife of the said complainant, to grow to some discord with the said complainant, and to esloine and conuey into their or any of their keeping, all or any of the said money and goods, in the said Bill of Complaint mentioned, promising that the same should be readie, and vbled for her vse and behoofe, to the end that they these def. or any of them, might the better bying to passe indirectly to gaine or get into their custodie and possession, all or the most part of the said mony and goods, and by that meanes to defeat and defraud the said complainants thereof, as in the said Bill of complaint is verie slanderously and most vntruly alleaged: And these def. further say, and euerie of them saith, that the said late wife of the said complainant did neuer with violence break open some part of the said complainants said house at S. in the said Bill mentioned, nor his said chist there being locked, nor did esloine, imbeasill, or conuey away from the said complainant, seuerall, or any sum or sums of mony, and diuers, or any parcell of his goods or household stuffe; either in the night season or in the day time, by the practise of these def. or of any of them, or of any other person or persons, by their or any of their means as in the said Bill of Complaint is likewise verie maliciously and vntruly surmised, without that, that the said wife of the said complainant euer deliuered, or caused to be deliuered the said money and goods in the said Bill of Complaint mentioned, or any part thereof, vnto the custodie and possession of these def. or of some of them, or of any other person or persons, by their or some of their meanes or consents, as in the said Bill of Complaint is also vntruly alleadged: and without that, that euer there was any cause why the said complainant did, or should vse any such speech and communication with these def. or any of them touching the premises, or require to haue the said money and goods supposed to be esloined or imbeasilled, to be to him restored, or to haue some recompence for the same, or that these def. or any of them, do conuert and dispose of the said money and goods, or any part thereof, to their or any of their owne vses, whereby the said complainant shalbe vtterly thereof defeated, to his great hinderance and impouerishment contrarie to all right, equitie and good conscience, as in the said Bill of Complaint is likewise vntruly suggested: and without that, that any other matter, thing or things, clause, sentence, article or allegation, in the said Bill of Complaint contained, materiall or effectuall in the law to be answered vnto, by these def. or any of them, and not here in this their answers sufficiently answered vnto, confessed and auoided, denied or trauersed, is true. All which matters, &c.

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The Replication to the Answer next before.

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The said complainant for and by way of replication saith, that his said bill of complaint, exhibited against these defendants into this most honorable Court, is very certaine, true and sufficient in the Law to be answered vnto, and not deuised and exhibited into his most Hon. Court, of malice and euill will, without cause conceiued against the said C. C. one of the said def. to the intent thereby to bere and molest him his said wife and daughter with vniust trauell and expences, as in the said answers is vnruly alleadged. For chiefly to the intent and purpose so to weary and impouerish and terrifie the said C. C. with such suits, that he should neither be able nor willing to prosecute the Law againg the said complainant, for diuers great summes of money, which he doth owe vnto him the said C. C. & vniustly detaineth from him, but is exhibited vpon iust cause of suit, as the said complainant doubteth not to make manifest and pꝛoue vnto this hon. Court, with that, that the said def. or some one of them, by sinister practise, instigation, and perswasion, did allure, pꝛouoke and iustice the said compl. wife to grow to some discorꝛd with the said compl. and to esioine and conuey into their, or some, or one of their keepings, the said money and goods, in the said bill of complaint mentioned, promising that the same should be readie, and bled for her vse ana behoufe, to the end that they might the better bzing to passe, indirectly to gaine or get into their, or some or one of their custody and possession the said money and goods, and by that meanes to defeat and defraud the said compl. thereof, as in the said bill of complaint is verie truly alleadged. And also with that, that the said compl. wife did with violence bꝛeak open some part of the said compl. house at S. in the said bill mentioned and his said chist there being locked, did esioine, steale, inbeasul, and conuey away from the said compl. seuerall sums of money, and diuers parcells of his goods and household stufte in the night season, and in the day time, by the practise of the said def. or some, or one of them, or of some other person or persons, by their or some or one of their meanes, as in the same bill of complaint in likewise verie truly declared: and saith that, that the said compl. wife did deliuer or cause to be deliuered the said money and goods in the said bill of complaint mentioned, vnto the custodie and possession of the said def. or of some or one of them, or of some other person or persons, by their, or some or one of their meanes or consent, as likewise in the said bill of complaint is most truly alleadged: and without that, that there was cause why the said compl. should vse speech and communication with the said def. or some or one of them touching the pꝛemises, and requite to haue the said money and goods esioined and imbeisled to be to him restored, or to haue some recompence for the same. And that the said

said defendants, or some, or one of the doe conuert and dispose the said money and goods, to their, or some, or one of their uses, wherby the said compl. shall be vtterly defeated thereof, to his great hinderance, as in the said bill of complaint is likewise most truly alleaged: without that, that any other matter, cause, or thing, materiall or effectuall in the said answers contained, to be by the said complainant replied vnto, and herein not sufficiently replied vnto, confessed, and auoided, &c.

A Bill for that the defendants haue got the Plaintifes bill for payment of money by them into their hands, and thereby meane to defraude him of the same.

Humbly complaining, sheweth vnto your good L. your daily orator J. T. of T. in the County of D. yeoman, That whereas about two yeres now last past, your said orator did sell vnto one J. B. C. W. P. T. alias S. and K. V. foure oren and 3. kine, for fourteene pounds of lawfull English money: and at the same time made vnto your said orator a bill of their hands for the payment thereof, at the feast of S. Michaele tharchangell last past. But now so it is, if it may please your Lordshippe, that the said bill of 14. li. is by casuall meanes come vnto the hands and possession of the said J. B. C. W. P. T. alias S. and K. V. or of some of them, who haue cancelled and defaced the same bill. And therefore, albeit they haue bene diuers times gently required by your said orator to pay vnto him the said 14. li. so to him due, yet that to do, they and euery of them haue hitherto denied and refused, and yet do deny and refuse to do the same, against all right, equitie, and good conscience. In due consideration whereof, and for that your said orator hath no remedy to recouer the said 14. li. without the said bill, by the common lawes of this Realme: May it therefore please your good Lordship, &c.

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A Bill for wrongfull entring into Copyhold lands intailed, detaining of them, and of the writings of the same, for wasting the same, and contriuing secret estates thereof.

In most humble wise sheweth vnto your good Lo. your daily orator J. C. of D. in the countie of D. That whereas one T. G. father vnto your said orator, was in his life time lawfully seised in his demesne as of fee taile, to him and to his heires males of his body lawfully begotten, of, & in one messuage or tenement with thappurtenances, situate, lying, and being in W. in the said county of D. And was likewise seised to him and the heires males of his body lawfully begotten, of, and in foure cottages, thres closes or pastures, and eight acres of

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arrable land with their appurtenances, lying & being in **W.** aforesaid, being customarie lands, and holden of the **Q.** maiestie, as of her highnesse maner of **W.** aforesaid, at the will of the Lord, according to the custome of the said maner: and the said **T. G.** being of all and singular the premises, with their and euery of their appurtenances so seised, as aforesaid, of such estate, died thereof seised. By and after whose death all & singular the premises, with their appurtenances, did descend vnto **H. G.** as son and next heire male of the body of the said **T.** by force and vertue wherof, the said **H.** entred into all & singular the said premises with their appurtenances, & was thereof lawfully seised to him and the heires males of his body lawfully begotten. And he so being thereof seised, of such an estate died seised: by and after whose death, all and singular the said premises, with their appurtenances, did descend and come to **T. G.** as son and next heire male of the body of the said **H.** by force wherof, he the said **T.** entred into all & singular the said premises, and was thereof lawfully seised in his demesne, as of free taile, to him and the heires males of his body lawfully begotten. And he the said **T. G.** so being thereof seised, of such an estate died seised, without any issue male of his body: by and after death, all and singular the said premises with their appurtenances did descend & come vnto your said orator, as brother and next heire male of the said **T. G.** But now so it is, if it may please your good **L.** that aswell the said deed of intaile, and all other the deeds, evidences, escripts, writings, & muniments, manifesting, forfeiting, defending, & prouing the estate, right, interest & title of your said orator, of, in, & to the said premises, are by some casual or sinister means comen into the hands, custody, or possession of one **R. W.** and **E.** his wife, **T. C.** and **A.** his wife, **J. D.** and **J. W.** or some of the, who by colour thereof haue entred into the said premises, & receiued, perceiued, and taken the issues, profits and comodities thereof, and conuerted the same to their olone proper uses & behoofs, without yielding any consideration or recompence to your said orator for the same. And yet not so contented, but they the said **R. W.**, **A. J.** and **J.** by colour of hauing the said deeds, evidences, escripts, writings, and muniments, haue not onely made great strep and wast of the premises, but also contriued and made to themselves, and to other persons vnknowen to your said orator, diuers & sundry secret estates & conueiances of the premises, to the plaine disinherison of your said **D.** contrary to all right, equity, and good conscience. And although your said **D.** hath diuers and sundry times by himself and his friends requested the said **R. W.** & **E.** his wife, **T. C.** & **A.** his wife, **J. D.** and **J. W.** and euery of the to yield by the quiet possession of the premises, and to deliuer vnto your said orator the said deeds, evidences, escripts, writings, and muniments,

yet they and euerie of them, so to doe, haue vtterly refused and denied and still doe denie and refuse, contrarie to all right, equitie and good conscience. In tender consideration whereof, and forasmuch as your said Orator knoweth not the contents nor certaine dates of the said deeds, euidences, escripts, writings, and muniments, nor whether they be contained in bagge or boxe sealed, in chest or cupbord locked. And therefore is at, and by the strict course of the common Law of this Realme remediable for the recouerie of the same. May it therefore &c.

A Bill for detaining of an Indenture of lease for yeares.

Humbly complaining sheweth vnto your hon. L. your daily orator Sect. 98
 J. B. of P. in the parish of A. in the county of P. Esq. & T. B. son
 and heire apparant of the said J. That whereas your said orator the 2.
 day of July, in the 8. yere of the reigns of our Soueraign Lady the Q.
 Maiesty that now is, did demise and to ferme let vnto one R. P. of W.
 in the said county Peoman, all his moitie, or one halfe of his messuage
 or tenement called D. with all the lands, meadowes, closes, pastures, &
 commons vnto the same belonging, or in any wise appertaining, from
 the feast of S. M. the Withop last past, befoze the date aboue said, vnto
 the full end & terme of xviij. yeares then next ensuiug, fully to be com-
 pleat and ended. By vertue of which demise aforesaid, R. P. into the
 messuage or tenement aforesaid, did enter, as was lawfull for him to do.
 And now sithence the making of the lease aforesaid, the said R. P. did
 often repaire and come to the house of the said J. B. & by that means in
 short time became very familiar with the said J. insomuch that he the
 said J. being aged, and by reason thereof also lyeth bedridden, and hath
 done for the space of many yeres. And finding the said P. to be very di-
 lygent and carefull about him the said J. for the recouerie of his health
 did so affect the said P. as that he did wholly commit the custodie and
 keeping of all his euidences, leases, bonds and bills, amongst which the
 counterpain of the said P. his lease was. And vnlesse the said P. toge-
 ther with some of your said orators seruants haue secretly conuaid &
 taken it away, as your said orator doth vehemently suspect, in that he
 wanteth the same lease: by reason whereof he neither knoweth what
 conditions are contained in the same, neither what penaltie, if the rent
 be behind, or whether there be any distresse for not payment of the rent
 or else whether the lease be vtterly void, if the rent be not payd at a
 certaine day, and what other couenants it containeth for prohibiting
 of wast to be done, as also for repairing of the messuage or tenement
 aforesaid with needefull reparations, with diuers other couenants to
 many good purposes specified in the same lease. And for that also that
 the

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the said counterpaine is by some such indirect meanes as befoze is al-
leadged, come to the hands of the said D. as also for that your Orator
through want thereof by the strict course of the common lawes of this
Land can not diely punish the breach of all, or any the couenants
therein expresse, which on the said D. his part ought to haue bene
performed and kept, for want of the said counterpaine. May it there-
foze please your good Lordship, &c.

A Bill for money for boarding with one, whose executor the plaintife is.

Sec. 99.

Humbly complaining, sheweth vnto your H. Lordship, your daily
Orator D. C. of W. in the Countie of D. Peoman, executor of the
last Will and Testament of D. C. his father. That whereas about the
first day of June, which was in the xviii. yere of the raigne of our most
gracious Soueraign Lady the D. most excellent Maestie that now is
one W. S. of W. in the said Countie Peoman, at B. aforesaid, did put
himselfe and A. then his wife to boord with the said D. C. the testator,
and there to remaine so long with the said testator, as it should please
both the said parties, and the said W. S. in consideration thereof, there
faithfully agreed to pay and satisfie for the same vnto the said D. C. the
testator or his executors, during such time as he & his said wife should
remain at boord with the said testator, so much lawfull English money
as the said boording should be reasonably worth and at such time as he
should be thereunto required. By vertue of which putting to boord, a-
greement, and faithfull promise, the said W. and A. his wife were at
boord with the said testator by the space of three whole years, or there-
abouts, during all which time the said testator at his owne costs and
charges did find vnto the said W. and A. conuenient and necessarie
meat, drinke, and lodging, and at sundry times hay and grasse for the
horses of the said W. which boording, hay, and grasse, by the said space
of three yeares aforesaid, was reasonably worth 40. li. at least. Yet the
the said W. not ignozant of the premilles, nor regarding his said faith-
full agreement and promise, but imagining and fraudulently inten-
ding the said D. C. the testator, and your said Orator his executor in
this behalfe craftily and deceitfully to deceiue and defraud: albeit he
hath bin oftentimes thereunto gently required by the said testator in
his life time, and by your said Orator his executor after his death,
hath not paid or satisfied any thing vnto the said testator in his life
time, nor vnto your foresaid Orator after his decease for the same
boording, meat, drinke, and lodging during the foresaid time, that hee
and his said wife so remained at boord with the said testator, according
to his said faithful promise and agreement, but hath ever hitherto de-
nied and refused theretoze to satisfie and pay the said Testator in his
life time, and your said Orator after his death, and yet doth deny and
refuse

refuse to pay and satisfie your said Orator for the same, against all right, equitie and good conscience, and to the hindrance of the execution of the said last Will and Testament of the said Testator. In consideration whereof, and soasmuch as your said Orator hath none ordinary remedy to recover any thing for the said bonding, and premisses by the strict course of the common Lawes of this our Realme of England aswell for that it was not certainely agreed vpon betwē the said W. and the said testator, how much the said W. should yeeld for the same: as also for that the said testator did so much credit the said W. that the said promise and agreement was priuately made betwē themselues, no person being thereunto called that might witness the same, so that if happily the said W. will not vpon his oath in his answer hereunto in this honorable Court, confesse the said promise and agreement, as your said Orator verely thinketh he will, your said Orator is vitterly destitute of witnesses to make profe thereof. Albeit that it be most true, that the said agreement and promise, was made and agreed vpon, as is aforesaid, which your said orator hath fundrie times heard the said testator say and declare: may it please your good Lordship to grant vnto your said orator &c.

A Bill for not entering into bond to save a sueritie harmlesse according to promise.

In most humble wise complaining, sheweth vnto your Honor your daily Orator R. P. of W. in the Countie of S. Peoman, that where as one J. L. of S. in the said Countie of S. Peoman, did borrow of one A. B. of S. in the said Countie of S. gentleman, the sum of 17 li. 12 s. of good and lawfull money of England, to and for the onely vse of him the said J. L. and of one K. L. of B. in the said Countie of S. Peoman, kinsman to the foresaid J. L. and for the true discharging and payment of the foresaid sum of 17 li. 12 s. because the said K. L. was a man esteemed to be of verie small credit, and altogether vnknowne vnto the said A. B. therefore the foresaid K. L. earnestly requested and desired of your said Orator, being his nere neighbour, and of very long acquaintance and familiaritie with him, to enter into bond with him the said J. L. to the said A. B. for the true payment, and satisfaction of the foresaid sum of 17 li. 12 s. and if in case your said Orator would enter into bond for him, then he the said K. L. did faithfully promise and asseure vnto your said Orator, to enter into a counterbond of double value to his bond vnto your said Orator, to discharge, and saue him harmless against the said A. B. his executors and administrators, of, and in all manner of actions, suits, arrests, quærrells, troubles, mole-

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stations.

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otions, and incombzances whatsoeuer, which should or might arise by reason or meanes of the said obligation: whereupon your foresaid orator (considering the great want and needs that the foresaid R. L. did at that time stand in) trusting to his saite speeches and promises, after long intreatie and request to him made, your said orator did consent and agree to become bounden with the said J. L. to the foresaid A. B. for the payment of the said summe of 17. li. 12. s. so that your said orator might haue such a counterbond from the said R. L. to discharge and saue him harmelesse against the said A. B. for, and concerning the said bond, after which time, that is to say, the 25. day of March, in the nine and twentieth yeare of the raigne of our Soueraigne Lady the Quenes Maiestie that now is, the said J. L. and your said orator by their wrying obligatoz, became bound to the said A. B. in the summe of 40. li. of good and lawfull money of England, vpon this condition in dozed vpon the said wrying obligatozie, viz. that if the said J. L. and the said R. L. your said orator, or either of them their heires, executozs, administratozs, of them, or any of them, did well and truly content and pay vnto the said A. B. his executozs and administratozs, the said summe of 17. li. 12. s. of good and lawfull money of England, at or vpon the 25. day of March, in the yeare of our Lord God 1588. in the Church porch of S. betweane the houres of one and thre of the clock in the afternone of the same day, that then the said wrying obligatozie to be void and of none effect, or else to stand in full force and vertue: but so it is right Honorable, that the said summe of 17. li. 12. s. was not paid vnto the said A. B. at the time and place mentioned in the said condition, whereby the said bond of 40. li. where in the said J. L. and your said orator were bounden to the said A. B. was, and yet continueth forfeited, the said A. B. being not paid nor agreed withall, by reason whereof, your Honors said orator is like to grow to great trouble and suit of Law for the said bond: and albeit your Honors said orator hath diuers and sundrie times sithence the making of the said bond, promise and assumption, most earnestly requested the said R. L. to make vnts your Honors said orator a counterbond, for the discharging and sauing harmelesse of your said orator against the said A. B. for, and concerning the said bond, according to his said assumption and promise, yet that so to doe, the said R. L. hath denied and refused euer hitherto, and yet doth denie and refuse to doe the same, contrarie to all right, equitie and good conscience: In tender consideration whereof, and soasmuch as your said orator hath no sufficient witness and woords of assumption to maintaine an action vpon his case at the Common Law, meaning nothing but plainly, whereby he is void of all remedie at the Common law: may it there

foze please your honour, the premisses considered, to grant vnto your said Orator, the Queenes maiesties most gracious Writ of Subpoena, to be directed to the said R. A. &c.

A Bill for making false Affidavit for appearance.

I **J** most humble wise sheweth vnto your good Lo. your Orator **J. F.** of **L.** Gentleman. That whereas vpon suit heretofore, and yet depending in this honorable Court, between your Lordships said Orator then plaintife, and one **R. A.** defendant in the said suite, her maiesties writ of Subpoena was out of this said Court vnto the said **R. A.** directed, commanding him thereby at a certaine day therein limited, to appeare before your **L.** in the said Court, and to answer to your **L.** said Orator, in, and touching the said suite: Now so it is if it may please your **L.** that the said **R. A.** not hauing any regard of her Maiesties said processe of Subpoena, so to him directed, but seeking deceitfully and fraudulently to neglect and disobey the same, procured one **C. B.** his seruant a very lewd person, and fit minister for such a purpose, to come vnto this honorable Court of Chancerie, and there most corruptly, falsly, and perjuriously, to sweare and depose vpon the holy Euangelist, that the said **R. A.** at that time was lame and not able to trauell to this Court, without great danger of his health, for that the pains of his lamenes was such, that he was perswaded by his friends to goe to the Bath, being thirtie miles distant from his house, or therabouts, and that he was gone to the said place with much adoe, and there remained at the taking of his said oath, wherein the said **C. B.** by the meanes, subornation, and procurement of the said **R. A.** hath most wickedly committed most wilfull and corrupt perurie, forasmuch as the said **R. A.** was at that time in very good & perfect health, ability, and soundnes of body, without any manner of lamenesse or debility, so as he might haue very well trauelled without hurt or danger of his health, and was at that time at **C.** in the County of **L.** and not at Bath, as the said **C. B.** in his said deposition most vnruly deposed. May it therefore please your good Lordship &c.

Sect. 101

A Bill to be relieved of an obligation with condition, for that the money was payed accordingly.

I **J** most humble wise complaining sheweth vnto your good Lordship, your daily Orator **J. K.** of **J.** in the County of **D.** husbandman, and **J. B.** of **A.** in the same County husbandman. That where one **J. W.** of **J.** in the County of **D.** Gentleman, hauing need to vie and borrow money for his necessary vse, entreated your saide Orator

Sect. 102

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orator to bozrow of **D. C. of A.** in the said countie of **D.** widow, the summe of **xx. li.** which your said orator did according to the request of the said **D.** And for the repayment thereof to the said **D.** your said orator became bound to her the said **D.** by obligation, in the summe of **xl.** pounds, with condition, for the payment of the said twenty pounds at a day now past, which twenty pounds he the said **D.** hath wel and truly contented, satisfied, and paid to the said **D.** according to the condition aforesaid: which notwithstanding, so it is, if it may please your good **L.** yet doth the said **D.** against all god dealing detaine the saide obligation in her hands, notwithstanding sundry requests made vnto her by your said orator, for the deliuey thereof, against all right, equitie, and good conscience, minding as it should seeme to put the same in suite, either against your orator, or his executoz when opportunity serueth. In consideration whereof, and soasmuch as your said orator hath not ordinary remedy by the course of the comon law, to compel the said **D.** to deliuer the said bond, or to cancell the same according as in right she ought to do. May it please your good **L.** to grant, &c.

A Bill for that the Plaintife hath not according to promise, procured an acquittance for rents by him payed to the Defendants by the appointment of his lessor.

Sect. 103

Humbly complaining, sheweth vnto your honourable Lordship, That whereas about the first yeare of the reigne of the late King Edward the first, one **A. D.** late father of your said orator was lawfully seised in his demesne, as of **fx.** of and in certaine lands and tenements with thappurtenances in **S.** and within the parish of **S.** in the said Countie, and being thereof so seised, died thereof so seised. By and after whose death, the said tenements and premisses with thappurtenances, descended and came, as of right they ought to descend & come to your said orator as soune and next heire of him the said **A. D.** after whose death your said orator entred into the said tenements and premisses with thappurtenances, and was thereof seised in his demesne as of **fx.** and being thereof so seised, one mesuage or tenement, one garden, one orchard, one close or croft, therunto adioyning, diuers lands, medows and pastures, parcel of the premisses, were assigned to **A. D.** late wife of the said **A. D.** deceased for her dower of the said landes of her said husband, by force whereof shee was thereof seised in her demesne, as of freehold, and she being thereof so seised, afterwards, that is to say, about the vi. day of June, in the fourth and fifth yeare of the reigne of **K. Philip and Qu. Mary,** by Indenture dated the day and yeare

yeare abovesaid, granted and to farme did let vnto your said D^ratoz the said lands, tenements and p^remises, to hold from the date of the said Indenture, vnto the end and terme of th^riescore yeares, if he should so long liue, reseruing thereupon to her yearely, during the said terme of lx. yeares, if she so long liued, iij. li. of lawfull English money, which yearely rent of iij. li. your said D^ratoz did well and faithfully pay vnto the said A. and her assignes vntill about the tenth yeare of the raigne of our Soueraign Lady the Quenes Maiestie that now is, at which time the said A. did grant and assigne xxx. s. yearely, parcell of the said yearely rent of iij. li. during her life, to one R. H. of C. in the Countie of D. Cutler. And afterwards, that is to say, about the twentieth yeare of her Maiesties said raigne, the said A. for sundrie considerations did appoint the said R. to receiue the other xxx. s. yearely residue of the said yearely rent, of iij. li. to his owne vse. And your said D^ratoz ever since the said grant and appointment hath yearely paid vnto the said R. as well the said xxx. s. rent, so to him granted by the said A. as the said other xxx. s. rent, residue of the said iij. li. rent. In consideration whereof the said R. H. about the first day of June last past faithfully promised your said D^ratoz to procure and deliuer vnto him sufficient acquitances, of the said A. for all the said rents which the said R. had so, as is aforesaid, receiued of your said D^ratoz by the appointment of the said A. And whereas further (if it may please your good Lordship) about the eighteenth day of Aprill, in the seuen and twentieth yeare of the reigne of the Quenes Maiestie that now is, the said R. H. being indebted to one W. S. of S. in the said Countie Smith, in the summe of liij. s. iiij. d. of English money, did intreat your said D^ratoz to be suertie for him to the said W. S. for the payment of the said summe liij. s. iiij. d. to the said W. S. at the Feast of S. Bartholomew the Apostle then next ensuing, which your said D^ratoz did accordingly, in consideration thereof, the said R. H. did then assume vpon himselfe, and vnto your said D^ratoz faithfully promise, that if he the said R. H. did not well and truly pay vnto the said W. S. the said liij. s. iiij. d. at the said Feast of S. Bartholomew. That then he the said R. H. would sufficiently conuey and assure to your said D^ratoz, the said yearely rent of xxx. s. to him as aforesaid, granted by the said A. together with the said d^ed thereof, and afterwards the said R. H. did neither pay to the said W. S. the said summe of liij. s. iiij. d. nor any part thereof, at the said Feast of S. Bartholomew, nor at any time since, nor did conuey the said yearely rent of xxx. s. or d^ed thereof to your said D^ratoz according to his said promise. But altogether contrarie to his owne promise hath procured the said A. to sue your D^ratoz befoze the Quenes Maiestie, and her Honorable Council.

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cell, established in the North parts, for xxx.li. x.s. as arerages of the said yearely rent of iij.li. supposing the same to be behind and unpaid by the space of eight yeeres and a halfe, now last past, notwithstanding that your said Orator hath well and truly payd the same to the said R. B. aforesaid. And the said R. B. although he hath been oftentimes gently required by your said Orator as well to procure him the said acquittance of the said R. for the said rent of iij. li. as to make assurance of the said yearely rent of xxx. s. to him by the said R. granted, yet that to doe, he hath euer hitherto denied and refused, and yet doth denie to doe the same against all right, equitie and good conscience, and to the great hinderance and losse of your said Orator. In tender consideration whereof, and forsomuch as the said agreements, promises, and payments of the said rents were priuately made betwene your said Orator, and the said R. B. without any witnesses thereof, for that your said Orator reposed so great trust in the said R. B. being his naturall brother, that he called no man to beare witness thereof, so that he can haue none ordinarie meanes by the due course of the Common Lawes of this Realme, but is altogether remedlesse to obtaine or recover any recompence or damages thereof, unlesse the same R. B. will confesse the same to be true in his answer hereunto, as your said Orator verily thinketh that he will. It may therefore &c.

A Bill for that the defendant, for whom the plaintife was suertie to pay certaine money, did neither pay the said money, nor saue the plaintife hamelesse.

Sect. 50.

Humbly complaining sheweth vnto your Honorable Lordship your dayly Orator W. H. of C. in the Countie of D. Peoman. That whereas about the viij. day of October, in the xxij. yeare of the raigne of our Soueraigne Lady the Quenes most excellent Maesty that now is, your said Orator, at the earnest request of one W. C. of C. in the said County Peoman, and R. C. his sonne, for and with the said W. did enter and become bounden vnto W. S. of C. aforesaid Peoman in one obligation or bond of xl. l. of lawfull English money thereupon indorced with condition, that if the said W. H. and W. C. or either of them, their executors, administrators, or assignes, or any of them, did well and truly pay or cause to be payed vnto the said W. S. his executors or assignes, the summe of xx. li. of lawfull English money, vpon the ninth day of October, which then should be in the yeare of our Lord God 1581. at the now dwelling house of the said W. S. in C. aforesaid, that then the said Obligation should be void and of none effect

effect. And the said H. C. and R. C. in consideration thereof, did then and there assume vpon themselves, and vnto your said Orator faithfully promise, that the said H. C. the summe of 20. pounds vnto the said H. S. vpon the said ninth day of October, in the yeare of our Lord God 1581. would well and truly pay, or cause to be paid, according to the said condition of the said obligation. And that the said H. C. and R. C. would from time to time, and at all times hereafter, saue and keepe harmelesse, and indemnified your said Orator against the said H. S. of, for, and concerning the said bond of 40. li. and of, for, and concerning all actions, suites, and troubles to be had or commenced against your said Orator, for, or by reason of the said bond of xl. pounds. And also that they the said H. C. and R. C. would forthwith haue been bound vnto your said Orator by their sufficient obligat. in the summe of foure score li. for the so sauing harmelesse of your said Orator against the said H. S. as is aforesaid. But now so it is, if it may please your honorable L. that the said H. C. intending your said Orator in this behalfe, craftily and subtilly, to defraud and deceiue, hath neither payed vnto the said H. S. the said twenty pounds the said ninth day of October in the said yeare of our Lord God 1581. according to the effect and meaning of the said condition, nor at any time sithence, nor the said H. C. and R. C. haue become bounden vnto your said Orator in the said obligation of fourescore pounds, to saue your said Orator harmelesse against the said H. S. as is aforesaid, albeit that your said Orator hath sundry times gently required them, and either of them so to doe, the same to doe haue euer hitherto refused, and yet doe refuse and deny to doe the same against ail right, equity, and good conscience, contrary to their faithfull promise and assumption aforesaid, so that your said Orator is likely very shortly to be enforced to pay vnto the said H. S. the same twenty pounds, which would be to the great damages and hinderance of your said Orator, if speedy remedy be not in this behalfe by your good Lordship in due time prouided to preuent the same, wherefore, and soasmuch as your said Orator giuing faith and credite to the said promise and assumption of the said H. C. did take their said promise and assumption of them, without calling any witnesse to them to heare the same, so that your said Orator for want of such witnesses hath no remedy by the common lawes of this Realme, nor otherwise to make them perfoyme the said promise and assumption, vnlesse the said H. C. and R. C. do confesse the same in their answer to this Hon. Court, as your said Orator verily thinketh they will: May it, &c.

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A Bill for entitling himselfe to the soyle of a common, and for selling of woods therein growing.

Sec. 50.

In most humble wise complaining, sheweth and cōplaineth to your Honor, your daily orator **R. G. clerke**, Prebendary of the Prebend, commonly called the Prebend of the Duerhall in **Porwell**, in the collegiate Church of **Southwell** in the countie of **Not**: That whereas your said Orator was, and is seised in his demesne as of fee, in y^e right of the said Prebend, of, and in one manor in **Porwell**, in the said countie, whereof certaine woody grounds and springs, being most commonly open, and the herbage thereof, taken and used as common by the tenants and other inhabitants of the same Manor and Towne of **P. aforesaid** in parcell. And the tenants and inhabitants of the same Manor and towne of **P. aforesaid**, as tenants of the same manor. And other tenants and inhabitants within the townes and villages of **C. and K.** that is to say, by them as Commoners because of vicinage, by reason of which said woody and spring of grounds, used as common, as is aforesaid, part whereof is parcell of the same Manor of **P.** containing by estimation twentie acres, extending in length from a certaine oake tree, being a boundarie oake betwixt the same & such other like grounds being parcell of another prebend in the collegiate church of **S. aforesaid**, commonly called the Prebend of the **Peatherhall** or **Palacehall** in **P. aforesaid**, and from thence extendeth along, by a place where threë trees lately there did grow, cōmonly called the threë brethren, and so fro thence along by the **Heare**, which is as it hath bin an ancient dry ditch cast by as it were, or had bene a **Heare** Southward betwixt the severall lords & owners of the lands in y^e place, that is to say, first Eastward, betwixt the lords and owners of the same lands, and the manors and lands of **Caunton** & **Westhorp**, and westward vnto the manor of **Kickfall**, and from thence downeward west vnto the parke pale of **K.** and by the same parke pale Northward by a certaine little riuer of water, vnto certaine of the like lands and tenements of the said other manor of **P. aforesaid**, and so Eastward byward vnto the aforesaid ancient oake, which said parcell of ground, one **K. VII.** and **J. P.** gentleman, & one **K. T.** yeoman, pretending to haue severall manors in **C. aforesaid**, And hauing diuers deeds, Charters, euidences, boundaries, terrats and muniments, concerning the premisses of right belonging to your said Orator, casually or by some sinister meanes come to their hands, do not onely claime the same to be parcell of their severall said manors: But also vnder pretence of their said pretended and vncertaine claime, not onely some of them, but also diuers other vnder the colour and permission of some of them hath cut
and

and caused to be cut downe the most part of the best trees growing vpon the said parcell of wood ground, as in truth all that was selled did growe there in a corner therof towards the East part, containing like viij. acres, and that in absence of your said Orator then being, and yet remaining a student in the Vniuersity of Cambridge, that is to say, a fellow of Bennuill and Caius Colledge, and not so contented, but considering your said Orators absence, daily and continually, both continue their former claime to the said ground, within the meares and bounds aforesaid, and so do cut downe & cause to be cut downe the rest, due of the wood there growing, & so wil very shortly leaue none there. And also by colour and reason of the said permission, they will shortly by such indirect means and practise, win, and get the freehold and inheritance thereof to them, as they haue in other the waiks, common, and like grounds, within the manor, of, or in C. or at the least haue none able to testifie the contrary, whereas now in truth there are diuers and sundry sufficient and ancient witnesses, being very aged, and some of them very impotent, that can and will trauell so farre as they are able to trauell, to testifie vpon their oathes the trueth of the premisses in maner and forme, as befoze in effect is alleaged, and moze for the better prooue of your said Orators right, in, and to the said last recited premisses, if cause & need shal so require, & that the said R. W. F. B. and R. T. vpon their answer vnto the matters in this bill of complaint, will not confesse the truth therein, as it is most credibly to be presumed they will, and the rather, for that, if they will deny the same, they know in proceeding vpon the answers to this bill, all the whole trueth concerning the premisses must be examined by depositions of witnesses, and their depositions, if order presently be not taken of the same, shall and may remaine of record in perpetuam rei memoriam, to doe further therein, as by this honorable Court shall be alwarded, wherefoze the premisses tenderly considered, and also the incertaintie, whether the said R. W. F. B. and R. T. or any of them will confesse the whole trueth, concerning the right and title of your aforesaid Orator to the same: And the wrong and damage by them, and other by their meanes and consent to him done. And if they should not, the vncertaintie whether that the aforesaid ancient, aged, and impotent persons or any of them that now be liuing, and can testifie the truth concerning the same shall be liuing when the same shall come in trial, at, or by the course of the common Lawes, to whom the right of the freehold and inheritance thereof doth of right belong, ouer and besides the impotentis, that they or most of them may haue at such time and times, to trauell to witnesse and testifie the trueth concerning the premisses, with this, that your saide Orator doth not knowe the certaine date

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oꝛ dates of the said dēdes, charters, euidences, bonndaries, terrars, muniments, oꝛ wherein the same be contayned, whether in bagge, oꝛ bore, sealed, oꝛ locked, oꝛ othertwise, and so without remedie foꝛ the recouerie of the same, and redꝛesse foꝛ the wrong abouesaid, of, oꝛ by oꝛder of the common lawes of this Realme. It may theretoꝛe &c.

A Bill against the executors for that the Testator did not deliuer specialities paid, whereupon they threaten to sue the Plaintiffe.

Sect. 106.

If most humble wise complayning, sheweth to your good Lordship, your poꝛe and daily oꝛatoꝛ G. P. of L. in the countie of D. yeoman, That whereas your said Oꝛatoꝛs about the month of Januarie, in the 30. yeare of the raigne of our soueraigne Lady Elizabeth, the Quēnes Maiestie that now is, by his severall bonds oꝛ wꝛitings obligatorie became bound to one J. D. now deceased, foꝛ the payment of severall summes of mony vnto the said J. All which said summes of mony, and enerie parcell thereof your said oꝛatoꝛ hath truly satisfied and payed to the said J. D. in his life time, according to the purpoꝛt and effect of the said severall bonds and wꝛitings obligatorie, not taking anie of the specialities, oꝛ any acquitance oꝛ discharge from the said J. D. foꝛ the same, but onely trusted the words of the said J. D. who faithfully promised your said oꝛatoꝛ to send the same specialities to your said oꝛatoꝛs house, at Totley afoꝛesaid, oꝛ sufficient acquitance foꝛ the same. But now so it is, if it may please your good Lordship, that since the death of the said J. D. the said obligations and wꝛitings obligatorie are come to the hands and possession of J. C. of S. in the countie of Porke Yeoman, and L. C. of S. afoꝛesaid Yeoman, who by colour of having thereof, haue now of late in their owne names as executoꝛs to A. D. late wife of the said J. D. and executrix of the last will and testament of the same J. commenced suit in her H. Court of Common plects at Westminster, against your L. said poꝛe oꝛatoꝛ, vpon one of the said obligations oꝛ wꝛitings obligatorie of the summe of xj. li. oꝛ thereabouts, indorsed with condition foꝛ the payment of vj. li. at a day mentioned in the same condition, and do threaten to put the residue of the said specialities in suit against your said Oꝛatoꝛ, meaning and intending thereby to recouer against your said oꝛatoꝛ the penalties of the said severall obligations and wꝛitings, who hath already paid the principall and due debts to the said J. D. in his life time as afoꝛesaid, which is contrarie to all right, equitie, and good conscience. In consideration whereof, and foꝛasmuch as your Lordships said Oꝛatoꝛ hath not any wꝛitnes now living, that can testify the payment of any of the said summes of mony, oꝛ any part oꝛ parcell thereof, and theretoꝛe cannot pleade any
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matter in barre at the common law to the said actions already commenced by the said T. and C. whereby your said orator, by the strict course of the common lawes of this Realme, is altogether remediless, vnles your L. accustomed goodnes be to your said worse orator extended. May it therefore please your good L. &c.

A Bill against executors upon a priuat promise made by their testator, retaining an Atturney to prosecute and defend suits for himselfe and others, alleging that the executors haue wasted the Testators goods &c.

Humbly complayning, sheweth vnto your honorablen L. your daily Sect. 107
 orator W. W. of ff. in the county of P. Gentl. one of the Attornies of the R. maiesties court of common pleas, befoze her Highnesse Iustices, to be holden of the same Court: That whereas one J. M. of L. neere P. in the countie of Posting. esquire deceased, in his life time, that is to say, about the terme of the holy Trinitie, which was in the yeare of our Lord God 1586. did retaine the said W. W. to be of counsell with him the said J. M. to prosecute and defend diuers and sundry suits, plæes, and busineses to be done, and had in the said court of common plæes, as well for the said J. M. as for diuers others his then seruants and bailifes, and tenants, and namely for the said J. M. against K. C. in a writ of Repleuin for thre kine of the said K. supposed to bee vniustly taken and detained by the said J. M. And for the saide J. M. against H. L. in a Repleuin of the said H. for fire oren supposed to be taken and vniustly detained by the said J. M. And for the said J. M. against J. H. in a Repleuin for two kine of the said J. H. supposed to be taken and vniustly detained by the said J. M. And for the said J. M. against E. S. in a Repleuin of certaine cattell of the said E. supposed to bee taken, and vniustly detained by the said J. M. And for K. K. and W. S. against K. L. for thre oren of the said K. H. supposed to be taken and vniustly detained by the said K. K. and W. S. And for J. S. and K. S. against H. L. alias W. in a Repleuin, for certaine beasts of the said H. S. supposed to bee taken and vniustly detained by the said J. S. and K. S. And for K. K. and W. S. against K. H. in a Repleuin of diuers beasts of the saide K. H. supposed to bee taken and vniustly detained by the said K. K. and W. S. And for J. S. and T. W. against L. C. in a Repleuin of certaine beasts of the said L. C. supposed to bee taken and vniustly detained by the said J. S. and T. W. And for the said J. S. and T. W. against the said K. C. in another Repleuin of certaine beasts of the said K. C. supposed to be taken and vniustly detained by the said J. S. and T. W. taking for his fee and labor, for euery one of the said plæes and busines, so as is said in the same court by him to be prosecuted and defended for euery terme

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in which your said orator should so be attorney for him or them, or any of them, 3. s. 4. d. And besides that fix, all reasonable costs and expences about the prosecution of the same suits, plées and busineses, as for the writing of writs, sealing of them, and drawing & entering of plées, and warrants of attorney, and for all other things in that behalfe, by him your said orator be laid forth and expended, and in consideration thereof, he the said J. M. did about the same time assume upon himselfe, and vnto your said orator faithfully promise, well and truly to content, satisfie and pay vnto the said orator whensoever he should be thereunto required by your said orator aswell the said fix of 3. s. 4. d. for euerie of the said suits, plées and busineses so to be prosecuted, as also al the said costs and expences, so as is aforesaid, to be laid forth in that behalfe: by reason of which retainer and promise, so as is aforesaid made, your said orator was of counsell with the said J. M. and the said other persons in the said suits and plées in the said Court, by the space of 8. seuerall termes next ensuing the said retainer, and during the said time did prosecute and sue for and defend diuers suits and writs, aswell iudicial as originall, as by the records thereof remaining in the said Court appereth, by reason whereof your orators fixes for the prosecution & defending of the said suits or plées by the said time did amount vnto r. l. or thereabouts; besides the costs & expences laid out by him in the same, which costs & expences laid out by your L. said orator, did amount vnto 8. li. 19. s. 9. d. which were behind and unpaid vnto your said orator, by meanes whereof action accrued vnto your said orator to demand and haue of the said J. M. in his life time the said sum of 18. li. 19. s. 9. d. and of the said J. M. vnto whom the administration of all the goods & chattels which the foresaid J. M. had at the time of his death, were after his death lawfully committed, yet therefore the said J. M. in his life time the said sum of 18. li. 19. s. 9. d. nor any penie thereof, though oftentimes in his life time thereunto by your said orator required, or the said J. M. his administrator after his death, notwithstanding that the goods and cattels which were the said J. M. be sufficient for the paymt of the said 18. li. 19. s. 9. d. vnto your said orator, and of all other debts which the said J. M. ought to haue paid, did come to y^e possession of the said J. M. & stil remain in the possession of her the said J. M. or of such person & persons, vnto who she hath yielded, left or deliuered the same, notwithstanding that she hath sundry times since y^e death of the said J. M. but gently required by your said orator to pay to him the same 18. li. 19. s. 9. d. or any part thereof, hath not yet paid and contented, but the same to content and pay hath euer hitherto denied & refused, & the said J. M. doth yet denie and refuse to pay the same, thereof intending vterly to defraud and deceiue your said orator against all right, equitie,

and

and good conscience, notwithstanding also that she the said A. M. hath her selfe at sundry times heard the said J. M. in his life time promise, that he would pay vnto your said Orator all such summes of money, as were behind vnto your said Orator, and notwithstanding also, that she well knoweth, that the foresaid sum of 18. li. 19. s. 9. d. was due vnto your said Orator by the aforesaid J. M. in his life, by reason that shee hath seene, and hath a particular bill therof, which was sent and deliuered to him in his life time by your said Orator, and notwithstanding also, that shee herselfe since the death of the said J. M. did assume and faithfull promise to pay vnto your foresaid Orator, all such money as was due vnto him at the said time of his death, if she the said A. M. did take vpon her the administration of his goods and chattels, which shee hath done as is said. Al which things she the said A. hath done partly by her own iniurious mind, but chiesly by the wicked and sinfull perswasion of K. M. Gentleman her sonne, by whose counsell and perswasion she hath closely and secretly coueied away a great part of the said goods being of very great value, to diuers places and persons, to your said Orator vtterly vnknowne, and left the same out of the Inuentory of the said J. M. his said goods which she hath exhibited: and also hath caused such goods and chattels, as be mentioned in the said Inuentorie, to be pyaised much vnder the value thereof, and a great part therof to be set downe therein so confusedly and inconueniently, that it cannot well be knowne, either what they be, or of what value. And furthermore she the said A. by the like sinister counsell & perswasion hath consented and caused one H. B. and T. C. and diuers other persons being her special friends couenouly to comence diuers and sundry fraudulent actions of debts and executions against her, as administratrixe of and to the same J. M. suffering herselfe therein to be conuicted and condemned, though in very truty either nothing or very litle was due vnto them, and in a maner nothing at all taken of her by them, by vertue of the said actions and executions, to the intent therby to dazle the eyes of your Orator, and of other the creditors of the said J. M. not knowing the truty of the same vngodly deuises, intending by such meanes to defraude and defeate your said Orator, and the rest of his said Creditors, of the most part of their seuerall debts, which their vnlawful practises are like to be to the great losse and hinderance of your said Orator, if speedy remedy be not by your good Lordships meanes provided to meet with and preuent the said vnconscionable and vniust dealing in the premises, for that the promises and assumptions of the said J. M. and A. M. were made secretly and priuately vnto your said Orator, no persons being present with them at the making of the said seuerall promises, noz any man liuing which can testifie the same, so

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that your said Orator for want of such prooffe therof, as is requisite by the strict course of the common lawes of this Realme, is altogether remedlesse, if it be not by thorder of this honorable court, wherein your L. said orator hopeth, and verily thinketh, that the the said A. D. in her answer to the p̄misses, vpon her corpozal oath wil confesse the same, to be in effect, as it is herein set forth and disclosed: May it therefore &c.

A Bill for diuers evidences.

Sect. 108

Humbly complaining, sheweth vnto your L. G. Earle of S. That whereas the said Earle is lawfully seised in his demesne as of fee, of, and in the manor of S. in the county of P. and in the hundred of S. with thappurtenances in the county of D. and of, and in the castle and manor of S. with thappurtenances in the county of P. and of the castle and manor of B. in the county of D. and of and in the castle and manor & hundred of B. in the county of D. with thappurtenances, and of, and in diuers mesuages, lands, tenements, hereditaments, franchises, and liberties, to the said seueral manors and hundreds belonging: Now so it is, if it may please your good L. that diuers & sundry Courtrols, charters, evidences, exemplifications of records, extracts, terrars, pleadings, writings, and muniments, concerning the said seueral manors, hundreds, and p̄misses with thappurtenances, and of right belonging vnto the said Earle, and whereby the said Earle should make his title vnto the said manors, hundreds, liberties, and p̄misses with thappurtenances, or to the most part therof, are by casual means come vnto the hands, custody & possession of one P. C. of S. in the county of D. And albeit ȳ the said earle hath sundry times sent vnto the said P. C. gently requiring him to deliuer vnto the said Earle the said courtrolles, charters, evidences, exemplifications of records, extracts, pleadings, writings, and muniments, yet that to do, the said P. hath euer hitherto vtterly denied, and yet doth deny to doe the same, against all right, equity & godd conscience: In tender consideration whereof, and sozasmuch as the said Earle knoweth not the certaine dates, & other the certainties of the said dēds, charters, evidences, exemplifications &c. neither wherein they, or any of them be contained, and therefore hath not any ordinary remedy by the common lawes of this realm to recover the same dēds, evidences, &c. or any of thē, and wanting the same dēds &c. is in danger to lose many franchises, liberties, and commodities belonging to the said seuerall manors, hundreds, and p̄misses: May it therefore please your hon. L. to grant vnto the said Earle the Qu. maiesties most gracious writ of Subpœna, to be vnto him directed, commaunding him to appeare befoze your honozab. Lordship, in her Maiesties high Court of Chauncerie.

A Bill.

A Bill for not making of an assurance of lands according to a covenant, alleadging the Indenture thereof to be come to the defendants hands, and that some of the defendants were within age at the making of the same Indenture.

Complaining, sheweth unto your ho. L. Gilb. Earle of S. some Sect. 109.
 and heire of the right hon. George late Earle of S. deceased, and administratoꝝ of the goods and chattels which were the late Earles at the time of his death. That whereas about the moneth of Sept. which was in the 32. yeare of the raigne of the R. most excellent Maiestie that now is, one R. C. of W. in the Countie of D. gentl. was seised in his demesn as of fee, of, & in one annuitie oꝝ yerely rent charge of 20. li. by the yere, issuing and going forth of certaine lands in W. in the said Countie of D. and of, and in one other annuitie oꝝ yerely rent charge of 40. markes by the yere, issuing & going forth of certaine lands and tenements in W. aforesaid. And where also he then had to him and his heires, to the vse of him and his heirs foꝝ ever, by conueiance from one P. B. Esquire, one melting house and certaine ground then lately vsed to the same. And where further the said R. C. by conueiance from the said P. B. then had to him and his heires foꝝ ever, the tithe of the coꝝne and hey renewing, comming oꝝ growing within W. aforesaid, oꝝ else where within the seueral Parishes of D. oꝝ S. oꝝ either of them, in the said Countie of D. And where also one T. C. son and heirs apparant of the said R. C. then also had by conuiance from the said P. B. to the vse of the said T. C. and his heires foꝝ ever, diuers and sundry lands, tenements & hereditaments, with the appurtenances in W. aforesaid. And where also one G. C. second son of the said R. C. then had by conueiance from the said P. B. unto the vse of the said G. C. his heires and assignes foꝝ ever, the Manor of W. with the appurtenances, and diuers lands, tenements & hereditaments, with thappurtenances, as by seuerall conueiances of the said seuerall tenements, things & premises, to the said R. C. & G. C. before that time seuerally made appereth: by foꝝce wherof they were thereof lawfully seised seuerally in their seuerall demesnies, as of fee: and being thereof so seised, they the said R. C. T. C. & G. C. foꝝ a certaine sum of money to them well and truly paid by the said late C. & foꝝ other cōsiderations the especially mouing, by Indenture bearing date, in, oꝝ about the said month of Sept. in the 32. yere aforesaid made betwæen them on the one partie, and the said G. late Earle of S. on the other partie, did fully, freely, and absolutely alien, grant, bargain and sell unto the said G. late Earle of S. his heires and assignes foꝝ ever, the said Manor of W. with all his rights, members and appurtenances

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tenances in the said county of D. and al and singular messuages, tofts, cotages, houses &c. to the said manoz of W. belonging, or in any wise appertaining: and all other the messuages, lands, tenements, rents, reuerfions, seruites and hereditaments of the said R. T. & G. C. & euery of them whatsoeuer, scituat, lying &c. together with all the reuerfion & reuerfions, remainder and remainders, of all & singular the p̄misses, and euery part therof with the appurtenances, and all estate, right, title, interest, claime, vse, possession and demand of them the said R. C. T. C. & G. C. and of euery of them whatsoener, of, in & to the said manoz, messuages, lands, tenements, hereditamenes and other the p̄misses befoze mentioed, and of, in, and to euerie part thereof: excepting and fozeppising one grant made by the said P. W. to the said R. his heires and assignes fozeuer, of common of pasture fozeall &c. To haue and to hold the said manoz, lands, tenements and p̄misses, with the appurtenances (except befoze excepted) vnto the said G. late Earle of S. his heires and assignes fozeuer, to the only vse of him the said late Earle, his heires and assignes fozeuer: and in consideration of the p̄misses, the said late Earle by the said indenture of bargain and sale, did grant vnto the said R. C. his heirs and assignes fozeuer, to the only vse of the said R. his heirs & assignes fozeuer, one annuitie or yerely rent charge of C. l. of lawfull English mony, to be issuing and going out of all and singular the said manoz, lands, tenements and p̄misses (except befoze excepted) and except such lands, tenements & hereditaments, as were then assured or conueyed foze the iointure of the right hon. Eliz. then, and yet Countesse of S. to be payed at the Feast of S. Michaell the Archangell, and the Annunciation of the virgin Marie, by euen portions, or to this, or the like effect and meaning, as in and by the said Indenture of bargain and sale amongst other things plainly appereth the p̄cise contents whereof this complainant can not moze certainly let downe, foze want of the said indenture. And whereas also (as this complainant hath heard) it was in, and by the said indenture of bargain and saile couenanted and granted on the part of the said R. C. T. C. and G. C. to and with the said G. late Earle of S. this complainants said late father, his heires and assignes, and euerie of them, that they the said R. C. T. C. and G. C. their heires and assignes, and euery of them, other then such person and persons foze the time being, whose estates and interests are in the same indenture excepted; their executors, administrators and assignes, and euerie of them, in respect onely of the same estates and interests so excepted; and euerie of them, should and would at all times hereafter, foze, and during the space of certaine yeares, next ensuing the date of the said indenture of bargain and sale, now almost ended and expired, at, and vpon the lawfull

and

and reasonable request, and at the costs and charges in the law of the said Earle, his heires or assignes, or some of them do, make, and knowledg, and suffer, cause, and procure to be done, made, and knowledged all and euerie such further, lawfull, and reasonable act and acts, thing and things, deuise and deuises in the Law whatsoeuer, for the further and moze better assurance, suretie and sure making and conueying of the said manors of W. and the messuages, lands, tenements and premises, with the appurtenances, in the said indenture mentioned to be bargained and sold (except befoze therein excepted) vnto the said Earle his heires and assignes, to the only vse and behoefe of the said Earle, his heires and assignes for euer, according to the true intent and meaning of the said indenture, woe it by fine, seoffment, recouerie, deed, or deeds inrolled, the incolement of the said indentures, release, confirmation with ioint or seuerall warrantie of the said R. C. T. C. and G. C. their, and euerie of their heires against them the said R. C. T. C. and G. C. their, and euerie of their heires and assignes, and euerie of them, and against all and euerie other person and persons whatsoeuer clayming, in, by, from, or vnder them, or any of them, or otherwise with like warrantie, or without warrantie as by the said Earle, his heires or assignes, or his or their counsell learned in the lawes, should be deuised, aduised, and required, so as none of the said actes or things concerning the said further assurance stretch or extend to any other or further warrantie or warranties of the premises, or any part thereof, then as is befoze expessed, or to the effect and meaning, as in the same Indenture of bargain and sale appereth: But now so it is, if it may please your H. L. that at the time of the making of the said indenture of bargain and sale vnto the said late Earle, the said T. C. and G. C. were within and vnder the age of 21. yeares: And shortly after the making of the said indenture, and befoze the same was either knowledged or inrolled, or any estate executed thereupon, by Attournement, Liuerie of seisin, or otherwise, that is to say, vpon, or about the 17. day of Nouember, next insuing the making of the said indenture, the said G. late Earle of S. died, by and after whose death, the right to haue and inherit the said manors, lands, tenements, and premises with the appurtenances, descended and came, as of right the same ought to descend and come vnto this complainant, as his eldest sonne and next heire, shortly after whose death, the administration of all the goods and chattels of the said G. late Earle, of S. was by the right reuerend father in God, A. by the prouidence of God, Archbishop of Canterbury, Primate and Metropolitane of all England, committed to this complainant now Earle, of S. who administered the said goods and chattels accordingly: And further so it is, if it may please your good Lordship,

that

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that the part or counterpaine of the said Indenture of bargaine and sale belonging to the said late Earle, is since the death of the said late Earle by casuall meanes come to the hands, custody, and possession of the said R. C. T. C. and G. C. or some of them, or of some other person by their punitie and consent, the full contents whereof are vtterly vnknotome to this compl. by colour whereof, and for that the said T. C. and G. C. were so, as is aforesaid, within age at the making of the said Indenture, they the said R. C. T. C. and G. C. hauing a great desire to haue the said manors, lands, tenements, and bargained pzemisses, and thereof to disinherit and defeate this complainant, contrarie to the true intents and meaning of the said Indenture: Notwithstanding that this complainant hath verely sithence the making of the said Indenture, well and truely satisfied and paid vnto the said R. C. the said Annuittie or yearely rent charge of 100. li. by the yeare, in the said Indenture mentioned, according to the tenor, forme, and effect of the same Indenture (as this complainant verely thinketh.) And notwithstanding that this complainant hath sundry times, aswell by himselfe, as by diuers other of his seruants and friends in his behalfe, sent and come vnto the said R. C. T. C. and G. C. gently requiring them, and euery of them, to deliuer vnto your said orator, the said part or counterpaine of the said Indenture of bargaine and sale of the pzemisses: And also to make vnto him this complainant and his heires, further conueyance and assurance of the said manor, tenements, and pzemisses, by fine to beleued befoze the Iustices of the Common ples at Westminster, and for that purpose in the terme of S. Hillarie, which was in the 34 yeare of the Ducesse Maiesties raigne that now is, at Westminster in the Countie of Middlesex, this complainant required the said R. and T. according to the tenour, true intent, and meaning of the said Indenture of bargaine and sale thereof, to come befoze Sir C. A. knight, then, and yet chiefe Iustice of her Maiesties Court of Common ples at Westminster, to make cognisance befoze the same C. A. knight of the said manor, tenements, and pzemisses, with the appurtenances, in forme of Law, that a fine thereupon might haue bin leuied, to the vse of this complainant, and his heires for euer, yet that to doe, they and euery of them haue euer hitherto refused and denied, and yet doe deny and refuse to the same, contrarie to the forme and true meaning of the couenants and agreement in the said Indenture of bargaine and sale thereof contained, and against all right, equitie, and good conscience, and to the manifest defeating, and disinheriting of him this complainant; of and in the said manor, lands, tenements, and pzemisses, and contrary to the true intent and meaning of the same Indenture of bargaine and sale thereof, except speedy remedie be

be in due time provided to prevent the same. Wherefore the premises considered, and forasmuch as the said complainant not knowing the certaine date and contents, and other certainties of the said part or Counterpaine of the said Indenture of bargaine and sale, nor wherin the same is contained, whether in bag, box, or chest locked, sealed, or otherwise, and so hath none ordinary remedy by the due course of the common lawes of this Realme, for the recovery thereof. And without the same indenture hath no direct action by the common lawes of this Realme to compell the said R. C. T. C. and G. C. or any of them to assure unto him this complainant, the said manor, lands, tenements, and premises, according to the said bargaine thereof, for lacke of the said Indenture, both parts thereof being come to the handes of the said Defendants. Neither if this Complainant had the said part or Counterpaine of the said Indenture (as hee hath not) yet had hee not thereby any meanes by the common lawes of this Realme, to compell the said T. C. and G. C. or either of the, to performe the bargaine and covenants therein contained, they the said T. and G. being as is aforesaid, vnder the age of one and twentie yeares, at the time of the making thereof. It may please your honourable Lordship, the premises considered, to grant unto him this complainant, the Queenes Maiesties most gracious writ of Subpoena, to be directed to the said R. C. T. C. and every of them, thereby commaunding them and every of them at a certaine day, and vnder a certain paine therein by your good Lordship to be limited, to be and personally to appeare before your honourable Lordship in the Queenes Maiesties high Court of Court of Chauncerie, then and there to answer unto the premises, and further to stand to, and abide such order and direction therein, as to your good Lordship vpon the hearing of the said cause, shall seeme to be agreeable with right, equity, and good conscience &c.

A Bill against the heire for entring into lands deuised to the Plaintiffe, praying a Commission to examine witnesses in perpetuam rei memoriam.

Humbly complayning, sheweth vnto your good Lordship your Sect. 110
 H. p. distressed D. of S. in the county of S. yeoman.
 That whereas W. W. deceased father vnto your said D. was
 in his life time lawfully seised in his demesne as of fee, of, and in the
 manor and Capitall messuage of S. in the Countie of S. and of, and
 in one farme, set, lying, and being within the parish of W. in the said
 Countie of S. and of diuers other lands, tenements, and heredita-
 ments in S. aforesaid. And also whereas the said W. W. deceased,

was

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was likewise in his life time lawfully seised in his demesne as offce of, and in certaine ground, and one tenement with thappurtenances, set, lying, and being within the Parish of C. in the County of D. and also of, and in the rectorie and parsonage of C. alias C. within the said countie of D. and of diuers other lands, and tenements, set, lying & being in the county of P. and D. and he so being of the said lands and tenements seised, did by his last will and testament in wyting, deuise and bequeath vnto your said humble Orator, and to the heires males of his body lawfully begotten, certaine parcels of land, of, and in the said manor of P. that is to say, one mansion house wherein your said poore Orator now inhabiteth and dwelleth, one close commonly called B. containing by estimation, two acres or thereabouts, one other close commonly called C. containing by estimation two acres or thereabouts, one other close commonly called the vpper S. all which severall parcels of land are scituat, lying, and being in P. as is aforesaid, in the foresaid Countie of P. one mesuage or tenement commonly called by the name of an organg, scituat and being in W. in the said County of P. and also one tenement called the P. scituat, lying, and being in the County of D. and one lease of the rectorie, and parsonage of C. in the county of D. by vertue and force of which said deuise, and bequeath, your said humble Orator entred into the said premises, and the said issues and profits of the same hath perceiued, receiued, and taken to his owne profit, vse, and behoofe, as lawfull was for him to do, as he verily belieneth. But now so it is, if it may please your ho. good Lordship, that one R. W. brother to your said humble Orator, as son and heire appatant to the said W. W. his father deceased, hath taken away, concealed, and cancelled, as it is thought, the said last will and testament of your said Orators father, and hath taken vpon him the administration of all the goods and chattels, of your said Orators father reiecting and disanulling the said last will and testament made by your said Orators father as aforesaid, to the intent only and thereby of set purpose, malice, and vnbrotherlike dealing, to defraude, expell, depriue, and disinherit your said Orator of his right, title, and interest, of, and in the said lands deuised to him as aforesaid, & also doth threaten your foresaid Orator, y he may at his pleasure relinquish and disanull the besoyresaid last will and testament made by your foresaid Orators father as is aforesaid, and did take the administration of all your said Orators fathers goods and chattels, and entred into all his said lands, as is aforesaid, contrary to all right, equity, and good conscience, and not chistian like but vnbrotherlike dealing, & contrary to the true intent and good meaning of your foresaid Orators fathers wil, made as is aforesaid, vnlesse your good L. doe according vnto your ac-

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customed goodnesse, extend your clemencie, and pitie in that behalfe to your pooze orator. In consideration whereof the premises considered, and sozasmuch as the title of your said Orator, by reason of the indirect practise vled as aforesaide, in concealing, cancelling, and relinquishing the said last Will as aforesaid, doeth greatly depend vpon the witnes and testimony of certaine persons dwelling within the county of P. to proue y true meaning of your said orators fathers will, which are of great yeares, and also very impotent, not like long to liue, nor yet able to trauell to this honoyable Court to bee examined for the testifying of the trueth, touching the premises, as by common order appertaineth. And also soz that in time the said witnesses may die, and by meanes thereof your said Orator may be in danger to sustaine disherison of the premises. Day it therefore please your good Lordshipp to grant the Queenes, &c.

A Bill for refusing to receiue the Plaintifes rent according to an order, and taking of forfeiture of abond, made for paiment of the rent.

Humbly complaining, sheweth vnto your good Lo. your daily orator Sect. 111.
 H. to, J. E. of G. in the countie of P. yeoman, That whereas one J. B. of W. in the countie of Boyke Miller, pretended as in the right of his wife to be owner of a certaine messuage in C. in the Countie of P. aforesaid, and of certaine land, medow, and pasture thereunto belonging, and lying within the fields of C. aforesaid, and the said J. B. so pretending himselfe in the right of his said wife to bee seised as is aforesaid about the 19 or 20. yeare of the Qu. maicsties most gracious reigne that now is, did demise the said messuage and land in C. aforesaid vnto your said orator, and one A. L. Gentleman, to haue & to hold to them for the terme of 21. yeres from the time of the making thereof, rendring therefore yearely the rent of 20. s. payable at Whitsentide and Martinmas by euen portions, for the payment of which said rent of 20. s. he the said B. knowing himselfe the title thereof to be questionable, and likely to grow to seme charges in law to your said Orator, to defend, did therefore cunningly get your saide Orator to become bound in an obligation of 20. li. for the yerely paiment of the said rent accordingly vnto him the said B. after v hich lease and bond so made, as aforesaid, and also immediatly after your said Orators entrie into the same, the title thereof was so defended against your said Orator, by such as clauned the same against him the said B. as that the charges thereof spent about the recouering thereof, did stand your said Orator in aboue 20. nobles, besides the great trauell and losse of time that your said orator sustained therby, being yet altogether unrecompenced at the said B. hands, although hee often promised to haue some consideration

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deration therof towards your said orator. And whereas also since and immediatly after that time, hee the said J. A. likewise in the right of his said wife pretended to haue right vnto certaine copihold lands lying in the parish of C. aforesaid, then being in the occupation of your said orator and other persons, for the triall whereof, there being certaine actions depending in the copihold court at Southwell, it was notwithstanding before the triall thereof, aswell by the consent of the said K. of the one partie, as also by the assent of your said orator, and the defendant on the other partie, referred to order and arbitrement of one P. K. and J. B. equires, that they should order and determine aswell the right, as the possession of the saide copihold lands so then in question, which said P. K. and J. B. Esq. being willing the contouerties might haue a good and final end, and yet themselues hauing no good oportunitie to attend the same, did therefore intreat as well the said J. K. as also your said Orator and the other, that it might stand with their likings, that one M. C. and H. W. of D. for that they were better acquainted with the interest of both the parties, might therefore order and make an end therof in all points, as should seeme good vnto them, whereunto as well the said K. as also your said Orator, with the rest agreed, promising to performe any such order as they the said C. and W. should in that behalfe make and agree vpon: whereupon the said M. C. and the said H. W. taking vpon them the said arbitrement, did thus, or to the like effect, order, agree and publish their order & award, that your said Orator should still enioy and continue his possession of the said Copihold lands, for, and during so long time as the wife of the said K. should liue, paying yeerely for the said Copihold land, vnto the said K. 4. s. rent, and for that hee the said K. receiued also another rent of 20. s. by the yeere, at two seuerall times of your said orator, for the freehold land aforesaid, they the said arbitrators, for the moze ease and certaintie of him the said K. did further order and appoint that your said Orator should also pay the said 4. s. rent for the copihold land, at the same time that the other rent for the freehold was vsed to be paid, which was at Whitsonde and Martinmas, so that from thenceforth he your said orator should yeerely pay at the daies aforesaid, the whole and entire summe of 12. s. at euery of the said feasts. And also for that the said Arbitrators did well foresee, that the said intire payment of 12. s. at one day and instant, could not conueniently be paid on the seuerall lands, out of the which they in trueth and law were seuerally issuing, for that the said freehold and copihold land bee distant in seuerall places, therefore the said arbitrators, for the moze ease and certaintie of him the said K. did order and appoint, that your said Orator should yeerely at the daies aforesaid, or within 14. dayes after euery of them,
pay

pay the said rent of xij. s. at the house of one **W. W.** of **M.** being a friends house of him the said **K.** and also farre nearer vnto the said **K.** his dwelling, then the land it selfe is, vnto which said order and arbitrement, he the said **K.** together with your said orator did willingly agree and condiscend: and so for the space of vij. or viij. yeres last past, the said **K.** hath alwayes receiued his rent accordingly, at the house of the said **W. W.** of **M.** aforesaid. Notwithstanding so it is, if it may please your good **L.** that the said **K.** meaning, as it seemeth not onely contrary to the said order and award, but also contrarie to all right and equitie, and good conscience, subtilly and extremely to take aduantage of your said Orators bond of twentie pounds, hath refused to receiue your said orators last Whitsonides rent, readie for him at the said **W.** house in **M.** aforesaid, according to the said order and award therein made, as aforesaid. May it therefore please your good &c.

A Bill for payment for cattell sold, without present money, or especialtie, by reason of trust reposed in the vendee.

Humbly complayning, sheweth vnto your good **L.** your daily **D.** Sect. 112:
 orator **W. B.** of **B.** in the countie of **P.** Butcher, That whereas your said orator about six or seuen yeares now last past, sold and deliuered vnto one **R. W.** of the same towne and countie Butcher, 6. steeres, and 5. oren, being all fat cattell, for the price xl. li. and ten shillings, which said summe of xl. li. and x. s. the said **R. W.** then faithfully promised to pay vnto your said Orator within a short space then after, and now long sithence past, or else when your said Orator would require and demand the same of him the said **R. W.** of which said bargaine and securitie for the said mony, your said orator was then lesse carefull, for that your said orator not long before, had bene seruant vnto the saide **R. W.** and for that the said **W.** had bene master vnto your said Orator, therefore your said orator did trust him the said **W.** so well, as that he nether toke any specialtie or securitie of him the said **W.** for the said summe of xl. li. and x. s. nor provided any witnesses to be present and to testifie the same bargaine and contract betwixt them, but onely priuately betwixt themselues contracted the same. And likewise your said orator priuately deliuered the said 6. steeres, and 5. oren, vnto him the said **R. W.** vpon trust, and performance of his priuate speech, and promise of payment thereof as aforesaid, whereupon the said **R. W.** then presently receiued the said 6. steeres, and 5. oren at your said Orators hands, and did presently afterwards conuert the same to his own proper vse and benefit: before the money paid by him the saide **W.** vnto your said orator for the same, &c. May it therefore please your &c.

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A Reioinder.

Se^t. 113

The said defendan^t reioyneth and saith in all and euery thing and things, as he in his said answer hath said, and doth & will auerre, iustifie, mainstaine, and p^{ro}ue the same answer, and all & euery thing and things, clause, sentence, article, and allegation therein contened to be good, iust, and true, certaine, and sufficient in the law to be replied vnto, in such sort, manner and foyme, as the same bene therein most truly set forth and declared. And this defendan^t further saith, that the said Repl^{ication} of the said complainant is very incertain, vntue and insufficient in the law to be reioined vnto by this def. fo^r diuers apparent faults and imperfections therein contened. And that the same is so contrived and made, by the said compl. fo^r the causes in the said answer exp^{re}ssed, and to the ende to giue some further colour, o^r rather shadow fo^r the maintenance of the said Bill without cause in this Ho. Court, to the vniust veration of this def. as may appeare, fo^r that, thee the said compl. by the sinister meanes of one T. P. who as it is said, p^{ro} cureth and solliciteth the same suit fo^r the said compl. against this def. hath without all order, as he is infor^med, caused him being a plaine simple vnlearned man, to become bounden by oblig. fo^r the p^{ro}ceeding in the said suit of this def. and with such condition whereof this def. is vtterly ignozant, of al which this def. hopeth this hon. Court will haue due consideration fo^r the punishing of such lewd and indirect courses & actions therein v^oled. And without that, that any other matter, thing o^r things, clause, sentence, article, o^r allegation in the said Repl. contained materiall o^r effectually in the Law to be reioyned vnto by this def. and not here in this his reioynder sufficiently reioyned vnto, confessed, and auoided, denied, o^r trauesed, is true. All which matters this def. is ready to auerre and p^{ro}ue, as this ho. Court shall alward, and therefore p^{ro}uaieth as he befo^re in his said answer hath p^{ro}aied.

A Bill vpon putting one to seruice with promise that the seruant shall serue truly, and that the defendan^t will satisfie all damages, which shall happen to the Master by the same seruant &c.

Se^t. 114

Humbly complaining, sheweth vnto your hon. Lo. C. L. of the towne of B. in the county of P. Gentleman, That whereas S. P. daughter of S. A. of the towne of A. in the Countie of P^orke, about two yeares now last past, being desirous to serue your said D^{ra}to^r, and his wife, then dwelling at Kotheram, at an Inne there called the signe of the Angel in the said county of P^orke, was entertained in to their seruice, at, and vpon the further intreaty of the said S. A. and vpon

vpon her faithfull promise vnto your said orator, then giuen and made, that the said M. her daughter should during the time of her seruice and abode with your said orator, honestly, faithfully, and truly behaue her selfe, and serue your said orator and his wife in all lawfull busines, and that if any losse or prejudice should befall vnto your said orator, through either negligence, default, or abuse of the foresaid M. in any respect, that then the said A. would vpon notice to her giuen in that behalfe, by your said orator of such losse and detrimēt in that behalfe sustained, satisfie and recompence your said orator for the same to the uttermost value thereof. By reason whereof your foresaid orator entertained and receiued the foresaid M. into his seruice, as is aforesaid. And thereupon the wife of your said orator deliuered vnto the said M. to her onely charge and custodie, many and sundry parcels of plate, linnen, and also other necessarie things, for your foresaid orators behalfe. In which said seruice the said M. remained with your said orator by the space of one whole yeare then next following. Now so it is, if it may please your said honorable Lordship, during the time of the abode of the foresaid M. in seruice with your said orator, as is aforesaid, the foresaid M. did not onely secretly and priuily deliuer vnto the foresaid A. S. her mother, diuers of the said parcels of plate, linnen, and other vtensils of your said orators, to the full value of xx. markes, or thereabouts, to and for the vse and behalfe of the said A. But also during the said time, conuerted sundry other parcels of goods and summes of money receiued of guests that resorted to the said house, appertayning to your said orator, vnto the onely vse and benefit of the said M. her selfe. By meanes whereof your said orator was greatly prejudiced and hindered, to his losse of xxx. or xl. li. or thereabouts, vpon which occasions your said orator was enforced to put the said M. forth of his seruice. And although your said orator hath diuers and sundry times heretofore notified and made knowne vnto the said A. the losse and hinderance, by her sustained, as is aforesaid, by and through the negligence, default, and abuse of the said M. as is aforesaid, and hath required recompence and satisfaction for the said goods so deliuered and conuerted to the vse of the said A. and M. as is aforesaid, according to the promise of the said A. made to your said orator vpon the entertayning of the said M. into his seruice, as is aforesaid, yet the said A. the same to do hath heretofore refused and denied, & still doth refuse & denie to do, contrary to her promise and assumption aforesaid, & against all right, equitie, & conscience. In consideration whereof, and soasmuch as your said orator is not able to make any due poise, neyther of the certaintie or quantitie of the plate, linnen, and ether goods so secretly deliuered to the said A. by M. during the time of her seruice, as is aforesaid, or of the said

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other goods, conuerted by the said D. to her owne vse, as is aforesaid, nor of the promise made by the said A. vnto your said orator, vpon the retayning of the said D. into his seruice, as is aforesaid, by reason the same was in secret betwene themselves, without calling any other to witnesse the same, wherby your said orator by the strict rule and course of the common lawes of this Realme, hath no ordinary meanes for recoverye of the same; but onely by suit before your H. Lordshippe in the Quenes Maiest. high Court of Chancerie, by the oaths of the said A. and D. in whose priuities all the premisses principally lie, & whō your Orator thinketh vpon their said oathes will reueale, and manifest the truth and circumstance of the same: the premisses considered, May it therefore please your good Lordship to grant vnto your said Orator the Qu. Maiesties most gracious writ of Subpœna to be directed to the said A. and D. and either of them, commanding them thereby not only to appeare before your H. in the Qu. Maiesties high Court of Chancerie, at a certain day, and vnder a certaine paine therein to be limited and assessed, then & there to answer to the said premisses, but also to stand to and abide such further order & direction therein, as to your H. wisdom shall be thought fit and conuenient, & your said Orator shall daily pray vnto God for the long continuance of your H. in health and prosperitie.

The ioint and severall answers of A'S. and M.S. defendants to the Bill of complaint of C.T. complainant.

Sect. 116.

The said defendants say, and eyther of them, for himselfe severally saith, That the said bill of compl. against them exhibited into this honorable court, is very vncertain, vntrue, and insufficient in y^e law to be answered vnto by the said defendants, or either of them, for diuers manifest & apparant faults and imperfections therein contained, & devised & exhibited into this honorable court of inuere malice and enuie, only to the intent, not only to bere and trouble the defendants, being very vnable and vnmet vpon the sudden, with long & tedious iourneyes to make their personall apparances in this H. Court, being about 120. miles distant from the towne of A. in the Countie of P. where these defendants now dwell, but also to wearie the defendants in such sort, that they might extort and wring from these defendants some consideration for the stay of the foresaid suit, be it neuer so vntrue, and without any iust cause or colour of cause so to do, neuertheles, if these defendants shall by the order of this honourable court be compelled to make any further or other answer to the said vncertaine and insufficient bill of complaint, then the aduantage of exception to the manifest incertainie & insufficiencie of the same bill of complaint to these defendants,

and.

and either of them at all times hereafter saued, for answer thereunto, and for a manifest declaration of the truth, touching the contents of the same bill, these defendants say, and either of the for himselfe severally saith, that about the time mentioned in the said bill of complaint, y^e said M. St. the other of these defendants was entertained to serue the said complainant and his wife for the terme of one yeare, next ensuing the time of such her retainer, for xvj. s. wages for the same yeare without the knowledge of the said A. St. the other of these def. untill that tyme the said M. was so with them retained. And these defendants further say, y^e by vertue of the same retainer, the said M. did honestly, faithfully and truly behaue her selfe, and did serue the said compl. and his said wife in all lawfull businesse accordingly, during all the said yeare, and that to her knowledge no losse nor prejudice did befall vnto the saide compl. thzough the negligence, default or abuse of the said M. in any respect during the same yeare. And that in the end thereof she departed from them with their fauour and good will, at her owne request, without that, that she the said M. was entertained in their said seruics, at and vpon the entreaty of the said A. St. and vpon her faithfull promise vnto the said compl. then giuen and made, y^e the said M. her said daughter should during the time of her seruice and abode with the said compl. honestly, faithfully, and truly behaue her selfe, seruing him and his said wife in all lawfull businesses, and that if any losse or prejudice should befall vnto the said complainant thzough the negligence or abuse of her the said M. in any respect, that then she the said A. St. vpon notice to her giuen by the said complainant, of such losse and detrimēt in that behalfe sustained, would satisfie and recompence the said complainant for the same to the vttermost value thereof, or that by reason thereof of the same complainant entertained and receiued M. in his said seruice, as in the saide bill it is vntruely alleaged. And the said defendants further say, that albeit she the said A. St. hath made vnto the said complainant any such promise as hee in his bill of complaint supposeth (as in very trueth shee did not) yet were the same promise voyd in law, and of no validitie or force to binde her thereby, for that the said A. at the time of the saide surmised promise was couert with A. St. her husband. And without that, that vpon such promise the said wife of the said complainant deliuered vnto the said M. to her charge and custody many parcels of linnen, and other necessary things and furniture for the saide complainant his behalfe in any other manner then as to euery other ordinary seruant in the same house in the like case, without taking vpon her any speciall charge for the keeping thereof, as in the said bill of complaint it is very vntruely alleaged, and without that, that during the same time of the said abode of her the

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said *D.* in seruice with the said complainant; as aforesaid, the said *D.* did either secretly deliuer vnto the said *A. S.* her said mothers diuers or any of the said parcels of plate, linnen, and other goods, for thuse and behoefe of the said *A. S.* or during the said terme conuerted sundry or any other parcels of goods and sums of mony receiued of guests that resorted to the said house, appertaining to the said complainant; vnto the vse and benefit of the said *D.* her selfe, by meanes whereof the said complainant was greatly preiudiced and hindred; to the losse of 30. or 40. li. or therabouts, or that vpon such occasions the said complainant was enforced to put the said *D.* from his seruice, for that the said complainant hath diuers and sundry times heretofore notified and made known vnto the said *A.* the losse and hurt he sustained, as is aforesaid; by and through the negligence, default and abuse of the said *D.* as is aforesaid; and required recompense and satisfaction for the said goods so supposed to be deliuered, and conuerted to the vse of the said *A.* and *D.* as is aforesaid, as in the said bill of complaint is most vntuly alleaged. And without that, that any other matter, thing or things, clause, sentence, article, or allegation in the said bill of complaint contained, material or effectual in the law to be answered vnto by these defendants or either of them, and not herein in their answer sufficiently answered vnto, confessed, and auoyded, denied, or trauesed, is true: all which matters these def. and either of them are ready to auerte and proue as this *D.* Court shall award; and therefore they pray to be dismissed out of the same Court with their reasonable colts and charges in this behalfe wrongfully and without cause sustained.

The Replication to the same Answer.

Sept. 116

The said compl. sauing to himselfe all aduantages of exception to the incertainties and insufficiency of the said defendants answers; for replication saith as he before by his said bil hath said. And doth and will auerre, iustifie and maintaine his said bil, and all and euery thing and things therein contained to be good, iust, and true, in such sort, manner and forme as in & by the same is most truly set forth and declared. And that the answers of the said defendants are vncertaine, vnttrue, and insufficient in the law to be replied vnto for diuers vnttruths and imperfections therein contained, without that, that the said *D.* one of the said defendants did honestly, faithfully, and truly behaue her selfe in the seruice of the said complainant, as by the same defendant in their said answeres is vntruely alleaged, for this said complainant saith, as hee before by his said Bill, hath said, that the said *D.* one of the saide defendants did secretly deliuer to the saide *A.* the other defendant diuers parcels of the goods of the saide complainant, that the

the said defendants most wrongfully detaine & withhold fro him & said compl. against right and equity, and further the said complainant saith and will auerre and proue, that the said A. one of the said defendants did giue her faithfull promise to satisfie and pay vnto the said compl. the vttermoſt value of euerie losse or hinderance the said complainant should sustain by the said D. as by his bil is most vntruly set forth and declared, without that, that any other matter or thing in the said defendants answer conteyned materiall or effectuall, to be replied vnto, and hereby not sufficiently replied vnto, is true. All which matters the said complainant is readie to auerre and proue, as this Honorable court shall award, and prayeth as he befoze by his said bill hath prayed.

A Bill for entring into and detaining copihold lands sold to the defendant to the plaintifes Grandfather, which descended to the plaintife, being an infant, the said entrie being made, by reason that the copie and court-roll of the said bargain came to the defendants hands.

Humbly complaying, sheweth vnto your honorable L. your daily Sect. 117.
 Orator J. H. of W. in the countie of Pozke Gentleman, That whereas about the xxij. day of Septemb. in the third yere of the reigne of the late King of famous memory Edward the vi. one Christopher Barter late of J. in the said Countie husbandman, was lawfully and rightfully seised in his demesne as of fee, as a Cophholder, according to the custome of the manor of the Pzebend of Laghton, in the said county of, & in one customary mesuage or tenement, and one Organge of land, with thappurtenances in J. aforesaid: and in another mesuage or tenement, and 30. acres and a halfe of land with thappurtenances in J. aforesaid, and he being thereof so seised about the time aforesaid for a certaine great summe of money to him paid by J. H. of W. aforesaid, grandfather of your said Orator, did surrender according to the custome of the said manor, the said customarie tenements and premises, with thappurtenances, into the hands of the then Lord of the said manor, to the vse of the said J. H. the grandfather and his heires for euer: by force whereof the said J. H. the grandfather was thereof admitted tenant accordingly, and was of the same as a copiholder lawfully seised in his demesne, as of fee, by, and according to the custome of the said manor, and the rents, issues, and profits thereof arising and growing, did likewise lawfully take and conuert to his owne vse, by the space of diuers yeares, and afterwards the said J. H. the Grandfather being thereof so seised of the said tenements and premises, died thereof so seised, about the second yere of the reigne of the Quenes most excellent Maiestie that now is. By and after whose death the said tenements

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rights and premisses descended & came, & of right ought to descend and come to your said Orator, being then of very yong and tender yeares, viz. about the age of five yeares, as next cosin and next heire vnto the said J. H. the grandfather, that is to say, soune of T. H. soune and heire of the said J. H. the grandfather: but now so it is, if it may please your good W. that after the death of the said J. H. the grandfather, all the copies of Court rols of the said manor, and the very Court rols themselves concerning the premisses, did by casuall meanes come vnto the hands, custody, and possession of the said C. B. and one T. G. of T. in the said countie husbandman, or to the hands of one of them, which they or the one of them haue cancelled & defaced, intending thereby vtterly to disinherite your said Orator of the same tenements and premisses, & by colour thereof shortly after the death of the said J. H. the grandfather, the said C. B. did wrongfully abate & enter into the said tenements & premisses. And euer since his said wrongfull entre, that is to say, by the space of xxiiij. yerres, or therabouts, hath wrongfully occupied the premisses or the most part thereof, and receiued & taken & conuerted to his own vse, the rents, issues & profits of the said tenements and premisses, and will not by any meanes permit or suffer your said Orator to enter, meddle, or haue to do therewith. And notwithstanding the said Orator, not only by himselfe, but also by his friends, hath in gentle & quiet maner diuers times come vnto the said C. and T. gently requiring them to deliuer vnto him your said Orator, the said copies of Court rols, and so make reasonable recompence & satisfaction vnto him your said Orator for the rents, issues & profits of the said tenements & premisses, so as is aforesaid by the said C. wrongfully receiued according to your said Orator his good right and title thereunto, yet the said C. and T. either of them haue euer hitherto refused & denied, and yet do refuse & deny to do the same against all right, equitie and good conscience, and to the disinherison of your said Orator, of, and in the premisses, and to his great losse and hinderance, if speedy remedy be not by your good W. in this W. court speedily provided to prevent the same. In tender consideration wherof, and for so much as your said Orator not knowing the certaine number, dates, or contents of the said copies and Court rols, nor wherein they or any of them be contained, in bag, bore or chest, locked, sealed or open, is therfore without all remedy, by the due course of the common laws of this realme to recouer the same, and for lacke therof your said Orator is very like to lose the said tenements & premisses, & for that also, that the contents of the said bargain, and surrender of the said tenements and premisses, so as is aforesaid, made betwene the said J. H. grandfather, and the said C. B. cannot now otherwise be proued then by answer of the said C. B. and T. G. made vpon their oathes in this honorable

honorable court, all such persons as were witnesses of the same bargain, being now either dead, or else utterly unknown unto your said orator, being so yong, as it is aforesaid, at the time of the making of the same. May it please your honorable Lo. to grant unto your said orator the Duenes Maiesties most gracious writ of Subpœna, to be directed unto the said C. and T. straightly commanding them and either of them at a certaine day, and vnder a certaine paine therein to be limited, to appeare before your L. in her maiesties high court of Chancery, then and there to answer to the premisses, & to abide such order and direction therein, as to your L. shall seem to stand with right, equity and good conscience, and your said orator shall daily pray to Almighty God for your honour in good health long to continue, &c.

A Bill by the husband and wife, as guardians to her child for evidences.

In most humble wise complaining, sheweth unto your good Lord Sect. 118
 shipp, your poore and daily orator, J. W. of W. in the County of W. yeoman, and J. his wife, late the wife of J. S. the elder of W. aforesaid yeoman now deceased. That whereas the said J. S. in his life time was lawfully seised in his demesne, as of fee, of, and in one messuage or tenement, commonly called H. and of, and in certaine landes, meadow, and pasture, and other hereditaments, with the appurtenances, to the said tenement belonging, and with the same vsually occupied, situate, lying, and being in W. aforesaid. And hee the said J. S. being of the premisses so seised; did in his life time conuey and assure the same vnto certaine persons, and their heires, to the vse of the said J. and of the laide J. then his wife, and of the longer liuer of them, without impeachment of waste. And after their deceases, to the vse of the heires of their two bodies lawfully begotten, with diuers remainders ouer, by force whereof the said J. S. and the said J. then his wife, were thereof seised accordingly. And so seised, the said J. S. about three yeares now last past, died seised of such estate, as aforesaide, hauing issue betwene him and the said J. one J. S. an Infant of the age of two yeares, or thereabouts. After whose death the said J. held her selfe in the said messuages and lands, and was thereof seised accordingly. And so seised, tooke to husband the said J. W. the other of your said orators, by force of which entermarriage the said J. W. and the said J. were lawfully seised of the premisses, as in the right of the said J. And your said Orators haue also the custodie of the said J. S. the Infant, rightly belonging to the said J. his mother as Guardian in Socage. Now so it is, if it may please your good Lordships, that certaine deedes, evidences, and writings, touching

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and concerning the premises, and of right belonging to your said orators, and the said infant, or to the one of them, are casually come to the hands and possessions of T. C. of W. aforesaid, & J. S. of W. being kinsman vnto the said J. S. of W. the elder deceased, who by colour of having the said deeds, evidences, and writings, have wrongfully entred into the premises with thappurtenances, and therupon have contrived certaine secret estates vnto diuers persons vnknown to your said orators, and by colour thereof, they the said T. C. and J. S. of W. or the one of them of late time hath wrongfully entred into the premises, and hath received and taken the issues and profits of the premises or some part thereof from your said orators, and although your said orators haue diuers and sundry times gently requested the said T. C. and J. S. of W. to permit and suffer your said orators quietly to haue and enioy the same premises, & to deliuer vnto your said orators the said deedes evidences, and writings, touching and concerning the premises, and which of right do belong and appertain vnto your said orators, and to the said J. S. the infant, yet they the same to do haue hitherto refused, and yet do refuse, contrary to all right, equity & good conscience, which is likely to turne, not only to the losse and hinderance of your said orators: but also to the prejudice and disinheritance of the said infant, if speedy redresse herein be not had by your good Lo. In consideration wherof, and sozasmuch as your said orators do not know the certaintie nor certain number of the said deedes, evidences, writings, nor whether the same bee contained in bagge or bore, sealed, or in chest locked, and so your orators and the said Infant are without any ordinary remedy for the recouery of the same by the common lawes of this realm. And soz that your said orators doe hope, that the same C. and S. will vpon their oathes in this honorable Court, confesse the certaintie and truth therein, where the said evidences are to be had, or to whom they haue deliuered the same. May it therefore please your good Lordship, the premises considered, to grant vnto your said orators the Duennes Waileties &c.

The answer of the same.

Sec. 119

The said defendants say, and euery of them severally saith, that the said bill of complaint is very vncertaine, vnture, and insufficient in the law, to be answered vnto soz diuers manifest defaults and imperfections therein conceiued and framed, and exhibited into this honorable court, as these defendants sorely thinke of malice and euill will, to the intent to put these defendants to great trauaile, charges, and expences, to make their personall appearance in this honorable Court, the said defendants dwelling in W. aforesaid, in the said county of D. which is 120. miles distant from the citie of Westminster, and without

without any iust cause so to doe, and these defendants further say, that if the surmised matters contained in the said bill of complaint were true, as in very trueth they are not, yet were the same determinable, and to be determined by the common lawes of this realme, and not in this honozable court, whereunto these def. pray to bee dismissed with their reasonable costs, charges, and damages in this behalf wrongfully and without iust cause sustained, yet neuerthelesse, if these def. shall be compelled by the order of this Court, to make any further or other answer vnto the said vncertaine and insufficient bill of complaint, then the aduantage of exception to the incertaintie and insufficiencie thereof to these defendants and either of them at all times heereafter saued, for further answer thereunto, and for a full and plaine declaration of the truth, say that they thinke it is true, that the said J. S. was in his life time lawfully seised in his demesne as of fee, of, and in the said messuage or tenements commonly called the H. and of, and in certaine landes, meadow, and pasture, and other hereditaments with the appurtenances to the said tenements belonging, and with the same usually occupied, situate, lying, and being in B. aforesaid, as in the said bill of complaint is alleadged, but the said defendants further say, that the said tenements in the said bill of complaint contained, as they verely beleue, are holden of the right hon. G. Earle of S. of his mannoz of C. in the said county of D. by knights seruice, and by the yearely rents of two shillings. And that he being thereof so seised, and the said Earle being also seised in fee, of the said mannoz, as these defendants thinke, died thereof so seised, by, and after whose death the said tenements and premises in the said bill mentioned, descended and came to the said J. S. the sonne, as sonne and heire of the said J. S. deceased, who is yet within the age of one and twentie yeares, by meanes whereof the said Earle after the death of the said J. S. the father, as guardian of the said J. S. infant, during his minority, by reason of the tenure aforesaid, seised the body of the said J. S. infant, without that, that to the said defendants knowledge, the said J. S. the father being of the premises seised in fee, did in his life time conuey and assure the same premises vnto certaine persons and their heires, to the vse of the said J. S. and of the said J. then his wife, and of the longer liuer of either of them, without impeachment of wast, and after their decease to the vse of the heires of their two bodies lawfully begotten, with diuers remainders ouer, as in the said bill of complaint is vntreuely alleadged, or that to these defendants knowledge, by force thereof the said J. S. and the said J. S. then his wife being thereof so seised, died thereof so seised, or that to these defend. knowledge, after his death the said J. held her selfe in the said messuages, landes, and premises, and was
there.

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therof so seised accordingly, by force of any such conueiance, or that the being therof so seised, tooke to husband the said J. W. or that by force of the said entermarriage the said J. W. and the said J. to the knowledge of these defendants, were so lawfully seised of the said premises, in the right of the said J. as in the said bill is alleadged. And without that, that to these defendants knowledge the said J. W. and J. haue the custody of the said J. S. the infant rightfully belonging to the said J. as Gardein in Sorage, as in the said bill is likewise alleadged. And without that, that any doedes, euidences, and writings, touching and concerning the premises, and of right belonging to the said Infant, or to one of them, are casuallly come to the hands, custody, and possession of the said defend. other then such doeds, euidences, and writings, as the said J. did deliuer vnto the said T. S. the one of these defendants which he the said T. about one yeare now last past, or more, vpon the receipt of the Duenes Halesies writ of Subpena deliuered to J. L. late of W. Hall in the Countie of D. Gentleman, to the vse of the said Infant, which as he remembzeth was done by appointment or agreement of the said J. And other then another old deed or writing without date containing these words following, or the very like in effect and meaning, viz.

Sciant presentes & futuꝛ quod ego Ioh. filius Tho. de B. dedi concess. & hac præsentī charta mea confirmaui Duranto de Toxwood pro homag' & seruitio suo, & pro quadam pecunie summa mihi præ manibus soluta, totam terram meam quæ vocatur le Haule cliffe in territorijs de B. cum boscis, pratis, pascuis, pasturis, & omnibus suis pertinentijs, sine aliquo retento, quæ iacet integre in latitud' inter viam quæ ducit versus terram quam L. de L. quondam tenuit, & extendit se in longitudinē de meta de B. vsq; ad terram Abbat' de R. et terram quæ fuit A. F. & terram R. de le Scagh, vna cum tota illa terra cum domib' & edificijs in ea sitis, cum omnib' suis ptiñ, quam R. de T. quondam tenuit, quæ iacet integre inter terras, &c. and without that, that any other matters &c.

A Bill to be discharged of a Recognisance for the sawing of lands sold harmeless, for that a lease made thereof by which he seemeth to be dammified, was either made in trust or by surrender, before the said bargain, with an answer, replication, and reioynder to the same Bill.

Sect. 120

Complaining sheweth vnto your hon. Lordship, George Earle of Shrotonbury, that whereas Sir W. S. knight Lord Sh. deceased, in his life time, about nine yeres now past, was lawfully seised of an estate of inheritance amongst other lands and tenements, of the third part

part of the scite & mansion house of the late dissolved Abbey, Monasterie or Priory of B. in the Countie of L. and of all and singular messuages, houses, edifices, buildings, orchards, gardens, fishings, ponds, lands, tenements, meadowes, pastures, commons and hereditaments with y^e appurtenances to y^e said scite belonging, then or late in y^e occupation of F. S. & afterwards in y^e occupation of one M. & the said L. M. being thereof so seised about y^e 16. day of December in the 7. yere of the reigne of our soueraigne Lady the Qu. Maieety that now is, of speciall and secret trust and confidence by him the said Lo: M. reposed in one W. S. of M. in the county of S. gentleman, and M. his wife, or of one of them, did make an Indenture bearing date the 16. day of Sep. in the said vy. yere of a demise of the said third part of the said scite, lands, tenements, and hereditaments, with thappurtenances to the said W. S. and M. his wife, to haue and to hold the same vnto the said W. S. and M. from the decease of R. T. of S. for and during the terme of xij. yeaeres then next ensuing, as by the said Indenture appeareth. And deliuered the said Indenture to be deliuered as his deed, when the said W. S. had perfozmed certaine conditions and agréments betwæne them made, vpon which Indentures made by them, it was neuer intended nor agreed that the said W. S. and M. his wife, or their executors or assigns, or any of them, should take any benefit to them: but y^e the same lease should be surrendered, & at all times disposed at the pleasure of the said Lo: M. by force whereof the said W. S. and M. were possessed of the interest of the said terme accordingly, and being thereof so possessed, And the said L. M. being seised of the said R. of the third part of these tenements and p^remises of an estate of inheritance, afterwards, that is to say, the 18. day of May, in the xij. yere of the reigne of our said soueraigne Lady, the said Lo: M. by Indenture bearing date the said day and yere, did bargain and sell the said third part of the said p^remises among other things to one J. C. of C. in the countie of S. Esquire, and F. S. of S. in the said Countie Gentleman, and their heires for euer, by which last recited Indenture, the said Lord M. for him and his heires did couenant and graunt, to and with the said J. C. and F. S. and either of them, that aswell the said J. C. and F. S. their heires and assigns, as all the said manors and tenements, by the said Indenture to them bargained & sold, at the enscaling & deliuey of the same Indentures, were discharged, exonerated or saued harmelesse, and from thenceforth at all times, and from time to time hereafter for euer, should be discharged, exonerated, acquitted, or saued harmelesse by the said W. Lord M. his heires, executors, or administrators, of, and from all and singular gifts, graunts, leases, charges, and incumbrances, had, made, graunted or suffered in, or to the p^remises;

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or any part or parcell thereof, by the said Lord M. or by any other person or persons whatsoever, other then the said estate of the said R. S. late Duchesse of S. and certaine other things, in, and by the said Indenture excepted, as by the said Indenture appeareth. For performace of which covenant of the said Indenture, the said Lo: M. Eagle, the ij. day of June in the said xij. yeares, became bounden vnto the said J. C. and vnto one M. S. of J. L. in the countie of W. Esquire, by recognisance knowledged in this high Court of Chaucerie in the summe of two thousand pounds, as thereby appeareth. And shortly afterwards, that is to say, about sixe yeares now last past, the said R. late D. of S. died, and the said J. C. and J. S. entred into the manors, tenements, and premisses with the appurtenances, and were, and yet be thereof seised in their demelnes, as of fee, by force of the said conueyance, and the profits thereof arising and comming to their owne vse took, and yet doe quietly so take the same without any interruption, let or trouble of the said W. S. and M. his wife, and their assignes, and euerie other person or persons, according to the covenant, true intent, and meaning of the said Indenture of bargaine and sale. And afterwards that is to say, about five yeares now last past, the said Lord M. for the summe of sixe thousand pounds, or thereabouts, did bargaine and sell to the said Earle and his heires, the manor of W. in the countie of N. and diuers other lands and tenements in W. and other places in the said countie, by force whereof the said Earle was thereof lawfully seised in his demelne, as of fee, and the issues & profits thereof arising and growing, did quietly take and conuert to his owne vse, from the time of the bargaine, during all the life time of the said Lord M. and W. S. which was by the space of thre yeares after the death of the said Duchesse or thereabouts. And afterwards, that is to say, about five yeares last past, the said M. died, since whose death the said J. C. M. S. J. S. T. H. D. W. M. M. and J. T. and the said M. late wife of the said W. S. and executrix or administratrix of the said Will, as the said Earle is informed, by the agreement and priuie of Ed: Lo: Hozley, and the Lady Elizabeth his wife, daughter and heire of the said Lo: Mounteagle, hauing gotten into their hands the said Indenture of demise, albeit that the said T. performed not the conditions and covenants betwene him the said Lord M. amongst themselves, did conceale and frustrate the said trust reposed by the said Lord M. in the said W. S. and M. or the one of them, to the intent to extend the said Recognisance of two thousand pounds, vpon the said manor of W. And such other landes and tenements as the saide Earle hath purchased of the said Lord M. contrarie to the good meaning of the saide Lord M. contrarie to the great trust and confidence by him reposed in

in the said *W. S.* and *M.* his wife, and the true meaning of the said indenture of lease. And for that purpose haue procured the said estate and interest of the said *W. S.* and *M.* of the said third part to be conueied to the said *M.* to the intent that the said *W. M.* should enter into the said third part so leas'd, as is aforesaid, to disturbe the possession of the said *C.* and *J. S.* which he hath done accordingly, to the intent that therby the said *J. C.* and *M. S.* might haue some colour to extend the said Recognisance of 2000. li. against the said *Carle*, notwithstanding that the said *J. C.* and *J. S.* euer since the entry of the said *M.* haue quietly occupied the said demis'd third part, and yet doe quietly occupie the same, not hauing had any damage therby to the value of twelue pence by reason of the said lease, All which notwithstanding, if it may please your good Lo. the said *M. S. J. S.* and *J. C.* haue procured execution of the said Recognisance of 2000. li. to bee sued against the said *Carle* by Procelle out of this honorable Court, according to the forme and effect of the said Recognisance, for that as they suppose the said third part is charged with the said lease thereof made to the said *S.* and his wife, and assigned by the said *S.* to the said *W. M.* who by force thereof hath entred into the said third part, and disturbed the possession of the said *J. C.* and *J. S.* and their assignes, And for that by means thereof, the said manors, landes and tenements to them bargained and sold by the said Lo. *M.* in forme aforesaid, were not saued harmlesse by the said Lo. *M.* or his heires of, and from all and singular leases had, made, or granted of the said manor and other the premises mentioned in the said indenture of bargaine and sale, according to the forme and effect thereof, which said practise and compact is much against the said trust and meaning of the said Lo. *M.* reposed in the said *W. S.* and *M.* his wife, and against the true meaning of the said Indenture and Recognisance, tending to the great losse and damage of the said *Carle*, and against all right, equity, and good conscience, if the said purpose should not by equity and consideration of this honorable court be prevented and met withall: In consideration wherof, and for so much as, aswel the saide trust touching the said lease, as the saide compact and agreement amongst the said parties to extend the said *Carle* his said landes by reason of the said Recognisance by matters secretly agreed vpon amongst themselves, the saide *Carle* not knowing any witnesses which were present at the making thereof, so that the said *Carle* can very hardly make such p'pose in this hon. Court thereof, or of the said conditionall deliuey of the said Indenture, as is necessarie in that behalfe, vnlesse the said parties or some of them will confesse the same in their answeres vpon their oathes in this honorable Court, as the said *Carle* verely thinketh they will. And forasmuch also as it is very likely

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likely, that the said Lo. P. would neuer haue entred into the said Recognition of 2000. li. for the performance of the said covenants of the said Indenture of bargain and sale, without making exception therein of the said lease, if the said lease of the said third part before the making of the said Indenture of bargain and conueyance, had not bene so deliuered of credit and of trust frustrated or granted ouer to the said W. P. or some other by the consent and agreement of the said J. C. and J. S. for their benefit, for the auoiding of new charges growing betwene the making of the said lease and the said bargain. And albeit as well the other two parts of the said landes, as all other landes and tenements with thappurtenances, bargained and sold by the said Indenture, were and be clearly discharged of all incumbrances, according to the true meaning of the saide Indenture, it may therefore please your good L. y^e premisses considered, to grant vnto the said earle the Quenes maiesties most gracious writ of Subpoena to be directed vnto the said J. C. P. S. C. L. P. and C. his wife C. D. W. P. J. T. and P. commanding them and euery of them, at a certaine day & place and vnder a certaine paine therein to be limited, to be and personally to appeare before your good Lo. in the Qu. maiesties high court of Chancery, then and there to answer vnto the premisses, and to abide such further order and direction therein, as to your hon. shall seme to stand with right, equitie, and good conscience. And the said Earle, &c.

A bill for that the defendant by meanes of entermariage with the wife and executrix of one, who by casuall meanes got the possession of one decede of demise indented made vnto the plaintife, detaineth the said demise and by colour thereof doeth occupy the tenements demised and taketh the profits to his owne vse.

Sec. 116

If most humble wise complaining sheweth vnto your good Lo. your daily Orator J. P. of B. in the Countie of P. That whereas one T. C. of D. within the countie of P. did by his deede indented of demise about the 15. yeare of the reigne of our Soueraigne Ladie the Qu. Maiestie that now is, demise and graunt to your said Orator, ten acres of land, fiue acres of meadow, and fiue acres of pasture with the appurtenances, lying and being in B. aforesaid: To haue and to holde to your said Orator and his assignes, for the terme of 21. yeares, from and after a certaine day therein expressed, if the said T. C. should so long liue, for the yerely rent of twenty shillings, payable at the feast of P. and Saint M. the Bishop in winter, by euen portions. But now so it is, if it may please your good Lordship, that the said Indenture, the certaine date or contents whereof, your saide Lordships Orator

to, knoweth not, befoze the day when the said lease should begin and take effect, did by casuall meanes come to the hands, custody and possession of one J. W. who made his Will and Testament, and therein appointed C. then his wife, his sole executrix and died, by and after whose death the said Indenture came into the hands and custody of the said C. since which time the said C. did marie, and toke to husband one R. J. of B. by reason of which intermarriage the said Indenture is now come to, and remaineth in the hands, custodie and possession of the said R. J. and C. his wife, or of the one of them, who by reason of hauing of the said Indenture, without any iust title or interest therein haue entered into the said premisses with the appurtenances, and will not in any wise quietly permit and suffer your L. said Orator to haue and enioy his said terme, of, and in the premisses, according to his lawfull right and interest therein, but contrarie to all equitie and good conscience, haue euer sithence taken and conuerted, and as yet doe daily take and conuert the issues to their owne proper vse and behoefe, and will neither deliuer vnto your Lo. said Orator the said Indenture, nor permit and suffer him to haue & peaceably enioy the said premisses, as aforesaid, or any part thereof, although your said Orator hath at diuers and sundry times required them so to do. In consideration wherof, and soasmuch as your L. said Orator is without all helpe and remedie at the common law, so that he knoweth not, nor remembreth the dates, or contents, or any other certainty of the said Indenture, May it please your good Lo: to grant her Maiest. gracious writ of Subpœna, to be directed to the said R. J. and C. his wife, and to either of them, conuincing them and either of them thereby, personally to appeare befoze your honoz in her Ma. high court of Chancerie at W. at a certain day, & vnder a certaine paine by your honoz therein to be limited, there, &c.

A Bill against an Infant for boarding, and apparell deliuered to him by the Plaintife, and for not performing of a lease.

In most humble wise complayning, sheweth vnto your honourable Sect. 1: 2: 2:
 Lordsh. your daily Orator T. T. of B. in the countie of D. husband-
 man: That wheras about foure yeares now last past, one G. G. of B.
 aforesaid Pecman, being seised in his demesne as of fee, of and in di-
 uers landes, tenements, and hereditaments with their appurtenan-
 ces in B. aforesaid, holden in Socage of J. S. as of the manor of D.
 which said tenements and premisses the said G. B. had by discent,
 by and after the death of B. his late father, and the said G. B. being
 thereof so seised, and being of the age of xx. yeares or thereabouts, and
 vnder the age of xxxj. yeares, about the xxv. day of July which was in
 the

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the thirtieth yere of the reigne of the Qu. most excellent Maieſtie that now is, by meanes, counsaile, procurement & perswasion of diners euill disposed persons (that is to say) one A. C. J. W. W. M. T. C. H. M. P. H. W. H. and D. D. intending by their vngodly compact and practise to make a prey of the simplicitie of your said orator, being an ignorant vnlearned man, the said G. B. came vnto your said Orator, pretending that he did then beare great good will and sauour to your said Orator, and therefore intreated your said Orator that he might boord and remaine with your said Orator in his house at W. aforesaid, and not only haue meate, drinke and lodging, but also such apparell and raiment as your said Orator should thinke meet and conuenient for his degree and calling, at the costs and charges of your said Orator, promising faithfully and fully to satisfie your said orator for all such charges and expences as he by reason of the premises should in any wise sustaine. Wherefore your said orator giuing credit vnto the said G. B. in the premises, and thinking that that he had faithfully promised he would fully & effectually haue performed, did then fully consent & agree, to, & with the said G. B. to find him meate, drinke, lodging and apparell, as is aforesaid, for the consideration promised as is aforesaid: by pretence wherof the said D. B. about the same time came to the said house of your said orator, & remained there with your said orator, vntill about the second day of febr. then next following, during all which time your said orator at his owne proper costs and charges, did provide and finde for, and vnto the said G. B. all manner of necessary meate, drinke, lodging, apparell, & all other things necessarie for him. About which second of febr. the said G. B. pretending to continue his said sauour and good will towards your said orator, by the like counsell, meanes, and perswasion of the said euill disposed persons, and by their compact and agreement, did demise and lease vnto your said orator, all, or the most part of all the said messuages, tenements, and premises, that he the said G. B. so had, as is aforesaid, by discent from his said father, To haue and to hold the said tenements and premises, with thappurtenances, to him, his executors, and assignes, from the feast of the Annunciation of the blessed virgin Mary then next ensuing, vnto the end and terme of thre yeres then next ensuing, your said orator and his assignes, yielding and paying therfore at the end & expiration of the said terme of thre yeares xx. li. of lawfull English money. And also finding vnto the said G. B. during the said terme of thre yeares conuenient lodging, meate, drinke, apparell, and also keeping for the said G. B. twenty sheepe, by reason of which demise, your said Orator about the said feast of the Annunciation of the blessed virgin Marie, did enter into the said demised messuages, tenements, and premises, & occupied the same messuages, te-
nements

nements, and p̄misses, by the space of two yeres, or therabouts, and during the same time, did at his own costs & charges p̄uide and find vnto the said G. B. conuenient meat, drinke, lodging, & apparell, and also his 20. sheep, according to the said agreement, and besides those xx. for the sheep more at the least, to the charges of your said orator, of one hundred markes at the least. But now so it is, if it may please your honourable Lordship to vnderstand, that about the first day of March, which was in the 32. yeere of our Soueraigne Lady the Q. maiesties reigns that now is, your said orator hauing then inned into the barns of the said tenements and p̄misses forty loads of hay, or therabouts, part thereof did grow vpon the said tenements and p̄misses, but the most part therof was brought from other places, and hauing also manured the said grounds to his exceeding great costs & charges, the said G. B. being then of full age, by the like perswasion and procurement of the persons abouesaid, did enter into the said demised tenements and p̄misses, whereof your said orator was then quietly possessed, as hee then found the same. And he together with the said A. C. J. D. W. P. C. H. B. P. W. W. and H. G. did take away and conuert to their own v̄ses, the most part of the said xl. loads of hay, or thereabouts, to the value of xx. markes at the least. By meanes whereof your said orator hauing against the winter befoze p̄ouided great store of beasts & cattell for to haue eaten the said hay for the sustenance of them, he was inforced to buy, and did buy a great quantity of hay at an excellent price, or else to haue furnished the most of his said beastes for want of fodder, which was to the great losse and damage of your said orator: Neuerthelesse, the said G. B. by the like counsell and perswasion of the said euill disposed persons, albeit hee hath bin sundry times gently required by your said orator to make vnto him some reasonable recompence and satisfaction for the losse of his said terme, and his other dammages, and for such costs and charges as hee had bestowed for the manuring and bettering of the said grounds so to him demised, and for such costs and charges as he your said orator did sustaine & beare, for and by reason of the keeping and maintaining of him the said G. B. as is aforesaid, which parcell, meat, drinke, and lodging, he vtterly denieth and refuseth to yeeld vnto him any manner of satisfaction or recompence for the same, or part thereof, alleaging, that at the time of the making of the said seuerall contracts, he was within the age of xxi. yeares, and therefore, and so the incertaintie some of the same contracts be merely poide in law. And not so contented, doth yet by the like counsel and perswasion of the said euill disposed persons, sue your p̄ore orator for the occupation and v̄se of the said groundes, and for the p̄ofites and commodities thereof during the foresaid terme. Notwithstanding that

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that he himselfe and his said confederates did so as is aforesaid, vniustly take away your Orators said hay, being of farre more value then the profits which he euer receiued, so, or by the grounds so to him demised, did amount vnto, against all right, equitie, or good conscience. In tender consideration whereof, and sozomuch as your said Orator is a very poze man, and hath no ordinary remedy by the strict course of the common lawes of this realme and dominion of England, either to defend himselfe in the said suit, or to recouer any thing at al against the foresaid G. B. as well by reason that the said seuerall contracts and agreements were so vncertainly made, as is aforesaid with him, being at the making hereof an infant, as soz that the same contracts and agreements were made priuately betwene your foresaid Orator and him the said G. B. few or none being present thereat, which can testifie the same, neither can your said Orator set dolone in certaine, how much of his said hay they did so take and carry away, and yet is there great cause in equity why your said Orator should be relieved soz the same in this honourable Court. It may therefore please your honorable L. the premisses graciously considered, to graunt vnto your said Orator the Du. Maiesties most gracious seuerall writ of Subpoena, to be directed vnto the said G. B. A. C. J. M. W. P. T. C. H. D. P. H. W. H. and H. C. and euery of them, thereby commanding them and euery of them vnder a certaine paine, and at a certaine day therein to be limited and appointed, to be, and personally to appeare before your honorable L. in her Maiesties most high court of Chancerie, then and there to answer vnto the premisses, and to abide such further order and direction therein, as to your honorable L. shall seme to stand with right, equitie, and good conscience. And your said Orator shall daily pray vnto almighty God soz the preservation of your honorable Lo. in god health long to continue with much increase of honoz etc.

A Bill of debt vpon a contract against the suruiuing partner, or ioynr chapman, and the administrator of the other.

Sect. 123

IA most humble wise complaining, sheweth vnto your honorable L. your daily Orator R. P. of L. in the county of Wozk chapman: That whereas the thted day of May now last, which was in the 35. yeere of the most prosperous raigns of our most gracious Soueraigne Lady Eliz. the D. most excellent Maiestie that now is, and before and after the said third day of May, one W. L. of W. in the county of G. Grauer, now lately deceased, were chapmen, parteners, copartioners, or parting fellowes, did then as parteners and prating fellowes iointly occupy together in all maner as well of buying and selling, bartering, or bargaining of beastes and cattell, with their seuerall stockes, and of,

and

and with diuers other goods, beaſts and cattell taken vpon their credit and of, and with all encrease and gaines from time to time ariſing and growing by reaſon of their ſaid occupying, as by factozſhip, alienation, exchange or otherwiſe, for a certaine time betwene them the ſaid W. L. & R. W. privately agræde vpon, and it was alſo then agræde betwene them, that during the time of their ſaid ioynt occupying together or partnership, either of the ſaid parties ſhould be faithfull & true to other in buying, ſelling and otherwiſe, as is afozeſaid. And all ſuch lucre, profit, & gaine, aduantage, benefit and winning, as ſhould come grow, or ariſe in buying and ſelling any beaſts or cattell, during their ioynt occupying or partnership, ſhould be equally parted and diuided betwene the ſaid parties, ſo as either of them ſhould haue his iuſt and true moitie and poztion of the ſame. And that at ſuch times as it was betwene them agræd vpon, either of them ſhould make a iuſt & true reckoning & account with other of buying and ſelling of al ſuch beaſts and cattell, and otherwiſe, as afozeſaid. And it was then alſo agræd betwene them the ſaid W. L. & R. W. that if any loſſe or charge ſhall happen to either of the ſaid parties at any time or times during their ſaid ioynt occupying together, and partnership by death of cattell, euil detts, casualties, or otherwiſe, concerning their ioynt occupying to any part of the ſaid ſtock in buying and ſelling of beaſts or cattell, or otherwiſe, as is afozeſaid, to be impaired, that the ſame loſſe & charge ſhould be equally bozne by both the ſaid parties. And if it ſhould happen either of the ſaid parties to die during the ſaid ioynt occupying or partnerships, then the executozs or adminiſtratozs of the goods & cattells of the partie ſo dead ſhould make a iuſt and true account, payment and deliuerie of ſuch part of all encrease, gaines, beaſts, cattell and debts, as ſhould be due to the party ſuruiuing. And in like maner that the party ſuruiuing ſhould make and declare to the executozs of the goods & cattells of the partie ſo dead, a iuſt, true, and perfect account & reckoning of all the ſtate and quality of their ſaid ioynt occupying or partnership, and alſo pay, deliuer and aſſigne vnto the ſaid executozs or adminiſtratozs of the partie ſo dead, ſuch moitie, halfe part and poztion of the ſaid increaſe, gaines, beaſts, cattell, and debts, as vpon the ſame accounts ſhould then haue bin due vnto the partie ſo dead in ſo large and ample manner, as if he had bene then liuing, and the ſaid ioynt occupying then ended, at ſuch times, and in ſuch manner, as it was betwene the ſaid parties agræd vpon: by ſozce of which agræment, they the ſaid W. L. and R. W. ioyntly, as copartners, ioynt chapmen, partners, or parting fellowes, occupied together their ſaid ſtockes, and other things afozeſaid, & accozding to their mutuall agræment, by buying, ſelling, and exchanging of beaſts and cattell, and otherwiſe, in ſundry ſaires

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and Markets of this Realme of England, and with diuers and sundrie of her Maiesties faithfull and louing subiects vntill the day of ꝛc. now last past, at which time the said R. W. dyed, and the said W. T. him suruiued, during which said ioynt occuppying together, partnership, or societie, that is to say, the ij. day of May now last past, the said R. for and to the vse of himselfe, and of the said W. T. his partner and ioint chapman, as is aforesaid, at P. in the Countie of P. did buy of your Honours suppyant in the open market then there holden, thre oren for vij. li. v. s. of which sum, part was then in hand paid, and the residue was then agreed to be paid vnto your Orator vpon the Tuesday in Whitson week then next following in P. aforesaid, and also vpon the Wednesday ensuing the day, commonly called or known by the name of Holythursday, the said R. W. did also buy to the vse of him, and the said T. of your said Orator other two oren for vij. li. to haue been paid to your Orator vpon the said Tuesday in Whitson weeke, at P. aforesaid, which said oren were then accordingly deliuered to y^e said R. W. at P. aforesaid, and shortly after the said R. W. deliuered the same oren to the hands of the said W. T. and died, not hauing paid or satisfied this your Orator of and for the said xiiij. li. no. of any part thereof, according to the said bargain, the said oren remaining in the hands and possession of the said W. T. and after the time of the death of the said R. W. and were sithence by him the said W. T. conuerted to his own only vse, by meanes whereof, action accrued vnto your said Orator to demand and haue of the said W. T. and of one C. W. of S. in the Countie of E. widow, late wife of the said R. W. or of one of them, the said xiiij. li. so to him due for the said oren, which the said C. W. by the compact and consent of the said W. T. and R. W. became executor to the said R. W. and wrongfully administred and conuerted to his own vse diuers goods and cattels which were belonging to the said R. W. at the time of his death. And albeit your said Orator hath diuers and sundrie times come & sent to the said W. T. & C. since the death of the said R. W. gently requiring payment of the said sum of xiiij. li. so as aforesaid being behind and vnpaid of the price of the said oren, notwithstanding that diuers goods & cattels which were the said R. W. at the time of his death sufficient for the contentation of your said Orator, of, and for his said debt of xiiij. li. and also to perfozme the funerals of the said R. W. and to satisfie all debts which the said R. W. ought to any person or persons at the time of his death, came to the hands and possession of the said W. T. or C. W. or to the hands & possession of such person or persons, to whom they the said W. T. & C. W. or the one of them, haue left, yeelded or deliuered the same, & in their or some of their hands doth still remain. Notwithstanding they & either of them haue
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diuerse and sundry times since the death of the said R. W. bin by your said ozatoz and others in his behalfe gently required to pay the same, yet that to doe, they and either of them haue euer hitherto denied and refused, and yet do deny & refuse to pay the same vnto your said ozatoz, fraudulently intending therooft of euery part thereof craftily and subtilly to defraud & deceiue your said ozatoz. And for that purpose haue secretly conueied, concealed, and hid a great part of the goods and chattels, which the said R. W. had at the said time of his death beeing of good value to diuerse persons, and in diuers places to your ozatoz vtterly vnknown, so that the same being by that meanes left out of the inuentory of the goods of the said R. W. to thintent to dazle and blind the eyes of your said ozatoz, and of sundry of the said R. W. creditors, to whō he was in like maner indebted, not knowing the truth of their dealing, and vngodly practises & deuises, intending by such colourable means, either vtterly to defraud his said creditors, or so to enforce thē to rest contented with some small part of their true and lawfull debt. And whereas afterwards, that is to say, vpon Tuesday next after Midsummer now last past, your Ozatoz and one T. T. of L. in the shounty of L. husbandman, by a priuat agrēment between them made, did ioynly buy of diuers persons to the vse of them both, eight oxen, and seuen bullocks or steeres for diuers severall sums of mony, and afterwards the said beaſts, that is, vij. of the said oxen, and the said vij. bullocks or steeres, for the price of which fourtē beaſts, & of the said odde oxen, your ozatoz and the said T. T. afterwards priuatly accounted, and he thereupon satisfied your ozatoz all that to him was due for the same but 3. li. 13. s. 4. or thereabouts, and being perswaded by the said W. T. and C. W. and by their pernicious example, not satisfied with their former wrong, as is said, offered to your said Ozatoz, haue also perswaded the said T. T. not to pay to your said Ozatoz the said sum of 3. li. 13. s. 4. d. or thereabouts, so to him due, for the price of the said oxen, so that albeit the said T. T. hath oftentimes since the making of the said bargain and account, bin gently required by your said ozatoz and others on his behalfe, yet he hath euer hitherto denied and refused to make payment thereof, and still doth deny and refuse to do the same against all right, equitie, and good conscience, which vnlawfull practises of the said W. T. and C. W. and T. T. are likely to be to the great losse and hinderance of your said ozatoz, if speedy remedie bee not by your good Lo. provided to meet with, and pzenent their couetous and most vnconscionable dealings & purposes in the pzenisses: wherefore, and forasmuch as the said agreement of partnership, and otherwise, made betwēne the said W. T. and R. W. and also all the compacts and practises made by and betwēne the said W. T. and the

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said *C. W.* since the death of the said *R. W.* And also the said agreement of the ioynt buying of the said *rb.* beasts by your Orator and the said *T.* and also the said bargaine betwene your Orator and the said *R. W.* for the said *s.* oxen, as also the said ioynt buying of the said *rb.* beasts by your orator, and the said *T. T.* were secretly and priuately made betwene themselues, so that there is no person liuing knowne to your said orator, but the said *W. T. C. W.* and *T. T.* priuy therunto, that can testifie the said seuerall contracts, made betwene your said Orator, and the said *R. W.* of, and for the said *s.* oxen as is aforesaid, and the said ioynt buying of the said *rb.* beasts by your said orator and the said *T. T.* and their said accounts touching the same, or y^e said ioynt occupying or partnership betw^{en} the said *W.* and *T.* or the said concealement, cunning, close, and vnlawful dealings of the said *C. W.* and *T.* in the premisses, so y^e your said orator through the want of such p^{re}cise p^{ro}ofe thereof (as the strict course of the common Lawes of this realm doth in that behalfe require) is altogethether remediless by the order of this honozable Court, wherein your orator verily hopeth that the said *W. T. C. W.* and *T. T.* in their seuerall answers to the premisses, will seuerally vpon their co^oporall othes, confesse the said premisses to be in effect, as they haue bene herein disclosed and set forth: It may therfore please your honozable good *L.* the premisses gratio^usly considered, to grant vnto your said orator her Maiesties most gratio^us seuerall writs of Subpcena, to be directed to the said *W. T. C. W. T. T.* and to euery of them, thereby commanding them, and euery of them, at a certaine day, and vnder a certaine paine therein limited, to be, and personally to appeare befoze your honozable *Ls.* in her Maiesties most high court of Chancerie, then and there to answer vnto the premisses, and abide such further order and direction therein, as to your honozable *L.* shall seme to be agreeable with right, equity, and good conscience. And your said Orator shall daily pray &c.

A Bill vpon a promise to forbear debt due by Obligation vntill another day, and yet suing the bond.

If most humble wise sheweth and complaineth vnto your honora^uble *L.* &c. That whereas one *R. J.* of &c. in the county aforesaid gentleman, was indebted to one *W. B.* of D. aforesaid, in the sum of &c. And wheras your said orator at the speciall and earnest entreaty and request of the said *R. J.* about two yeres last past, became bounden for the said *J.* vnto the said *W. B.* by his deed or writing obligatorie, in the summe of &c. which condition therein contained or indorsed for the paymunt of the summe of &c. vnto the said *W. B.* at the least of &c.

which

which was in the yeare xx . at o_2 in the Church porch of xx . aforesaid, as by the said deed o_2 writing obligato y doth and may appere: which said summe of xx . your said Dzato_2 had appointed in a readinesse, and purposed to pay the same at the time and place aforesaid, according to the condition of the said writing obligato y : whereupon the said W. P. the verie day appointed for the payment of the said xx . o_2 the day before, the certaintie whereof, your said Dzato_2 now rememb r eth not, came vnto your said Dzato_2 , and vpon spee c h had betwene your said Dzato_2 and the said P. touching the payment of the said money: The said P. was contented, and did agree to forbeare the payment thereof vntill the Feast of P. then next following, and did faithfully assume and promise, to, and with your said Dzato_2 , both then, and at diuerse times after, to forbeare the payment thereof vntill the said Feast, and that he would not take any aduantage of the forfeiture of the said bond against your said Dzato_2 , but would cancell the said bond, and take a new bond for the payment thereof, at the said Feast of Pentecost aforesaid, but neuer required any new bond from your said Dzato_2 : and your said Dzato_2 giuing credit to his promise and assumption aforesaid, did not pay the said summe of xx . according to the condition of the said writing obligato y . After which time the saide W. P. did oftentimes promise your said Dzato_2 to deliuer the said bond of xx . to your said Dzato_2 to be cancelled, and to take a new bond for the payment of the foresaid summe of xx . at the said Feast of Pentecost, according to his promise and agreement aforesaid: and your said Dzato_2 doubting that the said P. ment to delay him, and driue him of from time to time, and not fearing least the said P. should take anie aduantage of the forfeiture of the said bond against him, in Michaelmasse Terme last past, your said Dzato_2 demaunded the said bond againe of the said P. in L. who tolde your saide Dzato_2 , that he had deliuered ouer the said bond vnto one W. W. being his brother in lawe, to whom he had assigned ouer the said bond, and could not release o_2 discharge the saide bond without the assent of the saide W. W. but would make meanes to the said W. W. for the deliuerie of the same, and secured to make diuerse iourneyes to the saide W. W. to fetch the same: And so from time to time delayed your saide Dzato_2 , and droue him out with faire wordes, vntill such time as your saide Dzato_2 was vpon occasion of businesse, inforced to ride out of L. into the Countrey: And shortly after, your saide Dzato_2 purposing to get the same bond out of the saide P. and W. hands, did in the said Michaelmasse Terme send one G. W. his seruant to L. with the said money, to make payment thereof vnto the said W. and P. and to receiue the said bond, who comming to L.

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accordingly to the said **W.** & **P.** and declaring vnto them, that he was come to make payment of the foresaid summe of **ꝛ.** and to receiue the said bond, the said **W.** then told the said **P.** that the said bond was not then in his custody or keeping: but the said **W.** did then and their promise, that if the said **W.** would deliuer ouer a bond which he had in his keeping of trust, to the vse of the said **P.** that then the said **W.** and **P.** would the next day following come to the said **W.** his lodging, and receiue the said **ꝛ.** and deliuer ouer the foresaid bond of **ꝛ.** vnto him, vpon whose promise the said **W.** did then presently (trusting in his faire speeches) deliuer the said bond which he had, to the vse of the said **P.** to the said **P.** or **W.** accordingly. But so it is, if it may please your good Lordship, that the said **P.** and **W.** nothing at all regarding their foresaid seuerall promises, agréments and assumptions made, to and with your said Orator, and the said **W.** as aforesaid, haue not only hitherto refused and denied to deliuer ouer the said bond of **ꝛ.** vnto your said Orator, according to the promises and agréments made, as aforesaid, but yet doe vtterly refuse and denie to doe the same: albeit your said Orator did oftentimes both befoze the said Feast of **ꝛ.** as aforesaid, and diuers times since, offer to make payment of the said summe of **ꝛ.** vnto the said **P.** and **W.** according to the foresaid agrément, and yet is readie and willing to pay the same. But also the said **P.** and **W.** purposing to bying vpon your said Orator the whole penaltie and forfeiture of the said bond of **ꝛ.** haue, or one of them hath of late, contrarie to the foresaid assumptions and agréments made, as aforesaid, and contrarie to all honestie, equitie, and good conscience, commenced suit at the Common law against your said Orator vpon the said bond to his great losse and hinderance. And the said **W. P.** hath of late vtterly denied, that euer he promised to forbear the payment of **ꝛ.** vntill the foresaid Feast of **ꝛ.** contrarie to the trueth, and contrarie to all equitie and good conscience. In tender consideration whereof, and forasmuch as your said Orator cannot plead the promise and agrément of the said **P.** made to your said Orator, for forbearing of the money (as aforesaid) in bar of the said bond at the Common Law, and thereby is void of all remedie, at, and by the strict order and course of the Common Law of this Realme, nor can vse nor bying any action of the case against the said **P.** or **W.** vpon their said promises and assumptions, for that your said Orator cannot make any such sufficient prooue thereof, as by the Common Law is in such case required, for that the same were made priuately betwene themselves, and no witnesse called thereunto. And forasmuch as your said Orator verily thinketh, that the said **W. P.** and **W. W.** being called into this most ho. Court to answer to the premises, will in their answer vpon their Corporall oathes

eat heſe confeſſe the ſoꛛeſaid concluſions, promiſes, and agrẽments made, as afoꛛeſaid; and diſcloſe the trueth of the premiſſes. May it theꛛefoꛛe pleaſe your good Lordſhip, the premiſſes conſidered, to grant vnto your ſaid Dꛛatoꛛ, the Quẽnes moſt gracious Writ of Subpena, to be directed vnto them the ſaid W.P. and W.W. commanding them and either of them, at a certaine day, and vpon a certaine paine by your good Lordſhip to be appointed, perſonally to appẽre before your good Lordſhip in the Quẽnes Maiesties moſt high Court of Chancerie, then and there to anſwer to the premiſſes: and further to ſtand to, and abide ſuch further order and direction therein, as to your good Lordſhip ſhall be thought moſt mẽete and conuenient in that behalf. And your ſaid Dꛛatoꛛ, accoꛛding to his bounden dutie, ſhall daily pray vnto G D D foꛛ the good and proſperous eſtate of your Lordſhip in honoꛛ long to continue.

The Answer of W.P. and W.W. defendants, to the Bill of Complaint of E. L. complainant.

The ſaid defendants; and either of them ſaith, that foꛛ the moſt part the ſaid Bill is vntꛛue, ſlanderous and inſufficient in the law to be anſwered vnto, and the matters therein conteyned, deuiled of malice, to put theſe def. to nẽdeleſſe charges and expences in Law, without any ſufficient cauſe ſo to doe. The aduantage of exception to which inſufficient Bill to theſe def. at all times ſaued, foꛛ anſwer they ſay, and firſt the ſaid W.P. foꛛ himſelfe ſaith, that truẽ it is, that the ſaid complainant did become bound to theſe def. by his obligation in the ſumme of ꝛc. with condition indoꛛced foꛛ the true payment of the ſaid ſumme ꝛc. at a day long ſince paſt, the which ſumme this defendãnt did verily thinke to haue receiued accoꛛdingly, and thereof did make reckoning, as of a debt then to be payd to him, and foꛛ that cauſe did at the verie day appointed foꛛ the payment of the ſame, repaire vnto the place ſpecified in the condition of the ſaid obligation, where the ſaid mony ſhould be payd, and there did attend foꛛ the ſame, in hope to haue receiued it accoꛛdingly: but the ſaid complainant meaning nothing leſſe then the ſatiſfying of the ſaid debt, left the ſame vn timerely, to the great hinderance, loſſe and diſcredit of theſe defendants. And this def. further ſaith, that he hath often and ſundꛛy times ſithence the ſaid money was due, made meanes to the complainant foꛛ payment of the ſame, who from time to time with faire promiſes (now almoſt theſe thꛛe yeares) hath delayed this def. to his greater hinderance, then the value of the ſaid ſumme: by reaſon whereof; and ſoꛛaſmuch as the complainant hath ſought diuers indirect waies and meanes to get the ſaid obligation of ꝛc. out of the hands of this defendãnt with intent neuer to pay pennie of the debt afoꛛeſaid; this defendãnt hath cauſed the

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the

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the said obligation to be put in suit, as he thinketh it is lawfull for him to do, without that, that the complainant to the knowledge of the def. did prepare in a readinesse to haue paid the said ꝛc. at the time & place, according to the condition of the obligation aforesaid: Or that this def. vpon the very day appointed for the payment of the same ꝛc. or the day before (or in truth at any time else) did come to the complainant, and had speech with him, that he was contented, and did agree to forbeare the payment thereof, vntil the feast of ꝛc. then next following, or did assume and promise to and with the complainant, both then and at diuers times after, to forbeare the payment thereof vntil the said feast, and would not take any aduantage of the forfeiture of the said bond, but would cancell the said bond, and would take new bond for the payment thereof, at the said feast of ꝛc. as in the said Bill is most falsely declared. And without that, that the said complainant, to the knowledge of the defendant, did send one G. W. his seruant to L. with the said money to make payment thereof to one of these defendants, as also in the said Bill of Complaint is vntreuly alleadged. For this defendant saith, that he sought often to the complainant, and made meanes vnto him, to haue the said defendant either to be paid in money, or that he might be satisfied thereof some other way, who made him many promises to doe the same with speed, but neuer meant or intended it, for any thing that this defendant could get to the contrarie. And the said W. W. the other of these defendant for himselfe saith: That whereas he is charged to haue made promise to the said A. that if he would deliuer a bond which he had in his keeping of trust, to the vse of the said P. that then he this defendant and the said P. would the next day following, come to the said A. his lodging, and receiue the said summe of ꝛc. and deliuer ouer the said bond of ꝛc. He this defend. saith, that he neuer made any such promise to the said A. to his remembrance, neyther was there any cause at all that he should so doe, as well because in truth, and in honesty the said A. ought to make deliuerie of the said bond, so committed vnto him, but of trust, as appeareth by the plaintifes owne shewing, as also for that this defendant was informed that the said A. had deliuered the said bond before that they two met together to talke of the said debt. And this defendant further saith, that although it were true, that he made such promise (as aforesaide) yet were it nothing at all materiall for the reliefe of the complainant, as well for the cause aforesaid, as also for that this defendant had no power of himselfe to doe either good or hurt in the matter. And without that, that any other matter or thing whatsoever materiall in the said vntre Bill to be answered vnto, and not in this Answer sufficiently answered, confessed, and auoided, traucted, or denied,

denied, is true. All which matters these Defendants are ready to a-
uerre and proue, as this most honozable Court shall award, and pray
to be dismissed with their reasonable costs in this behalfe wrongfully
sustained.

*The Replication of E. L. Esquire Complainant, to the answer of
W. P. and W. W. Defendant.*

The said complainant replieth and saith, that the said bill of compl. Sect. 126
by him exhibited into this honozable Court, is very true, certaine
and sufficient in the Law to be answered vnto, and that the matters
therein contained, are neither deuised, imagined, practised, or set forth
by him the said complainant, for any such cause or purpose, as the De-
fendants in their answers haue vntreuely imagined, but the same is
grounded vpon good and iust cause, as by the contents thereof doth
and may appeare. And further saith, that the answer of the said De-
fendant is very vntreue, vncertaine, and insufficient in the Law to be
replied vnto. The aduantage of exception to the incertaintie and in-
sufficiencie therof to the said complainant, now, and at all times here-
after saued. The said compl. for further replication saith, that he doth,
and will auerre, iustifie, maintaine, and proue, all, and euery matter,
article, sentence, and thing, in the said bill of complaint contained, to
be good, iust, and true, in such sort, maner, and forme, as in the said bill
of complaint they be truly set forth, shewed, and declared. And further
the said complainant saith, that he doth and will auerre and proue, as
this most honozable Court shall and will award, that the said Com-
plainant did prepare in a readinesse, and purposed to pay the foresaid
summe &c. in the said bill and answer mentioed, at the time and place
in the condition of the said Obligation mentioned, according to the
true intent and meaning of the condition of the said Obligation, in
such sort, manner, and forme, as in the said bill of complaint is most
truely set forth and alleaged. And that the very day appointed for the
payment thereof, or the day before, the said W. P. one of the said def.
did come to the said compl. and vpon speech had betwaine the touching
the payment of the said money, the said defendant was contented, and
did agree to forbeare the payment thereof, vntill the feast of &c. then
next following, in such sort, maner, & forme, as in the said bill of compl.
is most truely alleaged. With that also, that the said W. P. did saith-
fully assume & promise, to, and with the said compl. both then & at sun-
dery times after, to forbeare the payment thereof, vntill the feast of &c.
aforesaid, and would not take any aduantage of the forfeiture of the
said bond against the said compl. but would cancell the said bond and
take new bond for the payment thereof, at the feast aforesaid. And that

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the said complainant, relying upon the foresaid agreement, promise, and assumption of the said P. for the forbearing of the said £c. until the said feast of £c. aforesaid, and for the taking of a new bond for the payment thereof, at the feast aforesaid, did not pay the same according to the condition of the foresaid Obligation, which otherwise hee would haue done, in such sort, maner, and forme, as in the said bill of compl. is also most truly set forth and declared. And with that also, that the compl. in Mich. Terme last past, sent the said G. W. his seruant to L. with the said money to make payment thereof. And that the said W. W. the other def. upon offer of tender of the foresaid summe of money by the said W. The said W. W. did promise to deliuer the said bond vnto the said W. within thort time after, so as the said W. would deliuer ouer a bond which he had in his keeping, to the vse of the said P. and would also at a time between them agreed on, make payment of the said summe of £c. which bond was deliuered ouer accordingly, to the said P. or W. by the said W. And the said W. was ready to tender and pay the said mony, according to the said appointment, in such sort, maner, and forme, as in the said bil of complaint is also truly alleaged. Without that, that the said W. P. one of the said def. sought often to the said compl. and made meanes to him to haue the said debt, either to be paid in money, or that he might be satisfied thereof some other way, who made him many faire promises to do the same, but neuer meant, or intended it, in such sort, maner, and forme, as in the said answer is most vntuly alleaged: for the said complainant saith, that he did often and sundry times, both befoze the said feasts £c. and diuers times sithence, offer to make payment of the said summe £c. vnto the said W. P. and W. and alwaies was, and yet is ready and willing, upon the deliery of the foresaid bond, to pay the same, in such sort, as in the said bill of complaint is most truly shewed and alleaged. And without that also, that any other thing, matter, or circumstance in the said answer mentioned, materiall or effectual to be replied vnto, and in this Replication not sufficiently confessed, auoided, denied, trauesed, or otherwise replied vnto, is true. All which matters the said compl. is ready to auerre and pzooue, as this most honozable Court shall and will award. And pzaieeth, as befoze in his said bill of compl. he pzaied.

*The ioint and generall Reioynder of W. P. and W. W. defendants to
the Replication of E. L. complainant.*

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The said Defendants say, and either of them for himselfe severally saith, that the Replication of the said complaint is vniust and vntue, and very insufficient in the law by these Defendants, or either of them

them to be reioyned vnto. Notwithstanding all aduantage of excepti-
on to the incertainty and insufficiency therof to these def. and to either
of them at all times hereafter be ing saued, for reioynder vnto the said
insufficient replication, These defendants say, and either of them for
himselſe ſeuerally ſaith in all and euery matter and thing, as they and
either of them in their ſeueral answers haue ſaid, without that, that
any other matter, cauſe or thing whatſocuer, materiall or effectuell
contained in the ſaid replication, and by theſe def. or either of them to
be reioyned vnto, and not herein ſufficiently confeſſed and auoided,
trauerſed or denied, is true. All and euerie which matters and things
theſe def. and either of them are readie to auer and pꝛoue &c.

A Bill for detaining lands with evidences.

Most humbly complaining &c. your daily Dꝛatoꝝ J. S. of A. in the ScA. 128.
Countie of W. Husbandman: that whereas K. S. of W. in the
Countie of W. afoꝛesaid Husbandman, and grandfather to your Dꝛa-
toꝝ, was in his life time ſeiſed in his demesn as of fee, or in fee taile, of,
and in certaine meſſuages, lands and tenements, to the yearely value
of &c. or thereabouts, lying in W. afoꝛesaid, and of the ſame dyed ſeiſed:
by foꝛce whereof the ſaid tenements deſcended and came (as of right
they ought) vnto one J. S. father to your ſaid Dꝛatoꝝ, ſon and heire to
the ſaid K. who afterwards entred into the ſame, and was for diuers
yeares ſeiſed of the tenements accordingly, vntill about the firſt yere
of the raigne of the late K. Edward the vij. At which time one T. G.
of W. afoꝛesaid, happening by caſuall meanes to get into his poſſeſſion
all the evidences, charters and wꝛitings concerning the ſaid lands and
tenements: and knowing that your ſaid Dꝛatoꝝs father could not for
want of thoſe evidences, charters and wꝛitings defend his right, title
and intereſt to the lands afoꝛesaid, entred alſo into the ſaid tenements
and the ſame wrongfully did withhold and detain, during the terme of
his naturall life: ſithence which time one L. G. of W. afoꝛesaid, & C. G.
widow, mother to the ſaid L. hath alſo entred into the ſaid tenements
and the ſame to this day moſt vniuſſly withholdeth, together with all
the charters, evidences and wꝛitings afoꝛesaid, which in right and e-
quitie belong and appertain to your Dꝛatoꝝ, as ſonne and heire to the
ſaid J. S. now deceaſed. In tender conſideration wherof, and for al-
much as your Dꝛatoꝝ doth not know the certain datz of the charters,
evidences and wꝛitings afoꝛesaid, neꝛ of any of them, neither doth
know whether they are in bag, or bore ſeals, or in cheſt locked, he is
without all remedie at the Common Lawes of this Realme, and alſo
without all other meanes how to finde reliefe in this behalfe, except
your.

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your honorable L. fauor extended. And that the said T. G. and C. G. may by your L. order be compelled vpon their oaths, plainly and truly to shew forth their estates, in and to the tenements aforesaid, and also to shew what right, title or interest they haue or claime, in & to the same, and likewise to shew the effect and certain dates of such charters, euidences and writings, aforesaid, as they or either of them haue in their possession concerning the said tenements aforesaid, or any part thereof. May it therefore &c. as before.

The Answer.

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These defendants by protestation say, and every of them saith that the Bill of Complaint exhibited into this honorable Court, is for the most part vncertain, vnttrue, and insufficient in the Law to be answered vnto. And that the matters therein contained are deuised by the complainant onely, to molest and trouble these defendants, being verie poore, rather then vpon any iust cause. Neuerthelesse the aduantage of exception to the vncertaintie and insufficiencie of the said Bill to these defendants at all time saued: for answer and declaration of the truth, they say, and euerie of them saith, that true it is that one R. S. of H. in her Maiesties Countie of H. was in his life time seised in his demesne, as of fee, of, and in one messuage, and certaine lands and tenements in H. in the said Countie of H. and being so seised by his deed of feoffement vnder his hand and seale, about the sixe and thirtieth yeare of King Henry the eight, conueied and assured the same messuage and lands vnto one J. S. his sonne, and to his heires and assignes for euer, as by the deed of the said R. vnder his hand and seale readie to be shewed vnto this honorable Court doth and may appere: by force whereof the said J. S. was thereof seised in his demesne as of fee, and being so thereof seised, for a certaine summe of money to him paid by W. G. father of one of the defendants, did conuey and assure the said messuage and lands vnto the said W. S. and his heires with warrantie, as by the deed and release of the foresaid J. S. doth & may appere: after which the foresaid W. G. the father vnto the said defendant died of the said messuage and lands seised, after whose death these defendants entred into the said tenements, and the same enjoyed to their owne profits and commodities, as lawfull was for them to doe: without that, that R. S. of H. in the said Bill mentioned, was seised of the messuage and lands in the Bill mentioned in fee taile, or that the said J. S. father of the complainant was seised of the premisses in the first yeare of R. Edward the vij. or that the said W. G. father of one of the def. got the possession of the messuage, & the euidences concerning the same, otherwise then was lawfull for him to doe: or that the defendants

or any of them do vniuersally withhold the said messuage or lands in the bill mentioned, or the evidences concerning the same, or otherwise then is lawfull for them to do in respect of their right. And without that, that the said messuage and landes, with the evidences concerning the same do in right and equitie appertaine to the complainant, as sonne and heire to J. S. the father. And without that, that any other matter or thing in the said bill contained concerning these defendants, & not in this answer sufficiently confessed, and auoided, trauesed, or denied, is true. All which matters these for said defendants are &c. *vi supra.*

The Replication.

The complainant auereth & maintaineth his said bill of complaint, Sect. 130
and all and euery the matters and things therein contained to be very good, iust, and true, in such sort, manner, and forme, as in the said bill of complaint is declared. And saith, that the answer of the defend. for the most part is vncertaine, vnttrue, and insufficient in the law to be answered vnto: Neuerthelesse, all aduantages of exception to the insufficiencie thereof to this complainant, at all times hereafter saued: For replication saith in all and euery thing, as in the said bill of complaint hee hath said. And further saith, that he doubteth not but that he can very sufficiently proue that the said J. S. this complainants father, was about the first yere of the raigne of king Edward the first, or not long befoze, seised in his demesne as of see taile of the aforesaid messuage, lands and tenements in the said bill mentioned. And he also hopeth to proue all the rest of the said bill to be true, in such sort as the same is truely declared and set downe: without that, that the foresaid W. S. this complainants grandfather beeing seised of the premises in his demesne as of fee, did lawfully by his deed of feoffement vnder his hand and seale, about the 36. yere of king H. the 8. conuey and assure the said messuage and lands vnto one J. S. his Sonne, and to his heires and assignes for euer: Or that the said J. S. beeing of the premises seised in his demesne as of fee, for a certaine summe of money to him paid by the said W. G. father of one of the defendants, did lawfully conuey and assure the said messuage and lands vnto W. G. one of the said defendants, and his heires with warrantie, as in the said answer is very vntually alleaged: And without that, that the said W. G. father to one of the defendants, died of the said messuage and lands seised in such sort, as in the said answer is likewise declared, or that it was lawfull for the said defendants after the death of the said W. G. to enter and occupy the foresaid messuage and landes, and also in the said answer is inserted. And without that, that any other matter &c. All which &c. *vi supra.*

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A Bill for debt leuied by extent.

Seēt. 151

Complaining thewoth ꝛc. A. B. of ꝛc. That whereas the said A. B. in the beginning of her M. reigne, liuing in her highnesse Court, for his furniture of iewels, plate, money, and such like, had credit with one C. D. Citizen and Goldsmith of London, for the which as he had occasion to borrow any money, or take by any wares, so hee deliuered his bills or obligations for the true payment of any such money so borrowed, or for the price of any such wares so bought, at dayes betwixt them agreed: which dayes hee alwaies kept, or tooke order for the forbearing thereof by himselfe, or his seruants, such as hee did imploy in those affaires: amongst which there was in D. in the first yeere of ꝛc. a certaine debt or reckoning (of how much certainly hee now remembereth not) betwixt him the said C. D. and the said A. B. for the which he the said A. B. was bound to the said C. D. in the summe of ꝛc. by his daed obligatoꝝ, bearing date ꝛc. which obligation (as hee now remembereth) was single with a defelance for the debt, which was the agreed vpon to be answered at a certain day following, which said debt he the said A. B. paid accordingly by his then seruants and officers, who vnknowing vnto the said A. B. did negligently (as is to be coniectured) leaue the bonds in the handes of the said C. D. after the reckoning and debt paid or discharged. And so afterwards the said A. B. did deale and continue in further credit with the said C. D. for diuerse other great summes of money, iewels, and plate, some vpon the said Goldsmiths booke, and some vpon bills & bonds, whercof the most part were afterwards discharged, sauing one debt by Recognizance about the 24. day of ꝛc. in the ꝛc. being to the value of 200. markes. In which said later debt, the said A. B. presunning of friendship, and friendly dealing at the said C. D. his hands, because hee had bene a verie good customer vnto him, did not so precisely keep his day, thinking hee would haue reasonably dealt with him, being allowed for consideration for forbearing thereof, as at other times hee had done. Notwithstanding, he the said C. D. contrary to the said A. B. his expectation, did put the same Recognizance in suite presently after the forfeiture thereof. And the said A. B. being then busied in her Maiesties seruice, the said C. D. had iudgement vpon the said Recognizance against him befoze he could send by to take any order for the said later debt by the said Recognizance, and after tooke execution of the moiety of a manor of the said A. B. called ꝛc. in ꝛc. which for the payment and performance of the said debt was extended vnto xx. marks by the vere, and so did leuy the said whole forfeiture vpon the said A. B. his Manorss and lands with great extremity, vpon which extreame dealing, hee

he the said A. B. finding himselfe most cruelly and hardly dealt with, did refuse to buy or sell with him, and willed his Bailife of his saide Manor to take acquittances of him at euery payment: who not only did so, but vpon the last payment the foresaid C. D. did acknowledge to him that payed the money, that your said Orator was then cleare with him, and did owe nothing, or to such effect, notwithstanding the foresaid A. B. accounted of him as of a very extream man: which the said A. B. his displeasure towards him being notified and very well knowen vnto him, both by letters from himselfe, and otherwise, yet the said C. D. liuing 9. or 10. yeres after that, it cannot be intended, that hee who whilest they were in amitie, did sue the said A. B. vpon the said recognisance and debt therein contained, beeing of so small a value, would at the first haue left the elder bond and debt, beeing of a greater summe vsued for, if it had bin vnanswered for, or not payed, much lesse afterwards during all the space of 9. or 10. yeare, when he the said A. B. for his hard dealing had left to be his customer, or to deale with him, & thought but hardly of him, as hee had no lesse cause: so though it be most sure and true, that the said debt, for which the said 200. li. bond was made in the said first yere of the reigne of &c. was long since fully answered, yet it being so long since, the said A. B. cannot precisely call to mind vpon the sodaine who paied it (diuers of his officers which dealt for his reuenues, and especially one J. P. whom principally he vsed in those affaires, being now dead) whereby he cannot vpon a speedy triall at the common law procure the payment thereof, by strict and precise course in that behalfe requisite, and the rather, because that the Indentures for the desearance of the said recognisance, came by some casual or negligent means to the hands of the said C. D. and of J. his wife, although it be manifest by the presumptions aforesaid, that the said C. D. would not haue let it lye so long vndemanded, if he had not bin satisfied, which the said A. B. doubtles not to proue in this honourable Court, for that also hee thinketh, there be yet some liuing, that were present at the last reckoning, y the said A. B. or his officers made with the said C. D. either when hee agreed for the said extents, or about that time: at which time he the said C. D. did acknowledge, that all matters, debts, & reckonings whatsoeuer were then fully cleared & quit betwixt the said A. B. & the said C. D. And that the said A. B. did not then owe him any thing. But so it is, the said C. D. now being dead, and J. his wife beeing his executrix, who finding the said bond of CC. li. remaining vncancelled; rather as it should seeme by those which haue conferred with her, vpon some words spoken, or conceit of offence, that she hath conceived of the said A. B. his displeasure towards her late husband, than otherwise vpon any iust cause, shee

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the said J. hath published, that she hath such an ancient bond of the said A. B. bearing date &c. of 200. li. and intendeth to put the same in suit against the said A. B. In tender consideration whereof, the apparent likelihood of the said debt befoze recited, being most true, and the same discharged, and yet the p^{ro}ofe of the discharge thereof in strict course of law being hard fo^r the said A. B. to make, the said J. B. and some others who dealt fo^r him, being now dead, and the said defeasance being come to her hands (as afozesaid) but onely vpon oath of the said J. D. who was p^{ri}uie to that, and most of her husbands reckonings and doings in his life time, and yet would not vniu^{er}sally charge the said A. B. with the said debt, by meanes that she hath both parts of the defeasance in her hands, wherby the said A. B. cannot plead them, and not knowing the date of them, o^r wherein they are contained, cannot demaund them by the o^rinary course of the law. May it therfoze please your good Lordship &c.

The Answer.

Sec. 132.

The said Defendant saith, that the said bill of complaint exhibited against her in this hon. Court, is vncertaine, and vnsufficient in the law to be answered vnto, and the matters therein contained, vnt^{er} true, and contriued moze of purpose to put the said def. to trouble and expences in law, then fo^r any good o^r iustt cause: Neuerthelesse, if the same defendant shal be compelled by this Hon. court to make any further answer to the same: the the aduantage of the insufficiency thereof to this defendant at all times hereafter saued. Fo^r further answer the said defend. saith, that true it is, that the said A. B. about the time mentioned in the said bill of complaint, began to be a bargainer and buyer of plat^r and iewels of the said C. D. late husband to this defendant, and obtained credite at the hands of the said C. D. fo^r the sum of &c. Fo^r payment wherof, the said C. D. p^{re}suning vpon the p^{ro}misses of the said A. B. was contented onely to accept of a bare single obligation, which was sealed & deliuered vnto him about the time mentioned in the said bill, which summe of &c. the said C. D. (after the day past which was limited fo^r the payment thereof) often demanded of the said A. B. who notwithstanding made no painment at all thereof, but with faire p^{ro}misses delayed time, and kept the said C. D. in hope from yeare to yeare, that he should be answered therof to the vttermost peny. And at the last the said A. B. hauing need of certaine other plate o^r iewels, to the value of &c. intreated with the same C. D. to giue him credite fo^r the same, and p^{ro}missed faithfully, that if the said C. D. would trust him therewith, that then within thozt space after hee
would

would truly make payment as well of the C.li. as also of the said C.C.li. vpon which earnest intreatie the said C.D. (being a man of a verie good nature, and easily led by such as he any way conceiued or thought well of) was contented to satisfie his request: But yet forasmuch as the said A.B. had befoze that time taken but small regard concerning the keeping of his daies vpon the single obligation afoze-said, the said C.D. then thinking to deale moze substantially with him then befoze, demanded a recognisance for the said summe of C. li. so then to be lent, without which he was vtterly vnwilling to trust him any further: Whereunto the said A.B. assented, and became bound accordingly in a recognisance of two hundred markes, with condition for the true payment of C. li. (which is the recognisance in the said Bill of Complaint mentioned.) For discharge of which recognisance the said A.B. tooke no greater regard then befoze he had done for payment of the said single obligation. And therefore the said C.D. at the last, thre yeares at the least being then past after the seizure of the said recognisance, perceiuing the carelesnesse of the said A.B. asked aduice of some of his friends, what course he were best to take for the obtaining of the said severall summes of money: By whom he was aduised to put the said recognisance (rather then the obligation afoze-said) in suit, as well for speedie end of suit in the same, as also that thereby it was thought, the said A.B. would the rather seeke meanes to make satisfaction as well of the one debt as of the other: But he meaning nothing lesse, nor regarding the said suit, suffered the same to proceed till some parcell of his land was extended, and so the said C.D. was faine after thre yeares forbearance of the said summe of C.li. as afozesaid, and after he had spent moze then xx. li. in suits and rewards in obtaining the said extent, to accept onely twentie markes by the yeare, till the said two hundred markes (being the principall) and penaltie were payed vnto him: so that the forbearance of the said summe accounted together with the charges in suit, great losse of time in following the same, and rewards giuen to Sherifes and Bartyfes, befoze any the said lands might be extended: The said C.D. sustained so great losse, as by the said circumstances of that which befoze hath bene shewed, doth evidently appere, that he was vtterly discouraged to attempt any moze suits against the said A.B. but rested still in hope that at one time or other he should obtaine meanes in quiet sort without suit in Law to get satisfaction also of the said summe of xc. which hath bene the reason onely why the said C.D. did not put the said obligation in suit so long time, without that, that to the knowledge of this defendand, there was euer any defeasance made vpon the said ob-

Supplications, Bills,

ligation, or that any such defeasance by casuall means is come into the hands of this defendant, as in the said Bill is vntrely alleaged. And without that, that the said A. B. by himselfe or his officers, as by the premises manifestly appeereth, did make payment of the said debt, or any part thereof: which the said defendant is the rather thoroughly perswaded of, as well because she was well acquainted with the dealings of her said husband, as also because at the time of the death of her said husband, helping in extremitie, called this defendant vnto him, and said that he had carefully gathered together sundrie bonds and obligations, which at sundrie times had bene made vnto him for diuers summes of money, and yet in truth they were payd and discharged, and those bonds and obligations he had put in a box by themselves, and named them Bills, which obligations he willed this defendant to cancell or deliuer to such persons as were the obligors, and in any wise not to demand any debt vpon any of them. And further he also openly said, that all the residue of the bondes and obligations remaining in other boxes, which he then also named, were due and owing vnto him. In the which of the said boxes the said obligation of CC. li. was found, neither is it to be thought that any officer of the said A. B. would deale so lightly, as to pay the money due vpon the said obligation, being but single and without penaltie, without either acquittance or the bond it selfe, redeliuered or cancelled. Or that the said A. B. himselfe would haue allowed of any such payment vpon any his officers accounts. And without that, that the said A. B. did at any time allow any manner of consideration for the forbearance of any summe of money due by him to the said C. D. (as also is vntrely alleaged.) And without that, that the said C. D. did put the same recognisance in suit, presently after the forfeiture thereof: for the same was forborne thre yeares after, as is befoze declared. And without that, that it is likely that the said C. D. did acknowledge himselfe satisfied of all those severall sumys of xx. markes, which should make by the CC. markes vpon the extent aforesaid, when as he had reconored the whole debts due to him by the said A. B. but onely without that, that the said A. B. to the knowledge of this defendant, did signifie by his letters his displeasure to wardes the said C. D. as also is vntrely set downe. And without that, that any other thing materiall in the Law &c. As in the other.

To cause one to shew his lease, whereby he holdeth, &c.

Sec. 133

Most humbly complayning &c. A. B. of &c. Gentleman: That whereas about foure yeares last past, one C. D. of L. vpon a certaine

tained iudgement in a plea of debt amounting to the summe of $\text{£}.$ 02 thereabouts, by him obtained in her Maiesties court of cōmon plæs, against one L. J. of $\text{£}.$ in the County of $\text{£}.$ sued forth her Maiesties writ of Fieri facias, directed to the Sherife of the said County, for the leuying of the said debt of the goods and chattells of the said C. J. By vertue of which writ, the Sherife did amongst other things take into his hands one lease for diuers yerres yet induring made to the said C. J. by one W. S. in the County of S. esquire of 3. parcels of land, called and known by the name or names of $\text{£}.$ with all and singuler their appurtenances, lying and being in the parishes of $\text{£}.$ in the said countie of $\text{£}.$ together with all and singuler woods, vnderwoods, and trees, set, lying, being, and growing, in or vpon the premises, or any part thereof, together also with the reuerſion and reuerſions of the premises aforesaid, and euery parcell thereof. And also all manner of cōmon, as well of estouers and pastures, as all other commons, pastures, profits, and hereditaments whatsoeuer, to the said premises belonging or in any wise appertaining. And after wards the said Sherife (that is to say, vpon the third day of May etc.) by his deed bearing date vnder his hand and seale, did in consideration of etc. to him paid towards the satisfaction of the debt and iudgement aforesaid, bargain, sell, assigne, and set ouer the said lease and terme of yeares yet to come, of all and singuler the premises vnto one G. H. of L. Gent. which G. H. not long after did in consideration of etc. by your orator to him paid, bargain, sell, assigne, & set ouer vnto your said orator all and singuler the premises, and euery part thereof: vpon which bargain & assignement of the premises so made, as aforesaid, your said Orator was in verie good hope to haue peaceably & quietly entred into the premises, and so to haue occupied and inioyed the same accordingly. Neuerthelesse so it is right ho. that one R. T. of etc. in the said county of L. pretending to haue a lease for diuers yerres yet to come, of some part of the said lands called etc. made vnto him by the aforesaid C. J. long time before any assignements aforesaid, hath and yet doth keep your said orator from the possession of the said lands, vpon which lease or demise, a certaine yearely rent is (as he saith) reserved to the said C. J. his exēcutors or assignes, which as your orator verily thinketh, is etc. by the yeere, and which rent, whatsoeuer it be, your orator by reason of the lawfull conuēiance to him made, as aforesaid, ought both in law and conscience to haue and enioy during such terme as the said R. T. shall hold and occupie the land aforesaid, by reason of the said lease which he so pretendeth to haue: but because your orator doth not certainly know whether the said R. T. haue any such lease, neither if hee haue, what date it beareth, what terme the said R. hath therein vnerpited, what rent

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thereby is reserved, nor what covenants are therein contained, as also your Orator cannot, nor knoweth not how in due forme of lawe to enter or commence any action against the said R. T. either for the recovery of the said land or rent aforesaid, which the said R. T. right well knowing, being a man of little or no conscience, but destitute of the feare of God, thinking all things well gotten which he may get and hold without the punishment of the Lawe, doth not onely vse the said land to his great profit and commoditie, without yielding or paying therefore any rent to you Orator, or any other person lawfully claiming the same, but also doth vtterly refuse to shew his said Lease, whereby he claimeth to hold the lands aforesaid, vnto your said Orator to the great losse and hinderance of your L. said Orator. In tender consideration whereof, and soasmuch as your Orator hath no ordinarie way by the course of the common lawes of this Realme to enforce the said R. T. to shew forth such writings as he hath for the holding and enjoying of the lands aforesaid, but is and shall be vtterly destitute of all maner of help or means to obtaine the same to his great hinderance and impouerishment, except your honourable L. of your accustomed clemencie towards all such as are oppressed, doe extend your fauour in that behalfe, so that by the order of this honozable court the said R. T. be enforced vpon his oath to shew what right he hath to the premises, or any part thereof, and likewise to set downe in his answer the true copy of the said lease (*verbatim*) or other writings whatsoeuer they be, whereby he claimeth the premises, or any part of the same. May it therefore &c.

The Answer.

Sect. 134.

The said Defendant not knowledging or confessing the matters suggested in the said Bill of complaint to be true, for his answer touching the same, saith, That the said C. J. named in the said bill of complaint, was possessed for diuers yeares yet to come, and induring, of the said threc parcells of land, called or knowne by the name of etc. mentioned in the said bill of compl. by vertue of a lease thereof made by the said T. S. also named in the said bil of complaint, vnto the said C. J. long before the supposed extent specified in the said Bill of compl. And the said C. J. so being thereof possessed long before the said supposed extent (if any such were) had in such manner, as in the said Bill of complaint is supposed, made a lawfull demise and lease of part of the said 3. parcells of laud, containing 14. acres, or thereabouts, vnto the said def. for diuerse yerces yet to come, and remaining vnerpied, vpon which lease the said C. J. reserved a yerely rent to be paid during the continuance of the said lease: By force of which lease the said defend.

entred

entred into the said 14. acres of land, part of the said 3. parcels called &c. and was and yet is lawfully possessed accordingly, add euer since, and yet doth enioy the said 14. acres by vertue of the said demise and lease made by the said C. J. to the def. and is to haue and enioy the same during the continuance of the yerres, of which there are diuers yeares yet to come, and remaining vntexpired. And the said def. saith, that the said complainant is a man to this def. vtterly vnknown. And therefore the said def. maruelleth much of the said suit exhibited by the said compl. into this hon. Court against the said def. touching the said premises. And further saith, that the said C. J. after the said demise and lease by him made vnto the said def. of the said 14. acres of land, and before the said supposed extent, if any such be, made a grant and assignement of the interest & terme of the said C. J. as well of the said 14. acres, which the said def. hath and occupieth by vertus of his said lease for diuers yerres yet thereof to come, and continuing vndetermined, as also of the residue of the said 3. parcels of land mentioned in the said Bill of complaint, vnto R. J. the sonne of the said C. J. vnto which grant and assignement the said def. was priuie. And therefore the said def. thinketh that he is for the paiment of his rent chargeable, and ought by the law to pay the same rent referued vnto the said R. J. & not to the said complainant, which said R. doth verily think, that he is lawfull Landlord during the continuance of his yerres yet to come and induring, and not the said complainant, who is altogether a mere stranger vnto this def. And which complainant neuer at any time heretofore demanded any rent for the said part of the lands that this def. hath and occupieth by the lease for yeares, yet continuing, of the said def. And the said def. also saith, that he is sued for the rent referued vpon his lease by the said C. H. named in the said Bill of Complaint in the B. Bench, in an action of debt brought by him against the said defendant: and therefore the said def. much maruelleth of this suit of the said compl. brought in this hon. Court against the said def. touching the said premises: By which suit of the said complainant, the said def. is wrongfully sued and vexed without any iust cause of suit, without that, that there is any such extent made of the said 3. parcels of land called &c. or that after the same extent, there was any such bargain and sale made by the said Sherife named in the said Bill of Complaint, of the said terme and lease of yerres of the said premises vnto the said C. H. Or that the said C. H. bargained or sold the said premises vnto the said complainant, or that the said complainant ought to haue and enioy the said premises to the knowledge of this defendant. And without that, that there is any other matter or thing &c. All which matters &c.

Supplications, Bills,

A Bill for a title of intailed.

Sec. 153

In most humble wise sheweth and complaineth vnto your good Lordship, your daily Orator, W. K. Husbandman: That where one W. late of S. in the Countie of W. Husbandman, grandfather of your said Orator, was lawfully seised in his demesne, as of fee, by due course of inheritance vnto him lawfully descended from his ancestoꝝ, and oꝝther lawfull conueyances in the Law, of, and in one messuage &c. CC. acres of land, meadow, wood, and pasture, with their appurtenances in S. aforesaid. And the said W. K. so being of the premises seised, about tenne yeeres now past, it was condescended, granted, and agreed betwene the said W. K. and one J. C. late of H. in the said Countie deceased, that A. B. then sonne and heire apparant of the said W. K. before a certaine day should marrie and take to his wife one A. C. daughter of the said J. C. and that the said W. K. in consideration thereof, and soꝝ that the said A. should be greatly advanced and preferred in goods and substance, by the marriage of the said A. would immediately after the said marriage had and solemnized, convey and make vnto the said A. and A. a good, sufficient, and lawfull estate in the Law of, and in the said messuage, lands, tenements, and other the premises. To haue and to hold vnto the said A. and A. and to their heires males of their bodies lawfully begotten. And afterward the said A. according to the said agreement, did marrie and take to his wife the said A. C. immediately after which marriage had and solemnized, the said W. K. according to his said promise and agreement, did lawfully enfeof of and in the said messuage, lands, tenements, and other the premises, the said A. K. and A. then his wife. To haue and to hold vnto the same A. and A. and to their heires males of their bodies lawfully begotten, by force whereof the said A. and A. were seised of and in the premises, in their demeanes, as of fee taile speciall, and they so being thereof seised the said A. and A. had issue male betwene them lawfully begotten, one J. K. and your said Orator, and one W. K. and the said W. K. the elder died, by and after whose death the reuerſion in fee simple of the premises descended vnto the said A. as sonne and heire vnto him. And afterward the said A. and A. dyed, after whose death the said messuage, lands, tenements, and other the premises descended and came, and of right ought to descend and come vnto the said J. K. as sonne and heire male of the bodie of the said A. and A. lawfully begotten, by force whereof the said J. K. entred into the said messuage, lands, tenements and other the premises, and was thereof seised in his demesne as of fee taile. And he so being thereof seised, the said J. K. about foure yeeres now

now past, of the said messuage and other the premises dyed seised, without issue male of his bodie lawfully begotten, by force whereof the said messuage and other the premises descended and came, and of right ought to descend and come vnto your said Drazor, as brother and heire male to the said J. K. by the vertue of the gife aforesaid. So it is my singular good Lord, that aswell the deed of intaile made, of, and for the premises by the said W. K. the grandfather vnto the said A. K. and A. and to the heires males of their bodies lawfully begotten, as aforesaid, as diuers other charters, euidences, and deeds, wrytings and muniments concerning the premises, prouing the said interest and title of your said Drazor, in and to the said premises: bene deceitfully comen to the hands and possession of J. W. and C. his wife, late wife of the said J. K. G. W. gentleman, and T. S. the elder, and remaine there as they haue conueyed and put them: and by colour of hauing the said euidences, deeds, wrytings, and muniments in their hands and possession, the same J. W. and C. haue now of late wrongfully entred into the said messuage and other the premises. And the possession thereof doe so yet wrongfully detaine and keepe from your said Drazor, and also the rents, issues, and profits thereof haue wrongfully receiued, perceived, and taken to their owne vse by the space of foure yeares past, and so yet doe, contrarie to all right and good conscience. And albeit that your said Drazor hath often and sundrie times required and instantly desired the said J. W. and C. G. W. and T. S. as well to deliuer vnto your said Drazor the said euidences, deeds, wryting and muniments concerning the premises, as also to auoid the possession of the premises, and peaceably and quietly to permit and suffer your said Drazor and his assignes, to haue and enioy the same, and to receiue and take the rents and profits thereof to his owne vse, according to his said interest and title therein, which to do, they at all times haue refused and denied, and yet do, contrary to all right and good conscience. And forasmuch as your said Drazor knoweth not the certaine number, contents, ne other certainties of the said euidences, deeds, wrytings, and muniments, nor wherein they be contained. And also for that the said J. W. C. G. W. and T. S. be of so great substance and riches, and also greatly freinded, and boync in the said Countie of W. And your said Drazor being but a poore man, and hauing but few freinds in the said Countie, the same your said Drazor is, and shall be therefore without remedy concerning the premises by due course and order of the Common law, and otherwise, vnlesse your good Lordships aide and fauor be vnto him shewed in this behalfe. In consideration whereof, it may please your good Lordship (the premises tenderly considered) to grant vnto your said Drazor the Quenes most grauous

seuerall

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seuerall Writts of Subpoena to be directed vnto the said J. Merewicke
C. G. S. and T. S. commanding them and euerie of them by the same
personally to appere in the most ho. Court of Chancerie, at a certaine
day, and vpon a certaine paine by your god L. to be limited therein,
then and their to make answer to the premises: and further to be or-
dered therein, as shall accoꝛd with right and god conscience. And your
said Oratoꝛ shall daily pray &c.

The Answer of I. W. to the Bill of Complaint of R. K. Husbandman.

Sect. 136

The said defendant saith, that the said Bill of Complaint is vncer-
taine and insufficient in the Law to be answered vnto, and the
matter therein contained vntue, and principally imagined, and pur-
sued by the vnlawfull procurement, bearing and suppoꝛtation of one
W. C. Esquire, to the intent to put the said defendant to trouble, costs,
and expences, intending thereby so to vniquiet and impouerish the said
defendant, as he should be faine to leaue the right, title, and interest, of
and in the premises, so that the said W. might purchase and buy the
same of the said complainant: And of late the said W. C. hath made
meanes vnto the said J. W. now defendant, to buy his title and inte-
rest, of, and in the premises, and threathned him to haue the same, and
if he would not let him haue it with his god will, that then he would
haue it against his will, whosoever toke his part: and if the contents
of the said Bill were true (as they are not) yet were the matter deter-
minable at the common Law, and not in this hon. Court, whereunto
the said def. prayeth to be dismissed: and yet neuerthelesse, the aduan-
tage of the premises vnto this def. at all times saued. For further an-
swer vnto the said Bill for declaration of the truth of the contents of
the said Bill, the said def. saith, and euerie of them saith, that long time
before the said A. K. mentioned in the said Bill of Complaint, any
thing had in the said messuage and other the premises, or that the said
W. K. was thereof enfeoffed, T. K. of P. T. S. of S. & W. of C. was
thereof seised in their demesnes as of fee, and so being thereof seised by
their wꝛiting indented, readie to be shewed the said messuage & other
the premises contained in the said Bill of Complaint, amongst other
things gaue, demised, deliuered, and by their said wꝛiting indented,
confirmed, vnto the said W. K. mentioned in the said Bill of Com-
plaint, and vnto A. his wife, To haue and to hold the said messuages,
and other the premises, vnto the said W. and A. for terme of their
liues, and to the wife of the longer liuer of them. And the said W.
and T. willed and declared in the said wꝛiting indented, that the said
messuage and all other the premises should remaine vnto the said A.
mentioned in the said Bill of Complaint, and vnto A. his wife,
and vnto the heires and assignes of the said A. for euer: **With-
out**

out that, that the said *W. R.* did infeoffe, of, and in the said messuage, lands, tenements, and other the said premises, the said *A.* and *A.* to have to them and to their heirs males of their two bodies lawfully begotten, or that the said *A.* and *Agnes* were seised of, & in the premises in their demesnes as of fee taile, as in the said Bill of compl. is surmised, and without that, that after the death of the said *W.* the remainder of the premises in fee simple descended vnto the said *A.* as soune and heire vnto him, or that after the death of the said *A.* and *A.* the said messuage and other the premises descended, and of right ought to descend or come vnto the said *J. R.* in the taile special as soune and heire male of the body of the said *A.* and *Agnes* lawfully begotten, either any other discent of inheritance therein of a mere fee simple, or that the said *J.* by his entry into the said messuage and other the premises, after the death of his father and mother, was then seised of, and in his demesne as of fee taile special, or of any such estate died seised, or that after the death of the said *J.* that the said messuage & other the premises, or any part or parcell thereof descended and came, or of right ought to descend and come to the said compl. as brother and heire male to the said *J. R.* by vertue of any gift or otherwise, as in the bill of compl. is vntuly surmised: But the said def. doo aver, and are, and shall be at all times ready to prooue, as this hono. court shal award, that the said messuages and all other the premises, by and immediately after the death of the said *J. R.* descended, and of right ought to descend and come to one *A.* daughter and heire of the said *J.* lawfully begotten on the body of the said *C.* one of these defend. the which *A.* is yet in plaine life, and in the ward and custody of her said mother: and without that, that any deed of taile was made, of, and by the said *W. R.* the grandfather, or any other euidence, da. ds, writings, or muniments, concerning the premises, prouing the said interest and title of the said compl. of the premises, and euery part and parcell thereof, to be come to the handes and possessions of the said *J. W.* and *C.* or wife, or either of them, or to the custody or possession of any other by their deliuey, conueyance or appointment: but truth it is, that the said defendants haue in their custody, one writing indented ready to be shewed, whereby the remainder of the premises is conueied vnto the said *A.* and *Agnes* his wife, and to the heires and assignes of the said *A.* for ever, as is aforesaid, and diuers other euidences and writings, prouing and concerning the conueiance of the fee simple of the said messuage, and other the premises vnto the said *A.* and ether his auncestors, the which charters, euidences, and writings, the said Defendants do still with them detain and keepe, as good and lawfull is for the to do, as well for the profe and preservation of their right, title, and interest, vnto the 3. part of the

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the p̄misses for the dowry of the said C. as for the p̄seruation of the right, title, and interest of the said A. daughter and heire to the said J. of, and in the said messuage, and other the p̄misses: without that the said desc. haue at any time wrongfully entred into the said messuage, and other the p̄misses, or into any part thereof, or the profits thereof do wrongfully detaine, and keepe from the said compl. or the rents, issues, and profits thereof, haue wrongfully distrained, perceined, and taken to their owne vse, as in the same bill is also v̄truly surmised.

A Supplication in the Chancerie upon deceit by a Partner.

Sect. 137

I most humble wise complaining theweth etc. That wheras vpon the imagination of honestie and good opinion that R. C. father vnto your said orator deceased, had in one T. L. &c. the said R. about Easter last past, did ioyne in bargaine with the said T. L. for the deliery of so much wares, whereof the moitie was the said R. as amounted to the summe of etc. vnto one J. S. of the N. Paieries household esquire, for the which summe of etc. the said S. stood bound by statute of the Staple, vnto the said R. C. and T. L. payable at the feast of etc. then next &c. which was in the yeare of our Soueraigne &c. And to the intent that the same R. being a man of such honestie and simplicitie, as did neither suspect, nor yet doubt the good conscience of the said T. who alwaies toward him had counterfeited such puritie of conscience, and so honest behauior, might the better by the help of the same T. come by his debt, at the time to be due, if he so long liued, or else if he died, that the said T. might be as a stay and sure meanes to his executozs, for the getting of the same, hee the same R. trusted to the said T. with the custody of the said Statute: Some after the making of the which bargaine, and somewhat befoze the said feast of etc. the said R. deceased, and made your Orator his Executoz, thereby charging him as well with y gathering in of all such sums of money as were due to the said testator, as also with the payment of all such debts, as the said R. did owe. And so it is, most gracious Lord, that although your said Orator hath diuerse and sundry times since the decease of his said Father, required the said T. to haue the moitie of the said etc. due to him by equitie and good conscience, as executoz vnto his said testator, &c. The said T. (now declaring himselfe what hee is) hauing regard neither to conscience, nor common honestie, nor yet to the trust hee was put in, minding if he can (with what iniurie hee careth not) vtterly to barre your said Orator from the hauing thereof, and he himselfe against all reason and conscience to haue the said etc. for nothing: hath not onely with many sleights and subtill delates, lingred and delated your said Orator long time from hauing the same: but also now lately hath
plainly

plainely answered and affirmed, that your said Orator shall have no part nor penie thereof, which if it should thus passe, should be both great encouraging to such corrupt conscioned persons; still to perseuer in such their lewd demeanour, and in the meane time, turne to the great impouerishing of your said poore Orator: Wherefore may it please your H. of your accustomed equitie, to inioyne the said W. that he repay vnto your said Orator the said xx . moulie of the said xx . if he haue receiued it of the said S. or if he haue not, that he be no let to your said Orator, to doe therein what he can, for the obtaining and getting in the same. And thus shall your said Orator haue cause continually to pray for the prosperous estate of your good Lordship long to indure.

*A Bill of Complaint for the recovering of Evidences made by compulsion
by a man in prison without consideration.*

¶ most humble wise complaining, sheweth vnto your good Lordship your daily Oratrix J. B. That whereas in the yeare xx . it chaunced the husband of your said Oratrix, together with one xx . ioyntly and seuerally to be bounden in a recognisance of the summe of xx . knowledged before your good Lordship in the R. Hatessties Court of Chancerie, for the payment of xx . payable at a certaine day now past, vnto one xx . for which summe not being payd at the day due, the said xx . hath sneed execution against your said poore Oratrices husband, whereupon he was by the Sherife of xx . arrested about xx . past, and by all the said space hath remained in the Duenes Hatessties prison of Barthalsey, to his great paine of bodie, impoytable charges, and in maner vndoing, both of him, your poore Oratrix, and their small children, which pitous estate of his, (with himselte lamenting) after he had well considered, he then consulted with himselte, for his best remedie in that behalfe, and therewithall calling to his minde, that he had xx . a kinsman and cousin called xx . being of xx . vnto whom your said Oratrices husband, for the vicinitie of blood, and abilitie of substance, was bolden to make his more for helpe of this his aduersitie, then vnto any other. But (farre contrarie to his expectation, and against all humanitie) whence your said Oratrices poore husband looked for most succour, thence he receiued not onely least helpe, but also most hurt. For the said xx . well perceiuing the aduerse estate that your Oratrices poore husband was, and is in, which was the greedinesse of the Merchant for his money, the earnest thought and care of your poore Oratrix, and her poore children, and the great desire that her said poore husband had (as any man wold) of libertie, and discharge of trouble, would by no meanes promise his helpe vnto her said poore husband herein, vnlesse he would be content to bargain and sell all his landes,

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amount

Supplications, Bills,

amounting to the yeerely rent of £c. vnto him the said £c. for an annu-
itie of xx.li. sterling to him, during his life, and for the sum £c. whereof
£c. to be payd in hand, whereunto your said poore Matrices husband,
through the constraint of his said case, was compelled to agree, and to
seale such writings as the said £c. not long after he brought to him in-
dentures concerning the bargaine, nothing doubting of £c. being his
cousin, but that they would haue sealed to none other, but only such as
conscience would stand with, at which time the same £c. neither payed
nor proffered any penie of the said £c. according to his couenant, with
delay of payment, both against his promises and couenant: After her
said poore husband had studied vpon, and therewithal read ouer the co-
uenants comprised in the said indentures of this bargaine, which in-
deed (most honozable Lord) were so partially deuised for the behoefe of
the said £c. and againe, so soze against your said poore Matrices hus-
band, as (if the bargaine had taken effect) had bene to the vtter un-
doing of him and her, with all their heires for euer, your said poore Ma-
trices husband, taking hold on the point that the said £c. payd not
the foresaid £c. did at their next meeting, renounce and say, that he
would not stand to the said conenants and bargaine, whereunto the
said £c. partly acknowledging in that he had not paid nor proffered
this £c. said befoze sufficient witnesses here ready to be sworne, he was
contented, howbeit he said, that your said poore Matrices husband,
should pay for the making of the writings: For the paiement whereof
her said husband, as they hauing no great store of mony, was faine to
giue him a gold Ring in pledge, to pay the Scribe for writing of the
same: All this notwithstanding (most honozable Lord) and that your
said poore Matrices husband, hath often and sundrie times by many
wayes and meanes required the same writings, concerning the said
bargaine of the said £c. he against all naturall loue and humanity, no-
thing moze coueting, then the extreame destruction of her, and her said
poore husband, and well perceiuing how far he is now vnable to helpe
himselfe, hath vnterly denied to render the same, and yet doth, contrary
to all conscience, law, or right. In consideration whereof, may it like
your honozable Lordship, of your accustomed pitie, to call the said £c.
befoze you, together with the husband of your said poore Matrix, and
thers to will him to deliuer the said writing againe to her husband, if
it shall so seme good vnto your Honor, or else to shew sufficient matter
why he should keepe the same. And your said Matrix with her poore
husband, and their poore children shall pray &c.

A Bill of a title of Copihold lands praying an Injunction.

Humbly complaining &c. your daily Orator *W. S.* otherwise named *W. S.* of *L.* cousin and heire of *J. S.* otherwise called *J. T.* while he lived &c. That whereas your said Orator at your Lordships last being at &c. did exhibite vnto you a certaine Bill of compl. mentioning therein, that the foresaid *J. S.* otherwise called *J. T.* in his life time was seised, of, and in certaine customary lands and tenements, that is to say, of, and in &c. holden by copy of Court-roll of the manor of &c. at the will of the Lord of the said manor, according to the custom of the same manor, of which one *T. L.* then was, and yet is Lord, And that the same *J. S.* so being seised of the premises, afterwards of like estate died thereof by protestation seised, after whose death the said &c. with thappurtenances, and the right, title, vse, possession, and inheritance thereof descended and came, and of very right ought to descend and come vnto your said Orator as cousin and next heire of the said *J. S.* that is to say, as yongest sonne of *J.* yongest sonne and heire of the same *J. S.* according to the ancient custome of the said manor. And that your said Orator had often and sundry times desired and prayed the said &c. that with lawfull warning vnto the tenants of the said *L.* a Court might be holden at the said manor, by whose inquirie, the title of your said Orator might be presented and found in the premises, according as both iustice, right, and good conscience doe require. Howbeit most honorable Lord, that notwithstanding, soasmuch as the same &c. hath kept the premises in his owne handes these many yeres past, and the profits and issues thereof comming, hath by the same space to his owne proper vse receiued and taken, and yet doth, your said Orator could neuer get the same. &c. to holde a Court there, minding thereby vtter disinheriting vnto your said Orator, of, and in the premises: Untill such time as your said most honorable Lordship, moued with your accustomed loue to iustice, and pitie towards pouertie, vouchsafed to graunt your benigne letters directed to the said &c. willing him thereby with lawfull warning giuen vnto the tenants of the said lordship, to summon and keep a court of the said manor, for the triall of the right of your said Orator to the premises, vpon the receipt of which letters, the said &c. summoned and kept a Court at his said Manor of &c. Whereat vpon the open and plaine declaration of your said Orators title, together with the examination of diuers witnesses, brought in by your said Orator, for y due proufe of the said title in the premises: And further, vpon the shewing of such substantiall and ancient evidences maintaining the same, the Homage therewith charged & sworne did present and find at the said &c. (before

J. S.

Seft. 139.

Supplications, Bills,

J. S. Steward of the same Court that the foresaid **J. S.** was possessed, and held the premises by Copy of Court Roll, according to the custome of the said manor: And that also your said Orator was confirmed and heire to the said **J. S.** according to the custome of the manor: that is to say, some of **J. Yonger** sonne of &c. as by the Copy of the same Court rolls ready to be shewed moze plainly may appeare vnto your good **L.** After which presentment at the same Court, it was agreed betwixt the said Steward, in the name of the said &c. and your said Orator, that if the said &c. would not declare and shew vnto your said Orator, or to his learned Counsell at London, within one Terme then next ensuing, a better title and interest to the foresaid premises, then your said Orator had then and there already proued, that then your said Orator should haue and enjoy the premises to him, and to his heires, according to right, equity, and good conscience, and according to the custome of the said manor. But so it is (most **H. Lord**) that although the said &c. as he cannot, so hath hee not by the said space proued any manner of title, or colour of title to the premises, but only with such and like fraudulent delaies, he intendeth to weary your said Orator from the obtaining of the premises, and if he can disinherite him from the same: Wherefore, may it &c. of your accustomed godnes alwaies to pouertie extended, to grant vnto your said Orator the Queenes most gracious writ of Subpoena, to be directed to the said &c. commanding him by the same, not onely to appeare personally before your good **L.** in the high Court of Chauncery, at a certaine day, and vnder a certaine paine by your good **L.** therein to be limited: but also to permit & suffer your said Orator peaceably to haue, hold, occupy, possesse, and enjoy the premises aforesaid, and the profits & issues of the same, vntil such time as the same &c. hath duely approued better title to the premises, then he hath heretofore done. And your said poore Orator shall &c.

A Bill of Complaint for debt without speciality.

Sec. 140.

In most humble wise sheweth and complaineth vnto your good **Lo.** your daily Orator and poore bedeman **J. C.** of **H.** in the Countie of **D.** That where the said **J. C.** by way of prest, at the feast of Pentecost, in the 34. yeare of the reigne of our Soueraigne Lady the **Q.** Maiestie that now is, did deliuer vnto one **W. L.** late of **H.** in the said Countie of **D.** the summe of **xvij.** pounds of lawfull money of England, to be paid vnto him at the feast of Saint **A.** then next ensuing, before which day the said **W. L.** by his last will and testament, constituted and made one **E.** then his wife, his executrix, and died, and left vnto the said **E.** then his executrix, of his owne proper goods, (all his

his debts payed) the summe of 180. li. of whom your said orator sundry
 and many times hath required payment of the said 18. li. which to con-
 tent and pay, the said C. did neuer vtterly demie, but did require respit
 for the payment of the same, and befoze the said C. did content and pay
 any peny of the said 18. li. the said C. on her death bed, by her last will
 and testament did constitute and make one J. S. her sonne her execu-
 tor, and died, and left to him sufficient of the goods of the said W. L. for
 the contentation and payment of the same xviii. li. and after died, si-
 thence whose death the said complainant daily, sundry, & many times
 required the said J. S. to content and pay vnto him the said summe of
 18. li. which to doe, he hath at all times refused, and yet doth, contrarie
 to right and good conscience, to the utter vndoing of your poore Orator
 for euer. And for because your Orator hath no specialtie, whereby he
 should charge the executor, or the executrix of the said W. L. he is there-
 fore without remedie by the order of the common Law of this realme,
 and is like vtterly to lose the said xviii. li. vnlesse your gracious sauour
 be to him shewed in this behalfe: In tender consideration wherof, it
 may therefore please your good L. (the premisses considered) to grant
 the D. Haesties writ of Subpoena, to be directed to the said J. S. com-
 manding him by the same personally to appeare befoze your good Lo:
 in the Quenes most gracious Court of Chancerie &c.

*The answer of the same Bill for eighteene pound lent
 without specialtie.*

The said J. S. by protestation not knowing that the said complay-
 nant did deliuer the said W. L. in the said bill named, the summe Sec. 141
 of eighteene pounds, or any part thereof, by way of prest, as in the said
 bill is surmised: He further saith, That the said bill of complaint is un-
 certaine and insufficient in the law to be answered vnto, and much of
 the matter therein conteyned is fauned and imagined, for vexation and
 trouble of the said J. S. notwithstanding the aduantage thereof to
 him at all times saued: The said J. S. for further answer vnto the
 said Bill, saith, That long time befoze the said C. L. was constituted
 and made executrix vnto the said W. L. the said C. was married vnto
 one R. S. father of this defendant, by the space of twentie yeares, and
 moze, which said R. S. by his last will and testament constituted, or
 dained, and made the said C. and the said J. S. his executors, and di-
 ed, and left to the order and disposition of the said executors goods and
 cattels of his owne, to the value of two hundred pounds sterling and
 aboue. All which goods and cattels for the most part of the same, be-
 ing and remaining in the hands and custodie of the said C. the the
 same

Supplications, Bills,

same C. married and tooke to husband the said W. L. which said W. L. after the marriage had betwene him and the said C. did mispend, wast, and consume of the said goods and chattels late of the same R. S. to the value and summe of one hundred and fortie pounds sterling and aboue. And after the said W. L. by his last Will and Testament ordained and made the said C. executrix thereof, and died a very poore man, hauing no power of goods nor chattels at the time of his death of his owne, to the value of twentie shillings sterling. And afterward the said C. by her last will ordeined this Defendant executor thereof, and died, sithence whose death there hath not come to the hands of this Defendant of the goods late of the said W. L. to the value of twentie shillings sterling, without that, that the said W. L. at his death left vnto the said C. of his owne proper goods, to the summe of one hundred pound ouer his debts payed, or yet the summe of twenty shillings sterling, or that the said C. after the death of the said W. L. did euer consent or agree to pay the said eighteene pounds vnto the said Complainant, or did require him to respite the payment thereof, or that the said C. at the time of her death left vnto the said Defendant sufficient of the goods of the said W. L. for the contentation and payment of the said eighteene pounds, as in the said bill of complaint vntruely is surmised. And without that, that any other thing comprised in the said fained bill of the aforesaid J. which is materiall to be answered vnto, and in this answer not confessed, auoided, or trauesed, is true. All which matters &c.

A Bill of Complaint vpon certaine griefes, requiring a writ of Certiorari.

Sept. 142

If most lamentable wise sheweth vnto your good Lordshippe, your daily poore orator, J. W. of London, That where one A. H. of London aforesaid Merchant Tailor borrowed of your said Orator twelve pounds sterling, to be payed to the said orator at a certaine day betwene them agreed, which day was expired, and the said summe of money not payed, wherefore the said A. H. for that he had not ready money, desired your suppliant to take a certaine white broad cloth in pawns, containing fortie yards, cut in peeces, for the said twelve pounds, which cloth was sold and deliuered to your said Orator by a Bill of sale, wherein the said A. H. standeth bound, with condition in the same Bill declared, That if the said cloth were not redeemed by a day certaine, in the said Bill limited, that then the same cloth to be to the only vse of your said Orator, for contentation and whole payment of the said twelve pounds.

Since

Since the which time the said A. counselled your said Orator to put forth the said cloth to one L. M. of London Sherrman, to bee died of severall colours for his most profit, by the meanes wherof the said W. was contented to take the said broad cloath for the payment of the said money, and afterward the said cloath was deliuered to the said L. M. and within five dayes after the deliuey of the said cloth to the said L. one K. M. Spaniard affirmed a plaint of debt against the said A. and according to the custome of the citie of London, hath caused Attachment to be made of the said broad cloth, as debt due by the said A. vnto the said K. wheras the said cloth is your said orators: Notwithstanding by reason of the said attachment, your said orator retained counsell in the Guildhall of London, where the matter was at an issue, whereupon the Jury was impanelled, since the which time for the space of thre court dayes, your said orator did giue attendance there to haue the said matter heard, and the said plaintife & Counsell would not suffer the said Jury to appeare, so long as your said suppliant did apply and pursue his cause, with effect heerein. And for that the said K. and his Counsaile would not proceed in his said action, your saide orator supposed, that it should no more bee called vpon, by occasion wherof, your orator being about his businesse in the Countrey, in the meane time, the said K. M. with his Connfel (hauing knowledge that your said orator was out of the citie, and in the countrey) instantly laboured the Jury to appeare in the absence of your said orator, and by their subtiltie and craft the said Jury did appeare, and passed against your said orator, contrary to all right, law, and good conscience, which shall be to the great impouerishment and vndoing of your said orator for euer, vnlesse your good Lordships lawfull fauour and succour be to him shewed in this behalfe. In consideration whereof, might it therefore please your good Lordship to grant the Duænes writ of Cerciorari, to be directed to the Maior and Sheriffes of London, commaunding them and euery of them, by vertue of the same, to certifie befoze your good Lordship in the Duæns most honozable court of Chancery, at a certaine day by your good Lordship to be limited, the said attachment, and all the matter concerning the same, and to examine the said matter, and all the whole circumstance thereof, and to stand to such order and direction therein, as shall stand with right, equitie, and good conscience. And your said orator shall pray to God for the preservation of your good Lordship long to continue.

*A Bill where a Iurie hath passed in a matter wrong fully,
 praying a Cerciorari.*

Sect. 143

In most humble wise sheweth and complaineth unto your most Ho-
 norable good Lordship, your poore suppliant and continual Orator
 P. of W. of the citie of L. Boker, That whereas one A. M. of the
 said citie marchant stranger within the said citie was possessed of, and
 in certaine linnen clothes, to the value of 20. li. Sterling, & to your poore
 suppliants knowledge then, and as yet as of his olune meere proper
 goods and chattels, and so therof being possessed, the same within the
 said citie deliuered to your poore orator, being a Boker, safely to keepe
 and to sell any merchandise by the discretion of your poore suppliant,
 to the vse of the said A. by force whereof, your orator made sale there-
 of, to certaine persons within the same citie, and the money, goods, and
 marchandises thereof receiued and taken, deliuered vnto the said A.
 And so it is, right honorable Lord, that after and since the sale there-
 of made, one J. S. Marchant stranger, pretending a proprietie in the
 foresaid linnen clothes, hath commenced an action vpon his Case a-
 gainst your poore suppliant in the Guildhall, set and being within the
 foresaid citie, before the Sheriffes thereof, and thereupon hath decla-
 red that the said J. should haue lost those goods, and that they came to
 the hands and possession of your poore suppliant within the said city by
 way of T. ouer. And furthermore that your poore Orator was sundry
 times required to make deliuerance thereof to the said J. and that re-
 fused, and the same afterward solde, and the money thereof receiued
 conuerted to your Orators vse, to which matter one J. D. your
 poore Suppliants Atturney, rashly without aduise ment or counsell
 therein taken, said that your poore Orator did not sell the said clothes
 nor any part thereof, and vpon the same matter, whether any sale
 thereof was made by your suppliant or not, an Issue was taken, and
 the Iurie tried, sworne, and charged, found a sale made by your poore
 Orator of the said clothes (as the truth was) nothing regarding to
 whom the proprietie of the said goodes was, at the time of the sale
 thereof made, because of the plea so vnadvisedly pleaded, it was con-
 fessed in poynt of iudgement, the proprietie thereof to bee in the said
 J. S. and so it is, right honorable Lord, that the said Atturney might
 haue taken an Issue, that your said Orator sold no clothes of the said
 J. because of truth the clothes were the proper clothes of the said A.
 and not the clothes of the said J., and so the Iurie should haue tried
 in whom the proprietie was, and because the proprietie was not put
 in

in issue, the Iurie had no warrantie to enquire thereof, and in case they had bene the clothes of the said A. as they were not indeed, your poze ozatoz ought not by order of the law to haue bene charged, because they were deliuered to your Ozatoz by the hands of the foresaid A. to sell, and your ozatoz did accordingly. And the money, goods, and merchandises thereof receiued, deliuered to the said A. and so if any trespass or wrong was done to the said A. it was done by the said A. and not by your said ozatoz, against whom the said A. may take his action. For your poze ozatoz at the time of the said action commenced, neither had the said goods in his possession, ne any other things in lieu or consideration of the same goods. And also there is a custome within the said Citie, that if any Upholster or Broker sell any goods within the same Citie to any person or persons of the same Citie, vpon the deliuerie of any person, for, or at the request of him hauing witness of the deliuerie thereof to him made, or bring out the partie who deliuered them vnto him, not being himselfe particeps criminis, should be discharged, and not damnified for that his offence doing in making sale thereof. And also by the order of the common lawes of this Realme, a man comming immediately to the possession of the goods, not being partie to the first wrong, shall not be charged in an action of trespass, which matters, or any of them, if they had bene pleaded, had bene a sufficient matter of barre, and because they were not pleaded, your poze Suppliant could not be receiued to giue them in euidence to the Iurie, and so your poze Ozatoz is like to pay vnto the said A. the value of the said clothes, the said A. hauing no proprietie, right, nor title to the same, vnlesse your most honourable Lordships fauour be shewed herein. In consideration wherof, it may please your most Honourable Lordship, the premises tenderly considered, to graunt the Kings most gracious Writ of Certiorari, to bee directed to the Sherife of the said Citie, commaunding them and euerie of them to certifie before your good Lordshippe the whole record of the premises depending before them, or either of them in the Kings most gracious court of Chancerie, at a certaine day by your good Lordship to be limited, and therein further to proceed, and farther to graunt the Kings most gracious and spacie writ of Subpoena, to be directed to the said A. commaunding him personally to appeare before your good Lordship in the said Court of Chancerie at a certaine day, and vnder a certaine paine by your good Lordship to be limited therein, to stand to &c.

Supplications, Bills,

A Bill containing that the plaintife taking up of a Mercer upon his credite, silkes and veluets, put his hand to the debt booke of the parcels of the saide silkes and veluets, witnessing his debt for the same: and afterwards the plaintife for his better securitie of his said debt, made him a bill of his hand for the same debt: and that the plaintife afterwards at the desire of the Mercer procured his eldest brother to become bound to the said Mercer for the payment of the plaintifes said debt, upon the Mercers promise, to take no aduantage thereof, untill after the death of the plaintifes father. Afterwards the Mercer dieth intestate, and the administration of his goods is committed to R. A. by a practise of the Mercers creditors, The administrator bringeth an action of debt against the said plaintife upon his said Bill of debt: and also threatneth to sue the plaintife and his brother upon the said booke of parcels, and the bond: and then sheweth that he tendered the debt to the administrator, who refused the same, and so prayeth proceffe.

To the right honorable Sir Io. P. Knight, Lord-Keeper
of the great Seale of England.

Sec. 144.

I P most humble wise complaining, sheweth vnto your honorable
your daily Orator T. D. Gentleman: That whereas your Orator
being of late seruant in household to the right honorable sir C. H. knight
of the most noble order of the Garter deceased, late Chauncelloz of
Engl. hauing then small maintenance from J. D. of D. in the Countie
of C. Esquire his father, did make his estate knowen to one J. B.
of London Mercer now deceased, being your said Orators very nere
kinsman, who was content to giue your said Orator credite for di
uers parcels of silkes and veluets, at sundry times, amounting in the
whole to the summe of xxy. li. or therabouts, for the which your orator
did subscribe his hand to the debt booke of the said J. B. wherein the
said parcels of silkes were set downe vnder the same parcels, wit
nessing the said debt. And at another time after that, your said Ora
tor did seale and deliuer vnto him a bill of your Orators hand for his
better securitie of the payment of the said debt. And afterwards be
cause your Orator was but a yonger brother, the said J. B. desired
your orator to procure his eldest brother W. D. some and heire appa
rant of the said J. D. for the better securitis of the said debt to become
bound to the said J. B. by obligation for the payment of the said debt,
promising neuerthelessse to take no aduantage of the said Obligation,
nor to put the same in suite during the life of the said J. D. whereupon
the said W. D. at your Orators request did become bound to the saide
J. B. by obligation accordingly, and your Orator did then seale and
deliuer

deliuer to the said P. D. his brother a counterbond to saue him harme-
 lesse from the said Obligation. So as the said P. B. by the seuerall
 meanes aforesaid had 3. seuerall kinds of assurances or specialties for
 one and the selfe same debt, that is to say, his debt booke subscribed with
 your orators hand, a bil of debt sealed and deliuered vnto him by your
 orator, and an obligation sealed and deliuered vnto him by the said P.
 D. And now so it is, if it may please your good L. that the said P. D. is
 lately deceased, after whose decease the administration of his goods and
 cattels is committed to one R. A. an vnknown person that cannot be
 found, whose name is but vsed by others in all vnconscionable suites.
 For if it may please your good Lo. R. S. Alderman of London, R. W.
 and J. S. pretending themselves to be creditors of the said P. B. ha-
 uing procured the said bill of debt and obligation to bee set ouer vnto
 them, haue thereupon not only commenced suit in the Du. maiesties
 court of Common pleas at Westminstee, in the name of the said R. A.
 as administrator of the goods and cattels of the said P. B. against your
 said orator vpon his laid bill of debt of 20. li. but also doe threaten to
 commences one other suit against your said orator vpon the said debt
 booke, and a like suite against the said P. D. vpon the said Obligation.
 And albeit your said orator haue diuers and sundry times offered and
 tendered to pay the said debt of 22. li. to the said administrator, with
 such reasonable costs and expences as hath been by him expended, and
 bestowed in the said suit at the common law, and is ready to pay the
 same. Yet neuertheles the said R. A. R. S. R. W. and J. S. do refuse to
 accept thereof. And the said R. S. &c. do very hotely prosecute the said
 suit at the common law in the name of the said R. A. contrary to equity
 and conscience, & do procure and cause the said R. A. to absent himselfe,
 so as your said orator cannot tell where to finde him to deliuer vnto
 him any processe to compell him to answer to his said vnconscionable
 dealing, and yet y^e said suit at the common law is stil prosecuted in his
 name by the means & procurement, and at the costes & charges in law
 of the said R. S. &c. or by some of the, who haue procured the said debts
 to be assigned and set ouer vnto them as is aforesaid. In consideration
 whereof, and for that it is against all conscience to take aduantage of
 the said treble assurances made for one selfesame debt: and for that
 your said orator is remediless therein by the due course of the com-
 mon lawes of this realme, and for that your said orator is ready to pay
 the principall debt being 22. li. together with reasonable costs of suite.
 May it therefore please your good Lordship to graunt vnto your said
 orator the Du. maiesties most gracious writ of Subpoena, to bee di-
 rected to the said R. A. R. S. &c. commanding them and euery of them
 to appeare personally befoze your good Lordship in her Maiesties high

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court of Chancery, at a certaine day, and vnder a certaine paine ther-
in to be by your good Lordship limited, then and there to answer to the
premisses, and to stand vnto and abide such further order and direction
therein, as to your good Lordship shall seeme to stand with iustice and
equitic, and your said orator shall daily pray &c.

*A Bill containing that a widow seised in fee of three measses &c. thereof en-
feoffed diuers persons in fee for the performance of her last Will and Testa-
ment, and by the same she deuised the said measses &c. to her sonne in taile
generall with diuers remainders ouer, and died. That the devisee died, ha-
uing issue the plaintife. That the seoffement and will is come to the defen-
dants hands. That by colour therof he hath entred and expulsed the plain-
tife, and hath made diuers secret estates to diuers vnknowen persons to de-
fraud the plaintife of his apt remedy by the common law, and so praieth pro-
cesse against the defendant.*

To the right Honorable Sir T. E. Knight, Lord Keeper
of the great Scale of England.

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IA most humble wise complaining sheweth vnto your good Lord-
ship your daily Orator J. B. labourer. That whereas R. G. widow
was lawfully seised in her demesne as of fix, of, and in thre measses,
twenty acres of land, meadow, leasow, and pasture, with the appurte-
nances, set, lying, and being in M. in the Countie of B. And the said
R. G. being so seised of all the premisses, did of the same about fortie
yeares last past enfeoffe certaine persons, To haue and to holde to
them and their heires, to the vse and performance of the last Will and
Testament of the said R. G. and by the same her Will deuised all the
premisses, or the vse therof to her sonne W. B. and to the heires of his
body lawfully begotten, with diuers remainders ouer, and died, by
and after whose death, the said W. B. into the premisses entred, and
was thereof lawfully seised in his demesne as of fee taile generall by
force of the gift aforesaid. And the said W. B. so being seised of the pre-
misses, died of such an estate therof seised, by and after whose death the
same premisses did descend and come to your said orator, as sonne and
heire of the body of the said W. B. by force of the devise aforesaid, by
reason whereof, your said orator into the premisses entred, and was
thereof seised in his demesne as of fee by force of the said gift in taking
the issues and profits accordingly, vntill of late; that is to say, about
foure yeares last past, that as well the said deed of seoffement and last
will and testamenc aforesaid, as also diuers other evidences, charters,
escripts, and muniments, concerning the premisses, are by casuall
meanes

meanes come to the hands, custody, and possession of one R. W. of S. aforesaid in the said county yeoman, who by colour of hauing of them, hath not only entred into the premises, and therof expulsed your said orator, but also hath contriued diuers secret estates to diuers and sundry persons to your orator vnknowen in purpose to defraud and delay your said orator of his apt action and remedy by the course of the common lawes of this realme, for recouery of the premises, to your orators vtter vndoing, and disinheritance for euer. And forasmuch as your said orator knoweth not the certaine number, nor the dates and contents of the said evidences, charters, escripts, or muniments, nor yet wherein the same be contained, whether in bagge, or booke, sealed, or vnsealed, or in chest locked or vnlacked, by reason wherof your said orator is clearely without all remedy for the recouery thereof by the ordinary course of the common Lawes of this realme. In tender consideration wherof, may it please your good Lordshippe, the premises considered, to grant vnto your said orator the Quæns maiesties most gracious writ of Subpoena, to be directed vnto the said R. W. commanding him thereby personally to appeare befoze your L. in the Quæns maiesties high court of Chancery at a short day, and vnder a certaine paine therein to be limited, then and there to answer to the premises, and to abide such order and direction therein, as to equity and iustice shall appertaine. And your said orator shall daily pray as he is bounden for the health and long life of your good Lordship, with all increase of honour to Gods will and god pleasure.

A Bill against two for the deliuey of heireloomes or principalls to the plaintife being sonne and heire, according to the custome of the Countie Pallantime of Chester.

To the right Honorable Sir Nicholas Bacon Knight, Lord Keeper
of the great Scale of England.

Complaining, sheweth vnto your good Lordship your daily orator Sect: 146
J. S. of Lincolnes Anne Gentleman, sonne and heire of J. S. of D, within the countie of C. That whereas the said J. S. was in his life time lawfully possessed, of, and in diuers goods and chattels as of his owne proper goods, that is to say, plate, iewels, household-stuffe, beastes, cattell, horses, and other manner of goods, amounting to the value of five hundred pounds or neere thereabouts, and so being thereof possessed, made his testament and last will, ordaining thereof Elizabeth then his wife, and now wife to W. D. his sole executrix, and shortly after died, possessed of the premises as aforesaid within the
said

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said countie of C. Immediately after whose death, the said C. did take vpon her the administration of the said goods, and other the premises accordingly, by vertue whereof she was thereof possessed accordingly. But so it is if it please your honoz, that the custome of all the country within the said Countie of C. is, and time out of mind of man to the contrary hath bin, that if any person or persons being possessed of goods and cattels as of his owne proper goods and cattels, and die thereof possessed, that the next heire to him that so dieth possessed shall haue the best and principall thing of euery sort and kinde of the said goods and cattels for and in the name of the principals and heire Lomes, by force and vertue whereof your orator being the sonne and heire of the said J. S. was after the death of the said J. S. iustly entituled to a great part of the said goods & cattels amounting at the least in value to 200. pounds or nere thereabouts, by reason whereof, and for that your said orator was at the time of the death of his said father vnder age of one and twentie yeares, and yet is, and in ward to the Du. maiestie, and hauing the possession of so much of all the said goods and cattels as to your said Orator did appertaine, and of right belong by vertue of the custome aforesaid, being very nere to the value of 200. pounds by deliery of the said C. in her widowhood immediatly after the death of the said J. S. your said orator did incontinently therupon deliuer the same to the said C. to be safely by her kept to your said orators vse, and to be in like manner safely redeliuered to your said orator at such time or times as by your said orator or his assignes she should be thereunto required, sit hence which said redeliery made by your said orator to the said C. as aforesaid, the said C. hath taken to husband one W. D. Gentleman, by reason whereof all the said goodes, cattels, and other the premises were and did come after the said entermarriage into the hands and possession of the same W. D. which said C. sit hence the said deliery made by your said orator vnto her as aforesaid before the day of entermarriage, hath vtterly refused to make any redeliuerie of the said goods and cattels, so by your said orator to her deliuered as aforesaid, or yet to make any satisfaction thereof to your said orator, and the said W. and C. alwayes sit hence the said entermarriage haue refused and yet do refuse to redeliuer the same, or yet to make anie satisfaction therfore to your said orator, notwithstanding many lawfull and gentle requestes to them and either of them made in that behalfe by your said orator contrary to all right, equitie and conscience. In tender consideration whereof, and forasmuch as your said orator doth not know or remember the certaine precise particulars or value of the said goods and cattels which of right do belong to your said orator, and deliuered by your said Orator as aforesaid, by reason of your said Orators then
tender

tender age being not then of discretion to haue the custodie and rule thereof, and so remediless by the order of the common law for the recouerie thereof, or of any part thereof, or to haue any satisfaction made to your said orator by the said B. and C. or by eyther of them. It may therefore please your good Lordship, the premises considered, to grant the Quænes Maiesties writs of Subpœna, to be directed vnto the said B. P. and C. his wife, commaunding them and eyther of them to appeare befoze your good Lordship, in the Quænes Maiesties most honorable court of Chauncerie at Westminster, then and there to answer to the premises, and therein to stand to, abide, and perfozme such order and direction as to your good Lordship shall be thought to stand and be consonant to equitie and good conscience, and your said orator shall daily pray to God for your good Lordship, in health and honour long to continue.

A Bill (by a Noble man) containing that the plaintife tooke up vpon his credit veluets and silks of the defendant at a deare rate, and gaue his own bond with suerises for the payment of the same: and that afterwards he tooke vpon his credit of him more veluets and silkes at the like deare rate, and being within age knowledged a statute staple to the defendant for all his whole debt, vpon his promise to deliuer to the plaintife his obligation which he had made for his first debt to be cancelled, the plaintife allowing interest to the defendant for the forbearance, notwithstanding the deare prices and rate he bought the stuffe at for which the said debt grew, and then sheweth that he payed not his debt at the day contained in the statute staple, and that the defendant threatneth not onely to sue the said bond, but also to sue execution of the said statute against him, and prayeth deliuerie or release of his obligation and proces against the defendant to answer the Bill.

To the right honourable Sir Christopher Hatton, of the most noble order of the Garter, knight, Lord Chancellor of England.

Complaining sheweth vnto your good Lo: C. S. Lord D. That Sc. 147.
 Whereas he the said Lord D. during the time as he was vnder the age of 21. yeares at sundry times had and bought of one J. L. Citizen and Mercer of London diuers parcells or peeces of veluet, silke, and such like at excoessive prices, and not hauing then readie money to pay for the same, the said Lord D. together with one R. S. Gentleman, and others, did enter into sundrie bonds to the said J. L. for the payment thereof at severall dayes after, alwayes allowing vnto the said J. L. ouer and besides the excoessive prices which he was to pay for the

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the same veluets and silkes further consideration, or rather as it may be said vsury for the forbearing thereof till the time of payment. And afterwards the said Lo. D. during the time of his minority aforesaid, had and did buy other parcells of veluets, silkes, and such like, of the said J. L. at like excellent prices, which likewise the said Lo. D. did not then pay for the prices or summes of money whereunto the saide parcells of veluets, silkes, and such like, lastly had and bought after the like excellent prices and rates, together with the saide prices or summes of money before due for the other parcels formerly had and bought by the said Lo. D. together with consideration or rather vsurie for the forbearing of, and for the payment thereof till a certaine time then agreed vpon betwene the said Lo. D. and him the said J. L. did amount and come to the summe of 500. li. for the payment of which said summe of 500. li. at the time agreed vpon hee the said Lo. D. at and vpon the motion, meanes, and intreatie of the said J. L. did during the time of the minority of him the said Lo. D. become bounden by one Statute Staple vnto the said J. L. in the summe of one thousand pounds of good and lawfull money of England, taking the word and promise onely of the said J. L. to deliuer vnto him the said Lo. D. or his saide suerties the said bonds which before he the said Lo. D. and his saide suerties had entred into to the said J. L. or otherwise that he the saide John should and would cancell and make void the same, so as thereby or by reason of any of the said bonds the said Lo. D. nor any of his saide suerties should be in any wise sued, vexed, troubled, or charged. But now so it is, if it may please your good Lordship, that the said J. L. although he hath bene thereunto in most gentle and friendly manner earnestly requested and desired by the said Lo. D. the said R. S. and other the said suerties of the said Lo. D. to deliuer vnto them the said bonds so by them made, and entred into to the said J. L. as is aforesaid, or otherwise to cancell and make voide the same, yet that to doe the said J. L. hath vtterly refused and denied, and still doth denie and refuse to doe the same. But contrarie to his saide word and promise as aforesaid made and given vnto the said Lo. D. for the redeliuerie thereof, or otherwise to cancell and make void the same bonds, doth now daily threaten to put the same in suit at the common law, against the suerties of him the said Lo. D. or else already hath so done contrarie to all right, equitie, and god conscience. And besides this, because the saide Lo. D. did not pay vnto him the said J. L. the said summe of five hundred pounds at the time limited for the payment thereof, which in very truth he the said Lo. D. could not well doe vnlesse he should haue made sale of his landes to his great dishonour and losse. And notwithstanding that he the said Lo. D. hath sought

sought and made means to the said J. L. to compound with him in some reasonable sort, and to accept his money at reasonable dayes, such as he the said Lord D. could and might be well able to satisfie and pay the same, the rather considering his great interest allowed in recompence for the forbearing of time, and giuing day of payment, and the excessive prices for which he sold the same silks, beluets, and such like to the said Lord D. yet he the said J. L. hath done and daily doeth seeke and goe about to sue execution, and to take the benefite of the said statute of a thousand pound, against the said L. D. contrary to all equitie and good conscience. The premisses therfore tenderly considered, and forasmuch as the said Lord D. the said R. S. and others the said sureties of him the said L. D. or any of them, cannot pleade any good or sufficient plea in avoidance or discharge of the said bonds and statutes, nor of any of them, whereof the said J. L. most vnconscionably seeketh and goeth about to sue, procure, and take the penaltie, execution and for seizure against him the said Lo. D. and his sureties, by the ordinary course of the common lawes of this realme, and the rather, for that also the said Lo. D. is and will be ready for the further discharge of the said R. S. and others his said sureties, to satisfie and pay vnto him the said J. L. the said summe 500. li. at such daies and times, and in such maner and forme as to your good Lo. shall in equity and right seeme meet and conuenient. It may therfore please your good Lo. to grant her maiesties most gracious Writ of Subpoena, to bee directed to the said J. L. commanding him thereby at a certaine day, and vnder a certaine paine therein to be limited, personally to appeare before your good Lo. in her Maiesties high court of Chancery, then and there to answer to the premisses, and to shew cause why he the said J. L. should not redeliuer the said bonds to the said Lo. D. and his said sureties, or else to cancel and make void the same, or otherwise therof to release, discharge, and saue harmelesse the said Lo. D. and his sureties, as in right and equity it behoueth: and further to stand to and abide such order and direction therein, as to your good Lo. and the said hon. Court shall seeme best to stand with equitie and good conscience.

The Answer of J. L. defendant to the Bill of complaint of Ed. Lord D. complainant.

The said defendant by protestation not acknowledging or confessing any matter or thing in the said Bill of complaint contained material for the said debt to be answered vnto to be true in such maner and forme as in and by the said bill of compl. is set forth and alleaged. For answer saith, that the said complainant about foure yeares past,

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at.

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at severall times had and bought of the said def. diuers parcels of silkes, veluets, and wares, amounting vnto the summe of 159. li. 4. s. 5. d. or thereabouts, all which parcels the said Defendant did sel vnto the said complainant for, and at reasonable prices considering the daies of payment, and for the true payment of some part of the said summe, he the said Lo. D. together with the said R. S. in the said Bill of complaint named, and one D. C. being then the said complainants seruants, did become bound to the said Defendant by two obligations which they forfeited. And long afterwards, that is to say, in the moneth of May 1588. the said Lo. D. hauing occasion to vse other necessaries for himselfe and his wife, and hauing detained the aforesaid summe 159. li. 4. s. 5. d. from the Defendant a long time, did in the said moneth of May 1588. in respect of the said time past allow the said Defendant for consideration but 26. li. 13. s. And in the said moneth of May the said complainant at his earnest request had a new supply of wares amounting to 73. li. 15. s. 4. d. and did then accept of and acknowledge certaine parcels had to his vse by the said Christopherson, to the value of 3. l. 17. s. 9. d. which foure summes do amount to 255. li. for al which said debt the complainant gaue his owne obligation to the saide Defendant endozed with condition for the payment thereof the 24. day of June, 1588. After which bond for 255. li. taken, and befoze the same was due, viz. about the last day of the said moneth of May 1588 the said complainant standing in need both of money and other necessary furniture for himselfe, his wife and house, earnestly did intreate the saide defend. to lend vnto him the said complainant the summe of fiftie pounds in ready money, which he protested to be for prosecuting an earnest suit he had against one sir J. L. knight, as this Defendant remembzeth, which although the said Defendant could then performe hardly, yet he the said Defendant made means for so much money, and did lend the same fiftie pounds to the said complainant for twelue moneths, vpon allowance of five pound for the same for the said time and no more. And also further did most earnestly desire and entreat him the said Defend. to sell vnto him so much silkes, veluets, and wares to furnish then his present want, as should make the present summe of 255. li. by his bond, and the fiftie pounds lent in ready money, with the five pounds for interest therof as aforesaid, amounting to the summe of 503. pounds, and thereupon the said Defendant deliuered and caused to be deliuered to the said plaintife or his assigns about the said last day of M. and in June following the said silkes, veluets, and wares at reasonable prices considering y time he gaue for payment of his money due for the same to the value of 190. li. 17. s. 4. d. which made vp all the former summes 500. li. 17. s. 4. d. And for payuent of the said summe

of 500.li. parcell of the said dobt of 500.li. 17.s. 4.d. the said compl. did knowledge to the said def. a recognizance or bond obligatoꝝ of the nature of a Statute Staple of 1000.li. in the said bill of compl. mentioned, vpon which Statute knowledged the said def. deliuered to y^e said compl. to be cancelled the foresaid bond made by the said compl. to the said def. foꝝ payment of 255.li. And shortly after the knowledging of the said Statute, that is to say, about the space of iij. or v. weekes after, and long befoꝝe the time limited foꝝe the payment of the said Def. principall debt of 500.li. the said compl. purposing to defeate the said Def. of his said iust and due debt, did pursue a Writ of Audita querela, supposing himselfe thereby to be within the age of xij. yeares, both then and at the time of the knowledging of the said Statute, vpon which writ after the same was returned into the court of common plæes, and befoꝝe the said def. had notice or vnderstanding of the same, the said compl. and others the solicitoꝝ of the caus after that he was inspected and viewed by the Iustices of the same Court, did produce or cause to be produced ij. persons or witnesses befoꝝe the said Iustices to be deposed that the allegation and surmise of the said Audita querela was true, viz. that the said compl. was then and at the knowledging of the said Statute vnder the age of xij. yeares, which witnesses were examined and deposed accordingly in the behalfe of the said compl. befoꝝe the said Defend. had any knowledge or vnderstanding of the said compl. proceeding therein, and befoꝝe any writ or Scire facias was awarded and taken foꝝe to warne the said Def. of the said suit, as by the said depositions and proceedings therein remaining of Record in the said court of common plæes, so hereunto the said Def. foꝝe certainty of the times doth referre himselfe moꝝe certainly doth appeare, which said suit of Audita querela foꝝe the auoiding of the said Statute the said complainant by his solicitoꝝ and seruants did most earnestly follow vpon a bare pretence that the said complainant wanted some few moneths of the age of one and twentie yeares, foꝝe maintenance of which said Statute the said Defend. was called in by proces and did pleade thereunto, after which plea pleaded, and after the said Def. had bene drawne in great charges and expences foꝝe the defence of the said Statute and cause, the said compl. and his counsell, solicitoꝝ, atturney or some of them, seeing no likelihood to preuaile in that course, did become nonsuit, and without any regard had of the penalty therof, did faile and neglect to pay to the said defendant his said principall debt of five hundred pçunds at the dayes and times wherein the same was limited and appointed to be paid by a writing of defealce made betwene the said complainant and Def. touching the penaltie of the said Statute, the same dayes of payment or some of them being now expired eightene moneths past and moꝝe, and yet the

whole

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whole debt still unpaid unto the said Defendant, for payment wherof, the said Def. hath and doth keep the said statute and the first two bonds wherein the said compl. with his men are bound as his suerties as aforesaid, for payment of part of the said principall debt, being this Def. owne proper goods as both by law and conscience the said Defendant thinketh he may lawfully doe. And yet neuerthelesse the said Defend. further saith, that if the said compl. will forthwith pay unto him the said defendant the said summe of 500. pounds being his principall and iust debt, together with the charges he hath bene put vnto, and consideration after the vsuall rate of r. li. for the hundreth, like as the Def. himselfe doth pay to others for the long time the said def. hath forborne his said debt, he the said Def. will forgo the penaltie of the said statute, and will deliuer the same statute and the said bonds to the said complainant: without that, that the said defendant did sell vnto the saide complainant any peece or peeces of beluef or silke at the severall times in the bill mentioned, or any other time, or any other things at anie excessive or vnrasonable price the dayes of payment considered. And that the said complainant did ouer and besides the excessive price of any such thing allow and pay to the said defendant any further consideration or vsurie for the forbearing thereof till the time of payment or otherwise then is befoze truely laid downe in this answer. And that the said complainant and that the said R. S. or any other did enter into any more bonds for any the summies in the said Bill mentioned to the said Def. then such as befoze are confessed to the knowledge of this def. And without that, that the said compl. did at the intreatie of the said def. during his the said complainants minority enter into the said statute in the Bill mentioned to the knowledge of this Def. but vpon the unportunate request and intreatie of the said plaintife to supply his wants, as aforesaid, the said Def. was content to accept of his said statute, not being able to giue better assurance as the said Defend. required. And that the said Def. did then or at any other time promise to the said Complainant or his said suerties in the Bill mentioned any the bonds by them or any of them entred into to the said Defend. for or touching the said debt as he now remembreth, or any part thereof, or other then the said Obligations which the said Defend. did redeliuer to the plaintife to be cancelled, as aforesaid, or did promise to cancell or make void the same in manner and forme as in the said bill of compl. is surmised to the remembrance of this Defendant. And without that, that the said complainant or any other for him did require the redeliuerie of the said bonds as this Defendant remembreth, or that there is any cause or reason why the said complainant should make any such request or the said Defendant to make any such promise vntill his saide debt

debt

debt be paid. And without that, that the said compl. hath or doth seek to make any reasonable composition with the said def. for or touching the said debt, or any part thereof, but rather hath endeavored to defeat the said defendant of his said debt. And therefore hee the said defendant hopeth that the said compl. shal not haue or receiue any fauor in this H. Court against the said defendant: seeing that the said defendant desireth nothing else but his principall, with reasonable recōpence for the great wrong and iniury the said compl. hath done, both in putting him to great charges and expences, and by the long withholdīng and detaining of the said debt as aforesaid, without that, that the said defendant hath hether to taken or recovered the penalties of the said Stat. or Bonds, or any of them, or that the said compl. is or hath shewed himselfe at any time ready to satisfie the said debt vnto the said def. or any part thereof in maner and forme, as in the said bill of complaint is alleaged. And without that, that any other matter or thing etc.

A Bill exhibited against a Nobleman, and against diuers tenants & Farmers, & officers of diuers maners, containing that the nobleman for his debt due to the plaintife became bound in a statute of staple of 1200.li. and for that the debt was not paid at the day it was due, the plaintife extended diuers manors and lands which the nobleman had, and was seised of at the time he knowledged the said Statute, and had sold the same before the time of the extent to diuers persons, and upon a Liberate to the Sherife, had the same manors and lands deliuered vnto him to hold in extent till his debt were satisfied. Afterwards upon the noblemans suite to the L. Chancellor, & upon the L. Chancellors request to the plaintife, he was contented to forbear the taking of the profits of the lands extended, and to referre the hearing and ending of the matter touching his debt to two thereunto appointed by the L. Chancellor, who heard and ended the matter, the which end afterwards the nobleman refused to performe, whereupon the plaintife went about to take the benefit of his extent, & to keepe Courts, and understand what lands, and how the tenants held, and what rents & seruices they paid for the same, but could not performe his purpose therein for the tenants and the nobleman had the Court-rols in their keeping, & the leases, rentals, &c. & would not let him see the same, and that the nobleman refused to suffer the plaintife to enter into the manors and lands extended, or to keepe any Courts, and would not suffer the tenants to pay the plaintife any of the rents or seruices due for the same manors, or to declare vnto him what the same rents and seruices were. And then the plaintife prayeth that the tenants, occupiers, and Farmers of the said manors, may upon their oathes bring forth their leases, & declare what lands they hold, & what rents & seruices euery of them pay. And that all the defendants may shew to the plaintife the Court-rols, rentals, booke of suruey, field bookes, & tithers in their custody, and so prayeth proes against all the defendants.

heire of the said C. B. Esquire deceased, was and yet is seised of the said Mannors of S. Ho. & Wo. and of the advowsons of S. Ho. and Wo. in his demesne as of fee. And whereas the said Lord Ho. was at the time of the knowledging of the said Statute Staple likewise seised in his demesne as of fee, of, and in the Mannor of B. with the appurtenances situate & extended into the Townes of P. H. &c. in the foresaid Countie of Norfolk, which said Mannor the said C. Lord H. did likewise convey unto L. G. gentleman, and to his heires for ever, to the onely use and behoofe of the said L. G. his heires and assignes for ever. And whereas the said C. Lord H. was at the time of the said Statute knowledged, and yet is seised of and in the Mannor of A. with the appurtenances in the said Countie of Norfolk in his demesne as of fee, and being indebted to your said Orator as aforesaid, your Orator made sundrie and divers earnest requests for the getting of the said debt and summes of money aforesaid, and your Orator being by the said Lord H. promised to have the said debts at divers severall daies, yet none of them were performed or kept, whereby your Orator seeing no performance, but was delayed from time to time, your said Orator about two yeares thence sued forth his severall Writs of Extendifacias directed to the Sherifes of Norfolk, Essex, Hertford, Sommerfetshire, and Yorke, and to the Chancelor of the Countie Palantine of Lancaster, for the extending of all the Mannors, Lands, Tenements, and Hereditaments, within the Counties aforesaid, whereof the said L. H. was seised the time of the said Statute knowledged, which Writ directed to the Sherife of the said Countie of Norfolk, was delivered to one Clement Dalton Esquire then Sherife of the same Countie, to be by him executed and returned accordingly. By vertue whereof the said Clement Dalton Esquire did by the othes of a Jury sworn & charged within the said County of Norfolk, according to the due course of her Ma. Lawes, extend and appraise the said severall Mannors, Faires, Markets, Lands, Tenements, and all other the premisses with the appurtenances lying within the said Countie of Norfolk, as in and by the said extents remaining of Record in this H. Court of Chancery, and by the returne of the said Sherife, with the seisure of the said severall Mannors into the D. Maistries hands, to the intent they might be delivered to your Orator in extent, more at large it doth and may appeare. After which inquisition, extent, and seisure so taken, had, and made, your Orator sued forth her Highnesse Writ of Liberate, bearing Teste the iij. day of February, in the xxx. yere of her Highnes raigne, directed to the said Sherife of Norfolk, commanding him thereby to deliuer the said severall Mannors extended as aforesaid unto your Orator to hold them in extent, untill your Orator were of the said

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summe of **¶** C. li. with his costs and expences herein sustained, fully satisfied and payd. By vertue of which said **¶** Writ, the said Clement Paston then Sherife did deliuer in extent to your said Orator the vij. day of March. then next following the foresaid severall Manors of **¶** W. A. and B. with the two Faircs holden twice by the yeare, and the **¶** Market of **¶** H. there holden euerie weeke, with the Hundred of **¶** F. with their appurtenances. And the said Manor of **¶** H. with the appurtenances. And also the said Manor of **¶** S. Ho. and **¶** W. O. with the aduowsons and patronage of **¶** S. W. G. and **¶** W. with their appurtenances, together with the Manor of **¶** B. with the appurtenances, and the foresaid Manor of **¶** A. with the appurtenances, to hold to your said Orator and his assignes according to the said extent, vntill the said debt of **¶** C. li. together with your orators costs and damages, were taken and leuied of the premises. By vertue whereof your said Orator was of the premises possessed, and so being possessed, the said Lord Ho. before that your said Orator had or could receiue any profit of the premises, or of any part or parcell thereof, by meanes or reason of the said execution thereupon made and deliuered to your said Orator, did make humble suit to your **¶** Lordship that it would please the same to moue your said Orator to forbear the taking of the issues, rents and profits of the said severall Manors and other the premises, and from the molesting of the Farmors, Tenants and occupiers thereof for the same, butill your **¶** Lordship, or some others to be by your **¶** L. appointed, had heard & determined the cause and reckoning betwixen the said Lord Ho. and your said Orator, whereupon your said Orator was content at the motion & request of your **¶** Lordship, to permit the tenants of the premises to continue in their possession quiet & to forbear the taking of the rents and profits thereof, and to refer the hearing & ending of all reckonings and demands betwixen your said Orator and the said Lord Ho. to the order and determination of **¶** M. Doctor S. one of the Masters of this most **¶** H. Court of Chancerie, and to **¶** S. B. gentleman one of your **¶** H. Secretaries, being thereunto assigned and appointed by your **¶** L. in fauor of the said Lord Ho. who entred into examination of the premises in controuersie betwixen the said Lord Ho. and your said Orator, and by their mediations and at their requests your said Orator was content to forgoe nere the summe of **¶** C. li. of his iust demand, so that the said Lord Ho. would content and pay the residue to your said Orator in such sort and at such times as the said Master S. and Master B. did conclude and set downe; but the said Lord Ho. meaning and intending still to delay your said Orator, and to keepe him both without his money and the profits of the said Manors and other the premises with the appurtenances, which were deliuered vnto your said Orator in execution

execution towards the satisfaction of his debt, costs, and damages, did not onely neglect to performe the said agreement and order taken by the said master S. and master W. but hath and doth utterly refuse and denie to performe the same, by reason whereof your said Orator for the leuying of his debt, costs, and damages, did purpose and intend to take his benefit of the said execution, and for that end your said Orator about the feast day of S. Michael the Archangel last past, trauailed into the said county of Norfolk where the said manors and premises doe lie, and there did offer to keepe Courts, and did likewise require the tenants, occupiers, and farmors of the said manors and premises to render and pay to your said Orator the rents, issues, and profits then due for the said premises to your said Orator, and therewithall your said Orator did require the said tenants and occupiers of the said manor and premises to discouer and make knowne to him howe and in what sort and by what title they and euery of them did hold, claime, and enioy the seuerall parcell of the said premises which they the said farmors and occupiers did seuerally occupie, possesse, and enioy, to the end that your said Orator might hereafter be ascertained and instructed how to demand, recouer, and come by the rents reserved vpon their seuerall estates and interestts which be rightfully belonging and appertaining to your said Orator by reason of the said extent, but so it is, if it may please your Ho. Lordshippe, that the said L. Ho. T. L. Tho. W. Theodoze Goodwin, Henry Blage Steward, Thomas Louell, Thomas More, Henry Hinde, Richard Handford, Edmond Coles, Thomas Baylie, William Dyake, George Thurstone, Kap. Stoy, being all Owners, Farmors, Tenants, Occupiers, and Officers of the said Manors and Premises, in whose hands and keeping all the Court Rolles, Rentals, Leases, and conterparts thereof, which touch or concerne the said Manors and premises, or any part or parcell thereof be and remaine, haue confederated together both to defeat your Orator of his lawfull execution and estate in the premises, and also to defraude and utterly to take away from your said Orator the rents, issues, and profits thereof, and therefore and for that end, the said Lord Ho. &c. did not onely denie and refuse to permit and suffer your said Orator or any other persons to his vse to enter into the said Manors and premises, or to keepe any Courts in and vpon the same, but also did and doe deny and refuse to pay to your said Orator any free or farme rents for the said manors or premises, or to shew to your said Orator how or by what leases or other titles they or any of them doe possesse or enioy the premises, or any part or parcell thereof, or what rents or seruices ought to be payd for the same, by reason whereof, your said Orator is like to be kept from the benefit of his said execu-

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tion against all right, equity, and conscience, vntlesse your H. accustomed help be vnto him in this behalfe extended. In tender consideration whercof, and for that the said Lo. Ho. &c. being owners and occupiers of the manors and premisses aforesaid, and do conceale and keep from the knowledge of your said orator, as well the yerely rents, seruices, and farmes, as also the sight of their severall Indentures of lease, as also the Court-rols, wherby your orator is without remedie either to recouer any yearely farme, or other the rents and seruices of the Freehold or Copyhold lands pertaining to the said manors, and for that your orator hath not the counterpanes of your said Indentures of lease, neither knoweth the dates of them, nor the certainty of your farmers reserved, or of the rents and seruices due and payable for the said lands, hauing not the court-rols to shew forth, so as your orator cannot by the course of the common lawes of this realme make any answey for either the yerely farmes, nor yet for the rents and seruices due vpon & for the foresaid freehold or copyhold lands holden of the said severall manors as afoze, not yet for any other duty or seruice due for the same, nor can shew forth the certainty of the landes y the said tenants do severally hold. May it therfore please your H. lordship, that some good order may be by your good L. set down, wherby y foresaid severall farmers, tenants, & occupiers of the said severall manors, and all the other parties beore mentioned, may be enforced to set down vpon their othes, as also bzing forth their severall Indentures of leases, wherby your orator may know the severall dates of them, as also what lands they hold by the same, and by what yerely rents & farmes. And that the tenants of the said severall manors may likewise be enforced vpon their othes to set downe what lands they hold of the said severall manors either freely, or by copy of court-rol, & by what rents, fines, duties & seruices. As also the foresaid Co. Lord H. &c. hauing the custody of any the rentals, court-rols, books of suruey, field booke, or terrers concerning thaforsaid severall manors, or of any of the, may likewise be enforced to shew them forth to your orator, to the intent your orator may vnderstand what lands, tenements, or hereditaments are holden of the said severall manors, or of any of them, and by what rents, duties, or seruices the said lands, tenements, or hereditaments are holden by, wherby your orator may according to equity and good conscience, reape, receiue, recouer, haue & take the yerely reuenues, issues, and profits of the foresaid severall manors & euery of them, as in law & right belongeth vnto him, and as he ought to do, vntil your said orator be satisfied of the summe contained in his foresaid statute Kaple knowledged vnto him, as aforesaid, with his reasonable costs and damages herein sustained, and to thend that all these points may be performed.

formed accordingly, May it further please your good L. to graunt to your said Orator the R. Maiesties most gracious Writ of Subpoena to be directed to the foresaid E. Lord P. Baron of R. &c. commanding them and euery of them thereby at a certaine day, and vnder a certain pain personally to appere befoze your good L. in the said ho. Court of Chancery, then and there to answer to the premisses, and to abide such further order and direction herein, as to your H. shall seme good to stand with right, equitie, and good conscience. And your said Orator shall according to his most bounden duetic euer pray for the increase and continuance of your good L. in health and all honoz long to endure.

The ioint and severall answers of T. M. H. B. &c. defenants, to the Bill of Complaint of I. L. complainant.

THe said defendants and euery of them sauing to them and euery Sect. 150.
of them the aduantage of exception to the incertantie and insufficiencie of the said Bill of Complaint, say, And first the said T. Poze for himsele saith, That he the said T. Poze doth and hath by the space of two yeares last past or thereabouts exercised the office of Bailife of the Manors of H. A. and B. in the said Bill mentioned, whereof this defendant supposeth T. L. Esquire to be seised of some estate of inheritance, and hath in his hands some rentals of the said Manors, which this def. thinketh he ought not to impart to the said complainant, neither ought the said complainant to haue the issues, rents and profits of the said Manors as this def. thinketh, for that as this def. hath credibly heard and verily beleueth it to be true, the said E. Lord P. in the said Bill mentioned, the day of the date of the said recognisance in the said Bill mentioned, or at any time since was neuer seised in his demesn as of fee simple, fee taile, or free hold, of, and in the said Manors of H. A. and B. or any part or parcell thereof, as in the said Bill is vntreuely alleged. But one T. W. was then seised thereof, who since hath conueied the same to the said T. L. as this def. hath heard. By reason wherof the said Th. L. ought in this def. opinion to haue the rents, issues & profits thereof, not withstanding the said execution, without that this def. is farmer, customarie, or free tenant of any part or parcell of the said Manors or other the premisses in the said Bill mentioned, other then of parcell of the demesnes of the said Manor of H. which this def. holdeth by lease for certain yeares yet to come, rending yearely v. li. and of the Fairres of H. and the profits thereof, which he holdeth for diuers yeares yet to come, rending yearely xxvj. s. viij. d. and of the vs. part of the Warren of H. which he holdeth for diuers yeares yet enduring rending xy. s. by year, or thereabouts. And of diuers freeholds holden

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of the Manor of W. by the rents of xx. s. or thereabouts. And without that, that this def. hath in his hands any Court rolls, rentals, or leases concerning the premises in his said Bill mentioned, other then in this answer before is mentioned, as in the said Bill is vntruely alleaged. And without that, that this defendant hath unlawfully confederated with any the persons in the said Bill mentioned, to defeat the said complainant of his lawfull execution and estate in the premises in the said Bill mentioned, as in the said Bill of complaint is also vntruely alleaged. And the said Henry Blake for himselfe saith, that he hath exercised the office of Steward of the said Manors of W. & B. in the said Bill mentioned, and of the Manors of W. in the said Bill likewise mentioned lawfully constituted therunto as this defendant thinketh by the said T. Lo. being seised of some estate of enheritance of the said Manors, as this defendant supposeth; and that the Court rolls and evidences concerning the said Manors are kept in the house of the said T. Lo. at C. in the Countie of Norfolk, and are not at this defendants disposition to yeeld by or unpert to the said complainant otherwise then as the said T. Lo. shall appoint, wherof this defendant humbly prayeth this honorable Court to haue consideration: without that that this defendant is farms, or customarie or free tenant of any part or parcell of the said Manors or other the premises in the said Bill mentioned, or hath in his hands any Court rolls, rentals, or leases, concerning the premises in the said Bill mentioned other then as in his answer before is mentioned, as in the said Bill of Complaint is vntruely surmised. And without that, that this defendant hath unlawfully confederated with any person or persons in the said Bill mentioned, to defeat the said complainant of his lawfull execution and estate in the premises in the said Bill mentioned, as in the said Bill of Complaint is also vntruely alleaged. And the said Thomas Aynsworth for himselfe saith, that he hath and doth exercise the office of Bailife of the Manor of S. in the said Bill mentioned vnder and by the appointment of T. B. Esquire in the said Bill mentioned, whom this defendant supposeth to be seised thereof of some estate of inheritance, and hath in his hands certaine rentals of the same Manor, which rentals this defendant thinketh he ought in dutie to keepe and vse to the benefit and seruice of the said Thomas B. and to employ the same according to his direction, and not otherwise. And further this defendant saith, that this defendant is farms, or parcell of the demesnes of the Manor of S. aforesaid, which he holdeth for diuers yerres yet to come, yeolding and payiug therfore yearly viij. li. viij. s. iij. d. of lawfull money of England: and also holdeth by copie of Court roll at the will of the Lord of the said Manor of Swanton Poxley, according vnto the

the custom of the said Manor, diuers lands and tenements within the precincts of the said Manor, and yielding yearely for the same xl.s. or thereabouts, which rents this defendant thinketh are not payable to the plaintife, for that the rents reserued vpon Leases made of any parcell of the extended premisses before the knowledging of the said Statute, are not expressely extended nor deliuered to the said complainant in execution. But the said complainant hauing extended and receiued the premisses into execution as demean in possession is to stay and expect till he may haue and enjoy the same according to his extent, and to the deliuerie thereof made vnto him. And further this defendant saith that the said Manor of Swanton Mozley is, and at the time of the awarding of execution, was as this defendant thinketh the inheritance of the said Thomas B. which he then had by purchase from the said Lord D. since the knowledging of the said Recognisance. And in as much as the said Lord D. at the time of the knowledging of the said Recognisance had and was seised in Fee simple, Fee taile, or for terme of life, as this defendant is credibly informed, and partly appereth by the Schedule of the liuerie of the said Lord D. of and in the Manors of D. in the Countie of Essex, of the yearely value of C.li. or thereabouts, and of and in the Manors of F. and Toderhobery in the Countie of Hertford, of the yearely value of xl.li. or thereabouts, and of a certaine yearely rent of xxx.li. or thereabouts, going out of the Manor of Shobington in the Countie of Buckingham, and of diuers other Manors, Lands, Tenements and Hereditaments, in diuers other Counties of England, which ought to be contributoy to the payment of the said CCC. li. and therefore the same is vnduely and contrarie to Law charged vpon the said Manor of Swinton cum Mozthing, which the said Thomas B. holdeth as a Feoffee, for which cause the said T.B. as this defendant suppoeth hath pursued his Scire facias, against the said complainant in this honorable Court for the discharge of the said Manor of Swanton cum Mozthing from the said due execution, and from the recouerie of the issues and profits comming and growing of the same Manor from the time of the said execution. For which cause this defendant humbly prayeth this honorable Court that the said complainant may be referred to the Common Law to bring his action against this defendant for the recouerie of the said rents due vpon such Leases and copie holds as this defendant holdeth of the said Manor of Swanton cum Mozthing, wherein the validity of the said Extent may be tryed, so as this defendant may know to whom he may pay his said rents, without danger or further trouble. And this defendant is readie to stand to such order as this honorable Court shall award concerning the shewing vnto the said complainant

of his estate and terme which he hath of and in any part of the said Manors of Swanton cum Northing or holdeth of the same and other circumstances thereof, without that that this defendant is farmer or customarie or free tenant of any other part or parcell of the said Manors, or other the premises in the said Bill mentioned, or hath in his hands any Court rolls; rentalls; or leases concerning the premises in the said Bill mentioned, other then as in this answer before is mentioned as in the said Bill of Complaint is vntreuely alleaged. And without that that this defendant hath unlawfully confederated with any the persons in the said Bill mentioned, to defeat the said complainant of his lawfull execution and estate in the premises in the said Bill mentioned; as in the said Bill is falsely surmised. And the said Henry S. John for himselfe saith, that he hath and doth exercise the office of Bailife of the Manors of Hockering &c. in the said Bill mentioned, whereof this defendant supposeth Th. Lo. Esquire to be seised of some estate of inheritance, and hath in his hands certaine rentals of the said Manors, which rentalls this defendant thinketh he ought in dutie to keepe and vse to the benefit and seruite of the said M. Louell, and to employ the same according to his direction, and not otherwise. And further this defendant saith, that he this defendant is farmer of certaine demesnes of the said Manor of Hockering whereof he holdeth some part for yeares; and some for life by lease made by the said Lord M. whose estate the said M. Lo. now hath of and in the same, yielding and paying thereof yearely xxx. li. or thereabouts; which rent this defendant thinketh is not payable to the said complainant, for that the rents reserved vpon leases made of any parcell of the extended premises before the knowledging of the said Statut are not expressely extended nor deliuered to the said complainant in execution. But the said complainant hauing extended and receiued the premises into execution as demesne in possession, is to stay & expect til he may haue & enioy the same according to his extent, and the liuerie thereof made vnto him. And further this def. saith, that the said Manors of Hockering & Northtudenham are & at the time of the awarding of the said execution were as the def. thinketh the inheritance of L. W. which he then had by purchase from the said L. M. since the knowledging of the said recognisance. And in asmuch as the said L. M. at the time of the said recognisance had & was seised in fee simple, fee taile, or for terme of life, as this def. is credibly informed, & partly appereth by the Schedule of the liuerie of the said L. M. of & in the Manors of Halingburie Mozley, and Salcot Werley in the Countie of Essex of the yerely value of C. li. or therabouts, and of & in the Manors of Furner & Lodenhebery in the county of Hertford of y^e yerely value of xl. li. or therabouts, & a certain

yearely

verely rent of 30.li.02 therabouts going out of the manoz of Shobing-
 ton in the County of Buckingham, and diuers other mannoz, lands,
 tenements, and hereditaments in diuers other Counties of England
 which ought to be contributory to the paiment of the said 1200.li. and
 therefore the same is vnduely and contrary to Law charged vpon the
 said Mannozs of Hockering, and Northuddenham, which the saide
 Ma. Lo. holdeth as a Feeffice, for which reason the said Ma. Lo. as
 this defendan suppleth, hath pursued his Scire facias against the said
 complainant in this honorable Court for the discharge of the said ma-
 nozs of Ho. and N. from the said vndue execution, and for the reco-
 uerie of the said issues and profits, comming and growing of the same
 manozs from the time of the said execution, for which cause this defen-
 dant humbly prayeth this honorable Court, that the said complainant
 may be referred to the Common lawe to bring his action against this
 defendan for the recouery of the said rents due vpon the said leases
 and estates which this defendan holdeth of the said mannoz, where-
 in the validitie of the said extent and execution may be tried, so as the
 said defendan may know to whom to pay his said rent without dan-
 ger or further trouble, and this defendan is ready to stand to such or-
 der as this honorable Court shall award concerning the shewing to the
 said Complainant of his estates and termes which hee hath of and in
 the said parcell of the demesnes of the said manoz of Ho. or holdeth of
 the same and other circumstances thereof: without that, that this def.
 is farmer, Cottomarie, or free tenant of any other part or parcell of the
 said manozs or other the premises in the said bill mentioned, or hath
 in his hand any Courtrols, Rentals, or Counterpanes of leases con-
 cerning the premises in the said Bill mentioned, other then in his an-
 swer befoze is declared, as in the said Bill of complaint is vntually al-
 leaged. And without that, that the said defendan hath vnlawfully
 confederated with any the persons in the said bill mentioned, to de-
 feat the said complainant of his lawfull execution and estate in the pre-
 mises in the said bill mentioned, as in the said bill of complaint is vn-
 truly alleaged. And without that, that any other matter or thing in
 the said bill of complaint mentioned materiall or effectual to be an-
 swered vnto, and not herein sufficiently answered, confessed, & auoy-
 ded, trauesed, or denied, is to these defen. or any of their knowledges
 true. All which matters these defendants are ready to aue and pꝛoue
 as this honorable Court shall award, and pray to be dismissed out of
 the same, with their reasonable colls and charges in this behalfe most
 wrongfully sustained.

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A Bill into the Chauncery for detaining of euidences entering into a meadow and a pasture, and making to themselues diuers estates.

To the Reuerend Father in God, Thomas Bishop of Ely,
Lord Chauncellor of England.

Sect. 151

In most humble wise sheweth and cōplaigneth vnto your good Lordship, your daily orator G. J. that where W. J. father vnto your said orator was seised in his demesnes as of fee of and in fiftē Acres of pasture and meadow with thappurtenances in Clare in the countie of Suffolke, and so being thereof seised died by profession seised. After whose death the said fiftēne acres of pasture and meadow, and all other the premises with thappurtenances, descended & came, and of right ought to descend and come vnto your said orator as sonns and heire vnto the said W. J. So it is if may please your good Lord. y certain euidences, deeds, charters, and other muniments concerning the premises, are come to the hands and possession of M. G. widow, and A. G. who by colour of hauing the said euidences haue entred into the premises, and haue conueied vnto them and their heires diuers and sundry estates in the law for the disherison of your said orator, and of his heires for euer: And because your said orator knoweth not the certaintie of the said euidence, nor whether it be contained in bag or booke sealed, or in chest locked, he is without remedie for the recovery of the same by the order of the cōmon law, except your L. fauor be vnto him shewed in this behalfe: In consideration whereof it may please your good L. the premises considered, to grant a writ of Subpœna, to be directed to the said M. G. widow, and A. G. commaunding them by the same personally to appeare before your good L. in the kings high court of Chauncery at a certaine day, and vnder a certain pain by your good L. to be limited there to answer vnto the premises, and after to abide such decre and order therein as to your good L. shall be thought to stand with right and conscience: And your said orator shal daily pray for the preservation of your Lordships honoz long to endure.

The Answer of one of the defendants to the Bill next before, who pleadeth that the plainifes Father solde the landes in the bill mentioned to T. H. who solde the same to the defendants husband, who conueyed the same to the defendant for her life. And sheweth, that at the time of the said purchase, and after, the premises were in diuers Feeffees in use, and sheweth afterwards

afterwards the making of the Statute of 27. Henry 8. for transferring of
thes into possession.

The Answer of M. G. Widdow, to the Bill of
 Complaint of G. I.

The said defendant saith, that the said Bill of Complaint is un- Sect. 151
 true, uncertaine, and insufficient in the Law to be answered unto,
 and the matters therein conteyred determinable at the Common
 Law, and not in this honorable Court, whereunto the said defendant
 prayeth to be dismissed, and the aduantage thereof to the said defend-
 ant alwaies saued, if she shall be compelled to make any further an-
 swer unto the said insufficient Bill. Then for the declaration of the
 trueth, the said defendant saith, That as to any Pasture or Meadow
 in Clare, the said defendant knoweth not that she is tenant of, or hath
 any that was belonging to the said W. J. within the said Towne or
 Parish of Clare, or detaineth any euidence concerning the same to her
 knowledge: the said defendant saith, the said W. J. mentioned in the
 said Bill of Complaint, But together with J. W. alias Miller, J. F. &c.
 were seised of and in seuen acres of Pasture and Horse, and thre acres
 and one roode of Meadow in S. in their demesne as of fee to the vse of
 the said W. J. and of his heires, and so being thereof seised, the said
 W. J. bargained and sold the Pasture, Horse, and Meadow last be-
 fore remembred unto one T. H. and to his heires for euer: By vertue
 of which bargaine the said W. J. and his said other Coseoffices were
 thereof seised in their demesne as of fee, to the vse of the said T. H.
 and of his heires, and after the said W. J. dyed: and after whose death
 the said J. W. &c. them held in by right of Surryuozorship, and were
 thereof seised in their demesne as of fee, to the said vse last remembred:
 and being so seised to the said vse, the said T. H. bargained and sold the
 said Pasture, Horse, and Meadow to one W. G. gentleman, husband
 of the said defendant and to his heires: By vertue whereof the said
 J. W. and other his said Coseoffices were seised of and in the same to
 the vse of the said W. G. and of his heires: And after for the further
 assurance thereof to the said W. G. and his heires, the said J. W. and
 the othere his Coseoffices so being seised of and in all the p'remisses, did
 enfeoffe W. B. Squire, G. F. gentleman &c. of and in the said Pa-
 sture, Horse, and Meadow: To haue and to hold the same to the said
 W. B. &c. and their heires and assignes, to the onely vse and behoefe of
 the said W. G. and of his heires and assignes for euer: By vertue
 whereof the said W. B. &c. were thereof seised in their demesne as of
 fee, to the onely vse of the said W. G. and of his heires and assignes for
 euer,

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seuer, and so were thereof seised vntill the fourth day of February, in the seuen and twentieth yeare of the raigne of our Soueraigne Lord King Henry the eight. At which day the said W. G. was seised, of, and in the premises in his demesne as of fee, and by vertue thereof the said W. G. and his assignes haue euer since enioyed the premises peaceably and quietly without interruption, vntill now of late within these twelue monethes that the said complainant pretended title vnto the same, The estate of which W. G. of and in the premises with their appurtenances the said defendante for terme of her life the reuersion ouer vnto A. G. gentleman by lawfull conuiciance in the Law now hath: without that that anie thing materiall or trauesseable, other then that in this present answer is confessed and auoided, is true. All which matters the said defendante doth auerte, and is readie to proue, as this honourable Court shall adward, and prayeth to be dismissed out of the same, with her reasonable costs for her wrongfull veration sustained in this behalfe.

The Replication of the Complainant to the Answer of one of the Defendants (whose Answer is not here) wherein he confesseth the sale of the said Lands by his father, as before in the Answer of one other of the Defendants is alleadged, but saith it was made upon condition of redemption, the which condition the Vendor performed &c.

The Replication of G. I. to the Answer of A. G.

Sect. 153.

The said Complainant saith, that his said Bill is certaine and sufficient in the Law to be answered vnto, and the matters therein contained are true, and not imagined of malice by the said Complainant, to the onely intent and purpose to put the said defendante to trouble, cost, and veration, in maner and forme as in the said answer is vntruely alleadged. And for replication vnto the said answer the said Complainant saith as he in his said Bill hath said, that the said W. J. father to the said Complainant was seised of the premises in his demesne as of fee, in vse or in possession. And the said W. J. so being thereof seised by his deed indented bearing date the iij. day of Nouember, in the xxy. yeare of the late King Henry the eight, bargained and sold the premises vnto the said T. V. his heires and assignes for euer, for the summe of foztie markes, whereof the said T. V. payed vnto the said W. J. twentie markes, and the other twentie markes to be payed vnto the said W. J. at the Feast of S. Nicholas, which was in the yere of our

our Lord God 1534. Penethelesse, the said T. H. covenanteth and granteth by the said Indenture, that if the said W. J. his heires, executors, or assigns, at the said feast of Saint Nicholas, or in the meane time before, did repay vnto the said T. H. his heires, executors, and assignes, the said twenty marks, that then the said bargaine and sale to be void & of none effect, as by the said Indenture ready to be shewed more plainly doth and may appeare, by force whereof the said W. J. and thother his cofeoffees, were seised of the premisses to the vse of the said T. H. and of his heires. And after the said W. J. according to the said Indenture, and before the said feast of Saint Nicholas, did well and truly content and pay vnto the said T. H. the said sum of twenty markes, by force whereof the said W. J. and the other his cofeoffees were seised of the premisses in their demesne as of fee to the vse of the said W. J. and of his heires: And the said W. J. and the other his cofeoffees so being thereof seised, the said W. J. died, after whose death the residue of the said seoffees were seised of the premisses to the vse of the said complainant and of his heires vntill the fourth day of February, in the 17. yeare of the late King Henry the eight, at which day the said complainant was solely seised: And further auereth all and euery thing contained in his said bill to be true in manner and forme as he in his said bill hath alleaged, without that the said W. J. bargained and sold the premisses vnto the said T. H. and to his heires in such manner and forme (without condition) as in the said answer is vntuly alleaged: And without that that the said T. H. did lawfully bargaine and sell the premisses vnto the said W. G. and to his heires: D^r that the said W. J. and his Cofeoffees were lawfully seised of the premisses to the vse of the said W. G. and of his heires: D^r that the said Feoffees did or might lawfully enseoffe the said W. B. and others named in the said Answer to the vse of the said W. G. and of his heires: D^r that the said W. B. and the other his cofeoffees were lawfully seised of the premisses to the vse of the said W. G. and of his heires: D^r that the said W. G. at the said fourth day of February, was lawfully and solely seised of the premisses in fee: D^r did lawfully and peaceably enioy the premisses: D^r that the said M. G. mother of the said defendant hath any lawfull estate from the said W. in manner and forme as in the said Answer is vntuly alleaged: And without that, that any other thing materiall in the said Answer, which by this Replication is not sufficiently confessed and auoided or trauesed is true: All which matters he is ready to auerre &c.

Supplications, Bills,

A Bill into the Chancerie for a Commission upon the Statute of 13. Eliz. cap. 7. entitled, An Act touching order for Bankrupts, and all the whole proceedings therein.

To the Right Honorable Sir Nicholas Bacon Knight, Lord
Keeper of the great Seale of Eng-
land.

Sect. 154.

Humbly complaining, sheweth unto your good Lordshippe your
daily Oratores T. W. of C. in the County of D. Clothier, W.
P. of L. Grocer, M. G. Merchant, Subiects bozne of this Realme of
England, as well for themselues as for others, Subiects bozne of the
said Realme, and Denizens, Creditozs of C. A. of L. Merchanttailoz,
also a Subiect bozne of the said Realme. That whereas the said C. A.
using and exercising the trade of Merchandize, and seeking his trade
of liuing by buying and selling, vpon good & iust cause for wares and
Merchandize to him sold and deliuered, and also for ready money to
him lent, being indebted to your said Oratozs imseuerall summes of
money, amounting to the value of CCC. li. And now of late, that is
to say, in this present moneth of Nouember, in the xv. yeare of the
reigne of our soueraigne Lady the Queenes Maiest. about the second
day of the said moneth of Nouember, did beginne to keepe his house,
situate in the said Citie of London, and sithence hath departed from
his said dwelling house, and absented himselfe, to the intent to defraud
and hinder your said Oratozs & other his Creditozs of their iust debts
and duties to them due and owing, and so is become a Bankrupt: by
reason whereof, and for that the said Bankrupt and others his confederates
haue deuised and contriued diuerse secrete estates and sinister
practices for the conueying and esloining of the body of the said bank-
rupt, and of all lands, goods, debts, and other things belonging to the
said Bankrupt, in such wise, as your Oratozs are without helpe for
recobering or obtaining of their said iust debts and duties, but onely
by complaint to your Lordship, and therupon to haue remedy accord-
ing to the Statute touching orders for Bankrupts, in the Parlia-
ment begun and holden at Westminster the second day of Aprill, in
the xij. yeare of the reigne of our said soueraigne Lady the Queenes
Maiestie made and prouided. In consideration thereof, may it please
your good Lordshippe to grant the D. maiesties most gracious Com-
mission to be directed to such and so many wise and honest discrete
persons as to your L. shall seeme good: Authorising them not onely
concerning the said Bankrupts body, Lands, Freehold, and Custo-
marie, goods, debts, and other things whatsoeuer, but also concerning all

all other persons which by concealement, claime, or otherwise doe or shall offend touching the premises, or any part thereof, contrary to the intent and true meaning of the said Statute, to do and execute all and euery thing and things whatsoever, aswell towarde & for satisfaction and payment of your said orders, as towarde and for al other intents and purposes, according to the ordinance and provision of the said Statute: And your said Orders shall dayly pray &c.

The Commission upon the Statute of 13. Elizabeth. Cap. 7. made against Bankrupts and granted to the Creditors upon the Bill next before.

Elizabeth by the grace of God Queen of England, France and Ireland, defendour of the faith &c. To our trustie and welbeloued Sir Rowland Heyward Knight, John Langley Alderman of our Citie of London, Thomas Hatton, Thomas Aldersey, Thomas Egerton Merchers, and William Wignall Merchant Taylor of our said Citie of London, greeting. Whereas we be enforced, that C. A. of London Merchant Taylor vsing and exercising the trade of merchaundise by way of bargaining, and seeking his trade of liuing by buying and selling, and being a subiect bozne of this our Realme of England, in this present moneth of Nouember, in the fiftenth yeare of our Raigne, viz. about the second day of the same moneth, did begin to keepe his house scituate in London aforesaid, and thence hath departed from his said dwelling house, and absented himselfe, to the intent to defraud and hinder T. B. of C. in the Countie of Deuonshire Clothier, W. B. of London Grocer, M. G. Merchant, and others his creditors, being also subiects bozne of this our said Realme, of their iust debts and duties to them due and owing, and so is become a Bankrupt, We minding the due execution of the Statute touching orders for Bankrupts in our Parliament holden at Westminster, in the thirtenth yere of our Raigne, made and provided, upon trust of your wisdomes, diligence, and prudent circumspections, which we haue conceiued in you, doe by these presents name, assigne, appoint, constitute, and ordaine you our speciall Commissioners, giving full power and authoritie vnto you, five or foure of you, whereof they the said Sir Row. H. J. D. or T. H. to be one, according to the said Statute, not onely concerning the said Bankrupt, his body, lands, freehold, and customarie goodes, debts, and other things whatsoever, but also concerning all other persons, which by concealement, claime, or otherwise doe or shall offend touching the premises, or any part thereof, contrarie to the intent and true meaning of the said Statute, to doe and execute according to the

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said Statute all and euery thing and things whatsoever as well for and towards satisfaction & payment of the said creditors, as towards and for all other intents and purposes, according to the ordinance and provision of the said Statute: Willing and commanding you, five or foure of you, whereof Sir Row. H. J. L. or W. H. to be one, to proceed to the execution and accomplishment of this our Commission, according to the true intent and meaning of the said Statute with all diligence and effect, as our speciall trust is in you: Witnesse our selues at Westminster the fifti day of Nouember, in the fiftenth years of our Kaigne.

A precept from the said Commissioners, to the Officers, to make Proclamation according to the said Statute against Bankrupts, that the said Bankrupt before a day certaine come in and, yeeld his body to the Commissioners or to one of them.

To the Bailifes and head officers of the Borough
of Southwarke.

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WE the Commissioners hereafter named by vertue of the Du. Hignesse Commission, to vs directed, require and charge you five sundry market daies, next ensuing the receit hereof, to make fives sundry Proclamations in maner and forme hereunder specified.

The Proclamation.

sect. 156.

The Du. highnes doth strictly charge & command C. A. Merchant Taylor of the citie of London, that he at or befoze the day of next comming in the Guildhall of London, or where you shal appoint, yeeld his body befoze Sir Row. Heyward Knight, or befoze some one of the said Commissioners appointed by her highnes vnder her great seale of England, till the due execution of the stat. touching orders for Bankrupts lately made and provided, vpon paine and perill of the penaltie of the law in that case limited and appointed.

An Indenture vpon the said Commission and Statute of Bankrupts betwix Commissioners of the one partie, & the Creditors of the other party, whereby the Commissioners after view, search and presentment made, sell certaine of the goods of the debtors vnto the creditors in part of satisfaction of their debts, with a Schedule annexed vnto the said Indenture which is likewise indented, wherein are contained the particulars of the goods with their severall prices, as they are prized by the Commissioners, to the one of which Indentures is put to the hands and seales of the said Commissioners, and to the other of the said Indentures the hands of the Creditors.

This

This Indenture made &c. Betwene Sir R. H. Knight. A. B. C. Sect. 158.
 D. E. F. of the one party, and G. H. and I. K. creditoꝝ of C. A.
 Citizen and Merchant taylor of London on the other party, witnesseth, That where our said Soueraigne Lady the Ducesse Paletie that now is, by her Highnesse letters of Commission, bearing date at Westminster the fifth day of Nouember last past, befoze the date hereof, minding the due execution of the statute touching orders of bankrupts in her Parliament holden at Westminster in the thirteenth yere of her Highnesse said raigne made and provided, reciting, that whereas her Maestie was informed, that C. A. of London Merchant Taylor, vsing and exercising the trade of Merchandize by way of bargaining, and seeking his trade of living by buying and selling (and being a subiect bozne of this her Realme of England) in the said moneth of Nouember, in the fiftenth yere of her Maesties Raigne, that is to say, about the second day of the said Moneth, did beginne to keepe his house, situate in London afozesaid, and thence hath departed from his said dwelling house, and absented himselfe, to the intent to defraud and hinder his creditoꝝ, being also Subiects bozne of this her said Realme of England of their iust debts and duties to them due and owing, and so is become a Bankrupt, hath assigned, appointed, constituted, and ordained the said R. H. &c. her speciall Commissioners, giuing full power and authoritie vnto them, true oꝝ souere of them, whereof the said Sir R. H. to be one, according to the said Statute, not onely concerning the said Bankrupt his bodie, lauds, freehold and customarie goods, debts, and all other things whatsoeuer, but also concerning all other persons which by concealment, claime oꝝ otherwise doe oꝝ shall offend touching the premises, oꝝ any part thereof, contrarie to the intent and true meaning of the said Statute, to doe and execute according to the said Statute, all and euery thing and things whatsoeuer, as well towards and foꝝ satisfaction and payment of the said creditoꝝ, as towards and foꝝ all other intents and purposes, according to the order and provision of the said Statute in that case provided, as by the same commission moze plainly it both and may appeare: By foꝛce and vertue of which said Statute, and of the said Commission, the said Commissioners haue caused certaine goods, chattels, wares and merchandizes of the said C. A. contained and mentioned in a Schedule indented to these presents annexed, to be searched, viewed and appꝛized: And also haue solde and deliuered, and by these presents doe sell and deliuer vnto the creditoꝝ afozenamed, all the said goods, Chattels, Wares, and Merchandizes, contained and mentioned in the sayde Schedule indented, to these presents annexed. To haue and

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to hold the same and euer part thereof to the said creditoꝛs befoꝛe named, their executoꝛs, administratoꝛs and assignes, to their owne proper uses foꝛ euer towards the satisfaction and payment of the said creditoꝛs, that is to say, to euery of the foꝛenamed creditoꝛs a portion, rate and ratelike, according to the quantity of the debts: In witnesse whereof, the said parties to these Indentures interchangeably haue set to their Seales. *Peuen the day and yere first aboue written.*

The intituling of the Schedule mentioned in the Indenture next befoꝛe written, and annexed to the same Indenture.

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In this Schedule indented is contained and mentioned certaine goods, wares, cattels, and merchandize late of C. A. Merchant, taylor, which be sold by the Indentures, whereunto this Schedule indented, is annexed, that is to say, in his house in L. in the Parish of S. in London. *Imprimis &c.*

A Bill inioth Chancery against one, by a prisoner in the Fleet, to compell the defendant to proceed in an agreement made betwixt the plaintiff and the defendant for his enlargement, by the order of the Lord Chancellor then dead.

To the right reuerend Father in God, Nicholas Archbishop of Yorke, and Lord Chancellor of England.

Sect. 160.

Most humbly complaining, sheweth vnto your Grace, your daily Mand pꝛoꝛe Dꝛatoꝛ W. P. of H. in the Countie of Chester Gentleman, now being prisoner in the Fleete, at the suite of R. D. of the same Countie Equiue, committed thereunto by the late reuerend Father in God the Bishop of Ely, being then Lord Chancellor of England, of, and vpon a Statute of 200. li. which suite of the said R. D. hath thus remained the space of eight oꝛ nine yeeres, to the great miserie and vtter vndoing of your Graces said Dꝛatoꝛ. And where diuers agreements, with other viuers meanes haue bene taken and made betwene the said R. D. and your said Dꝛatoꝛ, and especially the last day of May, in the last yeere of our said Soueraigne Lord King Edward, befoꝛe Doctor Lyell, and Walter Dyer, appointed then by the said late Lord Chancelloꝛ, where it was agreed betwene the said R. D. and your Graces said Dꝛatoꝛ, that your said Dꝛatoꝛ should be bound in a thousand pounds, that he should not alienate noꝛ sell any parcell of his lands; now being in his possession, oꝛ to him in reuerſion: And all such lands that were sold by your said Dꝛatoꝛ, that your said Dꝛatoꝛ should endeouour with all diligence to recouer the same againe: And furthermoꝛe it was agreed and ordered betwene the said R. D. & your said Dꝛatoꝛ, that your said Dꝛatoꝛ should put in sureties

to pay vnto the said R. D. 50.li. of lawfull money of England, that is to say, 5.li. yearely during ten yeares next ensuing: All which orders and agræments your Graces said Orator is contented to accomplish and fulfil: Yet notwithstanding the said R. D. minding rather the continuance of your said Graces orator in prison to his vndoing, will neither obey the late H. Lord Chancellozs order then made therein, nor yet the agræments heretofore made, but onely doth finde delaiés to prolong the time, to the vtter vndoing of you Graces orator. In consideration wherof the premisses tenderly cõsidered, it may please your Grace to command the said R. D. to appeare befoze your Grace, and to take such order with him as shall seeme best to your Grace. And your said orator shall pray for your Grace long to continue.

A Bill into the Chancerie by the Husband and Wife, for and on the behalfe of diuers to compell executors to pay legacies, wherein is shewed, that they to whom the legacies be giuen, haue no remedie by the Ecclesiasticall Law to compell the then executors to pay the said legacies.

To the right Honourable Sir Nicholas Bacon Knight, Lord
Keeper of the great of Seale of England.

IA most humble wise complaining, sheweth vnto your Honours good Sect. 163
Lordship your daily Oratozs A. T. Esquire, and Katherine his wife, late wife vnto one R. B. deceased, and one of the daughters of William W. of B. in the Countie of Warwicke Esquire deceased, for, and in the behalfe of William C. sonne of the said Katherine, and for and in the behalfe of Mary T. and R. T. daughters of the said A. and Katherine, and of W. G. sonne of Edward G. knight, of the body of Margaret G. one other of the daughters of the sozenamed W. W. lawfully begotten, Edward H. and Anne his wife, one of the daughters of the afozenamed Edward G. and Margaret, and Thomas H. and Elizabeth his wife, one other of the daughters of the said Sir Ed. and Margaret. That whereas the aforesaid William W. in his life time had issue seuen daughters, that is to say, Margerie late wife of Tho. H. Esquire, and after that wife to the Ho. Sir C. A. knight, one of the Quænes most honourable priuie Councell, and now Chancelloz of her Highnesse Duchie of Lancaster, Godith wife to W. F. Esquire, Elizabeth, late wife of Edward B. Esquire deceased, Mary wife of William S. Esquire, Margaret wife of the said Sir Edward G. Anne, wife of Frauncis Ho. Esquire, and Katherine, one of your said Oratozs. And whereas also the said W. W. in his life time was possessed of and in diuers goods and chattels, householdstuffe,

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plate, iewels, and also entituled to certaine debts amounting to the balne of 10000. li. or thereabouts, and so being thereof possessed and entituled, did constitute and make his Testament and last Will, and by the same did bequeath, giue, and deuise to diuers & sundry persons diuers great legacies particularly and certainly set forth in the said last Will, amounting in the whole to the summe and value of 3500. li. or thereabouts: And the residue of all his goods, chattels, & debts due vnto him after his funerall expences performed, his debts payde, and all his legacies and bequests particularly conteyned and mentioned in his said Will, fulfilled, performed and paid, he the said W. W. by his said Testament and last Will did giue & bequeath to the preferment of all the children comming of his said sixe eldest daughters, and to W. C. Mary T. and Katherine T. three of the children of the said Katherine, now wife of the said Anthony T. yongest daughter of the said W. W. to be equally diuided amongst them by discretion of his executors: And by the same his Testament and last Will he did ordaine, nominate, and make the said honourable Sir A. C. knight, Sir Edw. G. knight, now deceased, Basil F. and W. S. Esquires, and one W. B. Esquire deceased, his executors, as by the same his Testament and last Will moze at large it doth and may appeare: And afterwards, in the moneth of May, in the second and third yeares of R. Philip and the late Du. Mary, he the said W. W. died possessed of the said goods, chattels, and debts, amounting to about the summe or value of 10000. li. After whose decease, the said executors did take, administer, and agree to the said Testament, which speciall legacies aforesaid, either be, or might haue bene by the said executors long sithence fulfilled, satisfied, and paid, so as the residue should and ought to come to the said children, according to the said will. And although your said Orators haue diuers and sundry times required the said executors to make payment of so much of the residue of the said goods, chattels, and debts, as to them appertained, yet that to doe, they and euery of them haue hitherto refused and denied, contrarie to right, equitie, and good conscience. In consideration wherof, and soasmuch as your said Orators cannot certainly tell and declare the severall parcels of the said goods, chattels, and debts, nor what the said executors haue paid or receiued for any maner of debts owing by or to the said W. W. by reason wherof, they are vnable to prosecute for their remedy in the premisses at and by the the order of the Ecclesiasticall lawes of this Realme. May it therefore please your good W. to grant the Du. Maiesties writ of Subpena, to be directed to the said executors, &c. commanding &c.

A Bill containing that a lease of a rectory, and the buildings, glebe lands, and Tithes was made by the Deane and Chapter of a Colledge in Oxford, to the plaintifes Father for tearme of yeares reserving a rent: And that the same by force of the said lease was long possessed. That the said lease came to the plaintife by meane conveyance, and that continuing the tearme, the defendant suggesting to the said Deane and Chapter that the said Rectorie and Tithes were occupied by the plaintife without lease or title, having a purpose to conceale and defraud the said Colledge of the said Rectorie and Tithes, became a suitor to the now Deane and Chapter to have a lease of the said Rectorie and Tithes for 21. yeres, and thereupon obtined a lease thereof for 21. yeres, yeelding for it the accustomed rent, with an augmentation of rent corne. That the defendant having obtained a lease of the said Rectorie and Tithes for 21. yeres, sued the plaintife for the same in the Exchequer at West. in a Quo minus, and that he did interrupt the plaintifes possession: And then the plaintife prayeth an Injunction for stay of the said suit, and for the establishing of his possession and proces against the defendant and the Deane and Chapter to answer the Bill.

To the right Honourable Sir Ioh. Puckering Knight, Lord
Keeper of the great of Seale of England.

I most humble wise complaining, sheweth unto your good Lordship
your daily Orator, T. B. of M. in the Countie of C. Esquire, That
whereas the Dean and Chapter of Christs Church in the Uniuersitie
of Orford, were seised in their demesne, as of fee, in the right of their
said Church, of and in the Rectorie and Parsonage of R. with the appurtenances in the said county of C. being a Parsonage impropriate, and being so thereof seised by their deede indented sealed with their common Seale (the certaine date whereof to your said Orator is unknowne for want of hauing the same) did for the considerations in the said Indenture specified, demise, grant, and to farme let all the said Rectorie and Parsonage of R. with the appurtenances, and all maner of houses, barnes, glebe lands, tithes, fruits, profits, and advantages whatsoever to the same Rectorie and parsonage belonging or in any wise appertaining unto one R. B. late of M. in the said Countie of C. Esquire deceased, sather unto your said Orator for a number of yeares yet ending, reserving thereby a great annuall rent (the tithes of the vicarage of R. aforesaid, and the patronage and disposition thereof, and all the woods and timber trees of the said parsonage alwaies excepted & reserved out of the said lease) which said estate, interest, & terme of yeres of him the said R. B. of M. in the said Rectory, your Lo. said Orator by good

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and sufficient conueyance and assurance in the Law now hath, by vertue of which said lease, as well the said R. B. in this life time, as also your said Orator since the death of the said R. have by the space of many yerres together bene lawfully possessed of the said rectorie, and haue verely from time to time since the making of the said lease, quietly and peaceably receiued, leuiued, taken, and enioyed in their seueral times all the issues, commodities, and profits thereof, to their owne proper vse & behoofes, without the disturbance, let, or interruption of any person or persons whatsoeuer, vntill now of late. So it is if may please your good Lordship, that one J. D. of D. in the said county of C. Esquire, hauing by some casuall meanes gotten into his hands and custodie the said Indenture of lease made to the said R. B. of the said Rectorie by the said Deane and Chapter, as aforesaid, and diuers other writings and means conueiances concerning the same of right belonging to your said Orator, became an earnest suitor vnto William J. Doctor of Diuinitie, Deane of Christs Church in Oxford aforesaid, R. P. W. T. &c. being the Chapter of the same Church, to procure a lease vnto him the said J. D. from the said Deane and Chapter of the Tithes of the seuerall Townships, Hamlets, and places of H. P. &c. which said Townships, Hamlets, and places are situate, lying, and being within the limits and precincts of the said Rectorie formerly demised to the said R. B. as aforesaid, the said J. D. vntruly suggesting vnto the said Deane and Chapter, that the tithes of those seuerall Towneshippes were concealed from the said Deane and Chapter. And that they had no rent or reuennue at all to them therefore answered or paid by your said Orator, nor by any other person or persons, vnto which said suite and accomplishment thereof, the said Deane and Chapper, as your Orator hath bene credibly informed, would not of long time consent, vpon suspition by them conceiued, that the said J. D. had some purpose or intent to procure from them a lease of some such Hamlets and Towneshippes as were formerly demised to the said R. B. by the generall name of the Rectorie of R. wherein the said seuerall townships were included, whereby the said J. D. might impeach and call in question the validitie of the said lease made to the said R. B. And therevpon the said Deane and Chapter did affirme and declare to the said J. D. that they would not demise or grant vnto him the said J. D. any thing that was comprised in the said lease made to the said R. B. mentioned or intended to be demised vnto him the said R. B. in or by the same, vnto whom the said J. D. made answers, that the said tithes of the said seuerall Townships and Hamlets before mentioned, were not at all demised by the said Deane and Chapter to the said R. B. and that his purpose was not to challenge any thing by demise
from

from them which was formerly letten to the said R. B. but onely such things that were concealed from the said Deane and Chapter, for which he would yearly answer and pay vnto the said Deane and Chapter the old accustomed rent, with an augmentation of a yearly reuenuē of coynes, according to the forme of the Statute in such cases provided. Whereupon the said Deane and Chapter giuing credit to the said J. D. and willing to recontinue such things as the said J. D. affirmed to be wrongfully concealed and detained from them, and thereby to increase their yearly reuenuē, and hauing withall a great respect not to prejudice your said Orator by any lease they should make to the said J. D. nor to lease any thing demised to the said R. B. did at the unpopulare suit of the said D. in July, in the xxxij. yeare of the raigne of our gracious Soueraigne Lady the Quēnes Maiestie that now is by their Indenture sealed with their common seale, demise, and to farme let to the said J. D. all their tithes, of what nature, kinde, or qualitie soeuer of the said seuerall townships and hamlets before mentioned, the same being within the said precinct of the said rectorie of R. as aforesaid from the Feast of Saint John the Baptist last past before the date of the said Indenture vnto the ende and terme of 21. yeares. The said Deane and Chapter then verely supposing that none of the tithes of the said townships were included or comprised in the said lease of the said rectorie of R. made to the said R. B. but that the same were other things exempted out of the said lease, and concealed and wrongfully detained from the said Deane and Chapter, and not within the limits and bounds of the said rectorie. By colour of which said lease procured by the said J. D. by such practise and meanes as aforesaid, and by hauing in his handes the said Indenture of lease made to the said R. B. of right belonging to your said Orator, the said J. D. hath of late not onely many waies interrupted your said Orators possession of and in the tithes of the said townships and hamlets, but hath also thereupon attempted suite in her Maiesties Court of Exchequer at Westminister by writ of Quo minus against your said Orator for the taking and carrying away of diuers parcels of the said tithes growing and reuening within the said seuerall townships and hamlets. And albeit your said Orator hath diuers and sundry times in gentle manner required the said J. D. not onely to deliuer vnto your said Orator the said Indenture of lease so made to the said R. B. together with the said other writings and meane conueyances of right belonging to your said Orator, but also quietly to permit and suffer your said Orator to haue and enjoy the premises according to right, equitie, and conscience: Yet that to doe the said J. D. hath alwaies denied and refused, and yet doth denie and refuse, challenging the same by vertue of the
said

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said supposed lease made to him by the said Deane and Chapter contractie to all equitie and good conscience. In tender consideration whereof, and for as much as your said Orator knoweth not the certaine date and contents of the said lease made to the said R. B. and of the meane conueyances aforesaid, nor wherein the same be contained, whereby your said Orator is remediless for the recovery of the same, by the order of the common law. Neither is he able to plead the said lease in certaintie at the common law, whereby he shall iustifie his right and title to the said tithes by him lawfully taken as aforesaid. And for that the said Deane and Chapter were so abused by the insinuations & vnttrue pretences of the said J. D. and had no purpose at all to impeach the said lease made to the said R. B. nor your said Orator his title to the said tithes and other the premises claimed by vertue of the same, nor yet to demise or grant any thing to the said J. D. that was comprised, or intended to be demised in and by the said Indenture of lease made to the said R. B. May it therefore please your good Lordship, the premises tenderly considered, to grant vnto your said Orator her Maiesties most gracious writ of Subpena to be directed to the said William J. Deane of Christs Church aforesaid, and to the said R. B. T. T. &c. and to the said J. D. who is vsually resident within the Citie of London, commanding them and euery of them thereby vnder a paine therein to be limited, to appeare before your Lordship in her Maiesties high court of Chancerie, immediately then and there to answer the premises: and also to grant vnto your said Orator her Maiesties most gracious writ of Annuindion for the establishing of your said Orators possession, of and in the said Rectorie, and other the premises, and for the stay of all actions commenced, or to be commenced against your said Orator at the common Law vpon or by colour or pretence of the said lease so vnduly procured by the said J. D. from the said Deane and Chapter, and further to stand to and abide such order herein, as to your Lordship shall seme to stand with iustice and equitie. And your said Orator shall daily pray for your Lordship in all honour and happinesse long to continue.

T. B.

E. C.

R. C.

The Answer of I. D. Esquire one of the defendants, to the untrue Bill of complaint of T. B. Esquire complainant.

THe said defendant saith, that the said Bill of complaint is very untrue, uncertaine, and insufficient in the Law to be answered unto, Sect. 163
 not containing any sufficient matter or iust cause of suit against this defendant, but onely devised and contrived by the complainant, to put him as it seemeth to wrongfull veration, costs, charges and expences in the law without any iust cause of suit, whereof this def. doth demand iudgement of this ho. court, and prayeth to be dismissed out of the same. Nevertheless, if this def. shall be compelled to make any farther answer to the said bill of complaint, saith, that he understanding the said lease for yeares mentioned in the said bill of complaint made to the said R. B. father of the said compl. to be a mere void lease, and of no force and validitie in the law, for that the same lease was not demised by the Deane & Chapter, but by the Deane, with the assent & consent of the Chapter, procured divers letters of sundrie hon. persons to the said Deane and Chapter of Christ Church of Orenford named in that said bill of complaint in this def. behalfe and favour for the obtaining of a lease for yeares of the said Deane and Chapter, the which said Deane and Chapter at the request and contempl. of those letters by their Indenture under their Chapter Scale, did amongst other things demise and to farme let unto this def. all that their tithes coine and graine, coming renewing and yerely growing in the Townships or Tolones and fields mentioned in the said bill of complaint for the terme of xij. yeeres, by vertue of which demise to him made, this def. taketh himselfe lawfully intrested and intituled in and to the said tithes demised unto him, and because this def. meant to proceede in a plaine upright and lawfull course in Lawe against the said compl. for the triall of the validitie of his said pretended lease brought his action in the court of Chichequer by way of Quo minus against the said complainant and others, and as it seemeth now to this defendant the said complainant perceiuing the weakenesse and invaliditie of his owne title upon fained and untrue surmises hath exhibited the said bil of compl. into this ho. court, to bere & trouble this def. and the other defendants named in the said bill of compl. to maintaine and continue his wrongfull possession by a void lease, and of no validitie in law, as to your L. for the cause aforesaid may appeare, which said lease the said complainant to the great prejudice and hinderance of the said Colledge and Students thereof, laboureth and seeketh to enioy, being void in Law, and which lease if it were a good lease should endure and continue for many moe yeares
 then

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then the lease made to this defendant, and would bee lesse in yearely rent and benefit of the said Colledge then this defendants lease will be, respect being had to the things demised. And therefore as this defendant thinketh the said complainant is not to be relieved by any equitable, or maintained in possession upon a mere void lease in law, since that by colour of the said void lease the said complainant & his father have received so great a profit for many yeres past: without that, that the defendant hath by any casuall meanes gotten into his handes and custodie the said Indenture of lease made to the said R. B. of the said rectory by the said Deane and Chapter, and diuers other writings and meane conuiciances concerning the same of right belonging to the said complainant, as most vntreuly by the said Bill of complaint is alleaged, for that he saith, that he neuer had the said supposed lease, nor any meane conueyance thereof, or that the said Deane and Chapter euer at any tyme made any such lease to the said R. B. father of the said complainant as the said complainant surmisseth, but such a lease as in this defendants answer is before alleaged, or that the defendant vntreuly suggesteth vnto the said Deane and Chapter the other defendants in the said bill of complaint, that the tithes in the said seuerall townshippes mentioned in the said Bill of complaint were concealed from the said Deane and Chapter, and that they had no rent or reuenue at all to them therefore answered or paide by the said complainant, nor by any other person or persons, as most vntreuly is alleaged and surmised by the said bill of complaint, or that the said Deane and Chapter did affirme and declare to this defendant, that they would not demise or grant vnto him this defendant any thing that was comprised in the said lease made to the said R. B. or that was mentioned or intended to be demised to him in the said R. in or by the same lease. Or that vpon any such affirmation this defendant made answer, that the tithes of the said seuerall townshippes mentioned in the said bill of complaint, were not demised by the said Deane and Chapter to the said R. B. And without that, that this def. alleaged that his purpose was not to challenge any thing by demise from them, which was formerly letten to the said R. B. but only such things as were concealed from the said Deane and Chapter as most vntreuly is alleaged by the said bill of complaint, but he saith that he affirmed if he might haue a lease made to him he would yield an increafe of rent of cozne according to the forme of the Statutes in such cases prouided. And further this defendant saith, as before he hath said, that he being informed that the lease made to the said R. B. to bee a void lease, became an earnest suitor by the meanes aforesaid for a lease of the same things that were pretended to be demised to the said R. B. and enforzmed the said Deane and Chapter,

Chapter, that they might, and that they had power in them to demise the same. And this def. further saith, that there was included in the said supposed lease made to the said R. B. all the things that he demised to this defendant, and if this defendant should not haue meant to haue had in lease from the Deane and Chapter the things supposed to be demised to the said R. B. and to enioy the same, then should he haue had by his lease no benefit, and should vainly haue procured such honorable friendship: And therefore he saith, that the same allegation suggested in the said Bill of complaint, that this defendant meant not, or that his purpose was not to challenge any thing by demise from the said Deane, & Chapter, that was in shew formerly demised to the said R. B. is most vntreuely alleaged against all probability of reason, when as he well did know, & the Deane and Chapter also might vnderstand that the whole Rectory, except the Vicarage was in shew demised, and the tithes of the said Towneships included in the said supposed demise, and therfore saith, that the said Deane and Chapter at the contemplation & request of the said letters, made a lease of the said tithes to this defendant, and to manifest their good intention and meaning towards this defendant for the enioying thereof, the said Deane & Chapter gaue this defendant a Transcript of the Counterpane of the said supposed lease vnder their Chapter seale, & besides this def. had a rentall deliuered in writing to him, expressing or containing the rents of the towne-ships mentioned in the said bill of complaint. And this defendant saith, that his meaning was euer to haue and enioy the benefite of the said demise, and of the things therein contained, and so he taketh it, the said Deane and Chapter so meant and vnderstood the same, being persons of so great learning, iudgement and discretion, that they would not grant the same things, and meane contrary to their owne demise: And without that, the said Deane and Chapter then verily supposing that none of the tithes of the said towneships were included or comprised in the said lease of the said Rectorie of R. made to the said R. B. but the same were other things excepted out of the said lease, and concealed, and wrongfully detained from the said Deane and Chapter, and not within the bounds and limits of the said Rectorie, as most vntreuly and vainely it is alleaged by the said bill of complaint, without either reason, or probability of reason, or that the same demise made to this defendant was made vpon any such fained and vntreue allegation: For he saith, that such an oversight may not be without any reason imputed to the said Deane and Chapter, being men of learning and iudgement, that they should suppose none of the tithes of the said towneships were included in the said lease of the Rectory of R. made to the said R. B. but other things excepted and concealed, and not within the

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the limits and bounds of the said Rectory, when as the said Deane and Chapter by the said rental may appeare, that the towne mentioned in the said bill, are parcell of the Rectorie of K. and the tithes in the same towne demised to this defendant. And the said defendant further saith, that hee hath not had or euer had in his hands the said Indenture of lease made to the said K. B. nor by colour of hauing thereof, hath attempted any suite, but began his suite by reason of his own lease made to him, which he taketh is lawfull for him to doe. And without that, that there is any other matter or thing, touching this defendant, materiall, or effectuall to be answered vnto, and not herein confessed and auoided, stauersed or denied, is true: Al which matters this defendant is ready to auerre and proue as this ho. Court shall award; and prayeth to be dismissed out of this ho. Court, with allowance of his costs and charges, &c.

W. D.

The ioynt and severall answers of W. J. Doctor of Divinitie, Deane of the Cathedral Church of Christ in Oxford, of King Henry the eighths foundation, R. P. A. W. T. T. &c. Prebendaries of the Cathedral Church, defendants to the Bill of complaint of T. B. Esquire complainant.

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The said defendants all aduantages of exception to the incertaintie and insufficiencie of the said bill of complaint being to them these def. now, and at all times hereafter saved, for direct answer thereunto, so far forth as concerneth the knowledge of them these defendants materiall for them to answer vnto, say as followeth, that is to say, that heretofore J. D. in the said bill of complaint named, was an earnest suite for to the said defendant W. J. & to the Chapter of the said Cathedral Church, for the obtaining & getting of a lease of al their the said Deane and Chapters tithe barne in P. in the county of C. and of al their tithe cozne and grain, comming, reuuing, and yeerely growing in the towne and fields of P. aforesaid, V. &c. in the said County of Chester, and of the tithe cozne, grasse, pigge and gorse of L. in the said County of Chester, and of the tithe hay and grasse of M. S. and K. aforesaid. And for the better obtaining of his said suite, he the said J. D. obtained and procured severall letters from diuers great and honorable persons of this Realme, directed to the said Deane and Chapter of the said Cathedral Church, whereby the said Deane and Chapter were earnestly moued to grant and yeld to the said request of the said J. D. At the which time the said J. D. did affirme & say to these defendants, or to the greater part of them, that in the premises so by him the said J. D. required to be to him demised, there was then no lawfull estate continuing, but vsurped by such occupiers as had no right vnto them, & who vouchsafed not to seek vnto the Church for them, nor to offer any good offers to them,

them and that contrariwise himselfe would reduce those things to a more profitable reuenuē to their Church, or bled other words & speeches to the like effect, by reason whereof, these def. or the greater part of them the better to satisfie their duties toward the said hon. persons in a suit so reasonable, and tending to the benefit of their Church, did by Indenture vnder their Chapter seale bearing date the 22. of Decemb. in the 15. yeare of the Raigne of our Soueraigne Lady the Quēnes Maiesty that now is, demise, grant, & to farme let the said tith barns and other the premises to the said J. D. To haue and to hold to him, his executors, administrators, and assignes, from the feast of S. Tho. the Apostle last past before the date of the said Indenture vnto the end and terme of 21. yeares, thence next following fully to be complet and ended, as they thinke they might lawfully doe; they then not knowing any lawfull lease to be in being of the premises, and yet to the end and intent that no person hauing any lawfull interest in the premises, or in any part thereof for terme of 3. yeres or more (if any such were) might be by the said demise or grant of these def. prejudiced or hindered, the def. caused the said J. D. by his sufficient deed in writing as the defendants take it for the better securitie, safety and quietnes of their lawfull tenants whom they meant not should be impeached, to covenant with these def. that the said demise, nor any covenant, grant or article in that said Indenture of demise contained, should in any wise extend to bind or charge any of them the said Deane and Chapters tenants, holding or claiming by good and lawfull grant any lawfull estate for the terme of 3. yeares at the least or more then to continue, any matter or thing in the said Indenture of demise mentioned to the contrarie notwithstanding, whereby it doth and may appeare to this hon. Court, that these defendants haue not done any thing concerning the said demise of the premises to the said J. D. then as they thinke they and euery of them might lawfully doe, making such prouision as aforesaid, that no tenants which held by any lawfull interest should bee impeached by this their lease, without that, that to the knowledge of these defendants or any of them, the Dean and Chapter of Ch.ills Church in the Uniuersitie of Oxford, predecessors of these def. did lawfull demise, grant, and to farme let the rectorie or personage of R. in the said bill of compl. mentioned, with the appurtenances, to R. B. in the said bill of complaint named in maner and forme as in and by the said bill of complaint is furnished. And without that, that to the knowledge of these defendants or of any of them, the tithes demised by these defendants to the said J. D. as is aforesaid, were lawfully demised by the Deane and Chapter of the said Cathedrall Church, predecessors of these defendants to the said R. B. in maner and forme, as is in and by

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by the said Bill of complaint surmised. And without that, that any o^rther matter, clause, o^r sentence in the said bill of complaint comprised, being materiall in the opinion of them to be by these def. answered vnto, & not herein sufficiently confessed and auoided o^r trauesed and denied is true. All which matters they these def. and euery of them are ready to auerre and proue as this hon. Court shall award, and pray to be dismissed out of the same, with their costs by them sustained.

*The Replication of T. B. Esquire complainant to the Answer
of I. D. Esquire one of the defendants.*

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The said complainant by protestation not confessing o^r acknowledging any matter o^r thing materiall o^r effectuall in the said Answer alledged to be true in such sort, manner, and foyme, as the same are thereby exprested and set forth, and by protestation also that the said answer is vncertaine, and insufficient in the Law to be replied vnto, fo^r diuers great and apparant faulcs therein manifestly appearing, the benefit and aduantage whereof at all times hereafter to the complainant saued and reserved, the said complainant fo^r replication replieth and saith in all things as befoze in his said bill of complaint he hath said. And further saith, that all and euery the matters in the said bill of complaint contained are and be good, iust, true, certaine, and sufficient in the Law to be answered vnto in such sort, maner, and foyme as they and euery of them in and by the said bill of complaint by him bene most iustly, plainly, and truly alledged and set forth, and the same he is ready to auerre and proue, as it shall please this hon. Court to award. And the said complainant further replieth and saith, that the said Deane and Chapter the other defendants, named in the said bill of complaint, had no meaning o^r intencion to demise vnto the said J. D. any thing that was by them o^r their predecessors fo^rmerly demised to this complainants father, and in this complainants possession by vertue of the said lease, and to giue full satisfaction thereof to this hon. Court. This complainant further saith, that the said J. requiring of the said Deane and Chapter to haue a lease of the township of K. together with the said other towneships in the said bill of complaint mentioned by him, procured a lease from the said Dean & Chapter by such practise and successions as in the said bill of complaint is alledged, the said Deane and Chapter then made answer to the said J. D. that this complainant was the Farmer of K. and held the same by lease from the said Deane and Chapter: And that they would not in any wise demise any thing to the said Daniel that was comprised in the said lease made to the complainants father. To which answer

the said J. D. replied and sayed, that hee could doe well ynough with that lease, if the said Deane and Chapter would be pleased to demise the said Towneshippe of K. with the rest of the said Towneshippes to him the said J. D. whereunto the said Deane and Chapter then answered to this, or the like effect, viz. that they would not goe about to impeach the said Lease made to the said complainants father: and that it was not fitting for men of their coate and qualitie, to stand vpon quikes and quillits in law. By which words it evidently appeares, that the said Deane and Chapter were circumvented and misled by the vnttrue informations of the said J. D. to them made in manner and forme, as in the said Bill of complaint is alleaged and set forth: and that they knew not at the time of the making of the said J. D. Lease, that the said Towneshippes thereby letten were formerly demised to the said complainants father in and by the generall words of the Recorde of K. which did include the said Towneshippes, so as if there be any such defect in the said Lease made to the said complainants father, as the said J. D. pretendeth by his said answer, as this complainant hopeth there is not, yet for as much as this complainants father and this complainant haue euer since the making of the said Lease, which was many yeares since, quietly enjoyed the same, and by all the said time payed the rent to the said Deane and Chapter reserved thereupon: And that the said J. D. procured his said Lease, by such sleights and subtilties, as is aforesaid. And that the said Deane meant not to demise any thing to the said J. D. that was formerly demised to the said complainants father, nor to impeach the said Lease made to the said complainants father vpon any defect whatsoeuer. Wherefore this complainant hopeth this honourable Court will compell the said J. D. to bring in the said Lease so procured as aforesaid into this Honourable Court to be cancelled, or otherwise disposed of, as to the same shall be thought meet: and will order that this complainant shall haue and inioy the benefit of the said lease made to this complainants father, as aforesaid, notwithstanding any such defect therein as is pretended by the said J. D. And whereas the saide defendant alleageth in his said Answer, that the said Deane and Chapter, to manifest their good intention and meaning towards the said defendant, and to the intent he might enioy such things, as they had to him demised, did deliuer vnto him a copie or transcript of the said Lease made to this complainants father, and a rentall of the said severall Towneships in the said Bill of complaint mentioned. To that Allegation this repliant saith, that the purpose of the said Deane and Chapter in the deliuerie of the said copie or transcript was, that the saide J. D.

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might thereby know what was demised or intended to be demised to the said complainants father. And to the end that he the said J. D. might not meddle with any thing comprised in the said lease, and to no other intent or purpose, without that, that the said Deane and Chapter did know by the said Rentall, that the townes mentioned in the said bill demised to the said J. D. were parcel of the said Rectorie of R. and were formerly demised to the said compl. father, and without that, that any other matter or thing in the said answer alleaged materiall or effectuall for this compl. to reply vnto, and herein not sufficiently confessed, and auoided, denied or trauesed is true: All which matters this complainant is readie to auerre and pꝛooue, as it shall please this hon. Court to award: And prayeth as befoze in his said bill of complaint he hath prayed.

R. C.

A supplication by two maimed souldiers, to haue the Counsels licence to begge or to haue some maintenance allowed them for their present stay and reliefe, vntill two Almes roomes which the Qu. gaue in reuerfion do become void,

To the right Ho. the Lords, &c.

ScA. 166

Humbly shew and beseech your good Lo. your vertie pꝛyce and humble Suppliants A. G. and B. C. That whereas in consideration of the sundry maines and hurts of your Ho. Suppliants in her Maiesties seruice, it pleased her highnesse of her most gracious disposition and pitifull consideration of vs, to giue and bestow vpon vs the reuerfion of two severall Almes roomes in the Hospitall of S. in the Citie of London during our liues when the same shall become boide, the which be yet full, and after their deaths which now be in the possession of the same diuers reuerfions are graunted to severall persons of the same, by reason whereof your Lordshippes pꝛyce Suppliants are neuer likely to enioy the same roomes for their reliefe and sustentance. In consideration whereof, and for that your ho. said suppliants be in vertie pꝛyce and weake estate by reason of their said maines and hurts, and greatly indebted to diuers persons, being charged with wiues and many children, not hauing any thing now left them to maintaine, helpe, or relieue themselves withall in this their great pouertie and extreanities, but are readie to perish for lacke of sustentance and other meanes. It may therefore please your good L. the premises being by your H. tenderly considered, to graunt vnto your Lordsh. pꝛyce suppliants for their present stay, reliefe, and comfort, your H. licence,
for

for the taking and receiuing of the Almes, and charitable beneuolence of the well disposed persons throughout the whole Realme, vntill the said Almes rowmes shall become void, or some other prouision or maintenance for the reliefe of their present necessitie, such as to your ho. shall seeme meete & conuenient may be had and made, & your said poore supp. according to their bounden duties will pray to God for your god L. In all health and henoꝝ long to continue.

A Supplication by a Merchant stranger, who hauing beene before called into question for cosening of one in a barter of Pearle for Cloth, who desireth the same may be examined and ended by Aldermen of London and other assistants of skill and iudgment: And that if they cannot agree, then the Lord Maier of London to be umpier betwixt them, or else that the same may receive a trial in any court of Iustice within the realm, and that in the meane time his libertie may not be impeached.

To the right Hon. the Lordes &c.

If all humbleness befeecheth your honorable good Lordship J. C. Sec. 167.
 of the citie of London, Merchant stranger. That whereas R. S. of the same citie Merchant tailor, hath sundry times complained vnto your Honoꝝ that your said Suppliant had cosened him in deliuering pearles for 285. pounds, which were not worth 20. pounds, in consideration of a barter of cloth deliuered to your Lordships suppl. whereupon it pleased your Lordship to graunt your warrant for the bringing of your said suppliant and his aged father before your good Lordship to answer to the said supposed cosenage supposed against them, which they haue already in some sort answered, according to the shortnesse of the time. But forasmuch as for the full and plaine discouery of the said pretended cosenage, wherewith your Lordships said suppliant is charged by the said R. S. it seemeth requisite that the whole proceedings in the said barter or contract were thoroughly examined by some Aldermen of the citie of London, calling vnto them for their assistance therein two of the Dutch Church, of sufficient iudgement and skill in such cases to be indifferently nominated by your said suppliant and the said R. S. it may therefore please your good Lordship to giue full power and authoritie by your Honours letters to Alderman S. and E. D. one of the Dutch Church chosen by your said Suppliant (if so it may stand with the liking of your good Lordship) being of iudgement and skill, and very wise and discreete men, and to another Alderman of the said Citie, and any other of the said Dutch Church to bee likewise nominated and appointed by the said R. S. who may examine

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and trie out the truth of the said supposed cosenage: And that it may also please your good Lordship that the Lord Mayor of the said citie of London may be by your hono^r nominated and appointed to be umpier in the said cause fo^r the finall ending thereof, if it should so happen and fall out, that the said foure persons should not fully end the same cause betwixt the saide parties touching the said supposed cosenage, to the which arbitrement and umpirage your said Suppliant will willingly submit himselfe to stand vnto and perfo^rme. And if the said cause can not by the said arbitrato^rs o^r umpires receiue a ful & final end through the wilfulnesse o^r frowardnesse of the said R. S. according to the charitable and honest intent & purpose of your Lordships said Suppliant. Then your said Suppliant humbly beleecheth your Hon. that it may bee ordered by your good Lordship, that the said cause may receiue a short, speedie, by right and indifferent trial at the common law in what Court it shall please your good Lordship to appoint. And fo^r that your said Suppliant doubteth least by the practise of the said R. S. his libertie may be impeached befo^re the said supposed cosenage may bee fully tried and ended, the petitioner therfo^re humbly beleecheth your good Lo. that by your Lordsh. order his po^re aged father may bee protected and defended from arrests o^r other trouble o^r molestation, vntill the said cause shall receiue a finall end, and your said Suppliant shall daily pray to God fo^r &c.

A Supplication by an Innekeeper imprisoned for treason upon counterfeist letters from the Prisie Councell, who being thereof afterwards discharged by letters from the Councell, had senerall actions of debts laid vpon him before his enlargement. And afterwarde was from thence remooued to the Fleete, and there remaining for his debt, prayeth that hee may complain of abuses offered to him and to detect others of offences and misdemeanors by them committed. And also to write letters to the Commissioners for prisoners for debt in the Fleete, to compound all causes betwixt him and his creditors.

To the right Hon. the Lordes &c.

Se^ct. 168.

Humbly sheweth and complaineth vnto your good Lo. your po^re Suppliant and daily orator J. W. of S. now prisoner in the Fleet, What where about the moneth of September last past in the 32. yere of her Maiesties reigne, one W. B. brought to the said Towne of S. certaine counterfeist letters vnder the names of the Lord Chancello^r, Lord Treasurer, and others of her Maiesties most honourable Prisie Councell with commaundement to J. B. then Maior of the saide towne

towne of *P.* by vertue of the said Letters, to apprehend and take your
 said suppliant vpon suspicion of treason, and commit him to close pri-
 son, with heauie yrons to be laid vpon him, the which said *Mayo*; exe-
 cuted accordingly, where your said suppliant so continued by the space
 of five weekes. And your suppliant being so imprisoned, required the
 said *Mayo*; that the said *W. P.* might be stayed, for that he in the same
 yeare had counterfeited certain other letters vnder diuers of your *Lo* :
 hands, but the said *Mayo*; refused to stay him, because he came with
 your *L.* letters to him (as he supposed) so the said *W. P.* departed, lea-
 uing your said suppliant in close prison. Whereupon your said poore
 suppliant sent one to acquaint your *Hon.* with his poore distressed case,
 for redresse and reliefe from your good *Lo* : therein, who thereupon re-
 ceiued your *Hon.* letters in your suppliants behalfe, directed vnto the
 said now *Mayo*; of the said towne of *P.* for his enlargement of his said
 imprisonment. But your *L.* said letters notwithstanding, your poore
 suppliant was not set at libertie, but detained in prison by the space of
 eight dayes after your *L.* letters were deliuered vnto the said *Mayo*;
 by meanes whereof there was one execution for debt, and diuers other
 actions of debt laid vpon him, to the vtter vndoing of him, his wife, and
 eight poore children, your suppliant being a poore Inholder in the said
 towne of *P.* and hauing no other trade of liuing, or meanes to main-
 taine himselfe and his poore family, by reason of which said vntrue
 slander of suspicion of Treason, and of his long imprisonment of seuen
 months or more, he hath lost his accustomed guests being many, which
 vsed to come to his said house. May it therefore please your good *Lo* :
 the premises being by your *H.* tenderly considered, and for that your
 said poore suppliant vpon his remoue to the prison of the *flēte*, entred
 into bond to appeare before your good *L.* at what time soeuer it should
 please your *H.* so appoint him so to doe, to admit your said Suppliant
 to complaine before your *H.* of diuers wrongs and abuses offered and
 done vnto your poore suppliant, as also to discouer & detex the said *W.*
 and some others his confederates of verie lewd parts and offences
 committed by them: And also that it will please your *H.* to graunt
 your Letters to the Commissioners for poore prisoners for debt in the
flēte, for the speedie compounding and ending of all causes betwixt
 your said Suppliant and his creditozs, and your said suppliant as he
 is most bounden shall daily pray for your *H.* good *Lo.* in health and in
 honour long to continue.

In witness whereof we have hereunto set our hand and the seal of our
 said office the sixth daye of the month of *May* the first year of our
 said most excellent Majesties reigne.

At the Cittie of *London* the xxij. daye of the month of *May* the first year of our
 said most excellent Majesties reigne.

By the said *W. P.*

Supplications, Bills,

A Supplication containing that upon a former supplication the Counsell letters were directed to a knight and others of the country where both the parties dwelled, to heare and end a cause, being a matter of account, when upon the knight & the others first wrote their letters to the parties, & they not coming before them, upon their letters they did thereupon by vertue of the Counsell said letters sent their precept vnto them, commanding them to appeare before them for ending of the said cause, who refused to come before them, the which his contempt was by the said Knight &c. certified to the Counsell against them. And now the petitioner prayeth the Counsell warrant to bring the parties before the said knight &c. for the ending of the said cause, and if the said parties willfully refuse to stand to and obey their oracles, then to commit them to the Gaole, there to remaine until they will be contented to obey and performe the same.

To the right Hon^{rs}: the Lords &c.

Sept. 169.

Humbleth we with vnto your good L^{ty} your humble suppliant J. C. Clothier, that whereas vpon a former petition exhibited vnto your good L^{ty} declaring the inuasion, unconscionable, and sinister dealings of vnto T. P. and J. his sonn, touching a matter of debt and account, which was by your said suppliant fully satisfied: yet continued the suite against your said suppliant for the space of seven yeares together only of purpose and in alite to the end to molest, trouble, and impoverish your said suppliant, as by diuers certificates then to your H^{ty} by your said suppliant shewed did fully and at large appeare, as also the letters and call conuocation and some other of the said J. D. duly certified vnto your good L^{ty} by the towne of C. in the Countie of S. Under the common Seale of the same towne: whereupon is vnto your good L^{ty} to direct your Honorable letters vnto Sir G. W. of A. in the said countie of S. knight, and others, to call before them the said T. P. and all other persons whom this matter did in any wise concern, and that vpon due hearing and examination of both parties and both parts to be proceed to proceed for the final ending and satisfaction of the said cause according to equitie and conscience, and thereupon the said Commissioners according to your Honors letters into letters of Commission sent their letters, requiring them to come before them for the ending of the said cause: and so that they did not appeare before them upon their said letters, they then addrested vnto them their precept, requiring and commaunding them and euerie of them by vertue of your Honors said letters of Commission to them directed, to come & appeare before them for the ending of the said cause, both which letters and precept were deliuered by one A. B. vnto the said T. P. who was the principall mo-

lettor

lesse; and trouble of your suppl. in these causes who albeit he had received the said letters & precept, yet that notwithstanding hee would not appeare before the said commissioners; but contemptuously by his letters to the Commissioners refused to appeare before them either upon the said letters or the precept from the said commissioners, as by a certificate from the said commissioners ready to be shewed vnto your good L. may appeare; to the great derogation and contempt of your good L. May it therefore please your Ho. for the bridling and checking of such dissolute; froward, and wilfull obstinacy, to the terrifying of such like disobedient persons, to grant vnto your said suppl. your L. warrant to be directed vnto the Sherife of the said countie of S. to bring the said L. P. before the said Commissioners at such day, houre, and place, as by letters from the said commissioners to the said Sherife shalbe assigned or appointed: And that if the said L. P. being so brought before the said Commissioners, shall wilfully refuse to obey, and performe such order, end; and determination, as the said Commissioners shall thinke good to set downe therein; That the said Commissioners may have full power and authority to commit the said L. P. to the goale within the said county, there to remaine vntil he will yeeld to performe and obey the order and determination of the said Commissioners, or that your good L. shall giue order and direction for his deliuey out of prison. And your said suppl. shall daily pray for the preferuation of your good L. in all felicitie and happinesse long to continue.

A Supplication by one for himselfe and for eight other prisoners indicted of a murder in Wales (wrongfully as they pretend) containing a former supplication, whereupon the Council ordered, that they should receive their trialls upon the said Indictment of life and death in the Countie of Salop, and not in the countie of M. whers they were indicted, praying that they might be bailed, for that hee was a freeholder of good worth, and able to put in good suretie, that the Council would be pleased to giue order by their letters to the Lord President and Council in the Marches of Wales for the bayling of them.

To the Hon. the Lordes &c.

Most humbly informeth your good L. your humble suppliant and daily praye, C. D. of the countie of C. for himselfe and 8. others, now prisoners in the goale of S. for a supposed murdering of one M. whose wife about 10. daies last past: What whereas vpon some such heere of words vnto mee happening to grow betwene the same M. and your said suppliant vnto the said countie of C. vpon the 28. day of May last past, about the hauing of a writ of capias, with a sic for

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merely giuen for the executing of the same writ, at which time he had hap a stander by giuing a light blow to the said M. G. with a stone vpon the head, wherof he neuer languished so much as one houre in outward apparence, neither did his chiturgian conceiue any danger to be therein, but the said M. G. trauelled afterwards without the w of grief from place to place about his affaires into foraine countries, vsing all exercises and dispozt of pleasure, and afterwards vpon the 10. day of June through sickness died in the said county of M. In which county of M. by fauor of the kintred and allies of the said M. G. your suppl. and xj. others were vniustly indicted for y death of the said M. G. as for murder, although there were no manner of malice betwixt your L. said suppl. and the said M. G. before the said hurt of him the said M. G. but great good wil and liking betwixt them. For the same night y the said M. G. was hurt as is aforesaid, he had appointed to lie at your L. said suppl. house, wherupon your good L. said suppl. being an humble suitor to your H. for redesse of the said hard measure, it pleased your good L. in your very ho. consideration by order from your L. to appoint the trial of your said suppl. and the other 8. indicted persons at the Assises to be holden for the said county of Salop, as a place more indifferent & fit for the same, and yet neuertheies, your said poore suppl. and the rest remaine in prison & cannot be bailed, albeit very good and sufficient baile haue bin by your L. suppl. diuers times offered not only for himself, but also for the rest of his people, being indicted & imprisoned. And for that your H. said suppl. is a freeholder of credit & worth, wel able to find very good and sufficient surety for his owne baile & his said people to appeare and answer to the said indictment against them before the D. H. Justices of Assise for the said county of Salop, at the next Assises to be holden within the said countie of Salop for the said county. It may therfore please your good L. of your accustomed care and consideration of poore afflicted persons for their reliefes, to giue such order & direction by your honors letters to be directed to the L. President & Councell of the Marches of Wales, that your L. said suppl. and his poore poore people may not only receiue their said trial vpon the said indictment in the said county of Salop, according to your good L. former order and directions therein, but also that they may be presently bailed vpon good and sufficient sureties to be of them taken by the said L. President & Councell for their personall appearance before the said Justices of Assises of Assise for the said countie of Salop at the said next Assises to be holden before them for the same county, then and there to answer to the said indictment, and to receiue therein according to law and iustice. And your said poore suppl. shall pray vnto God for the long preservation of your good L. in health and much honoz long to continue.

A Supplication to haue the Councels letters to two Bailiffes of a town, to take vpon them the hearing of a controuersie of an Account, or else to appoint other two to doe the same, and that they two appoint an Umpier to end the matter. And if the said Umpier cannot end it, then to certifie the Councell of the state of the matter, and their opinions thereof, and in whom they conceine the fault to be.

To the Hon. the Lordes &c.

In most humble and lamentable manner sheweth vnto your Honorable Lordships your poore Suppliant A. B. of C. in the County of N. Marchant, That whereas there are diuers matters of Account in question and controuersie betwene your said poore suppliant, and one H. B. of N. which will aske and require some long time and great charges to be prosecuted and determined by the due course of the common lawes of the realm, the which would turne to the vtter vndoing of your said suppliant, because he is now ready with his ship to depart towards the Straites, and therefore very vncertaine of his returne. It may therefore please your good Lordships to graunt your Hon. letters to bee directed vnto the two Bailiffes of great Parmouth, either to heare the saide account betwixt them, or else to appoint two other indifferent persons to heare the same, and that those two may of themselves appoint an umpier to ende and determine the said controuersies, vnto the which if the said H. B. or your Hon. said suppliant will not yeeld vnto, that then they may certifie vnto your good Lordship the state of the said controuersies betwixt them, with their opinions therein, and in whom they conceine the fault to be. And your said poore suppliant shalbe bound during his life to pray for your good L. increase of honour, and perpetuall felicity. Sect. 171

A Supplication of H. K. and E. M. beeing prisoners in the Fleete for misdemeanors in the Starre-chamber to bee enlarged of their imprisonment.

To the right Hon. the L. Keeper of the Seale of England.

The Suppliants in Michaelmas Terme last were sentenced for a Riot, and other misdemeanors, and A. B. the principall defendant was then also committed to the Fleet, & adiudged to pay to the R. 100 li. for a fine, and also to discharge the fines imposed vpon such other of the said def. then likewise sentenced and fined as are not able to satisfie the Sect. 172

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the same. Your L. said poore suppl. dwelling in the county of C. were brought up by the Warden of the Fleet's servants, and are now like wise prisoners in the said prison of the Fleet for y^e said offences, where they haue already remained by the space of a fortnight & more in great misery and want, being very poore men and very aged, and hauing nothing at all wherewith to relieue their great wants & necessities more then the bare allowance of y^e prison, being so small, as your poore suppl. are ready to starue for want of meate, drinke, and other necessaries, to the utter ouerthrowing of them and their poore wives and children, without it may please your good L. speedily to extend your commiseration and pity vpon them in setting them at libertie.

A Supplication of a prisoner in the Fleet, for misdemeanors censured in the Starre-chamber to be enlarged of his imprisonment, and to haue the benefite of a generall pardon, and to be discharged of one of the fines imposed vpon him.

To the right Hon. Sir T. E. Knight, L. Keeper of the Scale of England.

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In all humblenes V. A. a very poore aged man of 70. yeares olde and more, now prisoner in the Fleet, humbly beseecheth your good Lordship, That where your suppl. in the cause between A. B. and C. D. had in the Starre-chamber two seuerall fines imposed vpon him for two seuerall misdemeanours, the one a fine of 10. li. and the other a fine of 20. li. and brought out of the countie of C. by the seruant of the deputie warden of the Fleet to y^e prison of the Fleet, the 10. day of this instant June, being as he is informed discharged and freed from the said first fine of 10. li. and from imprisonment of his body by her maiesties most gracious generall pardon at the last Parliament, that it would please your good L. for Gods sake, to yeld and allow vnto your L. said suppl. the benefite of the said generall pardon for his said first fine, and also in your hon. and mercifull regard of his great pouerty and misery he now lieth in, to enlarge him of his said imprisonment, and to discharge him of the said fine of 20. li. and to set it ouer vpon the head of the said C. D. according to an order therein taken; and also to order and appoint the said C. D. to pay your said suppl. prison charges, hauing bin deawnt into the action by the said C. D. otherwise your Lordsh. poore suppl. is utterly vndone for ever, and shall neuer be able to procure his liberty: but of force must perill in prison? And your said poore supplicant and his poore wife and children shall daily pray for your L. good and honorable estate vvall health and happines long to continue.

A Supplication of a prisoner in the Fleet for a misdemeanor censured in the Star-chamber to haue the benefit of a generall Pardon, and to be discharged of his imprisonment and fine, and that in respect of his verie poore estate his prison charges may be payed & discharged by one A.B. by whose meanes the Suppliant was drawne into the action.

To the right Hon. Sir T. E. Knight, Lord Keeper of
the great Seale of England.

Your Hon. verie poore suppliant *H. M.* being a very poore olde man Sect. 174.
of aboute 80. yeares old, and meake and sickly, now prisoner in the
Fleete, humbly beseecheth your Lordship, That where your poore sup-
pliant in a cause betweene *A. M.* and *C. K.* was fined in the Star-cham-
ber at the summe of *v. li.* and brought out of *C.* by the warden of the
Fleetes seruants, to the prison of the Fleet, the xx. day of this July, that
he may not only be freed and discharged of the said fine imposed vpon
him, but also of his said imprisonment by force and vertue of a generall
pardon at the last Parliament. And that your good L. will be pleased for
Gods cause to yeld and allow vnto your poore suppliant the benefit of
the said Pardon for his enlargement. And further that it will please
your good L. in regard of his great pouertie being not able to, relieue
himselife with sufficient meate and drinke, but is readie to starue for
hunger for want thereof, to take such order that the said *C. K.* by whom
your said poore suppliant hath bene drawne to commit the said misde-
meanor, may pay for your said suppl. all his fives and charges of impri-
sonment, the which if he be not compelled by your good Lo. to do, your
said poore suppl. is very likely to remaine languishing in prison all the
dayes of his life, without any hope ener to be deliuered thence. And
your poore suppl. will daily pray for your good Lo. &c.

The end of Bills and Answers, &c.

Hereto of Bills, Answers, Replications, Rejoinders &c. and such
other things as concerne the manner of proceeding in Chancerie
suits, with some new additions vnto them added. Now of certaine
byts and conuictions issuing thence, and there also returnable.

The manner of proceeding vpon a speciall Certiorari.

The partie grieved exhibiteth his Bill, and by the same prayeth not Sect. 175.
only a speciall Certiorari, but also a Subp. against the defendant to
answer.

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answer to his bill, as appeareth by the last two bills. And if the Lord Chawncelloz, Lord Keeper, or Master of the Rolls shall see good and probable matter in the bill, they usually grant the same, taking bond of the plaintife for the pzoofe of the surmises of his bill, within fourtē daies after the returne of his speciall Certiorari, which writ of Certiorari followeth in hec verba.

Iacobus Dei gratia Angliæ, Scotiæ, Franciæ, et Hyberñ Rex, fidei defensor &c. Maiori et Vicecom' Lond' salutem: Volentes certis de causis certiorari super causa captionis et detentionis R. S. in prison' sub custodia vestra, vos præf. vicecomit' detenti, vt dicitur, vobis mandam^o, quod causam præd' cum omnibus eam tangentibus quocunq; nomine idem R. in causa illa censeatur, nobis in Cancellariam nostr' in quindena Pasc. prox. futur', vbicunq; tunc fuerit, sub sigillis vestris distinctè et aperte mittatis, et hoc breue: Teste &c.

And if the plaintife doe not make pzoofe of the surmise of his bill, as aforesaid, then vpon certificate made vnder the handes of the examiners of this Court, and notice from the plaintifes Atturney, that hee hath not examined any witnesses, either in this Court, or by Commission, then a Procedendo is granted of course. But if there be witnesses examined, then to haue their examinations referred to a Master of the Chancerie.

And if he find and so certifie, that the plaintife hath pzooued the substance of his bill, then the cause to be retained & ordered in this Court, if not then a Procedend to proceed for the remanding of the said cause.

A Corpus cum causa to remove a Prisoner.

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REX &c. Maiori et Vicecom' Lond' salut. Mandamus vobis, qd' R. S. quocunq; nomine censeat captum et in prison' sub custodia vestra vos præf. Vicecom' detent', vt dicitur, habeatis coram nobis in Cancellar' nostra tali die prox. futur', vbicunq; tunc fuerit, vna cum causa captionis et detentionis ipsius R. in prisona præd'. Et hoc nullatenus omittat'. Et habeat ibi hoc breue. Teste &c.

This writ is graunted by the Lo. Chawncelloz, L. Keeper, or Master of the Rolls, for the most part vpon a Bill exhibited, and good baile put into the Court for the parties apparance and forth comming, de die in diem, or further time, as the Court shall thinke fit, whereby many of her Maiesties subiects are very much relieued in hard and extreme causes, lying oftentimes in pylson vpon great actions surmised against them, without iust cause, and therby not able to put in such baile as the common law doth require in such cases.

of

Of a Writ of Diem clausit extremum.

This writ is to bee sued forth by the heire of the Kings tenant in Chief, within a yeare after the death of his Ancestoz, or a Commission of the same effect. And an Office of Inquisition being thereupon taken and returned, such heire may haue luerie of his landes out of the Kings handes, for if the landes of such Tenant exceede that yearely value of five pounds, no Luerie thereof can be sued, befoze such Inquisition of Office found and returned by vertue of such Writ of Commission. And such Writ of Commission may not passe but by Warrant or Bill, first signed and subscribed with the handes and names of the Master of the Wardes and Lueries, the Suruey of the Lueries, and the Attorney of the Court of Wardes and Lueries, or some of them, 33. H. 8. cap. 22. The forme of which writ ensueth.

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Rex Eschaetori in Corn Eb. salutē. Quia I. qui de nobis tenuit in cap Diem clausit extremū, vt accepimus. Tibi ꝑcipim⁹, q̄ oīa terr' et cēta de quibus idem I. fuit seiscus in dom̄ suo vt de feodo in balliua tua die quo obiit, sine dilatione cap̄ in manū nostrā, et ea saluo custodiri facias, donec aliud inde ꝑciperimus: Et per sacram̄. ꝑborum & legalium homin' de eadem balliua tua, per quos rei veritas melius sciri poterit diligenter inquiras, quantum terrarum & tenementorum pred' I. tenuit de nobis in capite, tam in dominico q̄ in seruitio, in die balliua tua die quo obiit, & quantū de alijs, & ꝑ quod seruitium, & quantū terr' & tenementa illa valeant per annum in omnibus exitibus, & quo die idem I. obiit, & quis ꝑpinquior hæres eius sit, & cuius ætatis. Et Inquisitionē inde distinctē & apertē fac̄ nobis in Cancell' nostrā sub sigillo tuo, & sigillis eorum, per quos facta fuerit, sine dilatione mittas &c. Et hoc breue. Teste &c.

But if one that holdeth of the Kings ward by Knights seruice die, the Diē clausit &c. must be thus:

Rex dilecto &c. Quia I. de S. qui de hered' W. de O. defuncti, qui de nobis tenuit in capite, infra ætatem, & in custodia nostra existent tenuit per seruiç' Militā Diem clausit extremum, vt accepimus, Tibi ꝑcipim⁹ q̄ omnia terr' et tenement' &c. per sacram̄ &c. quant' terrarū et tenementorum idem I. tenuit de hæred' predict'. Et quis ꝑpinquior hæres eius sit &c. vt supra.

And if the Kings Ward, Thus:

Rex &c. Quia R. de H. filius & hæres I. de H. defuncti, qui de nobis tenuit in Capite, nuper dum infra ætatem & in custodia nostra fuit, Diem clausit extremum, vt accepimus, Tibi ꝑccepimus, quod per sa-

cramen-

Diem clausit extremum.

cramentū &c. inquiras, quæ terf & quæ teñta, p mortem p̄d' I. H. ratione minoris ætatis herē pred' I. ad manus n̄ras deuenē, & sic in manus nostrē existunt, et quant inde de nobis tenetur in capite, & quant de alijs, et per q̄ seruitium, et quant &c.

But if the wife of the Kings tenant which holdeth the dower, die, his heire being the Kings marā, then the Diem clausit extremū must be made thus:

Rex dilecto sibi N. de B. Maiori Ciuitatis suæ London, et Eschaetof suo in eadem Ciuitate salutem Quia E. quæ fuit vxor I. de B. nuper defunctæ, quæ qualdam terras et quædam tenementa de nobis tenuit in dotem de hereditate pred' I. quondam viri sui, Diem clausit extremum, vt accepimus. Tibi p̄cipimus, quod omnia terras & tenementa, quæ eadem E. sic tenuit in dorē de hæreditate pred' in balliua tua &c. per Sacramentū &c. diligenter inquiras, quas terras et quæ tenementa ead' E. sic tenuit in dotem de hereditatē pred' in balliua tua, dic quo obijē, & quant inde de nobis tenetur in Capite, & quant de alijs, & p̄ quod seruitium &c.

If the King haue the Wardship of a reuerſion, and the tenant for life die, then thus:

Quia A. qualdā terras & qualdā tenementū de hered' E. consanguinei et hæred' H. de P. defuncti, qui de rege tenuit in Capite, infra ætatē et in eustod' reg. existēn tenuit ad terminū vitæ suæ, Diē clausit extremū &c. tibi p̄cipimus &c.

After the death of the tenant by the Curtesie, thus:

Quia A. qui qualdā terras & qualdā teñta de nobis tenuit p̄ legē Angl' de hæred' M. vxoris suæ dudum defunctæ, Diem clausit extremū, tibi p̄cipimus &c.

But if the King haue a remainder, and his tenant for life die, then must the writ be thus:

Quia A. quæ fuit vxor &c. qui qualdam terras & quædam tenementa tenuit ad vitam suam et quæ post mortem ipsius A. nobis & hered' nostrē remanē debent, Diem clausit extremum &c. Tibi p̄cipimus &c. qui eadem sic tenuit et quæ post mortē &c. remanere debent &c. vel sic, post mortē pred' B. ad manus nostras ratione minoris ætatis pref. hæred' deuenē &c.

But if the temporalities of a Bish. bee in the K. hands, and one that holdeth of the Bishopricke by Knights service die, the Diem clausit extremū must be thus:

Rex &c. Quia A. qui de Archiepisē Cantuar vacante & in manu n̄ra existēn tenuit per seruic' militare, Diem clausit extremū &c. tibi p̄cipim' &c. de quib' idem A. fuit seiscitus in dom' suo vt de feod' &c. & tenuit de Archiopiscopatu pred' sine dilatione &c.

But

But if the Kings Ideote die, the writ must be such :

Quia B. de C. nuper fatuus et Ideota, cuius terræ et tenementa ratione facultatis eiusdem B. in manu nostra existunt, diem &c. ut accepimus, tibi precipimus, quod per sacramentum &c. diligenter inquiras, quæ terræ & quæ cuncta ratione facultatis predicti B. in manum nostram capta fuerunt, et adhuc in manu nostra existunt, et de quo vel de quibus teneantur, & per quod servitium, & quantum terrarum illarum valeant &c. et quis propinquus &c. & inquit. &c.

Datur nobis intelligi.

And if the Escheator receiue a Diem clausit extremum, and die, or hee Sect. 178
 otherwise remoued from his office before execution thereof then
 issueth a writ of Datur nobis intelligi, in this forme :

Rex &c. Cum nuper datur nobis intelligi quod I. de I. qui de nobis tenuit
 in capite, diem clausit extremum, preceperimus dilectis nobis W. de O. nuper
 Eschaetori nostro in comitatu predicto, quod omnia terras & tenementa &c. ut supra
 mutatis mutandis. Ac idem W. ab officio predicto iam sic amotus, per quod executio
 breuis nostri predicti fieri non potest : Nos super premissis volentes Certiorari,
 Tibi precipimus, quod per sacramentum &c. diligenter super premissis facias inquisitum, &
 eam distincte &c. Teste &c.

Or thus.

Rex dilectis &c. Cum nuper datur nobis intelligi, quod I. de B. qui de
 nobis tenuit in capite, diem clausit extremum, preceperimus dilectis et fideli
 nostro H. de B. nuper Eschaetori nostro in eodem comitatu, quod omnes terras &c.
 sine dilacione caperet in manum nostram &c. donec aliud inde precepissemus,
 et per sacramentum &c. inquireret, quæ terrarum &c. ut in primo breui. Ac idem
 H. ante quod predictum breue fuerat executum, ab officio predicto fuerat amotus : Nos
 volentes super premissis plenius Certiorari, tibi precipimus, quod super
 articulis predictis et eorum singulis diligenter facias inquisitum, et eam distincte
 et apperite factum &c. ut supra &c.

But if the first Escheator execute the writ, and die before the inquisition
 be returned into the Chancery, then a Certior shall be awarded to
 his executors, or administrators to certifie y^e same inquisition, for it is
 a matter of Record so soone as the Iurores haue found and sealed it.

Of a Mandamus.

If the Kings tenant by knights service die, his heire within age, and Sect. 179
 no writ of Diem clausit extremum be awarded within a yeare after his
 death, then shall issue a Mandamus in this forme.

Rex

288 Commissionis. Quæplura.

Rex dilecto sibi W. de B. Eschaetori suo in com̄ B. salutem. Præcipim⁹ tibi, q̄ p̄ sacram̄a p̄bor̄ & legalium homin̄ de balliua tua, p̄ quos &c. diligēt̄ inquiras, quas terr̄ & tēta I. de B. tenuit de nobis in capite, tam in dñico quam in seruitio in balliua tua die quo obiit, et quantum de alijs, et per q̄ seruitium, & quantum terr̄ & tēta illa valeant p̄ annū in omnibus exitibus, & quo tempore idem I. obiit, et quis p̄p̄inquitior &c. et cuius ætatis, & quis vel qui terras et tēta illa à tempore mortis p̄d̄ occupauit vel occup̄, et exitus et p̄fic̄ inde p̄cepit vel p̄ceper̄, quo titulo & qualif̄, et quo modo &c. Et inquisit̄ &c.

Sec̄t. 180. **T**he heire thal haue but one writ of Diem clausit extrem̄ only with in a yere after his ancestozs death: But whers the ancestoz died ward to the King and within age, for then a new Diem clausit extrem̄ shall be atwarded a yere after the Infants death, and not a Mandamus per Regist. fol.

Of Commissions after the death of the Kings tenant.

Sec̄t. 181. **A**lso the heire of the kings tenant by knights seruice in chiefe, may sue forth a speciall commission, directed to certain persons, to enquire what lands &c. (as abous in a Diē clausit extrem̄) which commission will be as beneficiall for the heire, as a Diem clausit extrem̄: For vpon Inquisition taken by such a Commission, retoznable into the Chancerie, he may haue liuerie at his full age. But he shall neuer haue liuerie vpon a generall Commission to enquire of all Wards &c.

Quæplura.

Sec̄t. 182. **T**his writ lieth when any of the heires lands be omitted in a former office or inquisition, to find the land so omitted, and is such.
Rex Eschaetori suo &c. salutē. Quia datum est nobis intelligi q̄ A. defuncti qui de nobis tenuit in capite, tenuit die quo obiit plura terr̄ et tēta in com̄ p̄d̄, quā tu in inquisitione inde post mortē p̄d̄ A. de mandat̄ nostr̄ cap̄t̄, et in Cancell' nostr̄ retornata specific'. Tibi p̄cipimus, q̄ p̄ sacram̄a p̄bor̄ &c. inquiras quæplura terras et tēta idē A. tenuit in com̄ p̄d̄, die quo obiit, et de quo, vel de quib⁹ illa plura terr̄ et tēta teneantur, et p̄ q̄ seruitium, et quant̄ valeant per an̄ in omnibus exitibus. Et inquisit̄ &c.

Melius inquirendum.

Sec̄t. 183. **T**his writ lieth where an office found by vertue of a Diem clausit extremum or Commission is vncertaine in the tenure, value, or tenants

tenants estate of the lands, or otherwise. But if such uncertaine office be found befoze the Escheator racione officij onely, then it is void, and no Melius inquirendum shall thereupon be awarded. And the Melius Inquirendum is such.

Rex Eschaetori suo &c. Salutem. Cum p quandam inquisitionē corā A. Eschaetore nostro in Com̄ p̄d de mandato nostro captam, & in Cancellariā nra returnat̄ sit cōpertum, q̄ N. defunctus tenuit diuersa terras & tenēta cum p̄tīn in comit̄ p̄d, & quis propinquior hæres eiusd' N. sit ex parte patris sui, iuratores inquisitionē p̄d' ignorant: tamen ex parte R. matris p̄d' N. filiz W. B. est eius heres p̄p̄nquior, & ætatis viginti & vnus annorum & amplius. Et quia in inquisitione p̄d' quis p̄p̄nquior heres ipsius N. existat minime specificatur tibi p̄cipim' q̄ per Sacram' &c. inquiras quis propinquior hæres p̄d' N. existat, qualiter et quo modo. Et inquisitionem &c. T. &c.

And this Writ is grantable vpon surmise made in the Court, that such former office is so incertaine, as is aforesaid.

Another Melius inquirendum post inquisitionem imperfectam.

Rex Eschaetori suo &c. Cum per inquisitionem coram te de mandato nostr̄ &c. cōpertum sit, q̄ A. tenuit die quo obiit vnum messuag' in N. in com̄ p̄d' de B. per seruitiū militare, quodq; idem A. tenuit die quo obiit vnum tostum cum p̄tīn in N. in Com̄ p̄d' de hære de F. L. p̄ seruitiū militare, et quia in inquisitione p̄d' qualem statū & quale ius idem A. habuit in messuagio & tosto p̄d', seu de quo vel de quibus eadē messuag' & tostum teneantur minime specificatur: nos volentes inde p̄ te plenius Cerciorari, tibi p̄cipimus &c. inquiras, qualem statum, & quale ius idem A. habuit in messuag' & tosto p̄d' die quo obiit, & de quo vel de quibus messuag' & tostū p̄d' teneant, & per q̄ seruitium, qualiter & quo modo. Et inquisitionem &c. T. &c.

A Writ de Etate probanda.

It behooueth the heire of the Du. tenant in chiefe being in ward, at his full age, and befoze livery, to haue a Writ to the Escheator of the countie where he was bozne, to pzone his age. And it s̄meth that such a writ may as well be made to the Escheator of the county where his land lieth, soz it may be hee was bozne where the Kings writ runneth not: as in Ireland, Callice, Warwicke &c. Sect. 184.

Rex dilecto sibi I. de B. Escheat suo in Comit̄ B. salutem. Quia A. de B. qui M. sororem, & vnam hæz R. defuncti, qui de domino Edw. nuper Rege Angliæ auo nostro tenuit in capite duxit in vxorem, dicis prefat' M. plenæ ætat' esse, & petit à nobis terras & tenementa, quæ sunt de hæ-

rediate

Actate probanda.

reditate ipsius M. & quorum vna pars in manu nostra, & alia pars in custodia I. de H. ex commissione dicti aui nostri vsq; ad legitimam ætatem heredẽ eiusdem existunt sibi reddend; per quod volumus, q; eadem M. quæ apud G. in com. M. nata est, & in Eccles. eiusdem ville, baptizatã fuit, vt dicitur, ætatem suam probet coram te. Tibi præcipimus q; ad certum diem & locum, quos ad hoc prouideris, probationem illam per sacramentum tam militũ q; proborũ & legalium hominum de balliua tua, per quos probatio illa capi, & veritas ætatis p̄d. melius sciri poterit & inquiri, capias, & som. fac. p̄f. I. quod tunc sit tibi ad ostendend; si quid pro se habeat, vel dicere sciat quare p̄d. H. & p̄d. M. vt illi qui plene ætatis est, si plene ætatis sit, terras et tenta p̄d. reddere non debeamus, & probatã illam sic captam nobis sub sigillo tuo, & sigillis eor. per quos capta fuerit, sine dilata. mittas, & hoc breue. Teste &c.

Another forme of the writ De Actate probanda.

Rex &c. Quia M. de F. fil. & hæres I. defuncti, qui de nobis tenuit in capite, dicit se plene ætatis esse, & petit à nobis terr. & tenta quæ sunt de heredẽ sua & in custodia nostra, vsq; ad legitimam ætatem heredẽ p̄d. sibi reddi; p; q; volumus quod &c. vsq; ibi melius sciri poterit & inquiri, capias, & tunc sic. Et probatã illam &c. *vs supra.*

But if the King commit the Wardship, the Actate probanda must mention the same.

And if the Wardship by reason of the temporalities of a Bishoprick be in the Kings hands, the writ de Actate probanda must mention the same: And yet that is no court in capite.

Commission pro ætate probanda.

Rex dilectis &c. Sciatis q; assignauimus vos ad inquirend; per sacramentum tam Militum quam aliorum proborũ & legalium hominum de vicinẽ de N. in com. L. si I. fil. & hæres B. apud N. natus, & in Ecclesia eiusdẽ ville baptizatus fuit, & quod ratione minoris ætatis suæ in custodia nostra existit, plene ætatis sit, vt dicit, necne. Et ideo vobis mandamus, quod ad certos diem & locum, quos ad hoc prouideris, inquisitã illam faciatis, & illam distincte et aperte factam nobis in cancellariã &c. sine dilatione mittatis, & hoc breue. Mandauimus enim Vicec. nostr. Lincoln. quod ad diem et locum, quos ei scire faciet venire faciat, &c. In cuius rei testimonium &c.

And vpon this Commission a writ shall be sent to the Sherife to returne a panell before the Commissioners at a certaine day before them limited vnto him by their W.cept. Thus:

A venire facias to the Sherife upon the same Commission.

Rex Vicee &c. Præcipimus tibi, quod summon per bonos summonit xij. tam Milites, quam alios probos & legales homines de visinet de N. quod sint coram dilectis & fidelibus A. B. & C. & hijs quos sibi associauerimus, ad certos diem & locum, quos iidem A. B. & C. tibi scire facient, paratis sacrament' recognoscere, si F. fili' & hæres Ci. apud N. natus, & in Ecclesia eiusdem villæ baptiz. fuit, qui ratione minoris ætatis suæ in custodia nostra existit, plene ætatis sit, vt dicirneque, & interim ad præd' ecclesiam & villam accedant, vt veritatem ætatis præd' diligenter inquirent & nomina eorum imbreuari faciant. Et sci. fa. E. & S. custodibus terræ præd' hæc, q' tunc sint ibi ad audiend' illam recogn', & ad ostend' si quid obstac' debeat, quare præd' I. terras & ten'ta sua habere non debeat, & habeas ibi nomina illorum duodecim & hoc breue, Teste &c.

Whereby appeareth that the committee of the King shal be warned to be there. But if the King haue the Ward in his owne hands; then this clause Et sci' facias E. & S. custod' &c. shall be omitted in the writ.

Of Homage done or respited.

When a writ de Actate probanda is executed and returned, and that the heire hath proued his age, then he must doe homage or agree with the King to respite the same; and pay reliefe befoze liuerie sued: and a writ testifying homage to be done, when the heire is at full age at the death of his ancestors.

Rex Eschaetor' &c. Sciatis q' cepimus homag' L. de H. filij & hæc B. de H. defuncti, de omnibus terris et tenementis quæ idem B. pater suus tenuit de nobis in capite die quo obiit, et ei terras & tenementa illa reddidin': Et ideo tibi præcipim', quod accepta securitat' à præfat' I. de rationabili relieuo suo nobis soluend', ad Scaccarium n'rum, eidem I. de omnibus terr' et tenementis præd', & de quibus præd' B. pater suus fuit seisiens in dominico suo vt de feodo in balliua tua, die quo obiit, queque occasione mortis eiusd' B. capti sunt in manū n'ram, plenā seisinā habere facias: Saluo iure cuiuslibet, & salua Matildæ quæ fuit vxor B. rationab' dote sua, ipsam de terr' et ten' præd', secund' legem et consuetud' reg' n'ri Angl' contingent', ei per nos assignand'. Teste meipso, &c.

But if the heire were in ward, and hath proued his age, the writ of the homage receiued, must be thus.

Rex &c. Quia N. de E. Fil' & hæres R. de C. defuncti, qui de domino Edwardo nuper reg' Angl' auo nostro tenuit in capite, etatem suam corā

Diem clausit &c.

te sufficienter probavit, sicut per probationem de mandato nostrⁱ captam, & in Cancellar^{is} nostram retornat, est compertum, ceperimus homagium ipsius N. de omnibus terris & tenementis quæ idem R. pater suus tenuit de dicto^o auro nostro in capite, die quo obiit, & ei terras & tenementa illa reddidimus. Ideo tibi precipimus, quod eidem N. de omnibus terris & tenementis prædictis de quibus prædictus R. pater suus fuit seisinus in dominico suo ut de feodo in balliva tua die quo obiit, & per mortem eiusdem R. in manum dicti aui nostri capta fuerit, & in manu nostrⁱ sic capta existunt, plenam seisinam habere facias, salvo iure cuiuslibet, Teste &c.

Diem clausit extremum post mortem felonis.

When the King hath the lands of the wife, by reason that her husband was outlawed for felonie, then after the husbands death the Diem clausit extremum is such.

Quia A. cuius terræ & tenementa quæ ipse tenuit de iure & hæreditate N. nuper uxoris sue, adhuc supersitit, ad manus domini E. nuper Regis Anglⁱ 4. post conquestum, occasione cuiusdam vitagariæ in ipsum A. per quadam feloniam, unde indictatus fuit, ut dicitur, promulgat^{us}, devenit, in manu domini H. &c. patris nostri extiterunt, & sic in manu nostra existunt, diem clausit extremum &c. Tibi præcipimus, quod per sacramentum &c. inquiras quæ tenentur, ratione feloniam prædictam, ad manus ipsorum nuper Reg^{is} devenit, & ad tunc in manu nostra sic existunt, & de quo vel de quibus teneantur, & per quod servitium, & qualiter, & quo modo, & quantum terræ & tenementa illa valeant per annum in omnibus exitibus iuxta verum valorem eorundem, & quis vel qui terras & tenementa illa à tempore perpetrations feloniam prædictam occupavit, vel occupaverunt, & exitus & proficua inde percepit vel perceperunt, quo titulo, qualiter, & quo modo, & inquisit &c.

Nihil simul & natum & perfectum.

WPL: WEST.

An



An Addition of some English Pleadings
to be practised, and in vse for causes determinable
in the K. Maiesties most honourable Court
of E X C H E Q U E R.

An Information against Intruders into the Kings lands, unlawfully.

To the right Honourable Sir J. C. Knight, Chauncellor of his Maiesties
Court of Exchequer, Sir L. T. Knight, Lord chiefe Baron of the
same Court, and to the residue of the Barons there.

Sheweth and informeth your Lordships Sir J. B. Knight, Sect. 1
Attornie generall of our Soueraigne Lord King James,
That whereas his Maiestie is seised in fee in right of his
Highnesse Crowne of England, of and in five acres of
land, arable and pasture, now in the tenure of D. C. And of and in two
acres of land arable and pasture, in the tenure of T. B. And of and in
two acres of pasture land, lying in Popes Street in the tenure of C. A.
abutting vpon the lands of our soueraigne Lord the Kings Maiestie,
on the North: All which were late the lands and possessions of one D.
B. deceased. And also of and in a messuage or tenement, with thappur-
tenances, and a parcell of land, meadow or pasture, lying at Popes
Street aforesaid, in the parish of Eltham, in the tenure of the aforesaid
C. A. which said premises last recited, were sometimes the lands and
possessions of one J. C. late of Eltham deceased: And one messuage
with the appurtenances, lying in the towne of Eltham aforesaid, in the
tenure of W. S. sometimes the lands and possessions of J. B. also de-
ceased. All which aforesaid premises with their appurtenances, are
scituate within the countie of Kent. And of and in a parcell of ground
containing two acres or thereabouts, lying in Lambeth in the County
of Surrey, vpon which ground a great Barne called the Tyth Barne
of Lambeth Wandeth, which said pasture ground extendeth from a
great gate scituate in Lambeth Parish, lying in the North-east end &
so towards the South, and to the common Sewer next adioyning to
the Orchard of the Lord Archbishop of Canterbury his grace, in the
tenure of C. W. Wintner, or his assignes. Neuerthelesse the said C. A.
W. S. & C. W. without title respectiue, haue unlawfully intruded,
entred

Pleadings in the

entred into and vpon the foresaid messuages, and other the premises, that is to say, the said E. K. hath entred into the lands and tenements aforesaid, being in her owne tenure, and in the tenures of the said H. C. J. C. and T. B. in Eltham aforesaid, and the said W. S. and C. W. hath entred into the landes and tenements in their owne severall tenures aforesaid, and the issues and profites thereof yearely comming and renewing, from the first day of Aprill in the said first yeare of the said Kings Maiestie that now is, vntill the day of the date of exhibiting of this Information, haue and doe receiue and take to their owne proper vses and behoues, or to the vse or behoues of some or one of them, and yet doth, without any thing paying yearely to his Maiestie for the same, to the disherison of his Maiestie in the premises: wherefore his Maiesties said Attorney generall prayeth the consideration of this Court in the premises, and that the said Elizabeth K. William S. and C. W. may answer the premises, and to shew by what right or title they hold the same, and for that purpose to award his Maiesties gracious Writ of Subpoena vnto them, and either of them for to be directed, commaunding them and either of them to be and to appeare before your Lo. in his Ma. high Court of Exchequer Chamber, then and there for to answer & be ordred in the premises, &c.

An Information against disturbers, wasters, and spoilers of the Kings game, within one of his Maiesties Parkes.

Sec. 2.

Sheweth and informeth your honors Sir H. V. Knight and Baro^r Suet his highnesse Attorney generall, That whereas his Maiestie is lawfully seised in his demesne as of fee, in the right of his Crowne of England, of, and in one Parke called Houghton Parke, and the Lodge there, within the countie of Bedford, as parcell & member of his highnesse hono^r of Amptill in the said countie of Bedford: and that his said Maiestie, and all his progenito^rs Kings and Quens of this his realm of England, and their assignes, haue continually held and enioyed the same Parke and game of Fallow Dære, and the game of Conies, and all woods, vnderwoods, profites, and commodities whatsoeuer, comming or arising of or in the said Parke and Lodge, without any disturbance title or claime made, or pretended thereunto by any person, vntill about some foure moneths last past one G. C. gent. and C. his wife, C. C. gentleman, C. C. gentlemā, T. T. T. H. J. D. W. S. T. P. H. C. and diuers others yet vnknowne, to the number of twentie persons, haue confederated and combyned themselues together, to make spoile and hauocke of his highnesse said game of Dære and Conies there being within the said Parke, and to waik, cut, digge vp, spoile, and carrie away his Maiesties trees, woods, and vnderwoods, growing and being within the said Parke, without any right or title, and haue sold, taken, and

and carried away the Hay which was provided for the maintenance of the Dære this Winter season, to the great losse and prejudice of his Maiestie, and to the utter destruction and spoile of his highnesse said game of Dære and Conies, woods, underwoods, mounds, and fences of the said Parke, if present remouue may not be had of the said disordered and unruly persons, and euerie of them, And for that many of the said spoiles are done secretly and in the night season, so that there can be no direct proofe to proue the same, and so the same cannot be discovered, vnllesse by their oathes they shall declare the truth. May it therfore please your good honoys to grant his Maiestie most gracious writ of Subpoen, to be directed vnto them and euerie of them, therby conunanding them and euerie of them, at some day, vnder some paine therein to be limited, personally to appeare before your honoys in his Maiesties said Court of Exchequer chamber, then and there to answer the premisses, and to set downe vpon their oathes what estate they or any of them claime in the same Parke and Lodge, and by what colour of title they haue intruded into the same, and what Conies they or any of them haue killed in the same Parke within foure moneths now last past, and by what warrant, and by whose meanes, perswasion & procurement, and what trees, woods, or vnderwoods they or any of them haue felled, lopped, cut or carried away in the said Parke within the time aforesaid, & by what warrant, title, or colour of title, and what Hay provided for the Dære there, they or any of them haue sold or carried away. And withall to graunt his Ma. most gracious writ of Iniunction, thereby comanding them & euery of the, not only to forbear all further outrages, hauocks, & spoiles in y^e said Parke, but withall to leaue the quiet possession vnto such as it shall please his Ma. to appoint keepers and ouersers of y^e said park, & further to stand to such order concerning y^e premisses as to your honoys vpon the hearing of the cause shall seeme meete.

A Bill exhibited by a Collector, against two persons that confederated to defraude the Plaintife &c.

To the right hon. T. Earle of Suffolke, Lord high Treasurer &c.

Humbly compl. sheweth vnto your good Lo. your daily oratoys G. Sect. 3.
 H. of Cavilton in the countie of Suff. gent. collector of y^e rents of our soueraign Lo. the R. Ma belonging to the late dissolved Monastery of Northam Saint Faithes in the county of Suffolke, and G. S. his sonne, one of the Clerkes of W. H. Esquire, one of the Auditoys of his Maiesties Exchequer, That wheras one R. H. late of Balgrau in the countie of Suff. publique Notary deceased, did in his life time vsually lend and let out money at interest, and did oftentimes take bonds & assurances for his mony to & in the names of other men, whose

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names he vsed sometimes without their priuittie or knowledg, and sometimes with their priuittie or knowledg. But yet neuerthelesse although the bonds and assurances were taken to and in their names, yet their names were vsed in trust by the said R. H. and the bonds aforesaid, and the debts therein coneyned were the debts of the said R. H. in equitie, and to him due and belonging: And whereas the said G. S. and C. S. did bozrow of the said R. H. the summe of foure scoze pounds, and for the payment thereof your Oratoz entered into seuerall bonds to one A. S. seruant of the said R. H. and the bonds aforesaid remained in the custodie or command of the said R. H. and your Oratoz paid to the said R. all the said summe of fourescoze pounds, except xx. li. tyerof, and the said R. deliuered vp to your Oratoz all the said bonds, except one to be cancelled and made voyde, and your Oratoz G. being colin to the said R. H. he the said R. did often tell your said Oratoz that he meant to make your Oratoz one of his executoz, and that hee meant to bestow much vpon your Oratoz, by reason whereof your Oratoz did not pay the said twentie pounds, nor the said R. H. neuer demaunded the same, he pzeposing, as your Oratoz verily thinke, to bestow the said twentie pounds, and much moze, vpon your said Oratoz. And the said R. H. made diuers Wills, in which Wills he gaue your Oratoz, and eyther of them diuers legacies, and thereof made your Oratoz G. his executoz, and about May, one thousand five hundred and thirtene the said R. H. died. But now so it is, may it please your good Lordships, That one W. B. of Wingfeld in the countie of Suff. hauing gotten into his handes or custodie the said Wills and bonds, and other goods and chattels of the said H. hee the said W. B. pretendeth, and giueth out in speeches that the said R. H. befoze his death made a later will, and that he made him the said B. his executoz, and that the said B. began the same will, and that that he the said B. did finish the same, whereas in truth the said pretended will was not finished in the life time of the said R. H. but if euer the same was finished and ended, it was done after the death of the said R. H. And hee the said R. H. appointed diuers legacies to be giuen to your Oratoz, which are wholly omitted out of the said last pretended will. But the said W. B. giueth out in speeches, that the said R. H. appointed him by word to deliuer by the said Bond to your Oratoz to be cancelled and made voyde. And the said W. B. and A. S. although they know all the pzemisses to be true, and they both well know that the said twentie pounds was in equitie due to the said R. and was his proper debt, and not a debt due to the said A. And that the said R. H. did so accompt the same, and did make a note in writing, in which all or the most of his

his debts were contained, and in the note aforesaid, the said debt of your said Orator is contained: and although the said R. H. gave the said A. lands worth thirtie pounds by the yeare, and a legacie of one hundred pounds, yet he did not giue him the said debt due by your said Orator, nor did purpose that he should haue the same. And the said W. B. and A. S. although they know all the premises to be true, yet neuertheless, they the said W. B. and A. S. by combination and confederacie betwene them, doe practise and goe about, not onely to defraud your Orator G. of his Executorship, and both your Orators of all the legacies and things to your Orators appointed to bee giuen and deliuered, as aforesaid, but also to charge your Orators with the said debt of twenty pounds, and with the penalty of the bond aforesaid: And to that purpose, by, and vpon the combination aforesaid, they the said W. B. and A. S. threaten to commence and prosecute suit against your Orators, vpon the bond aforesaid and to recouer the penaltie thereof against your Orators, contrarie to all right and equitie. And he the said W. B. hath wholly omitted out of the said pretended Will and Testament by him finished as aforesaid, all the legacies and things aforesaid, appointed by the said R. H. to be giuen and deliuered to your Orators: And hauing bene by your said Orators oftentimes required to deliuer him the Wills, wherein your Orator G. was named executor: And also let your Orators know what legacies and things the said R. did appoint to be put into his said Will for your said Orators, and what things he appointed the said W. B. or any other, to giue or deliuer to your said Orators, Yet so to doe, he the said W. B. hath denyed and refused, and doth deny and refuse: And although your Orators haue oftentimes desired the said W. B. and A. S. to deliuer by the bond aforesaid, to your said Orators to bee cancelled and made void, yet so to doe, they the said W. B. and A. S. and either of them, haue denied and refused, and yet doe deny and refuse, contrarie to all right, equitie and good conscience. In tender consideration whereof, and soz as much as your Orators haue no sufficient matter at the Common Law to plead in barre of any action, to be commenced or prosecuted at the Common law, vpon the said obligation, but are altogether remediless herein by the strict course of the Common Law: and sozasmuch as your Orators cannot certainly know, what legacies and things were giuen to your said Orators by the said R. H. nor what things he appointed his said executor to giue or deliuer to your said Orators, but hopeth that the said W. B. will declare the trueth thereof vpon his othe. May it therefore please your good Lo. the premises considered to grant to your Orators the Kings Maiesties most gracious writ of Subpoena, to be directed to the said W. B. and A. S. commanding

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manding them and euey of them thereby at a certaine day and vnder a certaine paine therein to be limitedt personally to be and appeare befoze your Lo. in his Maiesties high Court of Erchequer Chamber, then and there to answer the premisies, And to stand to and abide such further order and direction therein, as to your Lo. shall seme to stand with equity and good conscience, And your oratozs shall daily pray &c.

*A Bill preferred by the Kings Patentee, beeing tenant for life of cer-
of certaine Offices and Fees against two persons that would
frustrate the Kings Letters Patents thereof made, to
the preiudice of the Kings title, &c.*

To the right Hon. Sir I. C. Knight, &c.

Sect. 4

Complaining, sheweth vnto your honoꝝ your daily oratoꝝ **A.**
L. Esquire, one of the Gentl. of his Ma. priuy chamber, and **J. W.**
of Gent. That whereas his Ma. that now is, and others his highnes
predecessoꝝ, kings & quēees of this his Ma. realme of England haue
bin seised to them, their heires and successoꝝ, as of fee and right as in
the right of his Ma. crown of Eng. of, in, and vpon the office of his ma.
cattle of **S.** within the county of **P.** and also of, in, & vpon the office and
offices of the porter and keeper of the gate of the said cattle, and of, in,
and vpon the offices of keeper of his ma. garden and orchard belonging
to the said cattle, and of, in, and vpon the office and offices of Bailiffe of
S. in **G.** within the said county, and of, in, and vpon the office and offi-
ces of clerke of his Ma. seueral courts of **S.** and **S.** aforesaid, and of, in,
& vpon y^e seueral fees, wages & allowances to the said offices respectue-
ly seuerally belonging, & of, in, and vpon a certain parcel of ground in **S.**
aforesaid, called the **C. G.** & of, in & vpon a certain parcel of land lately
inclosed within the walles of the said Cattle, all which said premisies
were sometimes parcell of the possessions of his Maiesties Dutchy of
Porke. And his said Maiestie being seised of the said Offices, and of,
in, and vpon all and singuler the premisies, as aforesaid, by his high-
Letters Patents, bearing date at Westminster the eight day of No-
uember, which was in the eleuenth yeare of his said highnes reigne,
amongst other things for the consideration therein mentioned, of his
especiall grace, certaine knowledge, and meere good will, for his said
Highnesse his heires and successoꝝ, did giue and graunt vnto your
said Oratoꝝ the said Office of Constable of his Maiesties said Cattle
of Sheriffhutton, and also the said Office and offices of Porter and
keeper of the gate of the said Cattle. And also the said office and offices
of keeper of his Maiesties Garden and Orchard belonging to the said
Cattle. And also the said office & offices of Bailiffe of Sinton in Gal-
tres

tres aforesaid: And also the said Office and Offices of Clerke of his Maiesties seuerall Courts of Sheriffebutton and Sutton aforesaid. And also the seuerall fees, wages, and allowances to the said Offices seuerally and respectiuey belonging together with the said two seuerall parcels of land, with all and singular their appurtenances. And also by the said letters patētts, hath made, constituted & appointed your said orators Constable of his Ma. said castle of S. and also porter and keeper of the gate of the said castle, and also keeper of his V. said garden and orchard, and also Bailiffe of S. in B. aforesaid, and Clerke of his Ma. seuerall courts of S. and S. aforesaid, to do, perfoyme, fulfill, and execute all & euery thing and things touching & concerning the said seuerall offices or any of them. To haue, inioy, exercise & occupy the said offices and either of them with their appurtenances, and all & singular other the recited premises to your said orators, & either of them aswel by him or theselues, as his or their sufficient deputy or deputies, during the liues naturall of them your said orators and either of them. And moreover his said V. of his more ample grace & certain knowledg, and of his more good will hath giuen & granted for himselfe his heires and successors to your said orators & either of the for the said offices, exercising & occupying certain wages & fees by the yere, yerely to be receiued & taken forth of the issues, rents, farms, reuenues & profits of his Ma. said Lo. of S. aforesaid from time to time com̄ing, increasing or arising by the hands of his said Ma. generall receiuer of the county of B. aforesaid for ȳ time being, at the feast of S. M. the Arch. & the Annunciation of our blessed virgin M. to be paid during the liues natural of your said orators & the longer liue of them together w̄ all other the wages fees, allowances, liveryes, diets, profits, commodities, aduātages, authorities, liberties, places & preheminences whatsoeuer to the said seuerall offices of right due accustomed, belonging, or appertaining, or heretofore perceiued or had by any person or persons whatsoever by reason of the or any of the. And further his said Ma. by his highnes said letters did for himselfe his heires & success, giue & graunt to your said orators & their assignes & either of the all & singular the amerciaimts, fines, perquisites profits & estreats of the courts of viewes of Frankpledge, together w̄ all & singular cattels, waiues, estrays, felons & fugitiues goods arising, chancing or hapning within ȳ manor or lo. of S. aforesaid. By vertue wherof your said orators entered into ȳ said offices & other ȳ premises and were thereof seised in their demesne as of freehold, viz. of the said lands and grounds in their demesne as of freehold, and of the said seuerall offices respectiuey as of freeholde right, and had and exercised the said seuerall offices by themselves or their sufficient deputie or deputies. But now so it is if it please your good honors, ȳ one Sir J. W.

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of Sutton aforesaid, knight, W. B. of A. within the Countie aforesaid
Esquire, T. W. of Sherriffhutton aforesaid, Gent. J. of A. aforesaid
yeoman, and of Sutton aforesaid, yeoman, vpon purpose
as it seemeth not only to scullstrate the said Letters patents, but also
to preiudice and ouerthrow his Maiestie in his said inheritance, haue
of late, viz. vpon the sixe and twentieth, seven and twentieth, eight and
twentieth, nine and twentieth, and thirtieth dayes of Aprill now last
past, and vpon the first day of this instant moneth of May entred in-
to, vled, and exercised the said Offices of Constable of his Maiesties
said Castle, and the said office of Porter or keeper of the said gate, and
the said office of Bailiffe of Sutton aforesaid, and the said Office and
offices of Clerke of his Maiesties said seuerall Courts, and had, recei-
ued and taken the seuerall fees, wages, and allowances thereunto se-
uerally and respectuely belonging as aforesaid. And they or some of
them haue seised vpon or gotten into their or some of their hands, cu-
stody, or possession, the Court Rolls, Court bookes, and other the Re-
cords and copies of the Rolls of the said Court and courts, purposing
to suppress and conceale them from your saide Oratozs, by reason
whereof his said Maiestie is greatly indaungered to bee disinherited,
and your said Oratozs Letters patents annihilated: and the saide Sir
J. W. Knight, W. B. Esquire, T. W. J. and being not heere,
with contented to vse and exercise the said seuerall fees and allowan-
ces thereunto belonging and appertaining, and will by no meanes
permit or suffer your said Oratozs, or either of them, their, or either
of their sufficient Deputie or Deputies, to haue, vse, and enioy the
said seuerall Offices, or any of them, according to the purport, true
meaning, and intent of the saide Letters Patents, but giue soozth in
speeches, that your Oratozs, or either of them haue not any right
in, or to the saide seuerall Offices, or any of them, but that they or
some of them haue good right and title therein, and that they or some
of them will vse and exercise the saide Offices, and take the seuerall
fees and allowances therewith accustomed. In tender considera-
tion whereof, the premisses considered, May it therefore please
your good honours, to graunt vnto your said Oratoz, his Maiesties
most gracious Writ of Subpœna, to bee directed to the said Sir J.
W. Knight, W. B. Esquire, T. W. J. and , and euerie
of them, commanding them and euery of them thereby at a certaine
day, and vnder a certaine therein to bee limited, to be and personally
appeare before your good honours in his highnesse Court of Erchequer
Chamber, then and there to answer the premisses.

An Answer to a Bill of Complaint, that the Defendant doth not wrongfully keepe the Plaintife out of possession, reciting the customes of Copiholders belonging to a manor within the Countie of the Citie of Gloucester.

Al advantage of exception to the vncertainty and insufficiencie of Sect. 5. the said Bill of complaint to this defendant being now and at all times hereafter saued, the this said def. for answer vnto such and so many of the matters in the said Bill conteyned, as doe or may concerne this def. to be by her answered vnto, saith that she thinketh it to be true that the lands and tenements in the bill mencioned now in the tenure or occupation of this def. are and by all the time whercof the memozy of man is not to the contrary, haue been copihold lands, parcell of the manors of Upton, S. Leonards in the countie of the citie of Glouc. and demised and demisable by copie of Court Roll of the said manor, according to the custome of the same manor, and that by and according to the custome of the said manor by all the time aforesaid used and approved within the same manor, the wife of euerie copiholder dying seised of any copihold landes or tenements parcell of the said manor hath had and enioyed, and ought to haue and enioy the same lands and tenements whercof her husband died seised, for and during her widowhood, and that by the same custome when any lands or tenements parcell of the said manors haue ben graunted by copie of Court roll of the said manor to diuers persons, the person first named in the said copie hath had and ought to haue and enioy the same during his life. And this def. further saith, that she doth thinke it to be true that C. Lord Chandos deceased was in his life time lawfully possessed of y^e said manor of W. Saint L. for diuers yeares then to come and vnerpired, And that he the said Lo: C. so being possessed thereof, in or about the second yeare of the raigne of our late soueraign Lady Qu. Eliz. at a court holden at and for the said manor by his then Steward of the said manor, did by copie of court roll of the said manor graunt the p^remisses to W. deceased this defendants late husband, and J. W. his sonne for their lines successiuelly at the will of the Lord according to the custome of the said manor, and that the said W. was then admitted tenant of the p^remisses accordingly, and that by vertue thereof the said W. W. was seised of the p^remisses in his demesne as of freehold, for the terme of his life at the will of the Lord, according to the custome of the said manor, And that the said Will. W. so being thereof seised about fouretene yeares last past, did marrie and take to wife this defendant, And afterwards about five yeares last past the said William died.

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died so seised of the premises by and after whose decease this defendant into the premises entered, and held her selfe, and yet doeth hold her selfe in the same; according to the custome of the said mannoz, and hath taken, and doth take the issues and profits of the premises, as lawfull it was and is for her to doe as shee taketh it, without that that (to this defendants knowledge) the premises or any part thereof are, or is, or ever were or was parcell of the mannoz of Barton Abbots in the bill mencioned, or that this Defendant doeth vniuersally holde or keepe the possession of any landes, or tenements from the Complainant, as in and by the said bill is supposed. And this defendant denieth that shee hath, or ever had any Charter, Deed, Lease, evidence, booke, account, Court roll, Rentall ferret or miniment touching the said mannoz of Barton Abbots, or any part thereof.

An Answer of three Defendants supposed by the Plaintifes Bill to haue no lawfull title to the lands mentioned in the Bill; which Answer was taken by Commissioners and returned.

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The said Defendants sauing to themselves now and at all times hereafter all benefit and aduantage of exception to the incertaintie and insufficiency of the compl. said bill of complaint for answer thereunto they ioynntly and severally answer and say, That before the making of the supposed lease in the bill mencioned, our late soueraigne Lady of famous memozy D. Elizab. was in her life time seised in her highnes demesne, as offce in the right of her late highnesse crowne of England, of and vpon al that her highnes part of 2. parts in five parts diuided of the herbage & pannage of the parks and premises in the bill mencioned. And being therof so seised before the time in the bill mencioned, did by her late highnes letters patents vnder y^e great S. of Engdemise the same vnto these def. by the name or names of all y^e her late highnes part of 2. parts in 5. parts diuided of the herbage and pannage of al these 3. parks at L. in the With. of D. called the east park, the middle park, and the west park. And also all y^e part of 2. parts of 5. parts diuided of one close called hozeclose, alias the Crowes in y^e said county of D. And also all that part of 2. parts in 5. parts diuided of one grange or farme called the high wood of L. in the said With. of D. All which premises with their & euery of their appurtenances then or lately before were in the tenure or occupation of A. D. Gent. or his assignes, & parcel of the possessions of C. late earle of W. attainted of high treason. And al houses, edifices, buildings, barns, stables, douecots, yards, orchards, gardens, lands, medows, seedings, pastures, comons, & al other profits, comodities, aduantages, & euoluntis whatsoeuer to the said before demised premises, or to any part or parcell thereof in any wise belonging

or appertaining, or to the same or any part or parcel thereof (vnder y^e seue-
 ueral rents by y^e said letters patents reserved) had, known, accepted, used
 occupied & enjoyed, with all & singular thappurtenances whatsoeuer (ex-
 cepting alwaies & reseruing to her late H. her heires & succ. al timber trees
 woods, vnderwoods, mines, & quarries in the said premises. To haue and
 to hold to the said M. D. thone of these def. and her assignes from the ma-
 king of the said letters patents for the terme of her life, & after the death
 surrender, or so^r. of the said M. D. then the said premises to remain to the
 said A. D. another of these def. & to his assignes for terme of his life. And
 after the death, surrender, or so^r. of both the said M. D. & A. D. then the
 said premises (except before excepted) wholly to remain to the said K. D.
 and her assignes for the term of her natural life. Yielding therfore yere-
 ly to her late highnesse, her heires & successors for the said part of the said
 thre parks, called the east parke, middle parke, and west park with the
 appurtenances 4. li. s. 3. d. ob. and for the said part of the said close cal-
 led the hozseclose, alias the Broues with the appurtenances 3. s. 4. d. And
 for the part of the said Grange or Farme called the high wood of L. with
 thappurtenances 22. s. of lawfull English money at the Feastes of the
 blessed virgin Mary, and S. Mich. the archangel by euen and equal por-
 cions yereley during the seuerall termes aforesaid, to her late highnesse
 her heires and successors receiuer of the exchequer, or to the hands of the
 Bailiffe or receiuer of the premises for the time being, and after the de-
 cease of the said M. A. and K. dying tenants in possession of the said pre-
 mises, then yielding and paying to her late highnesse, her heires and suc-
 cessors 3. li. of lawfull money of England in the name of a harriot of them
 which shal so die, as by the said letters patents to which reference be had
 it doth & may more plainly and at large appere. And these def. further
 say that by vertue of the same letters patents, the said M. thone of these
 def. together with her said husband entred to the said premises demised,
 and she and her husband whilest he liued, and her selfe euer since enjoyed
 the same, and payed the said rent reserved by the said Letters patents to
 her late Pa. use, and to the Kings most excellent Pa. that now is since
 her late highnesse death. Wherefore these defendants humbly pray the
 Order of this honorable Court, for the quiet possession of the saide pre-
 mises, against the complainant, hauing heretofore so many wayes ver-
 ed this defendant M. and the said A. D. her late husband deceased about
 the same without any iust cause or colour of right, as she verily thin-
 keth, but of purpose as they these defendants verily thinke to wearie
 them with continuall suites, the complainant being a man of great
 might and riches, and these defendants of farre meaner abilitie. And
 these defendants further say, that there haue bene seuerall suits in this
 honorable court, stirred up by the complainant or by his means as they
 thinke.

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thinke touching the title of the saide lease, and the same could neuer bee impeached. For which cause these def. humbly pray the consideration of this honorable Court for their quiet possession of the said premises, and to be dismissed out of this honorable Court with their costes and charges, herein wrongfully had and sustained, without that the said late D. of famous memory Queene Elizabeth euer made any lease to the complainant of the said premises, in the Bill which is good in Law, as these defendants verily thinke and are perswaded. ¶ That the complainant is by force thereof seised and interested in the same or ought to haue and enioy the possession of the said premises, as in the bill is alleadged. ¶ That these def. haue no right to the said premises, as in the bill is alleadged. ¶ That the complainant hath hitherto well and truely paid the said yearely rent reserued by his pretended graunt for the said premises to these defendants knowledg. ¶ That the same is any thing material to these def. ¶ That any other matter, article, or thing in the said Bill of complaint contained materiall or effectuall in the Law to bee answered vnto, and herein not sufficiently answered vnto, confessed and auoided, or otherwise traucted or denied is or bene true. All which matters these Defendants are and will bee willing and readie to auerre and pꝛooue as this honorable Court shall award, and humbly pray as befoze they haue prayed.

An Answer of an Vnder Sheriffe to a Bill exhibited against him and others for corruption and deceitfull dealing in his Office.

Se&. 7

All aduantages of exception to the incertaintie and insufficiency of the said bill of complaint, and to the person of the said A. J. the Pl. a man notoziously knowen for his turbulent spirit, who by the space of many yeares hath pestered and vexed many persons with many vniust suits and troubles, and who by his owne shewing in his said bill was a competitor and confederate with the said W. A. and B. to couer the corruption which he laieth to the charge of the said A. and to defraud the R. Ma. of the said 20. li. mentioned in the said bill, if his highnesse had any right thereunto as the said compl. in his said bill pretendeth hee had, but rather to defraud the said Bish. of W. wherein the pl. hauing a purpose by obtaining of the said A. acquitance out of the hands of the said B. & C. to take vp & get into his own hands & possession s^{ts} y^e said A. the foresaid 20. li. mentioned in the same acquitance. It is very like he meant therupō to couert it to his own vse making little care of his said band, so he might haue gottē y^e said 20. li. into his possessiō, & now he lieth in prison by pꝛoces awarded against him vpō his said band, for y^e he hath neither paid y^e said

nintē

nine pound, nor restozed the said acquittance, as this defendant is credibly informed. He this defendant, for answere to so much of the said Bill as concerneth this defendant saith, That true it is that this defendant was underheriffe to the said Sir J. P. in the fift yeare of the Kings Maiesties raigne, and did execute the same office vnder the said Sir J. P. during his said office of high Sherife. But this defendant saith, that such procelle as issued out of this Court, and the Pipe office, vnder the titles and names of Greeneware, Summons of the pipe, et de firmis, et de debitis reculanciam, and estreats and gathering by for leuying of fines, forfeitures, issues, amerciaments, debts, and such like leuiable by such Chequer proces, as aforesaid within the said County of Somersset, directed to the said late Sheriffe, were by him or by his appointment, deliuered ouer to the said W. L. a man of good credite and well acquainted in those seruices, vnto whom the said Sir J. P. had giuen warrant for the due executing of the same proceses and estreats: the same L. hauing giuen good securitie by bond to the said Sir J. P. for the due collecting and leuying of all the particular summes giuen in charge vpon the said proces and estreats, which should be leuied by him. As also for the making and passing of a true and perfect account in this honozable court, concerning the same. And that which concerned other matters and proces out of this honozable Court, directed to the said late Sheriffe, which came to the handes of this defendant, he this defendant did execute and returne the same to the good satisfacion of the said Court, and of the officers and ministers thereof, whom or whose offices the same concerned. And this Defendant confesseth, that this defendant and the said L. at the day pretiured as ministers of the said Sheriffe, for him and in his behalfe, were swozne in this honozable Court, to make vnto his Maiestie a true and iust account of the issues of the said Sheriffewick of the said Sir J. P. which this defendant did accordingly, for all such receipts & matters of account answerable in this honozable court, as passed through his hands or dealings. But for the matters concerning the said Recognizances, and other debts and matters of that name and qualitie, committed to the said W. L. the same W. L. vpon his said oath did yeeld account for those, in such sort as in the recozd of the said account appeareth: which account, for any thing this defendant knoweth to the contrary, was and is true and iust. And if it were not, yet is not this defendant to be troubled or called into question for the same, for he vtterly denieth that he was or is guilty of any purpose of concealement of the said twenty pounds, or of the nichilling of any of the said summes mentioned in the said Bill of Coplaint, or of any of the confederacies, abbetments, concealements, cotemptts, stauds, deceits or

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corruptions, wherewith he is charged in the said bill of complaint, as in the same bill is surmised. And as to the setting ouer of the said summes of twenty pounds vnto the said R. C. Bayliffe of the said Bi. Hoppe of Bath and Welles, this Defendant thereunto saith, that the same was not done by him, nor by any meanes of his, but he saith, that the same was done vpon true, iust, and lawfull cause, and that the same belonged to the said Bishop. And without that, that any other matter or thing materiall or effectuall for this Defendant to answer vnto, and not herein confessed or auoided, or not denied, is true. All which this defendant is ready to auerre and pꝛooue, and prayeth to be dismissed with his costs.

An Answer to a Bill wherein the Plaintiffe suggesteth that the Defendant oweth seruice to the Plaintiffs Mill.

The Answer of T. B. one of the Defendants, to the Bill of complaint of W. B. and S. B. Complainants.

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The said Defendant, all aduantage of exception to the incertaintie and insufficiencie of the said Bill of complaint to this defendant, now and at all times hereafter saued for answer thereunto saith, that true it is, that the Kings Maiestie was seised in this demesne, as of fee, of, and in one water Cozne mill in Kirkoswold aforesaid, and likewise of and in the manor of Kirkoswold, with a Court Baron of common right belonging to the same, to be holden from thre weekes to thre weekes befoze the Steward there: at which Court so to be holden, it hath ben vsed and accustomed, time wherof the memorie of man is not to the contrary, that the homage of the said Court did make, constitute, and ordaine Bylawes and Ordinances for the common good of the tenants and inhabitants of the said Manor. And the Kings Maiestie so being seised, by his highnesse letters patents, bearing date at Westminster the five and twentieth day of June, in the eight yeare of his Maiesties raigne of England, did demise and grant the said Manor and Court Baron, with other the appurtenances (only excepted and forpysid the Parke and Mill of Kirkoswold aforesaid) vnto J. C. and W. W. of London Esquires for threescore yeares immediatly from the date of the said Letters Patents, yeelding and paying therefoze yeerely, during the said terme, the rent of nine pounds, two shillings eight pence. By force of which Letters Patents, the said J. C. and W. W. of the the said Manor and premises, were possessed for the terme aforesaid. And so being possessed did by their deed indented, bearing date the seauen and twentieth of June, in
the

the eight yeare of his Maiesties raigne, grant and assigne vnto this defendand, the said Letters Patens, and all their interest and terme of yeares which they then had in the said manoz and primisses. By foze of which grant and assignement, this defendand entred into the said Hanoz, and now is possessed thereof, for the feime afozesaid, and doth dauy pay to the Kings maiestie, the said yearely rent of nine pounds, two shillings, eight pence, reserued vpon the said Lease. And this defendand further saith, that the Kings maiestie that now is, beeing likewise seised in his demeane, as of fee, of, and in, one fulling Mylne within the said Hanoz of Kirkoswold, did grant the same by his Letters Patents, vnto C. F. and J. P. and their heires, rendering yearely five shillings eight pence vnto the Kings Maiestie, and his successozs. By foze whereof, they the said C. F. and J. P. were of the said mylne seised in fee, and so beeing seised by their Indenture dated the seuen and twentieth of May, in the tenth yeare of his highnesse raigne, and inrolled in his highnesse Court of Chauncery, did bargaine and sell the said mylne vnto this defendand and his heires. By foze whereof, this defendand entred into the said mylne, and is thereof now seised in his demesne, as of fee, and for diuerse years last past, this defendand hath duly paid to the Kings Maiestie, the said rent of fee ffarme of five shillings eight pence for the said Mylne. And yet this defendand in all that time hath receiued no profit or commoditie there by the same, be ruinous and greatly in decay. And likewise diuerse other mylnes of the like nature hauing been newly builded, and erected neere vnto the same, so that very little worke or sacken come or will come to the said mylne. And whereas the Complainants in their said Bill of complaint doe alleage, that this Defendand and others in the bill named, doe intende and goe about to erect and builde another mylne in Kirkoswold, in the preiudice of the Complainants mylne: This Defendand aunswereth and saith, that true it is, that he doth intend and purpose (as he hopeth hee lawfully may) to redifie and build a new the said decayed fulling mylne. And likewise he must confesse, that he hath giuen forth some speeches, that towards the charge thereof, hee would adioyne and aaner a priuate Cozne mylne thereunto for the grinding of his owne Cozne. But this Defendand saith, that as yet hee hath not framed or layde any foundation thereof, which wordes were occasioned and spoken by reason that this Defendand, hauing formerly for the most part vsed to send all his Cozne and graine to the Complainants Mylne, the same hath bene very euill vsed in grinding, and excessive mulcture taken thereof. And though this defend. hath many times in frendly maner complained therof to the now compl. or to one of them,

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yet the same hath bene no way amended or reformed, wherebyon this defendant now of late hath been forced for the grinding of his Cozne, to carry the same to a mylne two or thre miles distant from his place of dwelling, to the great trouble and inconuenience of this defendant. Wherefore these things duely considered of, and prooued to this honourable Court, this defendant hopeth that this Court will not prohibit or hinder this defendant, if hee be disposed or determined from annexing vnto the said Fulling Mylne a priuate Cozne Mylne, or for altering the same into a Cozne Mylne for the Defendants priuate vse, and grinding of his owne Cozne, the trade of fulling beeing much decayed, and the said Fulling Mylne beeing ruinated as aforesaid. And the rather, because this defendant beeing farmor of the said Manor vnto the Kings Maiestie for the terme aforesaid, is not bounde or tyed vnto the Complainants mylne. And likewise the tenants of the said Manor, are not bound, neither doe they owe of right any suite, seruice, muldure or soake vnto the Complainants Mylne, as this Defendant hopeth to prooue vnto this honorable Court, for the building whereof, this Defendant humbly referreth himselfe vnto the iudgement of this Court. And this Defendant saith further, that some Freeholders of the said Manor, since the compl. pretended purchase of the said milne, haue builded and erected a new mylne within the said manor, whereunto the complainants haue taken no exception, but doe allow and approue the same, as hee verily thinketh. And diuerse Freeholders and tenants of the said manor, doe grynde their cozne at the said new erected mylne: which maketh this defendant verily thinke, that the Bill of complaint now exhibited, is onely vpon malice, and for veration grounded (as this defendant is perswaded in his conscience) vpon an ancient spleene and grudge, that W. B. one of the Complainants hath a long time borne vnto this Defendant. And he is the rather induced so to thinke, because the said W. B. the Complainant, being a tenant of the said Manor, and inhabiting within the same, hath alwaies carried himselfe obstinately and frowardly vnto this defendant, beeing farmor of the said manor, and wil not appeare & doe his suite at the court holden for the said manor, although he and his ancestoys haue alwaies done suit to the said court, vntill now of late he will not answer thereat, neither will hee be subiect to the Bylawes and Ordnauces made by the homage of the said Court, according to the auncient vsage and custome thereof, nor pay any amerciaments assessed by the saide Court, contrarie to all right, and to the euill example of others without that the Kings Maiestie by his letters patents, did grant vnto the said C. F. and J. B. and to their heires, the said

said Cozne milne in Kirkoswold, oꝛ that the said Kings Maiestie did grant by his said Letters Patents, that he should not build, noꝛ suffer to be builded any other milne within such a distance of the soꝛsaide mylne, oꝛ that the said C. F. and J. D. did bargaine and sell the said mylne vnto the said Complainants, oꝛ either of them, in manner and foꝛme as in the said Bill is alleaged. And without that, that the suit, soake and mulcture of all the tenants and inhabitants of Kirkoswold afoꝛesaid, doe belong, oꝛ of right appertaine vnto the Compl. Mylne, as in the said bill of complaint is alleaged. And without that, that this defendand hauing a purpose and intent to defraude the complainants of the benefit of their mylne, and to depꝛiue them of the suite, soake, and mulcture to the same of right belonging hath framed any other mylne there, oꝛ laid the foundation therof, as in the Bill of complaint is vntꝛuly alleaged. And without that any other matter in the Bill alleaged, and herein not cōfessed auoided, trauersed, oꝛ denied, is true, that any other matters &c. All which matters &c.

An Answer to an Information pretending that the Defendants manor of B. is lyable for payment of a debt due to the King, with the Defendants allegations and matter of discharge, within the meaning of the Statute of 33. H. 8. cap. 39.

The severall and particular Answer of W. W. Esquire, to the information of the right honorable Sir Francis Bacon, Knight, his Maiesties Attorney generall.

The said defendand saith, that he is Terretenant and owꝛner of the manoz of Wꝛimpton in the said Information specified, but he is not seised, neither is tenant oꝛ owꝛner of any other the Parks, Manozs, lands, oꝛ tenements therein mentioned. And as foꝛ the said Manoz of Wꝛimpton, this defendand saith, that vnder the fauour of this honourable Court, the same is not lyable oꝛ subiect either in law oꝛ equitie to the said debt of two thousand poundes, supposed by the said information to be due to his Maiestie: as boꝛrowed of the late Queene Elizabeth by the Earle of Essex, foꝛ this defendand saith, that it is true that the said Earle of Essex was neuer seised of the said manoz of Wꝛimpton, and so consequently by the lawes and statutes of this Realme, cannot be lyable to the debts of the said Earle. And this defendand saith, that the true end and purpose, wherfoꝛe the said Manoz among other things was passed by the late Queene to the saide T. C. R. W. and other the Patentees in the bill named, and not to the said Earle himselfe, was that the same should not be entangled

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with any of the debts or other incumbrances of the said Earle, but that Purchasors might the more freely and safely deale with the said Patentees for the same. And the freedom and cleerenesse of the estate of the said Patentees, was the onely encouragement which drew the Purchasors on to buy the said landes conveyed unto them. The said Purchasors knowing, or at the leastwise assuring themselves, that the said Earles owne lands, whereof hee stood then seised, were sufficient to pay his owne debts: and that therefore, neither his Maiestie, nor the late Queene, had any need to relieue themselves for the said debt in point of equitie. But for the better satisfaction of this honorable Court, this Defendant saith, that by meane conveyances the said manor of Wympston was assured from the said Patentees to one T. J. Citizen and marchant Taylor of London, and to his heires; and that this defendant, for the consideration of one thousand pounds, or thereabouts of lawfull money of England, purchased the said manor of Wympston of the said T. J. anno tricesimo septimo reginae Elizabethae, having now about twentie or one and twenty yeares past, and this Defendant doth hold the same of his Maiestie in fee farme by the yeerely rent of nineteene pounds, five shillings, and three pence, and the same hath duely paid ever since the said purchase. And this Defendant further saith, that he doth not thinke, that the said debt of two thousand pounds is due to his Maiestie: for albeit by the Record in the said Bill mentioned it may appeare, that the same was borrowed of the late Queene, yet this Defendant is induced to believe, that the same was repaid againe, or imployed in the late Queens service, or pardoned by her Maiestie. And this Defendant is the rather of that opinion, because it appeareth among the Records of this honourable Court of Exchequer, that in December Anno one thousand six hundred and tenne, it pleased his Maiestie to pay to the right honourable the Earle of Essex that now is, the summe of three thousand pounds in consideration of some summes of money due to the Earle of Essex his late father, disbursed for the late Queenes service, which had been against reason and equitie for the said Earle to have demanded, or received, if his father had been truly indebted to his Maiestie in the said summe of two thousand pounds. And this defendant verily thinketh, that it cannot be a good auerment against the said Record, to suggest that the said debt of two thousand pounds was then unknowne, and so much the lesse may any such suggestion be made, because shortly after, there was a Bill of complaint exhibited in this honourable Court against the now Earle of Essex, and against Sir G. C. Knight: purposely to charge diuers manors of the said Earle of Essex that now is, lying and being in diuers Counties, and

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A Demurrer and answer by the Defendant, with the causes of such Demurrer in Law, that the Plaintiff by his Bill hath not enabled himselfe to sue in this Court.

Sec. 10.

The said Defendant saith that the said Bill of complaint is very insufficient in the Law to be answered unto, and such as this defendant for diuerse insufficiencies therein appearing, is not bounds by the Lawes of this his Highnesse Realme of England to make any answer unto: And therefore this defendant with the fauour of this honourable Court doth demurre and abide in law vpon the insufficiencie of the said Bill of complaint. And doth demand iudgement, if he this defendant shall be compelled to make any answer thereunto: And for causes of Demurrer, this defendant saith, that the said complainant hath not by his said bill of complaint enabled himselfe to sue in this honourable Court, For the said complainant onely saith by his said bill of complaint, that he is fee farmor of the hospitall of Bontham in the said bill of complaint intioned: And sheweth not vnder what fee farme rent he holdeth the same, neither that he is any waies indebted to his Maiestie for any arrearages of the said rent, nor disabled to pay the same rent. And it appeareth of the said complainants owne shewing, that by this suit the Kings maiestie shall receiue neither benefit nor prejudice, neither doth this suit any waies concerne either the said Hospital of Bontham, or the Kings Maiestie. And whereas the said complainant supposeth by his said bill of complaint, that he did discover a title for his Maiestie to diuers lands, tenements and hereditaments in the counties of Kent and Essex to a great value, and that he did become a sutor to his Maiestie for a recompence for the same. This defendant thereunto saith, that the same is a generall allegation without any certaintie of the names, places, quantities, qualities, or values of the said lands, which allegations, if the same were true, yet it was but the dutie of the said complainant to discover the same. And that it was merely his Maiesties grace and fauour to giue the said complainant recompence for the same, which the said complainant ought to take out of fauour, and not by any suit in Law or equitie in this honourable Court, or elsewhere. And whereas also the said complainant, in, and by his said bill of complaint setteth forth an agreement pretended to be made betwaine him and the said complainant, and Sir T. W. knight, in the said bill named, and this defendant: And that the said Sir T. W. and this defend. by the said agreement should haue paid to the said complainant three hundred pounds for his charges and paines out of the first monies that should be receiued or had by
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force of any composition, recoverie, or sale of any the lands in the said Bill of Complaint mentioned. This defendant thereunto saith, that the said complainant sheweth not that there was any money received, leuied or had by force of any such composition, recoverie or sale of any such lands as the said complainant ought to haue done, if he should haue or demand the same. And whereas the said complainant in and by his Bill of complaint likewise setteth forth, that the said Sir T. W. and this defendant agreed to procure or cause to be conueied from his Maiestie vnto the said complainant, or to such person or persons as he should appoint, certaine parcells of land in the said Bill mentioned, without shewing any manner of auaille or consideration to come to them the said Sir T. W. or this defendant or either of them for procuring the same, neither doth the said complainant shew any maner of equity to charge them or either of them, to procure the said conueiance. And whereas also the said complainant by his said Bill of Complaint setteth forth the said agreement to be made betwē him the said complainant and the said Sir T. W. and this defendant ioyntly, this defendant saith, that the said complainant hath not made the said Sir T. W. any partie to this suit as he ought to haue done. And where the said complainant alleadgeth by his said Bill of Complaint, that he resorted to this defendant to haue had the articles in the Bill mentioned, sealed by him this defendant, and that he was directed by this defendant to leaue the same with this defendants seruant. This defendant saith, that said complainant doth not shew with which of this defendants seruants he was directed to leaue the same, nor that he did leaue them with him this defendant or with any of his this defendants seruants. And where also the said complainant by his said Bill of Complaint hath laid a confederacie to the charge of this defendant and his seruant, for the keeping of the same articles from the said complainant. This defendant thereunto saith, that the said complainant by his said Bill doth not shew that the same were deliuered to this defendant or to any his seruant or seruants, as he the said complainant ought to haue done. For all which causes the defendant doth demur and abide in Law vpon the insufficiencie of the said Bill of Complaint, and doth humbly demand the iudgement of this H. Court, if he this def. shall be compelled to make any answer to the said insufficient Bill, neuertheless if this def. shall be compelled to make any answer to the said insufficient Bill thou and not otherwise, all aduantages of exception to all and euery the said vncertainties and insufficiencies, and to all other the vncertainties and insufficiencies of the said Bill to this def. now and at all times hereafter saued, this def. for answer thereunto saith, and doth vtterly deny that there were euer to this def. knowledge any

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articles sealed by the said Sir T. W. to the said complainant, as in and by the said Bill of complaint is vntreuly set forth and alleadged. And this def. denieth also that there were any such articles deliuered vnto this def. or vnto any of his this def. seruants to his this def. knowledge without that, that the said complainant to this def. knowledge hauing discovered any such title for his Maiestie as in the said Bill of Complaint is mencioned did thereupon cause an informacion of intrusion to be exhibited into this ho. Court, or that the said complainant at his charge in or about the time in the said Bill mentioned, obtained a verdict for his Maiestie in this court to this def. knowledge) as by the said Bill of Complaint is alleadged. And without that, that the said complainant to this def. knowledge, did resolue to vse any meanes to acquaint his Maiestie with any such discoverie, & to become an humble suter to his Maiestie for the hauing of any such Letters Patents as in and by the said Bill of complaint is surmised, or that the said complainant to that end or purpose did acquaint this def. or the said Sir T. W. therewith (to this def. knowledge) or that the said Sir T. W. and this def. by the complainants meanes did vndertake the said suit as by the said Bill of Complaint is vntreuly set forth, or that thereupon the said Sir T. W. and this def. and the said complainant did come to any such agreement as by the said Bill is alleadged, or that the said Sir T. W. and this def. or either of them did agree, procure, or cause to be conueied from his maiestie to the said complainant or to any other person or persons whatloeuere, any such lands as in the said Bill of complaint is surmised, or that the said articles were sealed by the said Sir T. W. or that the complainant did seale the counter part therof to the said Sir T. W. to this def. knowledge, as by the said Bill of Complaint is likewise alleadged, or that the said Sir T. W. and this def. haue procured any Letters Patents of the premises to be granted from his Maiestie to C. and D. in the said Bill named, and their heires, vpon any such trust as by the said Bill of Complaint is alleadged. For this def. saith, that his Maiestie was gratioously pleased to signifie his pleasure for the preparing of the grant to C. and D. long before this def. had any knowledge or acquaintance with the said complainant. And without that, that this def. and his seruant by confederacie or otherwise, doe keepe the same articles from the said comp. as by the said Bill is pretended. And without that, that any other matter, or thing in the said Bill of comp. contained, material or effectuell in the law to be answered vnto, & herein not sufficiently answered vnto, confessed & auoided, trauersed or denyed, is true, al which matters this def. is ready to auer, maintain & proue as this ho. court shall award. And humbly praieeth to be dismissed forth of the same, with his costs & charges in this behalfe most wrongfully sustained.

*A demurrer and answer to a Bill wherein the defendants being Fermors
of the Aulnage and Subsidie for Clothes are charged
with vniust exactions by fees taken
of Clothiers.*

THe said defendants by protestation say, That the said Bill of Sect. 11
Complaint exhibited against these defendants by the said severall
complainants, and not onely in their owne names and on their owne be-
halfe, but also in the names and behalves of manie others, so2 severall
supposed wrongs done severally vnto them is not allowable either by
the course of this honozable Court, o2 of any other Court of Law o2
Equitie, as these defendants by their counsell are infozmed, but each
severall partie groeued ought severally to seeke his remedie and may
not ioyne in one ioynt Bill of Complaint, as the said complainants
haue now done: so2 which cause these defendants vnder the fauoz of
this honozable Court doe demur in Law, and humbly pray the iudge-
ment of this honozable Court: Neuerthelesse if these defendants
shall be ordered to make any further answers vnto the said Bill, then
and not otherwise the benefit and aduantage of exception to the vn-
certainties, insufficiency, and all other the imperfections of the said
Bill, to these defendants now and at all times hereafter saued, so2 fur-
ther answer therunto they say, and each one of them so2 himselte saith,
And first the said R. J. T. W. K. B. T. P. and J. C. G. of the
said defendants so2 themselues severally say, and each one of them so2
himselte saith, That the right honozable L. Duke of Lenox, haueing a
grant from the Kings Maiestie as these defendants haue credibly
heard and doe belene of the subsidie and alnage and farme of the sub-
sidie and alnage of vendable and saleable Clothes, halfe Clothes, and
pæces of Clothes, Stuffles, Daperies, and other commodities what-
soeuer, called and knowne as well by the name of the olde as the new
Daperies, made, set, o2 offered to sale, o2 to be made, set, o2 offered to
sale, within this his Maiesties Kingdome of England, did heretofore
authorise o2 appoint vnder his Lordships severall Substituts o2 De-
puties within the Countis of Surrey, vnto which Substitutes o2 de-
puties, the said now complainants, o2 most of them, and some of the
defendants, named in this Bill, being also Clothiers, as namely the
said R. J. and T. W. did giue o2 pay iiij. s. vpon a pack of Kerseys, so2
alnage, subsidie, and other duties to be required by reason of the said
office, which deputies o2 some of them did notwithstanding see carrie
and demeane themselues, as that they gaue great trouble and discon-
tentment to the Clothiers in the Townes of Guildesford, Godalming,
and

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and Mouerth, and other Townes and places in the said Countie, or diuers of them, vpon which occasion to auoid the vexation of themselves and their neighbors, these sixe defendants last named (the said R. ff. being then Haioz of Baldeford) and the residue his Wetherne and Assistants (offer thereof hauing bene formerly made vnto them, by or from the said L. Duke of Lenor, these defendants last named did thereupon take in farme the said subsidie and alnage, within the said Countie of Surrey, and in all Cities, Bozoughes, Townes, Villages, Hamlets, and places whatsoeuer within the said Countie of Surrey, as well within Liberties as without, from the Feast of S. John the Baptist, in the tenth yere of his Maesties raigne, for the terme of two yeares from thence next ensuing, for and vnder the yerely rent or payment of C.li. by the yere, as by one Indenture of the demise and grant thereof, bearing date in or about the twentieth day of June, in the tenth yere aforesaid, made vnto these defendants last named, by the right honozable the said Duke of Lenor, whereunto these defendants refer themselves, it both and may appere. And these defendants last mentioned, further say that they did not intend, by or vpon the taking of the said grant or deputation, to exact or extort any taxes, rewards, or summes of money, not allowable or iustificable by the Lawes of this Realme, as by the said complainants is vniuersally surmised, nor to require or receiue by verture or color thereof, any other summes of money then such as the complainants themselves or most of them, voluntarily and without any contradiction (for any thing these defendants know to the contrarie) had formerly paid to other deputies or substitutes of the said Duke. But these defendants say, that vpon the taking of the said grant or deputation they did purpose and intend to require and take the summe of iij.s. vpon euerie pack of Kerseys containing twentie Clothes, these defendants knowing that so much was then vsually giuen and payd, they then belœuing that so much might lawfully be required and receiued, neither doe these defendants yet know the contrarie. And these defendants would not haue giuen and paid so great a yearely farme for the same, if they had suspected they might not haue iustificed the receiuing of 4.s. vpon a pack as aforesaid. And whereas the said complainants by their said Will doe suppose that themselves and all other the Clothiers, of, or in the said Townes of Godalming and Mouerth, haue time out of minde bled to pay to the Alnagers, onely ij.s. vi.d. vpon euerie pack of Kerseys, containing twentie Clothes and no more, to this suggestion these defendants say, that they doe not know or belœue that there is or hath bene any such custome in those Townes bled time out of minde of man as is suggested, for these defendants are well assured that all or the greatest number

ber of the now complainants themselves haue many times paid without contradiction the summe of iij. s. vpon a pack to former deputies as aforesaid, neither doe these defendants beleue that any such prescription can be made, seeing the making of saleable kerseys in those Townes, hath not had so long a continuance as can make a prescription, as these defendants verily beleue, but if the same had continued indeed time out of minde as is pretended, yet sithence the Kerseys formerly made, were some seuentene yards, and none aboue eightene yards, and the Kerseys now made are foure and twentie yards, and two and twenty yards in length, and few or none vnder twenty yards: and sithence the taxes and duties in this case to be receiued and paid, are allowed by Act of Parliament, these defendants say, as by their counsel they are informed, that there can be no good prescription made on this behalfe. And these defendants last named further say, that they having from the said Lord Duke the grant aforesaid, they afterwards and before the thirtieth day of June in the said Bill mentoned, did nominate and appoint the said R. L. & W. the two other defendants to be their deputies or seruants concerning the said farme, requiring them to deale iustly and honestly with all men in and about the same, & withal giuing them in charge for the ease of the Clothiers, to repaire to their owne severall dwelling houses & there to measure, search, and seale their Kerseys, which otherwise they neede not to haue done as they are informed, but might haue compelled them to bring their Kerseys to be measured, searched, and sealed, for which extraordinarie paines and trauels of the said L. and W. the other defendants haue giuen extraordinarie recompence to them the said L. and W. for all which causes the said other defendants did giue directions to the said L. & W. to require and receive the summe of iij. s. vpon euerie pack, as these defendants did then and yet doe conceine they might lawfully doe. Neuer thelesse if in the iudgement of this honozable Court it shall otherwise be resolved and determined, these defendants doe humbly submit themselves thereunto. But these defendants say further that they themselves haue not receiued within the time mentioned in the said Bill of the said complainants, or of any other Clothiers, such summes of money as are by the said Bill suggested, nor haue receiued any summes of money for subsidie, alnage, or any other thing concerning the said farme, office, or deputation, but only from the said L. and W. vpon generall payments vpon their accompt after sealing the said Kerseys. And the said R. L. and W. the two other defendants for themselves say, that from the thirtieth day of June, in the tenth yere of his Maiesties raigne, vntill the fourtenth day of Aprill now last past, as deputies or seruants vnto the said R. F. T. T. W. H. R. W.

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T. P. and **J. C.** haue exercised the said office of **Alneger**, in the said **Countie of Surrey**, and haue as they hope therein behaued themselues iustly and honestly, and they are well assured that they haue exacted or required no other or greater fees or summes of money during the said time of or from the said complainants or any of them, then what were formerly paid to others, and what these defendants then were informed and did beleue and yet doe beleue, were iustly due and payable, for which they haue already in part and are ready and willing for the residue to make their account ouer to those that imployed them. But forasmuch as these two defendants are by their counsel informed that if these defendants haue in truth required and receiued greater sums of money by color of the said deputation then by Law is iustificable, although the same be but ignorantly and not wilfully or corruptly done by them, yet they are in danger of diuers forfeitures vpon diuers penall Lawes, for this cause therefore these defendants vnder the fauor of this honorable Court, doe forebear to set downe what particular summes of money they haue receiued of any particular person, and for what cause, and thereupon doe humbly pray the iudgement of this honorable Court whether they shall be enforced to make any further answer in this case. Without that, that these defendants or any of them, of a couetous desire to enrich themselues, haue wrongfully and vniustly to their knowledge, exacted, taken, and receiued, from the complainants and rest of the **Clothiers of Godalminge and Wouerth** against their wills xvij. d. vpon euery pack of **Kerseys** ouer and aboue the ordinary, vsuall, and accustomed price which hath bene euer paid for the sealing thereof. Or that these defendants or any of them, denied the sealing of the said **Kerseys**, vpon payment of the subsidie and alnage due for the same. And without that, that there is or ought to be any such custome in the said **Townes of Godalming and Wouerth** for the payment of two shillings and six pence onely vpon a pack of **Kerseys**, as by the said **Bill** is surmised. And without that, that any other matter or thing in the said **Bill of Complaint** alleadged, and not herein sufficiently answered vnto, confessed, and aboyded, trauesed or denyed, is true, and therefore these defendants humbly pray to be dismissed out of this honorable Court, with their reasonable costs and expences in this behalfe wrongfully sustained.

A replication whereby the plaintife maintaineth his Bill exhibited against the defendants for diswading the tenants of the Manor of B. from paying their rents and seruices to the plaintife being Lord thereof.

The said complainant sauing to himselfe now and at all times hereafter, all and euerie the aduantages of exception, to the incertainties, imperfections, and insufficiencie of the ioynt and severall answers of the said defendants and either of them for replication saith, That the said Bill of Complaint by him the said complainant exhibited into this Court against the said defendants, and euerie clause, article, and thing therein conteyned, are true, in such maner and forme, as in and by the said Bill of Complaint, the same are truely set forth and declared. And the said complainant further replyeth and saith, That he doth and will auer and proue, that he the said complainant vnder such grant from the late Quæne Elizabeth, of the Manor of Bellasisse and Bempton, and other the lands in the said Bill of Complaint mentioned, as in the said complainants Bill is set forth, was and is possessed of the said Manor of Bellasisse and Bempton, and other the said lands in the said Bill of Complaint mentioned, for such terme and vnder such rent, as in the said Bill of Complaint is truely set forth and alleadged. And the said complainant further replyeth and saith, that he doth and will also auer and proue that the said Manor of Bempton is and hath been a verie ancient Manor, consisting of diuers freeholds and customarie lands, being parcell of the said Manor and to the said Manor belonging. And that by all the time whereof, the memoirie of man is not to the contrarie, the Lords and owners of the said Manor of Bempton for the time being, haue vsually had and kept Court Barons, and Court Leetes, within the said Manor of Bempton, of, and for the said Manor of Bempton. And that the freeholds and tenements of the said Manor of Bempton for the time being, haue alwaies without contradiction or deniall, from time to time appeared at the Court Barons, and Court Leetes of the said Manor, and haue there done and perfozmed their suites and seruices to the Lords of the said Manor for the time being, & that the freeholders haue likewise payed their free rents, and acknowledged themselves to be freeholders of the said Manor of Bempton, as by the Court Bookes, and Court Rolls of the said Manor of Bempton may appere. And the said complainant further replyeth and saith, That the said complainant reposing trust and confidence in the said defendant J. W. did vpon his the said J. W. request make and appoint him the said J. W. his

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his steward of, and for the said Banno of Wempton for the keeping of Court Leets, and Court Barons for the said complainant, in, and for the said Banno of Wempton. And that the said defendant A. hath kept diuers Courts, in, and for the said Banno of Wempton, without that, that the cause why the said defendant F. W. continued not to keepe Courts for the said complainant, in, and for the said Banno of Wempton was for that the said Complainant could not, or would not shew vnto him the said defendant F. W. any ancient Court Rolls, or other sufficient matter for the p^{ro}ofe of his said Banno of Wempton, and to p^{ro}ue that there were of right free Rents belonging to the same, and that there ought a Court Baron and a Court Leete to bee kept there, as the said defendant F. W. in, and by his said answer pretendeth. For thereto the said complainant replieth, and saith, That the said defendant F. W. was, or might haue bene fully satisfied touching those points by seuerall presentments made vnto him by the tenants and homagers of the said Banno of Wempton, at such times as he kept the Courts of the said Banno, for the said complainant who presented vpon their othes, That all the Freeholders of the said Banno of Wempton ought to pay their free rents (all which free rents were then by them particularly found and presented) and ought to doe their suit of Court and seruice to the said complainant, as Lord of the said Banno of Wempton, for the time being, as by the verdict and presentment of the said homage may appeare. And also the said complainant for the satisfaction of the said complainant F. W. touching that matter did at sundrie times shew forth vnto the said defendant F. W. diuerse ancient fines and recoveries, wherein the said Banno of W. was recorded by the name of the Banno of W. contrarie to that which in the said defendants answer is surmised: And the said complainant further replieth, and saith with this, that all the Freeholders of the Banno of W. haue time out minde paid their rents, and done their seruices and suit of Court vnto the said compl. euer since his, the said complainants estats therein, as in the said bill is alleaged: With this also that the said defendant F. W. did combine with the other def. K. K. to diswade the tenants of the said Banno of W. from paying their rents, and doing their seruices, vnto the said complainant: With this also that the tenants of the lands lately purchased by the said defendant K. K. haue alwaies paid their Rents to the said complainant and his ancestors, as to the said Banno of W. And that K. W. in the said complainants bill mentioned, father of the said defendant F. W. (being a freeholder of the said Banno of W.) hath alwaies paid, and still doth pay his chiefe rent vnto the said complainant, and did his suit of Court and seruice to the said complainant for his said freehold.

And

And the said Complainant further replieth, and saith, Without that that the messuages lands and rents, of free Tenants, amounting to thirtene shillings and foure pence, in Wempton in the said R. R. answers were mentioned (purchased by the defendant R. R. of C. P. in his the said defendant R. R. answers mentioned) were along since, or at the time of the purchase thereof from the said P. called the Manoz of Wempton, as in the answer of the said defendant R. R. is surmised: Further to, the said complainant replieth and saith, that neither by the Inquisition found after the death of the father of the said C. P. nor by any other Record, wherein the said Messuages and Lands (sometimes the said C. P. are mentioned or recited) are the same messuages and lands called or knowne by the name of a Manoz. And the saide complainant doth and will auerre and prooue, that the tenants of the said Messuages and lands late C. P. for the time being, haue paide their rents, and done their suits and seruices vnto the said complainant and his Ancestors, owners of the said Manoz of Wempton, for the time being, as tenants of the said Manoz of Wempton, both before the said defendant R. R. bought and purchased the same Messuages and lands from the said P. and sithence, contrarie to that which the said defendant R. R. in his said answer pretendeth: Without that, that the Bill in the said defendants answer, mentioned heretofore, exhibited into this Court against the tenants of the said C. P. by the said complainant, was for the same matters now complained of by the said complainants now Bill. And the said Complainant further replieth and saith, that the said defendants haue vnduly and indirectly diswaded all the Freeholders of Wempton aforesaid, to detain their rents, and to doe no suite or seruice vnto the said complainant as to the said Manoz of Wempton. And with this also that the said defendant R. R. (by the procurement of the said other defendant F. W.) hath unlawfully inclosed the Close in the complainants Bill mentioned and thereby hath debarred the inhabitants both of the high waies lying through the said Closes, and of their Common belonging vnto them, for all manner of Cattell, which time out minde they haue had therein. And without that any other matter, Clause Article, or thing in the said Defendants answer contained materiall or effectuall in the Lawe to be replied vnto, and herein not well and sufficiently replied vnto, confessed and auoided, or trauersed and denied is true, All which matters and things, &c.

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A Replication auerring that the Def. hath broken parcell of the Plaintiffs soile in his Manor of E. and forfeited his Copihold estate &c.

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The said Complainant for Replication, saith in all and euery matter and thing as he before in his said Bill of complaint hath said and doth, and will auerre, iustifie, maintaine and pꝛoue the same, and all, and euery matter and thing therein conteined, to be iust and true in such sort, manner, and forme as he hath therein set forth and declared. And for further replication to the said answer, this complainant doth say, that the said *W. L.* hath entred into the said parcell of land in the said bill mentioned, called Leakes Croft, and therē hath broken the soile in diuerse places and fruncke diuerse pitts and Shafts, and at the same hath digged great quantities of Coales, and hath solde the same to the inhabitants and tenants of the said Manor, and to other strangers to the great and manifest wrong and disinherison of his Majesty, and to the great losse of the said Lord *H.* which the said *L.* hath done of set purpose, that by the said pitts sunke in the said Croft called Leakes Croft, he may draine and conuey water from Coale mines, which he intendeth to sinke in parcell of his freehold inheritance adjoining to the said Croft, called Leakes Croft, which he cannot sinke in his owne land, without such meanes to conuey the water from them. And further this repliant saith, that thereby the said Leakes Croft is forfeited, although the same were before a copy of inheritance, as in the said answer, the defendant hath supposed it to be. And the said defendant doth in his answer, refuse to answer to such his said intent, which the complainant hopeth that this honourable Court will thereby take as confessed. And the said *W. L.* doth also by vniuſſe meanes draw from the Coale works of the said Lord *H.* diuerse workmen, labourers and chapmen which would there buy and pꝛouide Coales. By meanes whereof his Majesty's saide Coalemines are much decaied in value, and pꝛofit, and do daily decarie moze and moze. And other Copiholds tenants of the said Manor by the like example, will be inteboned to attempt the like waste and spoile: without that that the said complainant hath before this time commenced two severall suits against the said defendant for the same cause as he hath commenced this suite in such manner as in the said answer is alleaged: And without that, that the said *Lionella de Seceulle* was not seised of the said Manor of *Erkington*, or that she made any such grant, or that the same is any way material to the matters in question, if any such were. And without that, that there there is, or time out minde of man, there hath bene a speciall custome within the said Manor, that all the custome

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marie Tenants of the said Mannor may lawfully digge the Soile, and get the Coles within their copihold lands for their owne vse to spend in their owne houses, or to sell to others, so the Lords sale of his Coles gotten in the same Mannor bee no wayes thereby hindered. But the said complainant saith, that if any Copiholder of the said Mannor doth sinke any pits, or dig any coles in the said Copihold lands without the licence of the Lord of the manor, the same is a forfeiture of the said copihold estate. Without that that the compl. did every yeare sell all his Coles, which he got in the said Mannor since the said Pits sincke in the said Croft called Leakes Croft. And without that that the said def. hath given over his worke, as the said defend. in his said answer hath alledged. Without that that any other matter or thing inateriall or effectuall in the law to be replid vnto the said defendants answer alleaged and contained, and which in his Replication is not sufficiently confessed and avoided, denied or trauesed, is true to this complainants knowledge. All which the repliant is ready to auerre, maintaine, and proue, as this hon. Court shall award. And thereupon prayeth as befoze in his said bill of complaint he hath already praed.

A Reioynder, wherein the Defendants deny that they detained any Gleabe lands from the Parsoage of M. as the Plaintife in his Bill and Replication hath complained.

The said def. and every of them doe auerre, maintaine, and iustifie their said answers, and al and every matter and thing therein contained to be iust and true, certain and sufficient in the law to be replid vnto in such manner and forme as in their said answers the same are set downe and declared. And do further reioynde and say, What as well the said compl. said bil, as also the said replication, and the matters and allegations therein comprised, are altogether vnttrue, incertaine, & insufficient in the law to be reioyned vnto by these said def. neuerthelesse all advantages of exception to the incertainie and insufficiency of the said bill and replication vnto the said def. alwayes saued. These said def. for further reioynder vnto the said replication, do say in all things as in their said answer they haue said. And also say that they nor any of them doe knowe or ever heard that the tenants of M. or any of them did euer refuse to haue any their copihold graunts, or estates, made or granted at any courts kept byou or in the houses in question in respect the same were vnder part of the said manor of M. For these said def. doe say & auer, that the same houses in the said bill mentioned now in question, were alwaies reputed parcell of the said manor of M. and of the farine houses thereof for any thing these def. or any of them knowe or

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haue heard to the contrary, vnlesse it were by some idle reports & spee-
ches giuen out and diuulged by the comp. themselues, their seruants or
followers, or by such as were desirous to aduance the title of the said
comp. For these def. do further say, that true it is that they haue heard
that the said compl. or one of them haue a portion of tithe cozne with-
in the Lozdsch. or parish of D. in the said County of G. as belonging to
the Rectory of H. But these def. did neuer heare that the said compl. or
either of them, or any vnder who they claime euer had any parsonage,
houses, barnes, stables, or gleabe lands within the manor or Lo. of D.
And euen so these def. thinke it may be true, that the said compl. or one
of them haue the parsonage or tithe cozne in H. aforesaid. But these
def. do not know that the said compl. or either of them had or haue any
parsonage house, buildings, or chard, garden, or gleabe landes within
the manor or Lozdsch. of H. aforesaid, belonging vnto the parsonage of
H. aforesaid. And these def. further say, That they do not know what
exceptions haue bin contained in any Patent or graunt made vnto R.
S. Esquire in the said bill mentioned, nor are these defend. acquainted
what graunt was made vnto the said R. S. neither do these def. think
it greatly materiall what graunt, or exception was made vnto the said
R. S. of any parsonage house, or gleabe landes in H. in any Letters
patents, nor what exceptions. were contained in any other Letters
patents. For these def. dos say, that neither the said R. S. nor any o-
ther by or vnder him, did at any time occupy or inioy or take the issues
or profits of any parsonage house, barnes, stables, buildings, or glebe
lands in H. aforesaid, or paid any rent or se farme for the same. With
out that that these said def. for their parts doe keepe away any gleabe
lands from the said compl. vnder colour of exchanges, or holding of the
same intermingled with the lands of the said manor or otherwise, as
by the said replication is pretended. And without that, that these said
def. for their parts, haue by many or any deuises indeauoured to im-
paire the profits of the said parsonage, and retaine the said housing
and gleabe landes from the plaintife, as by the saide replication is
suggested. And without that, that any other matter, cause or thing in
the said replication contained materiall or effectuall in the law to bee
reioyned vnto, touching or concerning these said def. or any of them,
and herein befoze not reioyned vnto, confessed and auoyed, trauesed
or denied, is true in such maner and sozme as by the said replication is
declared. All which matters these def. are ready to auerre as this hon.
Court shall award. And pray as in the said answer they haue former-
ly prayed.

A Reioynder to the Replication of the Kings Attorney Generall, wherein the Defendant pleadeth to be discharged of a Debt, alleging that he is Executor to the husband of an Executrix whose former husband was chargeable therewithall: and other reasons therein contained.

The said *W. C.* for Reioynder saith, that the plea and answer of him the said defendant, is certaine and sufficient in the Lawe, and such (as the said defendant hopeth) will giue full satisfaction to this most honourable Court. And as vnto the said Bill, concerning the summe of one hundred twenty two pounds and eight shillings, in the said replication mentioned, he this defendant conceiueth, that he being onely an Executor vnto *W. C.* deceased his father, who married *K.* who was the wife and Executrix vnto *Ed. P.* his said father *W. C.* and *K.* his said wife, being also about seuentene yeares agoe discharged by the order and decree of this most honourable Court, he this defendant ought not now to be called in question for the same. And he this Reioynant further saith, that hee hath not (to his knowledge) the said bill signed vnder the hand of *Sir W. P.* in the said Replication mentioned, neither doth he this Reioynant know what is become thereof, but thinketh verily that the said *W. C.* his said father deceased, did deliuer the same (if it were in his hands) into this most honourable Court. And he this defendant is the rather induced so to believe, for that he this defendant cannot finde the same amongst other his said deceased Fathers writing and euidences. So as (vnder the fauour of this most honourable Court) he this reioynant ought not to satisfie the said summe of one hundred twenty two pounds and eight shilling, or any part thereof, being Executor vnto the husband of an Executrix, whose former husband was chargeable therewithall: and there hauing bene a discharge thereof by the orders or decrees of this most honourable Court as aforesaid. And this defendant doth further submit it to the iudgement of this most honourable Court, whether or no the said orders or decrees of this most honourable Court, which doe mention and purpozt that there was such a bill signed vnder the hand of the said *Sir W. P.* as in the replication aforesaid is mentioned, be not a sufficient ground for the making out of procelle against the heires, executors, or assignes of the said *Sir W. P.* for the recouerie of the hundred twenty two pounds eight shillings, if so be that the same be not already paid and discharged: Without that that any other matter or thing in the said replication contained material or effectual in the law to be reioined vnto and not herein befoze sufficiently reioined vnto to the knowledge of this def. are true. All which matters the said def. is ready to auerre and proue as this hon. Court shal award & theretofe praieth as he in his said Answer hath praid.

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A Bill or Information into the Exchequer, by the Qu. Maiesties Patentee, for the viewing of unlawfull payments and allowances.

To the right hon. the Lord B. Lord high Treasurer &c.

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If most humble wise sheweth and informeth your honors, Tho. H. Esquire. That whereas our Soueraigne Lady the Quenes Maiestie that now is, by her highnes Letters Patents, bearing date at W. the seuenteenth day of December, in the thirtieenth yeare of her most gracious and happie reigne, for the considerations therein mentioned, hath giuen and graunted full power and lawfull authoritie vnto the said T. H. and to his deputy and deputies by all maner of lawfull waies and meanes whatsoeuer, that hee or they or any of them can or may, for and during the space of eight yeares next ensuing the date of the said Letters Patents, to search forth, view, see and examine all and singular vnlawfull and deceitfull payments, allowances, controllments, deductions, or retainements, suffered, done, or committed at any time sithence the thirtieth yere of the reign of her Maiesties most dread father King Henry the eight, vntill the date of the said Letters Patents, or that after the date of the said Letters Patents, shall bee suffered, done, or committed, during the space of eight yeares next following the date of the said Letters Patents, in any of her Maiesties Courts, or other places within her highnesse realme of England or Wales, or else where, by any person or persons, or by the payment or payments, allowance or allowances, detainement or detainements of any Annuities, Fees, Pensions, Corrodies, or perpetuities, or any other yearely payments, by what name, title, or condition soeuer they or any of them shall be called or knowen. And all other wrongfull and vniust payments, detainments, allowances, concealments, and deceits, giuen, done, or committed, from the time aforesaid, or after the date of the said Letters Patents to bee giuen, done, or committed by any person or persons during the space of the saide eight yeares, in any vnttrue account, or accounts, whereby any the treasures, money, or profits of her Maiestie, her heires and Successors, or of her said father, or of her brother, King Edward, or her late sister Quene Marie, or of the late King Philip, and Quene Marie, or that ought to haue come to her Maiestie, or any of her the aforesaid Predecessors, haue bene or shall bee vniustly, and without lawfull cause payed and allowed, diminished, wasted, spent or detained during the space of the said eight yeares. And whereas

also

also for the better furtherance of the seruice of the said T. L. in, or about the aforesaid matters and causes our said Soueraigne Ladie hath by her said Letters Patents giuen and graunted vnto said T. L., his executors, administrators, and assignes, the one moitie of all and euery such summe or summes of money, or other things before mentioned, the which by him or his deputies, factors, or assignes, or through his or their labour, trauell, and diligence, during the said eight yeares, shall bee deceitfully, fraudulently, without good cause, or vniustly payed, answered, allowed, receiued, conceiled, or deteined, as is aforesaid, or the value of the same moitie, which so shall bee opened, discouered, knowen, pursued, recouered, or had by the saide Thom. L. his Factors, Deputies, or Assignes, as by the saide Letters Patents moze at large doeth and may appeare. Sithence which Graunt in forme aforesaid made to the said T. L. he the said T. L. hath through his painefull, chargeable, and diligent labour and search, found out diuerse great deceites committed and done, and hath founde out, and is able to prooue to this honourable Court, That one Thomas C. Deputie Clerke of the Hannaper in the Court of Chauncerie, hauing serued in that Office from the beginning of her Highnesse reigne vntill now and yet doeth, during all which time the said T. C. hath continually as well receiued the profittes of the Quenes Maiesties Seale in the said Court, as all other commodities and aduantages incident vnto the saide Office. But now so it is, if it may please your Honors, that the said Thom. C. being accountable to the Quenes Maiestie in her Highnesse Court of Exchequer, for all manner of summes of money by him receiued to her Maiesties vse, by vertue of the Clerkship of the Hannaper, as is aforesaid, hath not for the space of sixtene yeares, viz. from the first yeare of her Highnesse reigne, vntill the sixteenth of the same, neither iustly charged himselfe vpon his account with all such summes of money as hee yearely hath receiued by vertue of the saide Office, by the summe of foure hundred pound by the yeare, which in the whole sixtene yeares amounteth to the summe of sixe thousand and foure hundred pound: neither yet any other wayes payed the same to her Maiesties vse, but vniustly hath defrauded and deceiued her Maiestie by the space of sixtene yeares, by the yearely conceiling and deteining from her Maiestie the said summe of foure hundred pound, out of the charge of his account, which in the said space and time of the said sixtene yeres amounteth to the summe of vij. thousand foure hundred pound, the which your said Orator shall be ready to prooue to your Honours.

Pleadings in the

In consideration whereof may it please your honoꝝ the pꝛemises considered, to graunt vnto the said T. L. the Quēnes most excellent Maiesties Writ of Subpoena, to be directed vnto the said T. C. commanding him personally to appeare befoꝛe your honoꝝ in the her Ma. Court of Erchequer at a certaine day, and vnder a certain paine therein to be limited, then and there to make answere vnto the pꝛemises, vpon his cozpozall oath, and further to abide such order and direction therein as vnto your honours shall seeme to stand with right and equitie, And that your said Oꝛatoꝛ may haue accordyng to the tenoꝛ of the said Letters patents, the moitie of the conceilements and deceits, that shall be pꝛoued to be committed by the said T. C. And your said oꝛatoꝛ shall pray to God foꝛ the pꝛeseruation of your honoꝛs in health and wealth long to continue.

A Patent graunted to I. M. to bee an Informer.

Sect. 16

REGINA &c. To the Treasurer, Chamberlaines, and Barons of our Erchequer foꝛ the time being, and to all and singular our Iustices, Maioꝛs, Sheriffes, Stewards of Liberties, and Franchises, Constables, Bailiffes, Headboroughes, Masters, Mariners of Shippes. And also to all Collectoꝛs, and Customers, Comptrollers, and Surueyoꝛs of our Customes oꝛ Subsidies, Searchers, as well within our Liberties as without. And to all other our Officers, Ministers and subiects whatsoever, greeting. Whereas befoꝛe this time, aswel in the time of our noble pꝛogenitoꝛs, kings of this realme, as also during the time of our reigne, diuers good and wholesome Lawes, Actes and statutes haue bene by diuers and seuerall Actes of Parliament established, ordeined, enacted and made, and heereafter must be made by Gods sufferance, as well to the honour and gloꝛy of God, as also foꝛ the commoditie and pꝛeseruation of the Common wealth of this Realme, diuers of the which said Lawes and statutes so made, haue been from time to time, and yet bee daily infringed and broken, and nothing examined and regarded, by the meanes of sundꝛy euill disposed, disobedient, and wilfull persons, not fearing noꝛ dreading almightie God, noꝛ hauing any regard oꝛ respect to their duties towards vs oꝛ our pꝛogenitoꝛs, oꝛ Common wealth of their country, noꝛ fearing, noꝛ regarding the paines and penalties conteyned and mentioned in the said Actes and statutes, by reason that the same haue not bene so earnestly and so duely put in vꝛe, and due examination, as it was intended and hoped by the makers thereof. Not onely to the great displeasure of Almighty God, but also to the great discommoditie, hinderance, and losse of vs, and of the Common wealth of our dominions.

minions. Know ye therefore, that we of our especiall grace, certaine knowledge, and meere motion, and to the intent that all such statutes and actes as now at this present stand, remaine, and bee in foze and strength, or that hereafter shall be made, ordeined, enacted, or established within this our said realme may from hencefoorth the better and sooner be put in due execution and vze, according to the tenures, purposes, and effects of the same, haue authoriscd, assigned, and appointed, and by these presents doe authorize, assigne, and appoint our welbeloued subiect J. M. of London Haberdarther, to bee an Informer, and a prosecutour for vs, our heires, and successours, of all such Statutes and Actes. And haue giuen and graunted, and by these presents for vs our heires and successours doe giue and graunt unto the saide J. M. his Deputie or Deputies, duing the will and pleasure of vs our Heires and Successours, full power and authoritie to put in execution all the Actes and Statutes aforesaid. And to enter into all Fairez and Markets, Warehouses, Dyehouses, Tanhouses, workhouses, and other house and houses, Barnes, Sellers, Sollers, Ships, Vessels, and all and euery other place and piaces wheresoeuer within our Realme of England, and other our dominions, as well by water, as by land, And to search, seise, arrest, sue and impleade in any of our Court, or Courts, place or places according to the Tenor, purpose, and effect of the said Actes and Statutes, or any or euery of them, All such goods and merchandises, of what nature or qualitie soeuer they or any of them bee. And all and euery such person or persons as heretofore haue offended, or hereafter shall happen to offend in any of the said Actes and Statutes. And of our further grace, wee for vs, our heires and successours haue giuen and graunted, and by these presents doe giue and graunt vnto the saide J. M. and his assignes, the one halfe or moitie of the value of all and euery such sum or summes of money as shall be hereafter adiudged forfeyte in any of our ordinary Courts of Records, by foze or occasion of any Information, or other Action exhibited or commenced, or to bee exhibited or commenced by the said J. M. or any his Deputie or deputies in the same Courts or any of them touching the premises. And to take, perceiue, receiue and enioy to his onely vse, or the vse of his Executors the saide one halfe or moitie of all and singular such forfeytures or summes of money as shall bee adiudged and deuied to bee due or forfeited in any of our ordinarie Courts of Records, or of our heires and Successours, of any Seasure or information, put and exhibited, or to be put and exhibited vnto the saide Ordinarie Courts of Records, or any of them by the said J. M. or his sufficient and lawfull

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Deputie or Deputies. Willing and commaunding therfoze all and singular our Iustices, Maiors, Sheriffes, Stewards of Liberties, and Franchises, Bailiffes, Constables, and Headboroughes, Masters Mariners of Shippes. Also all our Collectors, Customers, Comptrollers, and Surueyors of Customs and Subsidies, and searchers, as well within any of our Liberties as without. And all and singular ather our officers, ministers, and subiccas within this our realme or the dominions of the same whatseuer they be, to the aiding, assisting and helping the said J. M. his deputie or deputies in the due execution of the pzemisses. And that the saide Iustices, Maiors, Sheriffes, Stewards of Liberties and Franchises, Constables, and Bailiffes from time to time doe punish by their discretion all such as doe resist or any thing attempt, to the let, hindzance, or pzeiudice of the said J. M. or his deputie or deputies in the due execution of the said Actes or Statutes, or any of them, as they tender our will, sauour, and pleasure, and for the contrary as they will thereunto answer, at their perills. And furthermoze know ye that wee of our further especiall grace, cerknowledge, and meere mocion, and to the intent, that the said J. M. shall be the moze diligent and painefull in the due execution of the saide Statutes and Actes, as is afozesaide, haue giuen and graunted, and by these presents, for vs, our heires and successors, doe giue and graunt, that the said J. M. shall from time to time, haue, perceiue, receiue, leuie, and take of all and singular such moities, portions, partes of forseitures, and summes of money, as shall bee at any time or times, hereafter deemed or iudged to bee due, or belonging to vs, our heires or successors, befoze the Barons of the saide Exchequer, by meanes of any seisin, or Infozmation put or exhibited into the saide Court of Exchequer, or any other our ordinary Courts of Recordes by the said John M. or his sufficient or lawfull Deputie or Deputies, of and for euery pound which so by his industrie and meanes to our vse or the vse of our heyyes or successors, shall come to be brought and iudged, the summe of twelue pence, ouer and aboue the summe or summes of money to the Infozmer for his part or portion or treuall by vs in foyme afozesaide limited and appoynted, the same to bee payd to the said John M. or his Assignes by the handes of the Treasurer, and Chamberlaines of the said Court of Exchequer for the time beeing. And wax of our further grace especiall, doe further graunt, for vs, our heyyes, and Successors, by these presents to the said John M. his Executors and Assignes, that these our Letters Patents, or the Inrollment thereof, and one Certificate signified with the hand of the chiefe Baron of the said

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 said Court of Exchequer for the time being, testifying the certaintie of such summe or summes of money, as shall bee from time to time recovered by Judgement and Execution in any the said ordinary Courts of Record, to the vse of vs, our Heires or Successors, by reason and occasion of any Information or other Action heeretofore exhibited or commenced in any of the saide Courts, by the said Martine, or any his said deputie or deputies, shall bee from time to time a sufficient warrantie and discharge to the Treasurer and Chamberlaines of the said Court of Exchequer for the time being to pay and deliuer, or cause to bee paid and deliuered vnto the said John M. his Executors or Administrators of such our Treasurer, or the Treasurer of our Heires and Successors, being or that shall bee in their custodie, so much money as shall amount vnto twelue pence, of, and for euery pound contained in euery such Certificate, signed with the hand of the chiefe Baron of the said Court as aforesaid, to bee taken vnto the said John M. his Executors, and Administrators, of the gift of vs, our heyyes or successors, without any presse or any other charge to bee set vpon him the sayd J. M. or any other person or persons for the same, without any further warrant to bee sued from vs, our Heires or Successors, to the saide Treasurer and Chamberlaines for the time being to bee directed for the premisses. For that expresse mention of the true value, of the certaintie of the premisses, or of any other giftes or graunts by vs, or by any our Progenitors, or Predecessors heretofore this time made in these presents, is not mentioned, or any other Statute, Acte, Ordinance, Provision, Proclamation, or Restraint to the contrary made, done, or ordained, or provided, or any other thing, cause, or matter whatsoever in any wise notwithstanding. In witnesse whereof wee haue caused these our Letters to be made Patents. Witnesse our selfe at Westminster, the xxvj. day of April, in the second yere of our reigne.

THus much concerning the Exchequer, and now let vs shew you some obseruances in the Prerogative of the Court of Wards and Liveries, a Deriuatiue from the Antecedent, like an heire to the Ancestors: Which honorable Court was, (by an Acte of Parliament made Anno 32. Hen. 8. cap. 46.) erected and called the Court of the Kings Wardes, and established to be a Court of Record, and then
 the

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the chiefe officer, about the rest of the Officers constituted for that Court, was ordained to be called, Master of the Wardes: Unto whose trust the keeping of the Kings Seale for that Court was and is committed: In which Seale is engraven the Armes of the King with this memorizable Circumscription, *Curia Wardorum & Liberationum, Pupillis, Orphanis & Viduis Adiutrix*: Implying, that it supporteth the rights, and comforteth the estates of Wardes and heires, Orphanes, Widowes, and Ideots, Lunatiques, and such as otherwise might much be wronged: And shortly after, that is, by another act of Parliament made Anno 33. Hen. 8. cap. 22. for the greater honour and commoditie of that King, and the more comfort and profite of the subiects, the Office of the Master of the Kings Liveries was enacted to be annexed vnto the Jurisdiction of the same Court: by which addition the foresaid chiefe Officer for the Court of the Kings Wardes, was and is intituled Master of the Court of the Kings Wardes and Liveries: and the said Master of the Liveries, was then and now is ordained to be called Surueyor of the Kings Liveries, and to be the second person in the same Court, as by the same two severall actes of Parliament more fully appeareth: Before which times all causes that now are within the order of suruey of this Court, were determinable in the Kings Court of Exchequer; and that skillfull experienter Geruaice Tilbury, which after he had writtten a Booke called *Tricolumnus*, wrote a discourse vnto King Hen. 2. *De necessarijs Scaccarij obseruantijs*, treateth *De Releuo sponte non soluto*, and that *Aliter de Firmis*, atq; *aliter de Custodijs respondendum*: Now although the Writs and Commissions of *Diem clausit extremum*, *Mandamus*, *Melius inquirendum*, *Denonerunt*, *Etate probanda*, and such of that nature are made in the Chancerie, by vertue of Warrants from the officers of this Court, and so the matters in this addition might haue had place next to those writs: yet because this Court is deriued from and out of the Exchequer, therefore, by reason of their affinitie, you may next discern a little also of matters practised within the Jurisdiction of this Court by the consequences.

PLEA

PLEADINGS IN THE Court of Wards and Liueries.

A Bill to be signed for the double value of a Wards marriage.

To our Soueraigne Lady the Qu. most excellent maieftie. Pleaseth
if your Highnesse of your most noble and abouduant grace to
graunt your most gracious Letters Patents, &c.

Regina omnib⁹ ad quos &c. salutē. Cum nos per libras nostras sub Sect. 1.
magno Sigillo nostro Angliæ patentes gereñ dat apud Westm̄
primo die Martij, Anno regni nostri 39. de gratia nostra speciali, ac ex
certa scientia, et mero motu nostris dederimus & concesserimus nuper
prædilecto & per quam fideli Consiliario nostro W. B. prænobilis Or-
dinis Garterij militi, Baroni de C. & Domino Guardiano quinque
Portuum defunct⁹, inter alia custod⁹ corporis & maritagium Francisci
C. filij & heredis W. C. Armiger⁹ defunct⁹: qui quidem W. C. die
obitus sui tenuit de nobis in Capite, per seruicium militare, habendum,
gaudend⁹, & possidend⁹ custod⁹ & maritagium eiusdem F. C. absque
dispergatione præfat⁹ W. nuper domino Cobh. executor⁹ & assignat⁹ su-
Quousque idem W. nuper dominus Cobham executor⁹ siue assignat⁹ suis
effectū maritajij prædict⁹ Franc⁹ C. acciperet vel haberet, accipient
vel haberent. Et hoc absque compoto seu aliquo alio nobis hæredib⁹
vel successoribus nostris pro inde reddend⁹, solvend⁹ seu faciend⁹, pro-
ve per eadem literas nostras inter alia in ipsum content⁹ plenius poterit
apparere. Status & interesse cuius quidem W. nuper Domiñ Cobh.
de & in premiss. ad manus & possessionem dilecti & fidelis nostri G.
B. Armiger⁹ legitime vt dicitur deuentus est. Cumque etiam modo ex
infirmatione predict⁹ G. B. accepimus quod ante confectiōem præ-
dictarum literarū nostrarum patent⁹ prædict⁹ W. nuper Domiñ C. vt
presertur fact⁹ F. C. in custodia nostra existē, & postquam accreuit
ætatem suam quatuordecim annorum sine consensu nostro vel præfat⁹
nuper domino Cobh. seipsum maritauerit per quod nobis forisfecit du-
plicem valorem maritajij sui. Sciat is igitur quod nos contemptum
prædict⁹ egre ferentes & prædict⁹ Georgij B. quod equum est fidei vo-
lentes ad humilem petitionem eiusdē G. ex vberiori gratia nostra, ac ex
certa scientia & mero motu nostr⁹ dedimus & accepim⁹ ac p⁹ p⁹sent⁹ dam⁹
& concedimus eidem G. B. executor⁹ & assignat⁹ suis valorem duplicem
valo-

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valorem & forisfacturam maritagij præd Fran. C. habend', gaudend' & ea percipiend' præd G. B. executor' & assignat' suis in tam amplis modo & forma, & adeo libere, vt nos ea quocunque iure titulo vel ratione habere, tenere vel concedere poterimus. Et hoc absque compos' seu aliquo alio nobis hered' vel successoribus nostris proinde reddend'. In cuius rei testimonium &c.

A Petition.

To the right Hon. R. Barle of S. Master of her Maiesties
Court of Wards and Excheq.

I pleased the Quænes most excellent Maiestie, with the aduice of your Lordship, to graunt vnto my late god Lord and deare father, W. late Lord C. deceased, the wardship of F. brother and heire of C. likewise deceased, which Ward befoze the Letters Patents made from her maiestie vnto my said Lord father, without the consent of his Guardian, married himselfe. The benefit and interest of which Wardship is come vnto me from my said late Lord by way of Legacy. And for that I am informed by my Countcell, that the words in the former Patent are not sufficient to giue me such value as by her said Maiestie and your Lordsh. was meant vpon the said graunt to my said late Lord father. I therefore humbly beseech your good Lordship for our better assurance, to giue Warrant to the Clerke of the Wardes to make vp a Bill to passe her Ma. signature in forme within written.

The answer. Mast. H. I pray you make vp and in grosse such a Bill as is before desired.

An Inquisition to finde a Lunaticke.

Inquisitio indentat' capta apud Guildhalda Ciuitat London &c. die A. Iann. reg. dñe Eliz. Degratis Angl', Franc' & Hyber' reg. fidei defen' &c. 43. coram W. R. milite maiore & escaetore ciuili præd virtute breuis dict' dñe reg. eid' maiori et escaetori direct' et huius inquisitio' confut' ad inquirend' de Lunaticis R. W. alias H. p' sacram &c. Qui dicunt super sacram suum p'd q' p'd R. W. alias H. in breui præd nominat' lunaticus est et non copos mentis et lucid' gaudet intellectu sua q' regimine sui ipsius terr' ten' bonorū aut cattallorū suorū minime sufficit, & in eod' statu sic remansit a 11. die M. ann. reg. dict' dñe Reg. 2. nec adhuc remanet. Breui-

sect. 2.

terius Iurat' pred' sup sacram' suum p̄d' dicunt, q̄ p̄d' R. W. alias H. diē
 1. die M. ann. regni diē dñæ Reg. 22. fuit seisi' in domiñ suo vt de te-
 odo, de & in vno mess. vocat' &c. cum p̄tin' in M. in com̄. S. pred'. Ac de
 & in vno alio mes. voc' &c. cum p̄tin' in M. p̄d' in Com̄ S. pred'. Ac de et
 in vno mess. siue tenēt voc' &c. et ceteris suis p̄tin' in M. p̄d' in die' com̄
 S. Necnon de et in vna pastur' cum p̄tin' vocat' &c. et de alia pastur' voc'
 &c. et 20. acf' terr' ibid' cum p̄tin'. Necnon etiam de & in mess. siue tenēt
 cum eorū p̄tin' voc' &c. in E. in diē' Com̄ S. Et vlti' Iur' pred' sup sa-
 cram' suam pred' dicunt q̄ p̄d' mess. terr' & cetera omnia p̄missa valent
 p̄ annū in omnib' exit' vlt' repris. x. li. Et q̄ R. W. alias H. est frater et he-
 res p̄pinq̄ior p̄d' R. W. alias H. in breui pred' nominat' & ætatis xl. an-
 norū et ampli' tempore capt' hui' Inquisic'. Sed vtrū p̄d' R. W. alias H.
 durāte tempore lunacie et infirmat' sue pred', pred' p̄mis. seu aliquā inde
 p̄cell' alienauit necne, aut de qua vel de quibus ead' mes. & cetera premis.
 seu aliqua inde p̄cella tenent' aut tenebant' Iur' pred' penit' ignorant. In
 cuius rei testimon' vni parti huius Inquisic' penes p̄f. maiorē et escaetorē
 reman' tam pred' maior et escaetor quā Iurat' p̄f. sigilla sua apposuer' alter
 vero parti penes p̄f. Iur' remanēt p̄f. maior et escaetor sigillū suū ap-
 posuit die loco et anno suprad'.

*The draught of Mast W. C. his pardon for the marriage of the La. R. before her
 Majesty's pleasure and consent was declared under the great Seale.*

Regina omnib' ad quos &c. salutē cum nuper p̄dilect' et p̄ q̄ fidelis Sect. 3
 conſanguin' n̄ E. nuper Comes R. defunct' in vita suā seisi' fuit de
 diuersis honor', castris, dom̄, man', terr', tenētis, & hered' in diuersis Com̄.
 huius reg. n̄ Angl' de nobis tena in capite p̄ seruic' militare & de eisd'
 p̄missis sic seisi' existens obiit, sic inde seisius 14. die A. ann. reg. n̄ 9.
 habens exit' de corpore suo legit' p̄reat' E. domin' R. vnicā filiam et solā
 heredē suā tunc infra ætatem 14. anorū existē vt per quandā Inquisic'
 inde capt' apud N. in Com̄ n̄o N. 13. die A. ann. reg. n̄ 30. in Cur' n̄stra
 Cānc' returnat' & ibid' de recordo remanēt plēnius nobis constat et ap-
 paret. Cumq; etiam postea p̄charissima conſanguinea n̄ra dñi H. C. senior
 dotem gerens R. nup' vxor' p̄d' nuper comit' B. ac mater diē' E. dñæ R.
 nobis sepius humiliē applicauerit vt reg. fauorem & licentiam nostr' con-
 cedere dignarem', vt quidā W. C. at fil' et heres apparens T. C. milif' diē
 domin' R. possit in vxorē ducere iuxta voluntatē & desideriu' pred' nuper
 Comit' E. viri sui in testamento suo manu suā p̄pria inscripēt manifeste
 express. Cumq; p̄terea nos p̄miss. plurimū intendentes consensum et lic'
 nostros regal' ex gratia nostra libere dederim' secund' petitionem diē
 Comit' cumq; etiam diē' W. C. & diē' E. domina R. existēt ætatē 12-
 anno-

Pleadings in the Court

annorum & ampli⁹, & tunc in custodia nostra existent, seipfos matrimoniu
coniunxerunt priusquã dict' consenc' & licenc' nostr' sub aliquo sigillo-
rum nostrorum express. & demulgat fuerunt, vt per quamdam Billam in-
format' inde ex parte nra per attornat' Cur' nostræ Wardor & Libat' in
eandem Curiam nostram exhibit, ac per responzionem predicti W.
C. nuper inde fact' & per quend' ordinẽ in ead' Cur' de & cõcernenẽ pre-
miss. & stabilẽ & ibidẽ remanenẽ plenius poterit apparare, ratione cuius
nobis contigit & accreuit duplex valor siue forisfactur' maritagij dictæ
E. dñe R. in ea parte erga nos fact' & ppetrat'. Sciatis tamen quod nos
pmiss. plurimum considerantes ac nolentes q' pã W. C. & Eliz. dña R.
vux eius iuxta rigorẽ legũ nostrarum Angl' p pmissis puniant, sed re-
galis consensus & licenc' nre pã beneficio adeo libere plene & integre
gauderent & fruentur, si dicti consensus & licentia nostri promulgat' fu-
issent indebita Iuris forma sub magno sigillo nro Anglię ante maritagiu
pred' vt predictur hit, p aduisamentum nostri & Concilij Curie nostre
Wardorum & Libat' prædict', pro & in consideratione sumã sex centũ
librarum legalis monete nostre ad receptum dictæ Curie nostre pãdict'
W. C. soluend', necnon ex speciali gratia, certa scientia, & mero motu
nostris pro nobis heredibus & successoribus nostris per donatũ remittim
& relaxamus præfat' W. C. & E. dñæ R. valorem maritagij duplicem va-
lorem maritagij & forisfacturam maritagij dict' dñe R. ac eosd' W. &
dñam R. hered' executores & eorum administratores & alterius eorum
de eisdem valore maritagij pã duplici valore maritagij, & forisfactura
eiusdẽ exonoram', & acquietamus, necnon etiam de ampliori grac' nra
certa scientia & mero motu nostris iisdem W. C. & E. domini R. omnes
& omnimodas contemptus, delicta & transgressiones contra nos per dict'
maritagiũ vel roñe eiusdem maritagij quouis modo fact' vel perpetrat'
ac omnia & omnimodas fines, amerciamenta, forisfactur', penalitates,
actiones, querelas, & demand' nobis per maritagiũ dictæ dominæ E-
liz. R. vel rationẽ eiusdem maritagij sine licentia nostra debet plene &
libere pro nobis, hæredibus & successoribus nostris pardonamus &
remittimus per presentes. Et hoc absque compoto siue aliquo alio nobis
hæredibus vel successoribus nostris pro inde reddend' soluend' seu faci-
end'. Eo q' expressa mentio &c. In cuius rei testimonium &c.

A Plea

*A Plea of Trauerse under the great Seale of
England.*

Regina &c Escaetori suo in Com' Salopp' Salutē cum per quandam Inquisitionem indentat' captam apud Salopp' in Com' pred' sexto die Septemb. Anno regni nostri vicesimo nono coram Francis. Bromley, Armig' &c. Thoma Staunton Generoso Feodar : nostro predict' Virtute Comissionis nostrae in natura breuis de mandamus quibusdam Andree Charleton' Armigero Adamo Mytton Generoso &c. pdictis Fraacisco Bromley, et Thome Staunton, eis quatuor tribus, vel duob' eorū quorū pres. Feodar vnus esset direct', et Inquisitio' pred' annex' ad inquirend' post mortem Humfridi Hil, Generosi defunct', per sacm̄ Iohannis Baldwyn de Monslowe Generosi &c. Quod predictus Humfridus Hil, fuit seisitus in domin' suo, vt de feodo die quo obiit de &c. in Maner' siue Capitali Mesuagio de Hull, alias Court Hill, cum omnibus et singulis iuribus membris et pertinen'. Nec non de & in vno Columbat', vno Molendino aquatico centum ac' terr', sexdecim ac' prati centum ac' pastur', centum ac' bosci, et comunia cum pertinen' in Hull, alias Hill, in com' nostro praedict': Necnon de et in quatuor mesuagijs et vno cottagio cum pertinen' centum ac' terr', viginti ac' prati, & triginta ac' pastur', cum pertinen' in Ashe Hartall, et Nurton alias Ouer-ton, in com' nostro predicto: in seperalibus tenu', siue occupationibus Francisca Condeley, Roberti Iukes, Ric. Cooke, et Will. Rowley. Ac de et in decem ac' terr' siue pasturæ iacen. in Hartal predict' et Greete, in Comitatu nostro predicto: et tempore captionis, Inquisitionis predict' in tenura, siue occupac' Will: Hopton Armigeri. Et vltierius com-pertum fuit per inquisitionem predictam quod predicus, Humfr. Hil, die quo obiit fuit seisitus in dominico suo, vt de feod' de & in manerio de Hoope. Baggarde in com' nostro predicto, cum omnibus et singulis iuribus, membris, et pertinen' ac de et in donac' siue patronat' Ecclie. parichialis de Hoope Baggarde predict'. Ac de et in tribus mesuagijs octa-ginti acris terr' duodecim acris prati, sexaginta ac': pasture, Ac de et in triginta solidat reddit', cum pertinen' in Hoope Baggarde, pred' acc-tiam de et in vna pastur', vocat Westwood, conunen' per estimationem triginta acras terr' in Hounds Neene, alias Neene Sauage, in Com' no-stro predic'. Ac de et in vna ac' terr', in vno Campo de Burford, vocat Westfelde, et tempore captionis Inquisitionis predict' in tenu' Rich. Cooke. Ac de et in quatuor Burgagijs in Cleoberie Mortimer in Com' nostro predicto. Et quod predictus, Humfr. Hill, sic de pred' manerijs mesuagijs terr', et teñ cum pertinen' seisitus existens de tali statu suo obiit inde seisitus. Et quod predict': Maner' & omnia & singula premissa in

Sect. 4.

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Pleadings in the Court

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Hull, alias Court Hill Ashe Hartall Nurton, alias Ouerton, & Greete predicti : & predicti acra in Burforde predicti : tempore mortis dicti, Humfri tenebantur de quodam Edmundo Cornewall armigero defuncti & tempore captiois Inquisitionis predicti, tenebantur de Thoma Cornewall Armigero, vt de Baronia sua de Burford in com' predicti per seruicium Militare videlicet per vndecimam partem vnus feod militijs. Et valet per Annum in omnibus exitibus vltra reprim. tresdecem liberis sex solidi & octo denariis. Et quod predicti Manerium de Hoope Baggarde tempore mortis dicti, Humfri tenebatur, de Edmundo Cornewall Armigero, vt de Manerio suo de Cleybury in Com' nro wigorn' per fidelitatem & red : vnus denarij per Annum. Et valet p annum in omnibus exitibus vltra reprim. octo libris. Et quod predicta pastura, vacat Westwood, tempore mortis dicti Humfridi tenebatur de Georgio Detton generoso per fidelitatem tantum : Et valet per annum in omnibus exitibus vltra reprim. quadraginta solidi : Et quod predictu Burgag. in Clebery predicti tempore mortis dicti Humfridi tenebatur : vt de manerio de Clebery Mortimeri predicti in libero Burgagio : Et valet per annum in omnibus exitibus vltra reprim. sex lib' & duos solidi. Et vterius quod predictus Humfridus Hill obiit vicesimo quarto die Martij, Anno regni nostri vicesimo. Et quod Georgius Hill generosus eius filius & hæres propinquior & ætatis tempore mortis patris sui quatuordecim annorum fuit. Et quod idem Georgius Hill recipit & habuit redditus & proficua omnium & singulorum Manerij, mesuagiorum, terrarum, & cæterorum præmissorum, cum pertinentijs, a die mortis dicti Humfridi vsque prædictum diem captiois Inquisitionis prædicti prout Iuratoribus prædicti constare poterit. Et quod prædictus Humfridus Hill in dicta Inquisitione nominatus die quo obiit non fuit seiscitus in dominico suo vt de feodo nec feodo talliat, de aliquibus alijs siue pluribus Manerij, mesuagijs, terris, tenementis, siue hereditamentis in Comitatu Salop' prædicti, compertum fuit etiam per quandam aliam Inquisitionem indentatam captam apud Villam nostram Salop' in Comitatu Salop' prædicti, duodecimo die Ianuarij, Anno regni nostri tricesimo quarto, coram Thoma Lawley Armigero & præfat Thoma Staunton Feodar' nostro Comitatu nostri prædicti : Virtute commissionis nostræ in natura breuis de melius inquirend' quibusdam Thomæ Onslowe & Richardo Prince Armigeris, & prædicti Thomæ Lawley & Thomæ Staunton eis quatuor tribus vel duobus eorum quorum præfat Feodar' vnus esset, directi ad inquirend' post mortem Humfridi Hill generosi defuncti per sacramentum Griffin More generosi, Thomæ Cardyffe generosi, Richardi Reynolds generosi, Iohannis Crumpe generosi, Iohannis Bright generosi &c. Quod cum per prædictam priorem Inquisitionem compertum fuit, quod predicti

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Humfridus Hill fuit seifitus in dominico suo vt de feodo die quo obijt (inter alia) de & in manerio siue capitali mefuagio de Hull, alias Court Hill, cum omnibus & singulis suis iuribus, membris, et pertineñ, Ac de & in maner de Hoope Baggard in Comitatu prædictæ, cum omnibus & singulis suis iuribus, membris, & pertineñ, & quod sic seifitus existens de tali statu obijt inde seifitus. Et quod prædict' maner siue capital' mefuag' de Hull, alias Court Hill, cum pertinentijs, tempore mortis prædict' Humfridi Hill tenebatur de quodam Edmundo Cornewall Armigero defunct', & tempore captionis dictæ prioris Inquisitionis de Thoma Cornewall Armigero, vt de Baronia sua de Burforde, in Comitatu nostro prædicto, per seruitium Militare. Et quod prædictum maner de Hoope Baggard tempore mortis prædict' Humfridi tenebatur de Edmundo Cornewall Armigero, vt de manerio suo de Clebury, in Comitatu nostro Wigorn, per fidelitatem & reddit' vnus denarij per annum, prout per dictam priorem Inquisitionem inter alia plenius liquet. Per dictam posteriorem Inquisitionem compertum fuit, quod prædict' maner de Hoope Baggard, cum pertinentijs, tempore captionis dictæ posterioris Inquisitionis, & tempore mortis dicti Humfridus Hill tenebatur de nobis, vt de Comite Marche, per seruitium Militare, videlicet, per dimid' vnus feodi Militis, prout per prædictas seperales Inquisitiones in Fylacijs Cancellar' nostræ de Recordo resideñ plenius liquet. Cumque etiam Termino Sancti Michaelis, scilicet, decimo quarto die Octobris, Anno regni nostri tricesimo nono, coram nobis in Cancellaria nostra prædicta, scilicet, apud Westmonasterium, venit Radulphus Rogers generosus, per Thomam Powell Attornatum suum &c. petijt auditum Inquisitionum prædictarum, & ei legebantur &c. Quibus lectis & auditus & per ipsum plenius intellectis, idem Radulphus Rogers querebatur prædict' maner de Hoope Baggard, cum pertinentijs, in manus nostras colore posterioris Inquisitionis prædictæ capi & seifiri, & in manibus nostris remanere ipsumque à possessione sua inde extrateneri, & hoc minus iuste. Quia protestando quod posterior Inquisitio prædicta ac materia in eadem content' minus sufficiens in lege existebar, Ac ad quæ ipse necesse non fuit nec per legem terr' nostræ tenebatur aliqualiter respondere. Pro placito idem Radulphus Rogers dixit, quod bene & verum est prædictus Humfridus Hill in prædictis seperalibus Inquisitionibus nominatus die quo obijt fuit seifitus in dominico suo vt de feodo, de & in prædicto manerio de Hoope Baggard, cum pertinentijs, in Comitatu nostro prædicto. Et quod sic inde seifitus existens de tali statu obijt inde seifitus, prout per prædictam priorem Inquisitionem compertum existet: sed idem Rad. Rogers vterius dixit, quod prædict' maner de Hoope Baggard, cum pertiñ, per et post mortem, p'd Humfrid

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The Plea

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discendebat prefato G. Hil, in predicta priore Inquisitione nominato ut fil: et heredi predicti Humfrid Hill, virtute cuius idem Georgius in manerium illud cum pertin' intrauit & fuit inde seiscus in dominico suo ut de feodo. Et predictus Georgius Hill, sic inde seiscus existens ante captionem posterioris Inquisitionis predict' scilicet. viceffimo die Septembris, Anno regni nostri tricessimo primo per Indentur sigillo ipsius Georgij sigillat' geren dat' eidem die et anno fact': inter prefat. Georgium Hill, ex vna parte et predictum Radum Rogers, ex altera parte & in cur' Cancellariæ nostræ infra sex menses proximum post dat' eiusdē Indentur' sedm' formati Statuti in ea parte editi debito modo de record' introduct' pro et inconsideratione cuiusdem compectantis summæ bone et legalis monete Angliæ, eidem Georgio per dcm' Ric. Rogers ante sigillationem Indentur' predicte. pre manibus solut', barganifauit, & vendidit prefato Rado' Rogers, heredibus et assignatis suis, predictum Manerium de Hoope, Baggarde cum pertin' per nomen totius illius Manerij, Dominij de Hoope, alias dict' Hoope Baggarde alias vocat' Hoope, Baggard cum omnibus et singulis suis iuribus membris et pertin' in dicto Com' nostro, Salop, Hendū & tenendū eidem Ric. Rogers, heredibus et assignatis suis, ad solum et proprium opus, et vsu ipsius Ric. Rogers, hered. et assignat' suor' imperpetuū virtute; cuius quidē bargaine et vendicionis. Ac vigore Statuti de vsibus in possessionem transferend' in Parlamento domini Henrici nuper Regis Angliæ octauj patris nostri precharissimi, anno regni sui viceffimo septimo apud Westm' tenet: edit: Idem Rad. Rogers, tempore captionis posterioris Inquisitionis predict' fuit et adhuc existit seiscus, de et in predicto Maner de Hoope, Baggarde cum & c. in Domino suo ut de feodo. Et vterius idem Rad. Rogers dixit quod predict', manerium de Hoope, Baggarde, cum pertin' tempore mortis predicti Humfr. Hil, tenebatur de Roberto nuper comite Leic: ut de manerio suo de Clebery in Comitatu nostro Salopp' predict', per medietatem vnus feodi militis ac tempore captionis posterioris Inquisitionis predict' tenebatur de eodem maner de Clebury per medietatem vnus feodi militis, absque hoc quod dict' maner de Hoope Baggard cum pertin' tempore mortis predicti Humfr. Hill, aut tempore captionis posterioris Inquisitionis predict' tenebatur de nob: ut de Comitatu Marchie per seruiciū militare modo et forma prout per posteriorem Inquisitionem predictam Compertum existet: Et abque hoc quod hec seu vnquam habet aliquod aliud Record' præter Record' posterioris Inquisitionis predicte per quod liquere potest quod predict' maner de Hoope Baggard cum pertin' tenebatur tempore mortis predicti Humfr. Hill, aut tempore captionis posterioris Inquisitionis predict' tenebatur de nobis ut de comitatu Marchie per seruic. militare modo et forma prout per posteriorem Inquisitionem predictam com-

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pertum est exist. Que omnia & singula idem Radulphus Rogers para-
 tus fuit verificare prout Cur̄ nostra prædicta considerauit, Et petijt iudi-
 cium quod manus nostræ à possessione prædictæ manerij de Hoope Bag-
 gard cum pertinentijs amouerentur. Et quod ipse ad possessionem suam
 inde vna cum exitibus & proficuis inde a tempore perquisitionis eiusdē
 manerij per ipsum Radulphum vt præmittitur fact̄ hucusque prouenieñ
 siue accideñ restitueretur. Et super hoc quesitū ab Edwardo Coke Ar-
 mig. Attornat̄ nostro Generali qui pro nobis in hac parte sequebatur,
 si quod ipse pro nob. haberet vel dicere sciret quare manus nostræ a dicta
 possessione nostræ prædictæ manerij de Hoope Baggard cum pertinentijs
 non amouerentur, vt ipse idem Radulphus Rogers ad plenam integram
 & pacificam possessionem suam inde et cuiuslibet inde parcell̄, vna cum
 exitibus & proficuis inde a tempore perquisitionis eiusdem manerij per
 ipsum Radulphum vt præmittitur fact̄ hucusque prouenieñ siue accideñ
 restitueretur. Qui quidem Attorn̄ nostr̄ Generalis qui pro nobis in hac
 parte vt præfertur sequebatur in prædictæ Cur̄ nostra, scilicet apud West-
 monasterium prædictæ pro nob. petijt diem cum ceteris de consilio nostro
 in legibus erudit̄ inde interloquend̄ vsque ad Octauas Sancti Hillarij
 tunc proxim' vbicunque &c. Et habuit &c. Idemque dies dat̄ fuit præ-
 fato Radulpho Rogers tunc &c. ad audiend̄ si quid idem Attornat̄ nostr̄
 Generalis pro nob. versus eum tunc & ibidem in hac parte allegare vel
 dicere potuit, Ad quas quidem Octauas coram nob. in Cur̄ nostra præ-
 dicta, scilicet, apud Westmonasterium prædictam, ven̄ tam præfat̄ Ra-
 dulphus Rogers per Attornatum suum prædictum, quā dictus Attornat̄
 Generalis qui pro nob. in hac parte vt dictum est sequebatur. Sup̄ quo
 idem Radulphus Rogers per dictum eius Attornat̄ petijt sicut prius lu-
 ditium in hac parte sibi per eandem Cur̄ nostram reddi: Ac quod manus
 nostræ a possessione nostra prædicta manerij de Hoope Baggard cum
 pertinentijs amouerentur. Et quod ipse idem Radulphus Rogers ad ple-
 nam integram & pacificam possessionem suam inde vna cum exitibus &
 proficuis inde a tempore perquisitionis eiusdem manerij per ipsum Ra-
 dulphum vt præmittitur fact̄ hucusque prouenieñ siue accideñ restitue-
 retur. Et prædictus Attornat̄ nostr̄ Generalis qui pro nob. in hac parte
 vt prædictum est sequebatur in prædicta Cur̄ nostra, scilicet apud West-
 monasterium antedict̄ pro nob. petijt vltimus diem cum ceteris de con-
 silio nostro de legibus erudit̄ inde interloquend̄ vsque ad Quindenam
 Paschæ tunc prox' vbicunque &c. Et habuit &c. Idemq; dies dat̄ fuit
 præfato Radulpho Rogers tunc &c. ad audiend̄ si quid idem Attornat̄
 nostr̄ Generalis pro nob. versus eum tunc & ibidem in hac parte alle-
 gare vel dicere poterit. Ad quam quidem Quindenam coram nob. in
 Curia nostra prædicta, scilicet apud Westmonasterium antedict̄, ven̄
 tam præfat̄ Radulphus Rogers per Attornatum suum prædictum, quam
 dictus

Pleadings in the Court

dictus Attornat' nostr' Generalis qui pro nob. in hac parte vt predictum est sequebatur. Super quo idem Radulph' Rogers per dict' eius Attorn' petijt sicut prius iudicium in hac parte sibi per eandem Cur' nostr' reddi, Ac qd' man' nostr' ac dicta possessione nostr' predicti manerij de Hoope Baggard cum pertinentijs amouerentur, Ac quod ipse idem Radulphus Rogers ad plenam integram & pacificam possessionem suam inde, vna cum exitibus & proficuis inde a tempore pquisitionis eiusdem manerij per ipsum Radulph' vt premititur fact' hucusque puenien' siue acciden' restitueret. Et predict' Attorn' nostr' General' qui pro nob. in hac parte vt predict' est sequebatur in predicta Cur' nostra, scilicet apud Westmonasterium antedictam pro nob. petijt diem vltterius cum ceteris de consilio nostro in legibus erudit' inde interloquend' vsque ad Crastinum Sanctæ Trinitat' tunc pxim' vbiunque &c. Et habuit &c. Idemq; dies dat' fuit p'fato Radulpho Rogers tunc &c. ad audiend' si quid idem Attorn' nostr' Generalis pro nob. versus eum tunc et ibidem in hac parte allegare vel dicere poterit. Ad quod quidem Crastinum coram nob. in Cur' nostra p'cedita, scilicet apud Westmonasterium p'ceditam, ven' tam p'fata Radulphus Rogers per Attornatum suum p'dictum, quam dictus Attornat' nostr' Generalis qui pro nob. in hac parte vt p'fertur sequebatur. Super quo idem Radulphus Rogers p' dictum eius Attornat' petijt sicut prius iudicium in hac parte sibi per eandem Cur' nostr' reddi, Et qd' manus nostr' a dicta possessione nostr' predicti manerij de Hoope Baggard cum pertinentijs amouerentur. Ac quod ipse idem Radulphus Rogers ad plenam integram & pacificam possessionem suam inde, vna cum exitibus & proficuis inde a tempore perquisitionis eiusdem manerij per ipsum Radulphum vt p'fertur fact' hucusque puenien' siue acciden' restitueret. Et p'dictus Attorn' nostr' Generalis qui pro nob. in hac parte vt p'dict' est sequebatur in p'dict' Cur' nostr', scilicet apud Westmonaster' antedict' pro nob. p'f' diem vltterius cum ceteris de consilio nro in legib' erudit' inde interloquendi vsq; ad Octauas Sancti Michael' tunc pxim' vbiunque &c. Et habuit &c. Idemque dies dat' fuit p'fata Radulpho Rogers tunc &c. ad audiend' si quid idem Attornat' nostr' Generalis pro nob. versus eum tunc & ibidem in hac parte allegare vel dicere poterit. Ad quas quidem Octauas Sancti Michaelis coram nob. in Curia nostra p'cedita, scilicet apud Westmonasterium antedictam, ven' tam p'fatus Radulphus Rogers per Attornatum suum p'dictum, quam dictus Attornat' nostr' Generalis qui pro nobis in hac parte vt p'dictum est sequebatur. Super quo idem Radulphus Rogers per dictum eius Attornat' petijt sicut prius iudicium in hac parte sibi per eandem Curiam nostram reddi, Et quod manus nostr' a dicta possessione nostra p'dicti manerij de Hoope Baggard cum pertinentijs amouerentur, Ac quod ipse Radulphus Rogers ad plenam integram & pacificam posses-

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tionem suam inde, vna cum exitibus & proficuis inde a tempore perquisitionis eiusdem manerij per ipsum Radulphum vt prædict' est fact' hucusque proueniē siue accideñ restitueretur. Et prædictus Attorn' noster Generalis qui pro nobis in hac parte vt præfertur sequebatur in prædict' Cur' nostra, scilicet apud Westmonasterium antedict' pro nob. petijt diem vltcrius cum ceteris de consilio nostro in legibus erudit' inde interloquend' vsque ad Octauas Sancti Hillarij tunc prox' vbiunque &c. Et habuit &c. Idemque dies dat' fuit præfato Radulpho Rogers tunc &c. ad audiend' si quid idem Attornat' noster Generalis pro nob. versus eum tunc & ibidem in hac parte allegare vel dicere poterit, Ad quas quidem Octauas Sancti Hillarij coram nob. in Cur' nostra prædicta, scilicet, apud Westmonasterium antedictam, ven' tam præfatus Radulphus Rogers per Attornatum suum prædictum, quam dictus Attornat' noster Generalis qui pro nob. in hac parte vt prædictum est sequebatur. Sup' quo idem Radulphus Rogers per dictum eius Attornat' petijt sicut prius iudicium in hac parte sibi per eandem Cur' nostram reddi: Et qd' manus nostr' a dicta possessione nostra prædicti manerij de Hoope Baggard cum pertinentijs amouerentur. Ac qd' ipse idem Radulphus Rogers ad plenam integram & pacificam possessionem suam inde, vna cum exitibus & proficuis inde a tempore perquisitionis eiusdem manerij per ipsum Radulphum vt præfertur fact' hucusque proueniē siue accideñ restitueretur. Et prædictus Attornat' noster Generalis qui pro nob. in hac parte vt prædictum est sequebatur in prædicta Cur' nostra, scilicet apud Westmonasterium antedict' pro nob. petijt diem vltcrius cum ceteris de consilio nostro de legibus erudit' inde interloquend' vsque ad Quindenam Pasche tunc prox' vbiunque &c. Et habuit &c. Idemq; dies dat' fuit præfato Radulpho Rogers tunc &c. & audiend' si quid idem Attornat' noster Generalis pro nob. versus eum tunc & ibid' in hac parte allegare vel dicere poterit. Ad quam quidem Quindenam Pasche coram nob. in Cur' nostra prædicta, scilicet apud Westmonaster' antedict', ven' tam præfatus Radulph' Rogers per Attornat' suum prædict', quam dict' Attorn' noster Generalis qui pro nob. in hac parte vt præfertur sequebatur. Sup' quo idem Radulph' Rogers per dict' eius Attorn' petijt sicut prius iudicium in hac parte sibi per eandem Cur' nostram reddi, Et qd' manus nre a dicta possessione nra prædicti manerij de Hoope Baggard cum p'tineñ amouerentur, Ac qd' ipse idem Radulph' Rogers ad plenam integram & pacificam possessionem suam inde, vna cum exitibus & proficuis inde a tempore perquisitionis eiusdem manerij per ipsum Radulphum vt prædict' est fact' hucusque proueniē siue accideñ restitueretur, Et præfatus Attorn' noster Generalis qui pro nob. in hac parte vt præfertur sequebatur in prædicta Cur' nostr', scilicet apud Westm' antedict' pro nob. petijt diem vltcrius cum ceteris de consilio nro in legibus erudit' inde interloquend' vsq; ad Crastin' Sancti Trini tunc prox' vbiunque &c.

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Et habuit &c. Idemque dies dat fuit prefat Radulpho Rogers tunc &c. ad audiend si quid idem Attornat nostr Generalis pro nob. versus eum tunc & ibidem in hac parte allegare vel dicere poterit. Ad quod quidem Crastinum Sancti Trinitatis coram nob. in Cur nostra predicta, scilicet apud Westmonasterium antedictam, ven tam prefat Radulph Rogers per Attornatum suum predictum, qua dictus Attornat nostr Generalis qui pro nob. in hac parte ut predictum est sequebatur. Super quo idem Radulphus Rogers per dictum eius Attornat petijt sicut prius iudicium in hac parte sibi per eandem Cur nostram reddi, Ac quod manus nostr a dicta possessione nostra predicti manerij de Hoope Baggard cum pertinentijs amouerentur, Ac quod ipse idem Radulphus Rogers ad plenam integram & pacificam possessionem suam inde, vna cum exitibus & proficuis inde a tempore perquisitionis eiusdem manerij per ipsum Radulphum ut prefertur fact hucusque proueniens siue acciden restituere. Et predictus Attornat nostr Generalis qui pro nob. in hac parte ut predictum est sequebatur in predicta Cur nostra, scilicet apud Westmonasterium antedictam pro nob. petijt diem vterius cum ceteris de consilio nostro de legibus erudit inde interloquend vsque ad Octauas Sancti Michaelis tunc proxima vbicunque &c. Et habuit &c. Idemque dies dat fuit prefato Radulpho Rogers tunc &c. ad audiend si quid idem Attornat nostr Generalis pro nob. versus eum tunc et ibidem in hac parte allegare vel dicere poterit. Ad quas quidem Octauas Sancti Michael coram nob. in Cur nostra predicta, scilicet apud Westmonasterium antedict tunc ven in Cur tam prefat Radulphus Rogers per Attorn suum predicta qua dictus Attornat nostr Generalis qui pro nob. in hac parte ut prefertur sequebatur. Super quo idem Radulphus Rogers per dictum eius Attornat petijt sicut prius iudicium in hac parte sibi per eandem Cur nostr reddi, Et quod manus nostr a dicta possessione nostr predicti manerij de Hoope Baggard cum pertinentijs amouerentur. Ac quod ipse idem Radulphus Rogers ad plenam integram & pacificam possessionem suam inde, vna cum exitibus & proficuis inde a tempore perquisitionis eiusdem manerij per ipsum Radulphum ut predict est fact hucusque proueniens siue acciden restituere. Et predictus Attornat nostr Generalis qui pro nob. in hac parte ut prefertur sequebatur in predicta Cur nostra, scilicet apud Westmonasterium antedict pro nob. petijt diem vterius cum ceteris de consilio nro in legibus erudit inde interloquendi vsque ad Octauas Sancti Hillarij tunc proxima vbicunque &c. Idemque dies dat predicto Radulpho Rogers tunc &c. ad audiend si quid idem Attornat nostr Generalis pro nob. versus eum tunc & ibidem in hac parte allegare vel dicere poterit. Ad quas quidem Octauas Sancti Hillarij coram nob. in Cur nostra predicta, scilicet apud Westmonasterium antedict, ven tam prefat Radulph Rogers per Attorn suum predicta, qua dictus Attornat nostr Generalis qui pro nob. in hac parte ut prefertur sequebatur.

Super

Super quo idem Radulph^o Rogers per dict^o eius Attorn^o petijt sicut prius iudicium in hac parte sibi p^o eandem Cur^o nostr^o reddi, Ac q^o d^o manus n^ore a dicta possessione n^ora p^o dicti manerij de Hoope Baggard cum pertin^o amouerentur, Ac q^o d^o ipse idem Radulphus Rogers ad plenam integram & pacific^o possession^o suam inde, vna cum exitib^o & proficuis inde a tempore p^oquisitionis eiusd^o manerij p^o ipsum Radulph. vt p^o fertur fact^o hucusque p^oueni^o siue accide^o restituere^o. Et p^o dict^o Attorn^o nostr^o General^o qui p^o nob. in hac parte vt p^o dict^o est sequebatur in p^o dict^o Cur^o nostra, scilicet apud Westmonaster^o antedict^o p^o nob. petijt die^o vlteri^o cum ceteris de consilio n^oro in legibus erudit^o inde interloquend^o vsq; ad Quindenam Pasch^o tunc prox^o vbicunque &c. Et habuit &c. Idemque dies dat^o fuit p^o fato Radulpho Rogers tunc &c. ad audiend^o si quid id^o Attornat^o nostr^o General^o p^o nob. versus eum tunc & ibi^o in hac parte allegare vel dicere poterit. Ad quam quid^o Quinden^o Pasch^o coram nob. in Cur^o n^ora p^o dict^o, scilicet apud Westmonaster^o antedict^o, ven^o tam p^o Radulph^o Rogers per Attorn^o suum p^o dict^o, qua^o dict^o Attorn^o nostr^o Generalis qui p^o nob. in hac pte vt p^o dict^o est sequebatur. Sup^o quo id^o Radulph^o Rogers p^o dict^o eius Attorn^o petijt sicut prius iudicium in hac pte sibi p^o eand^o Cur^o nostram reddi, Et q^o d^o manus n^ore a dicta possessione n^ora p^o dicti manerij de Hoope Baggard cum p^o tene^o amouerentur. Ac q^o d^o ipse id^o Radulph^o Rogers ad plenam integr^o & pacific^o possession^o suam inde, vna cum exitib^o & p^ofic^o inde a tempore Inquisic^o eiusd^o manerij p^o ipsum Radulph^o vt p^o dict^o est fact^o hucusque p^oueni^o siue accide^o restituere^o. Et p^o dict^o Attorn^o nostr^o General^o qui p^o nob. in hac pte vt p^o fertur sequebatur in p^o dicta Cur^o n^ora scilicet apud Westm^o antedict^o p^o nob. petijt diem vlt^oerius cum ceteris de consilio n^oro in legib. erudit^o inde interloquend^o vsq; ad Crastinum Sanct^o Trin^o tunc p^o x^o vbicunque &c. Et habuit &c. Idemq; dies dat^o fuit p^o dict^o Radulpho Rogers tunc &c. ad audiend^o si quid id^o Attorn^o nostr^o General^o p^o nob. versus eum tunc & ibi^o in hac pte allegare vel dicere poterit. Ad q^o d^o quid^o crastin^o Sanct^o Trin^o cora^o nob. nunc in Cur^o n^ora p^o d^o, scilicet apud Westm^o antedict^o, ven^o tam p^o fact^o Radulph. Rogers p^o Attorn^o suu^o p^o dict^o qua^o dict^o Attorn^o nostr^o General^o qui p^o nob. in hac parte vt p^o fertur sequebat^o. Sup^o quo id^o Radulph^o Rogers p^o dict^o eius Attorn^o petijt sicut pri^o iudicium in hac pte sibi p^o eand^o Cur^o n^oram reddi, Et q^o d^o man^o nostr^o a dict^o possessione n^ora p^o d^o man^oij de Hoope Baggard cum pertin^o amouerent, Ac q^o d^o ipse id^o Radulph^o Rogers ad plen^o integr^o & pacific^o possession^o suam inde, vna cum exit^o & p^ofic^o inde a tempore p^oquisitionis eiusd^o manerij p^o ipsum Radulph. vt p^o fertur fact^o hucusq; p^oueni^o siue accide^o restituere^o. Et p^o Attorn^o nostr^o General^o qui p^o nob. in hac pte vt p^o dict^o est sequebatur dixit q^o d^o ex quo sibi sufficient^o constabat tam p^o quoddam Record^o in Turri Lond^o irr^oolul^o q^o d^o d^ous Rich. 2. quondam Rex Angl^o p^o Literas suas patent^o geren^o dat^o die Anno regni sui 2. assig-

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navit Elianor que fuit vx' Rogeri Mortimer quondam Comit' Marchie pro dote sua ipsam de hereditate p'dicti Rog. contingen' inter alia maner' de Cleobury cum sec'd Milit' ad illud spectan' int' quæ prædict' maner' de Hoope Baggard particulariter enumerat' pertinere ad dict' manerium de Cleobury & de eo teneri, Necnon per depositiones diuersorum testiū in Cur' nostra Wardorum de Recordo remanen', Necnon per decretum eiusdem Cur' nostræ quin etiam per diuersa alia Record' express. p'bañ dictū manerium de Hoope Baggard teneri de p'dicto manerio de Cleobury. Ac etiam pro eo quod eidem Attornat' nostro manifeste liquebat qd' Robertus nup' Comes Leic' tempore mortis dicti Humfrid' Hill fuit seiscus de p'dicto manerio de Cleobury. Ideo idē Attorn' nostr' non dedixit quin facebatur placit' & trauerisiam p'dict' fore vera modo & forma p'ur p'dict' Radulph' Rogers superius placitand' allegauit habitaq; sup' inde matura & diligenti deliberac' ac de aduisamento diuers. juris peritor' de consilio nro in Cur' nra p'dicta, scilicet apud Westm' p'dict', ad id denotat, & ibiñ existen' factaq; solen' pni' p'clamatione hac vice in eadē Cur' nra qd' si aliquis nos aut Attorn' nrum p'dict' vel ceteros seu aliquē alium de consilio nro in legib' erudit' informare vellet quare manus nrae a possessione nra p'dicta antedicti manerij de Hoope Baggard cum pertinē non amouerentur, Ac quare ipse idem Radulphus Rogers ad plen' integram & pacific' possessionē suam inde, vna cum exitib' & profic' inde a tempore p'quisitionis eiusdem manerij p' ipsum Radulph. vt p'mittitur fact' hucusque prouenien' siue acciden' non restitueret, veniret & audiret nullusq; ad id faciend' se aliquo tēpore oportuno obtulit. Ideo Termino Sanct' Trinitat', scilicet 27. die Maij, Anno regni nostri 42. considerat' adiudicat' definit & decret' fuit per Thom' Egerton Mil', Domiñ Custodem Magni Sigilli nostri Angliæ, Et per Cur' nostram p'dict' quod manus nostr' a dicta possessione nra antedicti manerij de Hoope Baggard cum priñ amouerentur, Ac qd' ipse idē Radulph' Rogers ad plen' integram & pacific' possessionē suam inde, vna cum exit' & p'fic' inde a tempore p'quisitionis eiusd' manerij p' ipsum Radulph. vt p'mittitur fact' hucusq; p'uenien' siue acciden' restitueretur. Ac qd' idem Radulph' Rogers de omnibus & singulis pecuniar' summis per ipsum medio tempore de exitibus & p'ficiis p'dict' manerij de Hoope Baggard cum pertinentijs percepit seu quouimodo percipiend' exoneretur saluo iure cuiuslibet, prout p' Record' & process. inde in Filacijs Cur' Cancellar' nre prædict' residen' plenius liquet. Et quia volumus ea quæ in Cur' Cancellar' nrae p'rementionat' nre acta sunt debitæ executioni demandari. Aq' ideo qd' secundum exigentiam iudicij præ specificat' versus nos pro præfato Radulpho Rogers reddid' manus nostræ a dicta possessione nostra antedicti manerij de Hoope Baggard cum pertinē sine dilatione amouerentur, Ac quod ipse idem Radulph' Rogers ad plenam integram & pacificam pos-

possessionem suam inde, vna cum exitibus & proficuis inde a tempore perquisitionis eiusdem manerij per ipsum Radulphum vt præmittitur fact hucusque pueniē siue acciden restituarur, Ac quod idē Radulph. Rogers de omnib⁹ & singulis pecuniar summi per ipsum medio tempore de exitibus & proficuis prædict manerij de Hoopē Baggard cum pertinentijs perceptē seu quouisinodo percipiendē exoneretur. Tibi igitur præcipimus, qđ manus nostras a præmentionat possessione nostræ antecedēti manerij de Hoopē Baggard, cum pertinentijs, in manibus nostris virtute posterioris Inquisitionis prædict vt præmittitur existē, si ea occasione & non alia in manibus nostris existet seu existere debet sine dilatione amoveas te inde ulterius in aliquo nullatenus intromittas. Ac quod ipse ipsum Radulphum Rogers ad plenam integram & pacificam possessionem suam inde, vna cum exitibus & proficuis inde a tempore perquisitionis eiusdem manerij per ipsum Radulphum vt prædictum est fact hucusque prouenientibus siue accidentibus restituas, Quodque eundem Radulphum Rogers & singulis pecuniarum summis per ipsum medio tempore de exitibus & proficuis prædicti manerij de Hoopē Baggard cum pertinentijs perceptē seu quouisinodo percipiendē exonerari fac. Saluo iure nostro & alterius cuiuscunque exitus si quos de prædict manerio de Hoopē Baggard, cum pertinentijs, ratione seu colore posterioris Inquisitionis præmentionat pro nobis seu nomine nostro vt præfertur perceperis, eidem Radulpho Rogers liberans vt est iustum T. R. apud Westminsterium vltimo die Maij, Anno Regni nostri Quadragesimo secundo.

A Bill or Petition for the defaulting of a rent issuing out of the Wards lands, and not found by Office out of the Lease, to be

granted by the Queene to the

Conrs.

If all humbleneste sheweth and beseecheth your humble suppliant Sect. 5
J. H. Esquire, and J. P. late wife of C. P. deceased, That whereas by an Inquisition taken after the death of the said C. certified into her Maiesties Court of Chancerie, and transcribed into this honorable Court, and there remaining of record, it is found that the said C. P. dyed seased in fee simple of diuers Lands and Tenements held of her Maiestie by Knights seutire, and that H. P. is his sonne & next heire and within age, by vertue wherof her Highnesse was and is lawfully intituled to the Wardship of the bodie and lands of the said H. P. And whereas your Honor by the mediation of Master Doctor P. was pleased that your Honors said suppliant should haue a graunt of the Ward

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wardship and marriage of the said W. P. and a Lease of the said lands and tenements during his minority. And whereas a great part of the said lands & tenements are in lease for diuers yeares, to haue continuance longer then the minority of the said Ward, which Leases with the rents thereupon reserved, are found by the said Inquisition, and by reason thereof the said lands and tenements are found at a verie great yearely value. And whereas there is a yearely rent of xiiij. li. issuing and going forth of the said lands and tenements, paid and payable forever, to her Maiestie and her successours, in the receipt of her Highnesse Exchequer, which rent was not giuen in euidence vnto the Iurie, or euer remembred at the time of the taking of the said Inquisition. By reason whereof, the said lands and tenements were found at as great a yearely value as if no such rent had bene payable to her Maiestie, or any way going forth of the said lands and tenements without any exception, deduction, or allowance of the said rent. It may therefore please your Honor the premises considered, that in the rent to be referred to her Maiestie vpon the Lease to be made to your said suppliant, as is aforesaid, a deduction or allowance may be made of the said rent of xiiij. li. by the yeare, and your said suppliant not thereby chargeable to pay the same rent of xiiij. li. to her Highnesse, both in this honorable Court, and also in the said Court of Exchequer. And your said suppliant shall daily pray to God for your Honor in health and happinesse long to continue.

*Inunction to stay a Suit commenced in the Spirituall Court
for Tythes.*

By the Queene.

Self. 6.

WE will &c. forthwith after the receipt hereof to surcease and stay, and not to proceed any further in a suit commenced by you the said R. T. in the Court Christian within the Archdeconrie of Richmond, against E. D. widow, late wife of T. D. Esquire deceased, for and concerning all maner of Tythes in their kind, comming and growing within the Manor of T. in the Parish of P. in our Countie of W. parcell of the inheritance of C. D. our Ward, nor to proceed in any other Court or place concerning the said Tythes then in our Court of Wards and Liueries, to which the iurisdiction of causes concerning our Wards inheritance, most properly appertaineth, and faile you not &c. reouen &c.

An Inquisition whereby a conueyance is found fraudulent.

Inquisitio indentata capta apud castrum N. in Coñ N. p̄ quarto Sect. 7
 die Ianuarij anno regni domine Eliz. Dei gratia Angliæ, Franciæ, &
 Hiberniæ Regine, Fidei defensor &c. 40. coram W.B.C.L. Armigeris
 H.B. gen̄ feodař Coñ p̄ E.B. W.R. & P.B. gen̄ commissionarijs dicte
 domine Regine, virtute commissionis dicte domine Regine ijs direct' et
 huic inquisitioni annex. per sacram̄t probor̄ et legalium hominum eiusd̄
 Coñ. Qui dicunt super sacram̄t suũ quod cum comperit fuit per quorũ
 inquisitionem cap̄t apud Swasham in Coñ p̄ 7. die Iunij anno regni
 dicte domine Regine, 38. coram T.M. at tunc Eschaetore dicte domine
 Regine eiusdem Coñ virtute breuis dicte domine Reg. de diem clausit
 extremum eidem Eschaetori directi ad inquirendũ post mortem G.M.
 defuncti, quod quidam W.L. et E.L. diu ante obitum eiusdem G. seisciti
 existẽ de et in duodecim acris terre et pasture cum pertũ in G. in coñ
 p̄, de eisdem duodecim acris feoffauerunt eundem G. et quendam G.
 M. Habend' eijsd̄ G. et G. et heredibus suis ad opus et vsũ ipsorum G.
 et G. et heredũ suorum imperpetuum. Et quod ijdem G. et G. sic inde
 seisciti existẽ in dominico suo vt de feodo. Et idem G.M. de alijs terris
 et tenementis in G. p̄ H. T. et alibi infra Coñ p̄ seiscitus exist' in do-
 minico suo vt de feodo, idem G.M. per factũ suũ gereñ dat' 18. die Au-
 gusti anno regni dicte domine Regine, 33. ea intentione ad gratulandũ
 dilectum frat̄ T.M. et dilectos suos consanguineos T.N. et C.N. et S.S.
 gen̄ pro magnis laboribus suis quos ijdem T. T. C. et S. antea suscepe-
 runt in et circa negoria eiusdem G. M. ad magnam vtilitatem eiusdem
 G. M. et pro naturali amore quem idem G. M. gerebat versus frat̄ et
 consanguineos suos predict' ac pro melioratione Anglice aduancement
 ipsorum T. T. C. et S. et ad intentionem quod ip̄i et heredes eorum quos
 super vixerit concesser̄ annuitatem siue annualem redditum 30. li. exenũ
 de terris et tenementis predict' cuidam R.M. filio seniori ipsius G.M.
 et hered' de corpore ipsius R. procreatis et procreandis de eisdem duo-
 decim acris et ceteris omnibus premissis idem G.M. feoffauit eosdem
 T.M. fr̄m ipsius G.M. et predict' T.N. C.N. et S.S. hend' et tenerẽ
 omnia et singula premissa eisdem T. T. C. et S. et hered' suis ad opus et
 vsũ ipsorum T. T. C. et S. et hered' ipsorum imperpetuum. Et quod
 paulo post scilicet vicesimo tertio die Septembris, anno regni dicte dñe
 Regine Elizabethæ, tricesimo tertio predict' ijdem T. T. C. et S. de eis-
 dem premissis feoffauerunt eundem G. M. hend' eidem G.M. et hered'
 suis ad vsũ eiusdem G.M. pro termino vite sue et post mortem eiusdem
 G. M. tunc de predict' 12. acris in G. quondam Lomnos et de parcella
 premissor̄ ad vsũ W.M. et E. vxor̄ eius pro termino sex annor̄ extunc
 proxim'

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prox' sequentē, et ad finem eiusdem termini tunc ad vsum dicti T. M. fratris et post mortem eiusdem T. ad vsum executorum testamti & vicime voluntatis eiusdem G. M. quousque T. M. fil' eiusdem G. M. ad plenam etatem xxj. annorum peruenerit, & post mortem ipsius T. M. filij, tunc ad opus et vsum ipsius T. M. filij et hered' de corpore ipsius T. filij pcreat, & pro defectu talis exitus ad opus & vsum G. M. filij alterius eiusdem G. patris & hered' de corpore ipsi' G. filij pcreat, & p defectu talis exitus ad vsum cuiusdam A. filiaz p'd G. patris et hered' de corpore suo pcreat, & p defectu talis exitus ad vsum p'd G. M. p termino vitæ suæ, & post mortem ipsius G. M. ad vsum E. M. & hered' de corpore suo pcreat. Et qd' idem G. M. pater virtute eiusdem feoffamenti in eadem premissis, cum pertinē intrans, & inde seifus existens in dñico suo vt de libero ten'to p termino vitæ suæ, & seifus etiam existens in dñico suo vt de dē feodo, de alijs terris & ten'tis, cum pertinē, in Brunton, & alibi iñ Coim p'd. Idem G. M. pater per scrip't suum gerens dat' 17. die Octobris, anno regni dictę dñę Reg. tricesimo quarto concessit p'fato T. M. fratri suo, & p'fato T. N. consanguineo suo tam p'd 12. ac' terr' in Gunthorpe p'dict, quond' Lomnors, quā oēs alias ēras et ten'ta sua, cum priñ, in Gunthorp Thursford, & alibi infra Coim p'd, hēnd' illas terr' et ten'ta, cum pertinē, eisdē T. M. fratri suo, & T. N. & hered' suis ad opus et vsum eiusdē G. M. p'ris p tempore vitæ suæ, et post mortem eius. Tunc de et in p'd 12. acris terr' in Gunthorp quondā Lomnors, et alijs ēris in Bale et Hundringham ad vsum p'f. T. M. fratris, & post mortē eius, ad vsum execut' ipsius eiusdē G. M. p'ris quousq; p'd T. M. fil' puenerit ad etatem xxj. annor, et tunc ad opus et vsum eiusdē T. filij et hered' de corpore suo pcreat, & pro defectu talis exit' ad vsum p'd G. M. filij et hered' de corpore suo pcreat, & pro defectu talis exit' ad opus et vsum I. et G. M. p'd & hered' de corpore suo pcreat, & p defectu talis exit' ad vsum E. et A. duar' filiar' eiusdē G. M. p'ris et hered' de corpore suis pcreat, & p defectu talis exit' ad vsum p'd T. M. fratris, & hered' suor' imperpetuum. Prout p eandem Inquisitionē (inter alia) plenius liquet & apparet. Iurato' p'd modo de & sup p'senti Inquisitione impanellati, & Iurati dicunt sup sac'um suum p'd, qd' p'd feoffament' sic vt p'fercur fact' p p'd W. et E. L. & conueiancię oēs p'd in dicta Inquisitione mētionata & in cōmissione huic Inquisitioni consu'ta special' de & concerñ p'd 12. acris terræ in G. p'd factę fuer' & quelibet eorum fact' fuit ad fraudem & couiñ ea intentione, causa & proposito ad decipiend' & defraudend' dict' dñam Reg. de p'rogatiua sua, prima seifina, liberatione, releuio, wardo, maritagio, et alio Iure suo quocunq; et dezipiend' & defraudend' ipsam dñam Reg. de p'ficiuis terrar' & ten'torum ipsius eiusdē G. M. def. de quib' eadem dña Reg. per p'rogatiuam suam & Ieges regni sui Angl' durante minori etate p'd T. M. filij et hered' p'pinq'ioris dicti G. M. def. de iure responderi deberet. Quodque nec eadem

feoffamta conueiant' oēs p̄d̄, nec cof aliqua fact' fuer' p̄ bonū & legitimū
caulis & considerac' et bona fide, sed fact' fuer' p̄ fraud' & couiñ ea inten-
tione qua supradicē est. Et vltim' Iur' p̄d̄ dic' sup' sacm suum p̄d̄, qd̄ p̄f.
G.M. pater p̄ testament' & vltimū volunt' suam in script', gereñ dat' xx. die
Septemb. Anno Dñi 1591. inter alia voluit & legauit p̄f. G.M. xx. lib̄
bone et legal' monēt Angl' soluend' eid' G.M. ad etat' suā xxiiij. annū per
execut' eiusd' G.M. p̄ris ea condic', qd̄ idem G.M. suffic' in lege p̄ factū
suum relaxarit p̄f. T.M. fil' et hered' eiusd' G.M. & hered' ipsi' T.M. (&
ibim' fact' relax' traderit manib' execut' p̄d̄ G.M. p̄ris ad opus et vsūm p̄d̄
T.M. fil' et hered' suor' totū ius, titul' & claiñ ipsi' G.M. de & in p̄d̄ xij.
acr' ter' in G. p̄d̄ q̄ nup' fuer' W.L. & E.L. p̄d̄, ad op' & vsūm p̄d̄ T.M.
fil' & hered' suor', put' p̄ eandē volunt' Iur' p̄d̄ sup' captiōñ huius Inquis.
in euident' ostent. pleni' liquet et apparet. Et vltim' Iur' p̄d̄ dic' super
sacm suū p̄d̄, qd̄ p̄f. G.M. est vn' filio' E.M. fil' eiusd' G.M. p̄ris & fuit
infra etat' xxj. annū, scz. etatis quatuor vel quinq; mensium aut eo circiter
tēpore consecutiōñ feoffamti p̄d̄, p̄ p̄d' W. & E.L. & qd' est etatis xxiiij.
annor', vel eo circiter tempus captiōnis huius Inquis. Et qd' p̄d' execu-
tor' testañti eiusdē G.M. patris nondum soluerunt p̄d' xx. lib̄ p̄f. G.M.
p̄ eundē G.M. legat', vt supradicē est. Neq; p̄d' G.M. nondum relaxauit
put' Iur' p̄d' sup' captiōñ huius Inquis. constare poterit. Dicunt etiā Iur'
p̄d̄ sup' sacm suum p̄d̄, qd̄ idē G.M. pater pecūñ suis pprijs p̄quesiuit
p̄d̄ xij. acr' ter' in G. de p̄d' W. Et E.L. & qd̄ idē G.M. non soluebat a-
liquā pecūñ nec dedic' aliquā consider' p̄ p̄quisitione p̄d̄ sed fuit notus
in eod' feoffamto, cū eod' G.M. ad decipiend' dñam Reg. put' supradicē
est. Et qd̄ idē G.M. nullā habebat notic' dicti feoffamti tēpore consec'ō
eiusd' nec postea durante vita ipsi' G.M. sed capt' fuit feoffamē illud in
eius noie sine cōsensu vel noticia sua. Et vltim' Iur' p̄d̄ dic' sup' sacm suū
p̄d̄, qd̄ p̄f. G.M. stat' post feoffament' p̄d̄ p̄ p̄f. W. & E.L. in forma p̄d̄
sibi, & p̄f. G.M. de p̄d̄ xij. acr' fact' intrabat solus in oēs p̄d̄ xij. acr' & solus
recipiebat omnes & omnimodas exit' & p̄ficua earundem, & cuiuslibet
partis earundē tam toto tempore ante feoffament' suum inde vt p̄fertur
T.M. T.N. C.N. & S. Collard fact', quam postea continue durante tota
vita sua, scz. per spacium xx. annor' & amplius ad vsūm suum proprium
absque aliqua conueiācia vel licentia p̄ p̄f. G.M. sibi in hac parte fact'.
Et qd̄ post mortē eiusd' G.M. p̄ris hucusq; W.M. & vxor eius, & E.M.
exec' testañti p̄f. G. ceper' p̄ficua earundē xij. acr' & dinerf. alia' terrar'
eiusd' G.M. p̄ris & ead' p̄fic' vel eorund' aliqua annuatim conuerter' ad
manuten', vicē et vestit' ipso' T.M. et G.M. filij p̄f. G.M. p̄ris defuncti. Et
qd' idem G.M. nunquā cepit p̄ficua earund' ter' nec ear' p̄ris alicui', nec
aliqd' habuit nec hēt ad agend' cū dimisiōñ seu occupatiōñ earund' xij.
acr' aut alicui' inde p̄cell'. Et vlt' Iur' p̄d̄ dic' sup' sacm suū p̄d̄, qd' dē G.M.
nunq̄ hēbat in custodiā sua nec videb. p̄d̄ fact' feoff. de p̄d̄ xij. acr' sibi et p̄f.
G.M.

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G.M. præd vt preferat fact' sed quod idem G.M. solus habebat in custodia sua durante tota vita sua et quod post mortem eiusdem G.M. deuenit ad manus prefati T. M. fratris vnus executorum eiusdem G.M. patris et non ad manus dicti G.M. Et vltorius Iuratores predicti dicunt super sacramt suum predicti quod iidem G.M. pater nunquã intendebat quod idem G.M. heredes vel assignat sui haberet dicti duodecim acras terre in Gunthorpe aut aliquam inde parcelam, aut aliquod inde proficuum seu commod' capere attemptaret sed quod ipse idem G.M. pater eis gauderet solus et eas totas pro libito et arbitrio suis solus disponderet. Et vltorius Iuratores predicti dicunt super sacramt suum predicti quod predicti teoffementum per prefat G.M. patrem prefat T.M. T.N. C.N. et S.S. vt preferatur fact' fuit pro melioratione et aduantiamento Anglice the pferment and aduancement ipsius G.M. patris et dicti T.M. filij et hered' apparentis ipsius G. ea intentione vt ipsi eas reconcederent eidem G.M. patri modo et forma prout eas eidem G. reconcesser' vt præd est et nec ad commodum siue proficuum ipsorum T. T. C. et S. S. teoffat præd seu eorum alicuius. Quodq; præd relique conueancie annis dñe Regine nunc 33. et 34. mentionat fact', fuerunt fact', per fraudem et co- vinam prout supra dictum est et in fiducia et confidentia quod proficua eorund' conuertantur ad vsum commodum et pre melioratione Anglice pferment prefati T. M. filij et aliorũ filiorũ eiusdem G.M. defuncti et non ad commodum eorundum T.M. fratris T.N. C.N. et S.S. seu eorum. alicuius dicunt etiam Iuratores predicti super sacramt suum præd quod idem G. pater per predicti fact' suum dat 18. Octobris anno 34. predicti reseruant sibi potestã et authoritatem plenam mutandi status et limitationem creat' fact' et limitat per idem fact' sed vtrum mutauit eos nec ne Iuratores præd penitus ignorant. Et vltorius Iuratores predicti dicunt super sacramt suum predicti quod predicti R. M. filius eiusdem G.M. patris superius noiati fuit mortuus in anno 30. dicte domine Elizabethæ Regine quodque predicti T. M. T.N. C. N. et S.S. nec eorum aliquis concesserunt se concesserit predictam annuitatem seu annualem reddit' triginta librarum eidem R. prout Intentio facti predicti per prefatum G. Might eis facti preferatur pre se ferebat. Incuius rei testimonium &c.

*A Commission to enquire of a fraudulent
Conuoyance.*

Elizabth Dei gratia Anglⁱ, Francⁱ, & Hibernⁱ Regina fidei defens.
&c. dilectis nobis, Willielmo Bleurhasset, Christofero Layer armⁱ, Sect. .7.
Henrico Branthwait gen^{er} feodario Com^{it} nostri Norf. Ed. Bleurhasset,
Willielmo Robinson & Petro Barker generosis salut^e. Cum p^{er} quamdam
Inquisitionem captam apud Swaffham in Com^{it} nost^{ri} p^{re}dicto 7. die Iunⁱ
Anno regni nost^{ri} 38. coram Tho. Methwold armⁱ tunc Escacto^r nost^{ri}
Com^{it} nost^{ri} p^{re}dictⁱ, V^{ir} tute breuis nost^{ri} de Diem clausit extremum e^{ius}
Escacto^ri direct^{us} ad inquirend^{um} post mortem Galfridi Might cap^{it} & in
Cancellarⁱ nost^{ra} retornat^{us} (inter alia) sit compertum q^{uod} quidam Willi-
elm^{us} Lomnor & Ed. Lomnor diu ante obitum eiusdem Galfridi Might
seisiti existe^{nt} de & in duodecim acris terr^e & pastur^e cum pertinentijs
in Gunthorp in dicto Com^{it} nost^{ro} de eisdem duodecim acris feoffauer^{unt}
eundem Galfridum Might & quendam Galfridum Monie, Habend^{um}
eisdem Galfrido & Galfrido & heredib^{us}. suis, Et quod ijdem Galfridus
& Galfrid^{us} sic de p^{re}miss^{is}, seisiti existe^{nt}, & idem Galfridus Might de
alijs terris & tenementis in Thurstord & alibi infra Com^{it} p^{re}dictⁱ seisitus
existe^{nt} in dominico vt de feodo. Idem Galfridus Might per fact^{um} suum,
dat^{um} 18. August. Anno regni nost^{ri} 34. ea intentione ad gratuland^{um} dile-
ctum fratrem suum Tho. Might & dilectos suos consanguineos Thom^{am}
Norris, Cuthb. Norris, & Steph. Shoring gen^{er} p^{er} magnis laboribus suis
quos ijdem Tho. Tho. Cuthb. & Steph. antea super se susceperunt in
& circa negotia eiusdem Galfridⁱ Might feoffauit eosdem Thomam
Might, Thom^{am} Norris, Cuthb. Norris, & Stephan. Shoring de dictis
duodecim acris terr^e in Gunthorpe, & ceteris omnibus p^{re}miss^{is}. Ha-
bend^{um} & tenend^{um} omnia & singula p^{re}miss^{is}. eisdem Tho. Tho. Cuthber-
to & Stephano, & hæredibus suis ad opus & vs^{um} ipsorum Tho. Tho.
Cuthb. & Stephani, & hæredum suorum imperpetuum. Et quod paulo
post scilicet 26. Septembris extunc proxim^{us} sequent^{is}, ijdem Thomas,
Thom^{us}, Cuthbertus, & Stephanus per carram suam de eisdem p^{re}miss^{is}
feoffauerunt eundem Galfridum Might, Habend^{um} eidem Galfrido &
hæredibus suis ad vs^{um} eiusdem Galfridⁱ Might pro termino vitæ suæ,
& post mortem eiusdem Galfridⁱ Might ad vs^{um} Willielmi Money &
Elizab. vxor^{is} eius pro termino sex annorum extunc proxim^{us} sequent^{is}, &
ad finem eiusdem termini ad vs^{um} ipsius Tho. Might fratris, & post
mortem eius ad vs^{um} executorum testamenti, & vltimæ voluntatis eius-
dem Galfridⁱ Might quousque Thomas Might filius, eiusdem Gal-
fridⁱ Might ad plenam ætatem viginti & vnus annorum peruenerit, &

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ad plenam ætatem ipsius Tho. filij tunc ad vsum eiusdem Tho. Might filij & hæred de corpore ipsius Tho. filij procreat, & pro defectu talis exitus ad vsum Galfridi Might filij alterius eiusdem Galfridi patris & hæred de corpore ipsius Galfridi filij procreat, & pro defectu talis exitus ad vsum cuiusdam Anne filie eiusdem Galfridi patris & hæred de corpore suo procreat, & pro defectu talis exitus ad vsum Galfridi Monie pro termino vitæ suæ, & post mortem ipsius Galfrid Monie ad vsum Edmundi Monie, & hæred de corpore suo procreat. Et qd idem Galfridus Might pater in eadem præmissa cum pertinentijs intrans, & inde seiscus existen in dominico suo vt de libero tenemento p termino vitæ suæ, & seiscus etiam existen in dominico suo vt de feodo de alijs terris & tenementis, cum pertinentijs, in Brunton, & alibi in Comitatu prædict per scriptum suum, gerens dat decimo septimo Octob. Anno regni nostri tricesimo quarto, concessit præfato Thomæ Might fratri suo, & præfati Thomæ Norris consanguineo suo tam prædictas duodecim acras terræ, quam omnes alias terras & tenementa sua cum pertinentijs iisdem Tho. Might fratri suo & Tho. Norris & hæredibus suis ad opus & vsum ipsius eiusdem Galfridi Might patris p termino vitæ suæ, & post mortem eius ad vsum executorum ipsius eiusdem Galfrid Might patris quousque prædict Tho. Might filius perueniret ad ætatem viginti & vnus annorum, & ad plenam ætatem ipsius Thomæ Might filij tunc ad opus & vsum eiusdem Tho. Might filij & hæred de corpore suo procreat, & pro defectu talis exitus ad vsum præfati Galfridi Might filij & hæred de corpore suo procreat, & pro defectu talis exitus ad vsum Ioh. & Galfridi Monie & hæred de corpore suo procreat, & pro defectu talis exitus ad vsum Elizab. & Anæ prædict & hæred de corporibus suis procreat, & pro defectu talis exitus ad vsum prædicti Tho. Might fratris & hæredum suorum imperpetuum, prout per eandem Inquisitionem inter alia plenius liquet & apparet. Et cum Thomas Hesketh armig' modo Attornatus Curie nostræ Wardorum & Liberac' Magistro & Consilio eiusdem Curie ex parte nostra monstrauit, quod prædict' seoffamentum & conueciencie prædict fact' vt supra dictum est fact' fuer' per fraudem & couinam ea intentione causa & proposito ad decipiend & defraudend nos de custodia corporis & matrimonio præfati Tho. Might filij & hæred eiusdem Galfridi Might patris infra ætatem existen & Ward nostri ac ad decipiend & defraudend nos de profic' earum terrarum & diuersarum aliarum terrarum ipsius Galfridi Might patris de quibus durante minori ætate eiusdem Ward nostri de iure responderi deberemus, Quæ quidem Monstratio de nostra parte (vt accepimus) dictis Magistro & consilio Curie nostræ Ward & Liberationum prædict videbatur.

batur fore vera, & quia prædicti Tho. Might frater, Tho. Norris, & Cuthb. Norris iudicialiter vocati coram eisdem Magistro & Consilio in eadem Curia nostra ad respondendū Informationem & Monstrationem dicti Attornati nostri non denegauerunt super sacramenta sua sed plane confitebantur scoffamentū & omnes conuenciancias prædictæ factæ fuisse vt prefertur, allegauerunt tamen quod facta fuerunt pro bonis & legitimis considerationibus & bona fide & non per fraudem neque conuinam, vt supradictum est. Sciatis igitur quod nos de veritate & certitudine præmissorum certos fieri volentes & de fidelitate industria & prouidis circumspectionibus vestris plurimum confidentes assignauimus duos vel plures vestrum Commissionarios nostros ad inquirendū per sacramentum proborum & legalium hominum prædicti Comitatus nostri Norff. tam infra libertates quam extra per quos rei veritas & certitudo in præmissis melius sciri poterit vtum prædictæ scoffamentum & conuencianciæ prædictæ factæ, facte fuerant per fraudem & conuinam, intentione aliqua, causa vel proposito ad decipiendū vel defraudendū nos hæredes vel successores nostros de Prærogatiua nostra, prima scisina, liberatione, releuio, wardo, maritagio, vel aliquo alio iure nostro quocunque necne, & de omnibus alijs rebus & circumstantijs fraudem conuinam & deceptionem prædictæ qualitercunque tangenū seu concernenū. Et ideo duobus vestrum vel pluribus vestrum præcipimus & mandamus, quod ad certos dies & loca quos ad hoc duo vel plures vestrum prouideritis exacte & diligenter super præmissis. faciatis Inquisitionem. Eamque sic factæ & in pergameno distincte & aperte scriptæ nobis in Cancellaria nostra prædictæ sub sigillis duorum vel plurium vestrum & sub sigillis eorum per quos Inquis. eadem facta fuerit sine dilatione mittatis & has literas nostras patentes. Mandamus etiam tenore presentium Vicecomiti nostro Comitatus prædicti quod ad certos dies & loca quos ei scire feceritis vel duo vestrum scire fecerint Venire faciat coram duobus vel pluribus vestrum tot & tales probos & legales homines de balliua sua tam infra libertates quam extra per quos rei veritas in præmissis melius scire poterit & inquire. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste me ipsa apud Westmonasterium vicesimo sexto die Nouembr. Anno regni nostri quadragesimo.

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*An Inquisition upon a Deuener after the death of an heire within
age, and in ward.*

Sec. 8.

Inquisicio Indentaē capt' apud W. in Com' præd' xiiij. die No. Anno Regni dom' Eliz. dei gr. &c. coram H. E. aī Escaetōr dict' dom' Reg in com' predict' B. W. generos. Feodaī eiusdem dom' Reg. in dict' Com' G. H. gen. Cōmissionar dictæ dom' Reg. virtute Commissionē dict. dñe Reg. in natura breuis, de deuenerunt eisdem Commissionē direct. et huic Inquisic' annex' ad inquirend' post mortem W. K. inuioī filij et hered' William Keeling defuncti per sacraī &c. Qui dicunt super sacraī suum qd predictus Will. Keeling in dicta commissionē nominatus die obitus sui fuit seistus in dominico suo vt de feodo de et in vno messuag. vno horreo, & quatuor virgat' terr. cum pertin' scituat' iacē et existē in Farringdon et Westbrook in dicto com' Berk: Et p'dictus W. K. in dicta Commissionē nominatus sic inde seistus existens de tali statu dum infra etat: et in custodia dict' dñe Reg. 21. die Sept. anno obiit sic inde seistus. Et quod omnia & singula premissa, per mortem dict' W. patris, & ratione minoris etatis præd' Willielm in dict' Commissionē nominat' ad manus dictæ dominæ Reg. deuener' et sic in manibus dict' dom' Reg. existunt. Et vlt' Juratoī p'd' dicunt super sacraī suū p'd': Quod præd' mess. et cetera premiss. cum pertin' in Farringdon et Westbrook præd' in dict' com' Berk. tenent et tempore mortis dicti W. K. in dicta commissionē nominat' tenebant de dict' domina Reg. per tercie' xl. partis vnius feodi milij: et quod valent clar' p' ann' in omnib' exit' vlt' reprif. liij. s. iij. Et quod quidam R. K. est frater et propinquior' heres predic' Wil. K. in dicta commiss. nominat. Et fuit tempore mortis eiusdem W. fratris sui infra etat' 21. annoī viz. etatis quindecim annoī 9. die April. vltim' preter': Et insuper Iur: præd' dicunt quod prædictus W. K. in dicta commissionē nominatus nec aliquis alius siue aliqui alij. ad eius vsum habuit siue tenuit habuerūt: siue tenuerunt aliqua al' siue plura messuag. terr' tenca siue hereditament' in dominico nec in seruicio tempore obitus sui in com' præd' nec alibi quam vt supradictum est ad notic' Juratoī præd'. In cuius rei testimonium vni parti huius Inquisic' penes p'fat. commissionar' remaneñ p'fat' Iur' sigilla sua apposuerunt, alteri vero parti eiusdem Inquisic' penes p'fat' Iur' remaneñ p'fat. commissionar' sigilla sua apposuerunt die anno & loc' suprad'.

The answer of Iohn Cocke Esquire, the Queenes maiesties Feodary of her highnesse Connty of Surrey, to the bill of Complaint of Anthony Thomas, Complainant.

The advantage of exception to the insufficiencie of the said Bill of compl. to this desen. now and at all times hereafter, saued hee this desen. as well for himselfe, as in discharging of his office, concerning her Maiestie, saith, That true it is, that the said Samuuell Thomas, father of the said Compl. died seised in his demesne, as of fee of the said watermill, lands, tenements, and hereditaments in Horsey downe in the bill mentioned: and that the same are descended to the said compl. in fee simple, as son and heire of his said father, and that the said premisses were sometime parcell of the possessions, rents and reuenues of the hospitall or religious house of S. Iohn Ierusalem, being long since by act of Parliament and otherwise dissolved. And that although in and by a former inquisition, by vertue of a writ of diem clausie extremum, to the Lord Mayor of the Citie of London, Eschezor of our soueraigne Lady the Queenes Maiestie, of her highnes bozough of Southwarke, and other places in the said County of Surrey, after the death of the said Samuuell. &c. without that &c.

To the right honorable R. C. &c.

An Information against one for altering and razing the name of a Defendant.

Shelweth and info:rieth your ho. Lo. Sir T. Helketh knight, At Sect. 9. Storney of his highnes said court of Wards & Liueries, that where as the said Sir T. H. heretofore by information in his Ma. Court of Wards and Liueries, for and in the behalfe of one Fr. Albanie, his Ma. ward, did info:me that R. J. of Dwellstry in the County of Salop gent. C. B. a sonne of the same gent. R. T. of the same, Dier, C. ap. Who. of the same. T. G. H. Gryffith of the same Weauer, Gryffith Jones of the same Tayloz, Ar. ap Rob: of the same Baker. Ric. Wilson of the same, Meredith Jones of the same Weauer, Richard ap Robert of the same Shereman, Edw. ap John of the same weauer, and Evan ap Gryffith of the same weauer, & diuerse other, whose names are not knowen to the said Atto:ney, had lately wrongfully intruded and intruded into two parcells of common or wasse ground, the one called Launt yz abon gouthj, and the other called Knicne y bouth, parcell of the manoz of Whittington in the said County, and the grasse

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therupon growing oꝛ being, did wrongfully depasture and consume, with their cattell, to the great pꝛeuidice of his Maiestie, and disinherison of his Maiesties Ward: and thereupon, the said Attoꝛney prayd his maiesties writs of pꝛiuie seale to be directed to the said persons, and to euery of them, thereby commaunding them and euery of them at a certaine day, and vnder a certaine paine therein by the said Ma. of the Wardes to be limited, personally to appeare befoze the said Master of the said Wardes and Liueries, then and there to answere to the said pꝛemises, and euery part and parcell thereof, vpon their corpozall oathes, and also to set downe vpon their corpozall oathes, what right, title oꝛ interest, they & euerie of them challenge oꝛ claime to haue of in oꝛ to the said two parcels of common oꝛ waste ground oꝛ either of them, oꝛ any part oꝛ parcell thereof, and further to stand to and abide such further oꝛder and direction in the pꝛemises, as the saide Master of the Wardes and Liueries in his wisdom should think fit, as in and by the said Infoꝛmation remaining of recoꝛd remaining in this ho: Court, moze at large appeareth.

Where vpon one Thomas Hanmer of Workeington in the Countie of Salop Gentle. pꝛocured his Maiesties writ of pꝛiuie seale, dated the seauen and twentieth day of Aprill, in the third yeare of the Kings Maiesties raigne of England, France and Ireland, and of Scotland the eight and thirtieth, to be directed out of this honourable Court to the said Edward Hason, Meredyth Jones, Edward ap Eban, and John ap Gryffyth, in the said Infoꝛmation befoze mentibned, commaunding them thereby to appeare befoze the Master, and Councell of this honourable Court of Wardes and Liueries at Westminster, octabis Trinitatis last past, there to answere to all such matters as should be laid and obiected against them by the saide Attoꝛney of the said Court Subpœna, euerie of them foztie poundes, which said writ of Pꝛiuie seale being sealed, with the Kings maiesties said seale, called the Pꝛiuie Seale, and the said Edward Hason, Meredyth Jones, Edward ap John, and Eban ap Gryffyth, being thereby accordingly commaunded to appeare as afoꝛsaid, and the said names therein being faire, wꝛitten without razing, and the same writ of Pꝛiuie Seale being so wꝛitten, and being by some oꝛ one of the Officers oꝛ Clerkes of this honourable Court deliuered to the said Thomas Hanmer, after such deliueꝛy of the said Writ vnto him, and befoze the seruing thereof, the said Thomas Hanmer not hauing the feare of G D D befoze his eyes, noꝛ due regard of his Maiesties Lawes in that behalfe made and pꝛouided, about the thirtieth of Aprill last past, and since his highnesse last generall pardon, willinglie, wittingly, and falsely, altered, raised, oꝛ caused to be

be raized in the saide Writ of Priuie Seale, part of the Name of the said Edwarde Hason, and made or caused the same to be made and wrytten Richard Hason, and so after such raizure and alteration, as aforesaid, he the said Thomas Hanner, serued or caused to be serued the said Priuie Seale, by a Ticket out of the said priuie Seale, of one Richard Hason of Sweltry, in the said County of Salop gentleman, to appeare in this honorable Court O^rabis Trinitatis last, whereas the said Richard Hason is not made a Defendant in the said Information, and was not so named in the said Priuie Seale, when the same went forth of this honourable Court. And soasmuch as all offences done in or to this honorable court of Wards and Liueries, are punishable in that Court, and soasmuch as the wilfull raizure aforesaid deserueth sharpe and seuerer punishment, to the example of all ill disposed persons, May it therefore please your honorable Lordship, the premisses considered, to grant the Kings maiesties writ of Priuie Seale to the said Thomas Hanner, thereby commaunding him to appeare and answer to the premisses &c.

To the right ho. the L. high Treasurer of England &c.

A Petition to the Master of the Wards, for the wardship of the body and lands &c.

I A most humble wise sheweth vnto your good L. your daily Orator C. L. That whereas one D. or D. M. late of Upwell in the countie of North. gent. died about two moneths since, being then seised of certaine lands and tenements in the said Countie and elsewhere, of the p^recely value of x. li. or thereabouts vnto Repril: And as yet no office found after his death. Now, if it may please your ho: to graunt vnto your said Orator, as well the wardship of the heire of the said D. M. as also a lease of his lands during the minoritye of his said heire, vpon such reasonable consideration as shall seeme good vnto your Lo. (his trauell and information for the title reposed) which without him wil hardly be brought to light: And grant your Lo. warrant for the same vnto the feodarie &c. Et quo, or both, as may seeme best to your L: liking, your p^roore Orator will at his own costs and charges find an office, and p^roue a tenure for her maiestie. And according to his bounden dutie, daily pray vnto God for the long continuance of your Lo: prosperous estate.

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A Bill to pray licence for Traverse.

Sec^t. 10.

The office
hath manor.

Humbly sheweth your Honor, John Starkie of &c. in Com' Lanc' Gent. That whereas by Inquisition indented, taken at Logan in the said Countie of L. &c. day of Januarie, in this present rly. yeere of the prosperous reigne of our soueraigne Ladie Queene Eliz. befoze &c. Eschetoz, of our said soueraigne Ladie of the said Countie of L. by force of a writ of our said Soueraigne Lady, of Mandamus, to the same Eschetoz directed, to enquire of the death of Hen. Starkie Gent. late of Aighton aforesaid, in the said Countie of L. deceased, it is found & presented by the oathes of H. G. R. W. gent. and others, to the number of sixteene in all, that the said H. Starkie, your supplicants said father, was seised in his demeasne, as of fee, of, and in the manor of Aighton &c. in the said Countie of Lanc. and of and in thre mess. &c. with thappurtenances in Claughton, in Amoundernes, in the said Countie of Lanc. And that the said Hen. Starkie, of such an estate died seised. And that your Dyator is his sonne and heire, and of the age of thirtie nine yeaves. And that the said messu. landes, tenements, and premisses in Aighton aforesaid, are holden, and at the time of the death of the said H. Starkie were holden of our said Soueraigne Ladie the Queene, as of her Duchie of Lanc. by Knights seruice, that is to say, by the fourth part of a Knights fee. And that the said messu. lands, tenements, and premisses in Claughton in Amoundernes aforesaid, in the Countie of Lanc. are holden, and at the time of the death of the said H. Starkie, were holden of our said Soueraigne Ladie the Queene, as of her said Duchie of Lanc. by Knights seruice, that is to say, by the fourth part of a Knights fee. Wherein, that is to say, in the tenures so found, the said office is false and untrue: for your suppliant doth and will auerre, that the said messu. lands, and tenements in Aighton in Amoundernes, and Claughton, nor either of them, nor any part thereof, are not, nor were not at the time of the decease of the said H. Starkie, holden of our said soueraign Ladie the Queene, as of her said Duchie of Lanc. by knights seruice, nor by any part of a knights fee, as in the said Inquisition is, to the great losse, prejudice, and hinderance of your said Suppliant founde and presented. But your Suppliant doth and will auerre and proue to this honorable Court, and so will iustifie and proue by good evidences, ready to be shewed to this honourable Court, that the said messu. lands, tenements, and premisses in Aighton aforesaid, at the time of the death of the said H. Starkie, were holden of H. late Earle of Derby, in free and common socage: that is to say, by fealtie, and the

the rent of thre graines of Pepper. And that the said Messuages, Lands, Tenements, and Hereditaments in C. in A. aforesaid, are holden, and at the time of the death of the said L. S. were holden of T. B. of C. in the Countie aforesaid Esquire by fealtie onely. And although your suppliant being wigan at the time of the finding of the said Office before the said Escheator, did set forth his said ancient evidences and late Offices found according to the said evidences. And also the opinion of his counsell in writing touching the same that your suppliant his lands are holden in maner and forme afoze by your suppliant alleadged, yet the said Escheator R. P. yet feodarie to her Highnesse of the said Countie of late for certen respects to themselues best knowne did in forme, inhozt, and iuence the said Jurie that the said evidences did not pzoove the said tenures in soze, whereupon the said Jurie did finde for her Maiestie as aforesaid. And forasmuch as the said Office so vntreuly found doth tende to the great losse, pzeiudice, and hinderance of your said suppliant and his heires for euer. May it therefore please your good Honoure to graunt to your suppliant her Maiesties Procelle of Priuie Seale to be directed to the said C. L. Escheator of the said Countie of Lancaster, and to the said R. P. and to either of them to shew such matter as they can for her Maiestie to pzoove the said tenures that vpon the view of the same and of your suppliant his evidences your Honoure may be satisfied. And then to licence your suppliant for the pzeferuation of right and inheritance to trauesse the said vntrew Office touching the tenures aforesaid. And your suppliant as neuerthelesse by duetie bounden shall daily pray to God for the increate of your Honour.

*An Information for the value of the mariage of a Ward, married
after the fathers death.*

To the right Honourable Sec.

Wherewith your Honour W. H. Esquire her Maiesties Atturney of Sect. 11
her Highnesse Court of W. and L. That whereas one J. H. of F. in the Countie of F. deceased, and R. H. his sonne and heire apparent were in their life time or the one of them was lawfully seased in their or the one of their demesne as of fee taile of and in nine messuages &c. with the appurtenances in the Towneships, Villages, and Hamlets, of F. L. &c. and in diuers other Townes and places within the said Countie of S. and of and in soure acres of Land lately eneroched and taken out of the wast grounds lying in the said Townes, and of and in diuers Messuages, Lands, and Tenements, to your said Atturney vnknowne: All which pzeemises or the most part thereof at the time

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of the deathes of the said J. H. and K. H. were and still are holden of the D. Countie in Capite by knights seruice or otherwise by knights seruice as of some of her Highnesse Honours or Manors. And afterwards the said J. H. had issue J. H. and of such estate dyed seised of some part of the said premises with the appurtenances, the reasons whereof is yet vnknowne to the said Atturney. And afterwards the said J. the grandfather of the restone of the premises of such estat died likewise seised. By and after whose decease the same premises descended & came respectiuely as of right they ought to descend & come vnto J. H. as son & next heire of the said K. H. son and heire of the said J. (which K. died in the life time of the said J. his father) living J. his son within the age of xxi. yeares, viz. of the age of v. yeares or thereabouts at the time of his decease, and at the decease of the said J. the grandfather of the age of xv. yeares viii. monethes and xv. daies or thereabouts. By reason whereof and of the tenures of the said lands her H. is or ought to haue bene intituled to the Custodie, Wardship, and mariage of the said J. H. and to the reuenues, issues, and profits of the said lands growing due since the decease of the said K. and J. neuer thelesse so it is &c. that the said J. H. C. H. his mother the late wife of the said K. H. and A. H. brother in law of the said J. the Ward, and W. H. haue not only entred and intruded into all and singular the premises and the rents and profits thereof taken euer since the deaths of the said J. H. and K. his son, and vnder diuers other sinister and indirect practises to defraud her Countie of the said Wardship, but haue married the said Ward since the decease of the said K. and haue gotten into their hands & possessions all or the most part of the deeds, charters & euidences late the said J. & K. H. touching or concerning the premises. By which the certaintie of the said J. & K. his estat & her Countie title & tenure might appere, by meanes whereof & of concealing the foresaid euidences & writings, a sufficient office cannot be prepared & found for the intitling of her H. to the fors. & value of the mariage of the said J. H. and profits of his lands wout sight & perusal of the said euidences, deeds & charters. May it therfore please your hon. the premises considered, to grant her H. most gracious writ of priuie scale w a due recu there to be contained to be directed to the said J. H. his mother H. & W. H. comanding the therby at a certain day & vnder a certain pain therin to be limited personally to be & appere before your ho. &c. then & there to answer the premises aswel touching the value of the mariag of the said J. as the profits of the lands late of the said J. H. the grandf. & K. the son by them rec. & grew due to her H. since the deaths of the said J. H. and K. H. but also to bring with them all & singular the deeds, charters, escripts, muniments and writings they haue or can lawfully come by any way, touching or concerning any the said messuages to the end the

same may be perused on her Maiesties behalfe for the preparing and finding of an office for her Maiestie &c.

An information for the title of an Adnowson of a Wards lands.

Most humbly enforzeth your ho T. H. Esquire &c. for and on the behalfe of C. S. & M. S. daughters and heires of L. S. late of W. in Coyn Wigorn gent. deceased. That whereas the said L. S. being in his life time amongst other things lawfully seised in fee of & in the aduowson of the Parish Church of F. F. in the said Countie of W. died thereof so seised holding certain of his lands of her maiestie by knights seruice in Capite, by & after whose decease aswell the said aduowson as other the said lands whereof the said L. S. died seised, did discend and come as the same of right ought to discend & come vnto the said C. S. and M. S. his said daughters & heires as by office thereof found at P. in Coyn W. the 16. day of Jan. anno 36. E. returned into her highnesse Court of Chancery, & there remain of Record, & from thence transcribed into this most ho. Court (whereby the said premisses are particularly found) may appere, By force wherof her maiesty is lawfully possessed of the Wardship of y^e bodie & lands of them the said C. & M. as to her highnes prerogatiue & mere right appertaineth, and whereas y^e said Church of F. F. being lately become void by the death of T. W. y^e last incumbent there, wherby it doth appertaine to her maiesty to present to the same Church, and accordingly her maiesty by the master of this Court, hath in right of the said wardsh. presented one C. S. Clerke to the said Church, yet so it is right ho. that one R. S. of W. in y^e said county of W. Esq. hauing by casual or vnlawful means gotten into his hands or possession y^e euidences, charters & writings which concern y^e inheritance of y^e said aduowson of right belonging to her Mai. said wards by coloz of hauing of y^e said euidences, doth pretend title to y^e said aduowson & to this presēt presentatiō in his owne right, & doth goe about not only to defeat & depriue her M. of her right to this presēt presentatiō to y^e same Church, but also y^e said wards of their inheritāce therein, & to y^e end & purpose he y^e said R. S. hath of late dealt wth one A. L. gent. who was hertofore y^e only dealer & procurer of y^e said office to be found, and was imploied & followed al maters concerning y^e same for & in y^e behalfe of y^e said wards & had all such writings, euidences, as cōcerned y^e inheritance of y^e said wards, deliuered by their scēds into his hands, custodie or possessiō, for y^e better effecting & prosecuting therof, & did therupon shew forth & produce very sufficiēt & pregnāt prose & mater to y^e iury y^e y^e said L. S. died seised in fee of y^e said aduowso, & that y^e same did after his death accordingly discend & come to y^e said wards, & yet now kthēce vpon the said combination wth the said R. S. & vpon some secret composition betwē the he the said A. L. hath deliuered al or the most part of y^e said writings & euidences into y^e hands & possessiō of y^e said R. S.

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And doth now give out that the inheritance of the said aduowson doth of right belong vnto him the said R. and doth animat & encourage the said R. L. thereunto, and doth goe about and endeaour to maintaine his right & title in & to the same against the said Wards, albeit he the said R. L. doth well know that the said L. S. died seised thereof according to the said Office, and that the inheritance of the same ought of right to descend and come to the said C. and P. S. as daughters and heires of the said L. And for further maintaining of the said pretended right, he the said R. S. hath dealt with one W. D. Clerke, who at the first also after the death of the said late incumbent, acknowledging her maiesties right of presentation to the said aduowson in the right of the said Wards, did procure vnto himselfe a presentation from her Maiestie, by the right Honorable the Lord Keeper of the great Seale of England. But now through the perswasions of the said R. S. he the said W. D. hath renounced the same former presentation from her Maiestie and hath taken a new presentation thereof from the said R. S. and by color thereof seeketh to be instituted and inducted in and to the said rectory vpon the said presentation from the said R. S. And doth acknowledge and affirme the said R. S. to be patron thereof and to haue the said right and inheritance of and in the said aduowson, and now denyeth both her Maiesties right of presentation therein to, and the inheritance of the said Wards, contrarie to all Law and Equitie. In tender consideration whereof, and soasmuch as the presentation aforesaid, made by the said R. S. tendeth to her Maiesties great prejudice in her manifest and iust right to the same immediate presentation to her Highnesse belonging during the minority of the said Wards, and that her Maiestie is not only thereby like to lose the benefit thereof but also the said Wards, their inheritance of the said aduowson. And for that all the possessions, rights, and inheritances of her Highnesse Wards, are within the suruey, order, rule, government, and iurisdiction of this Honorable Court, and are here properly to be heard, examined, iustified, and ordered. May it therefore please your Honour to grant her Maiesties most gracious Writ of priuy Seale to be directed to them the said R. S. A. L. and W. D. commanding them thereby and either of them at a certaine place and vnder a certaine pain therein to be limited personally to come and appeere before your Honour in her Maiesties said Court of Wards and Liveries, then and there to make answer to the said premises, and to stand to and abide such order and direction therein as to Justice appertaineth.

*An Information for the reliefe of an administrator of the
anueſtor of the Queenes Wards.*

To the right Honorable Sir R. C. Knight, principall Secretarie
to the Queenes moſt excellent Maieſtie, and one
of her Highneſſe moſt hono-
rable priue Coun-
cell &c.

Informeth your Honor, T. W. Eſquire Attourney generall of her Sect. 14.
Maieſties ſaid Court of Wards and Liueries, That where A. C.
widow, late wife and adminiſtrator of R. C. deceased, did ſtand in-
debted to the Duenes moſt excellent Maieſty in diuers ſummies of
money in her Highneſſe Court of Wards and Liueries, that is to ſay
in the ſumme of 360.li. for the fine of the mariage of R. C. her Maie-
ties Ward, ſonne and heire of the ſaid R. C. deceased, and in the ſum
of 110.li. for the fine of a Leaſe to her the ſaid A. C. by her Highneſſe
grant of the lands of the ſaid R. C. her Maieſties Ward. And where
T. W. late of D. in the Countie of W. Eſquire deceased in teſtate, did
ſtand bound by their ſeueral Obligations to the ſaid R. C. deceased,
that is to ſay, in two thereof of 500.li. a peece, and the thurd of 200.li.
as by the ſaid ſeueral Obligations, two whereof doe beate date the
firſt day of June, in the two and fortyeth yeare of her Maieſties moſt
gracious raigne, and the thurd the firſt day of June, in the ſaid two
and fortyeth yeare of her Highneſſe ſaid raigne, which ſaid thre ſeu-
rall Obligations were forfeited by him the ſaid T. W. to the ſaid R. C.
deceased, whoſe adminiſtrator the ſaid A. C. is, as afoſeſaid, and where
her Maieſtie was contented and pleaſed to accept and take the ſaid
thre ſeueral Obligations by aſſignment from the ſaid A. C. for and
in lieu toward the ſpedier and moze readie payment and ſatiſſying of
the ſaid ſumme of money ſo due vnto her Maieſtie by the ſaid A. C.
and ſhe the ſaid A. C. did thereupon for the full ſatiſſaction and pay-
ment of the ſaid ſumme ſo due vnto her Highneſſe by her deed in wri-
ting binder her hand and ſeale, and of record in the Court, as in ſuch
like caſes haue bene vſed, grant, aſſigne, and ſet ouer vnto our ſaid
Soueraigne Lady the Duenes Maieſtie, her heires and ſucceſſors,
the afoſeſaid thre ſeueral Obligations. And all the ſaid debts, and
ſummies of money thereby due vnto her the ſaid A. C. as adminiſtra-
trit of the goods and chattels of the ſaid R. C. her late huſband decea-
ſed, which ſaid aſſignment was allowed and accepted of by order and
decrea of this Court, made the twelſe day of Februarye, in the thre
and

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and fortieth yeare of her Maiesties reigne. And the said T. P. died in-
testate before he did satisfie or pay any part of the said summes in the
said severall Obligations mentioned, to be assigned as aforesaid, to
our said Soueraigne Ladie the Quænes Maiestie. Now so it is if it
may please your Honor, That the said T. P. at or nere about the
time of his decease, was seised of diuers and sundrie Manors, Lands,
Tenements and Hereditaments, in the said Countie of W. and in other
places within the Realme of England, the certaintie wherof, her Ma-
iesties said Attourney doth not know which were verily meant and in-
tended by him the said T. P. should be sold or otherwise disposed of,
for the payment of his debts, & especially of the said debts were due to
the said W. C. and assigned to her Maiestie as is aforesaid, and also was
likewise possessed of plate, iewels, readie money, household stufte, cattle
and horses, and of diuers and sundry other goods and chattels of the va-
lue of thre thousand pound, or thereabouts, the particulars wherof,
her Maiesties said Attourney doth not know, all which were liable to
and for the payment of the said debts of the said T. P. All which said
Manors, Lands Tenements and Hereditaments, are since the decease
of the said T. P. by vertue of some conueiance in trust made by the
said T. P. deceased, to the purposes and vles aforesaid, come to the
hands & possession of P. the elder now of D. in the said Countie of W.
Esquire, father of the said T. P. deceased, C. P. of the middle Temple
London Esquire, T. D. of London Esquire, W. D. of London Mer-
chant, T. P. the yonger Esquire, sonne and heire of the said T. P. de-
ceased, R. P. of D. aforesaid Gentleman, and of G. F. of in the
Countie of W. aforesaid, or of some of them who haue entred into the
said Lands, Tenements, Manors, and Hereditaments, and haue and
doe still conuert the profits thereof to their or some of their owne vles.
And also all and euerie the said plate, iewels, readie money, household
stufte, catel, horses, and other goods and chattels of the said T. P. decea-
sed, come to the hands of the said T. P. the elder, C. P. T. D. W. D.
T. P. the yonger, R. P. and G. F. or to some of them, who without
any administration to them or to any of them committed, haue and do
still conuert the whole benefit of the said plate, iewels, and other the
goods and cattels aforesaid, to their or some of their owne proper vles.
and whereas the said T. P. was a litle before and nere the time of his
decease, in spech and communication with the said W. D. for a mar-
riage to be had and solemnised betwæn the said T. P. the yonger, then
sonne and heire apparant of the said T. P. deceased, and D. the
daughter of the said W. D. for which there was agreed to be payd by
the said W. D. to the said T. P. the summe of two thousand and five
hundred pound, for the true payment wherof, the said W. D. became
bound

bound to the said C. P. in the summe of five thousand pound, or some such like summe, the certaintie whereof her Maiesties said Attourney doth not knowe for the payment of the said summe of five hundred pound, at certaine dayes then to come, which bond was made to the said T. P. the elder, C. P. T. D. T. P. the yonger, R. P. and G. F. or to some or one of them in trust, to and for the proper vse and behoefe of the said T. P. deceased, his executoꝝ and administrators. And sozasmuch as the said Manors, Lands, Tenements, and Hereditaments, plate, ielwels, readie mony, and other the goods and chattels aforesaid, late the said T. P. are and ought to be in all equity and good conscience liable to and for the painment of the said debt of the said T. P. deceased. And also sozasmuch as the said summe of two thousand and five hundred pound, which the said bond was made by the said W. R. was for the proper debt and dutie of the said T. P. deceased, which if it had bene made to the said T. P. deceased, himselfe would haue ben liable in the hands of the administrators of the said T. P. deceased, for the payment of the said debts assigned, as is aforesaid, to the Qu. Maiestie. And sozasmuch as the certaintie of the said lands, goods and chattels, are best knowne to the said T. P. the elder, C. P. T. D. W. R. T. P. the yonger, R. P. and G. F. or to some of them, and that they can and will declare the truth of all the pzemisses vpon their oathes. And sozasmuch as her Maiestie is without remedie to recouer the said debts assigned to her, as is aforesaid, without the ayde and assistance of this honorable Court, but is like to be defeated thereof, vnlesse this Court take some order for some due remedie to be had therein out of the said goods and chattels, lands and tenements, of the said T. P. according to the trust and true meaning of the said T. P. toward the payment of the debts aforesaid, so due to her Maiestie, whereof her Maiesties said Attourney doth enforce this honorable Court, and prayeth the aide and aduice of this Court in the pzemisses. It may please your Honor to award her Maiesties processe forth of this honorable Court to them the said T. P. the elder, C. P. T. D. W. R. T. P. the yonger, R. P. and F. and euerie of them, thereby commanding them and euerie of them, to appere in this honorable Court, at a certain day and vnder a certain paine, in the said Processe to be limited, then and there to answer the pzemisses, and to set downe vpon their oathes, what Landes and Tenements, goods, chattels, and summes of money which were the said T. P. in the time of his sicknesse whereof he dyed, or were the time of his death, or what bills or bonds for debts due to the said T. P. deceased, haue come to their or any of their hands, and of what value they were, or either, or any of them, are or then were, and where the same Landes, Tenements, Goods, Chattels, and Debts, doe lye

and

Pleadings in the Court

and are. And by what title they or any of them doe claime the Lands, Tenements, Goods, Chattells, and Debts, and to what or whose use or uses. And to what trust and confidence, and vpon what considerations they or any of them doe claime the same, to the intent that her Maiestie may be satisfied of the said summes of money and debts, due to her Highnesse, and to abide your Honours order therein, as to equitie shall appertaine. And the said *T. H.* shall pray &c.

An Information for detaining of Euidences, and concealing the Tenure of the lands of a supposed

Ward.

To the right Honourable Sir Robert Cecil, Knight, principall Secretarie to her Maiestie, and Master of her Highnesse Court of Wards and Liueries.

Sect. 15.

Shelueth vnto your Ho. Thomas Hesketh Esquire her Maiesties Attorney of this Court for and on the behalfe of her Maiesty, That whereas one Richard ap Rowland ap Hugh late of Pathauerne in the Countie of Mountgomerie Gentleman, deceased, was in his life time lawfully seised in his demesne as of fee, or fee taile, of and in diuerse &c. and of and in other lands, tenements, &c. vt sequitur. And whereas one Rowland ap Hugh late of Pathauerne in the Countie of Mountgomerie Esquire, and Richard ap Hugh his sonne likewise deceased, was in his life time also lawfully seised in his demesne as of fee, or fee taile, of and in diuerse manors, messuages, lands, tenements, and hereditaments, with their appurtenances to the same belonging, being in the Commotes, Toluneships, & Parishes of Arwestlie, alias Arustley, Keucilwck, alias Cauilwck, Pathauerne, Mlantwozin, Remyes, Pouthey, and Pachlloyd, in the Counties of Salop, Mountgomerie, and Merioneth, and of and in other lands, tenements, and hereditaments, with their appurtenances in other places, to her Maiesties said Atturney yet vnknowne, all, or the most part whereof, are holden of her Maiestie by knights service in Capite, or of some of her Maiesties Honours, Castles, or Manors, by knights service onely: And that the said Rowland ap Hugh, and Richard ap Rowland ap Hugh, or the one of them, being of all and singular the premises so seised, died of such an estate seised, about *15* or *16* yeares last past, By and after whose deceales, the same premises descended and came, as of right they ought to descend and come, vnto one Rowland

Pleadings in the Court

*An Information against certaine persons, for unlawfull intruding upon
a supposed Wards Lands, and cutting downe his woods,
with other wastes committed.*

To the right honourable &c.

Sect. 16.

Sheweth and informeth your ho. Sir J. L. Knight, his Ma. Attur-
ney of his Ma. said Court of Wards and Liveries, That whereas
John L. Esquire late deceased, was in his life time lawfully seised in
his demesne, as of fee, of and in diuerse manors, lands, and wood-
grounds, with their & every of their appurtenances in Pelvent Bol-
lesdon, alias Bolidon, Congley, Pattantley, Ottenhall, and Kilcot, in
the Countie of Gloucestre and elsewhere, to the said Atturney as yet
vnknown. And the said J. L. being of all & singular the said premises
seised as aforesaid, in or about 7. yeres last past, of such an estate ther-
died so seised, W. L. being his son and next heire, and within the age
of 21. yeares, that is to say, of the age of yeres, or thereabouts, at
the time of the death of his said father. All which manors, landes,
and woodgrounds, or the most part thereof, now are, & at the time of
the death of the said J. L. were holden of his Ma. in chiefe by knight ser-
uice, or otherwise by knight seruice, as of some of his Ma. honours, or
manors. By reason wherof, and of the said tenure, his Ma. sought to
be intituled by office after the death of the said J. L. the father to the cu-
stodie, wardship, and marriage of the said heire, and to the rents, issues
and profits of all the said premises, for and during his minority, and
after his full age, vntill liverye sued out of his said Ma. hands, of and
for the said premises. But now so it is, may it please your good Lo. as
the said Atturney is informed, That C. L. Esquire, Sir T. C.
C. Gent. J. C. and W. J. a Taylor, R. W. alias D. and A. his wife,
and diuerse other persons, whose names are as yet to his Ma. said At-
turney vnknown, and which he praieth may be inserted in this Infor-
mation, haue since the decease of the said J. L. the father, by vndue
meanes gotten into their hands, custodie, and possession, all the deeds,
writings, and euidences, touching and concerning all the said premis-
ses, whereby his Ma. said tenure, and title of and to the custodie and
wardship of the body and lands of the said heire doth and may appear.
And by colour thereof, haue wrongfully entred and intruded into and
vpon the possession of all the said premises, and the rents, issues, and
profits thereof, haue euer since the decease of the said J. the father, ta-
ken, perceiued, and yet doth take and perceiue, and the same conuert
to their owne vse: and haue hitherto by like vndue & sinister meanes,
indeuoured and gone about to conceale and suppress his Ma. said te-
nure and title, of and to the said custodie and wardship of the body and
lands

lands of the said **W. L.** the heire. And the said **C. L.**, **Sir T. C.** **C. J. C. K.** **W.** alias **D.** and **A.** his wife, and **W. J.** o^r, not cōtenting them selues therewith, haue since the decease of the said **J. L.** the father, made and contriued diuers & sundry secret estates to theselues and others, of and in the said p^remisses, and haue committed diuerse great decayings of the houses, and selling and cutting downe diuerse & sundry woods, and timber trees, standing and growing in & vpon the said p^remisses, and wastes and spoiles. And the said **K. W.** alias **D.** and **A.** his wife, as in the right of the said **A.** o^r the said **A.** alone in her widowhood, haue commenced suite at the common law, against the tenants of the said lands fo^r the dower of the said **A.** of, in and out of all the said landes wherof the said **J. L.** the father was seised, o^r died seised as afo^resaid. In consideration of all which p^remisses, and fo^r that the afo^resaide wastes and wrongs do greatly tend to the p^reiudice of his said **Pa.** tis, and the manifest disherison of his **Pa.** said ward, and are done in contempt and derogation of this ho^r: Court and the iurisdiction therof. And fo^r that a good and sufficient office cannot be p^repared and found after the death of the said **J. L.** fo^r the intitling of his said **Pa.** to the custodie, wardship and marriage of the said **W. L.** the heire, and to the rents, issues and p^rofits of all the said p^remisses, fo^r and during his minoritic, and after his full age, vntil liuery sued as afo^resaid, without the sight, view, and perusal of the said deeds, writings and evidences, and y^e seueral answers of y^e said **C. L.** **Sir T. C.** **C. J. C. K.** **W.** alias **D.** & **A.** his wife, & **J. Taylo^r**, had to y^e p^remisses. May it therfore please your good Lo^r. to grant his **Pa.** most gracious writ of p^riuie seale with a ducens secum, to be directed to the said **C. L.** **Sir T. C.** **C. J. C. K.** **W.** alias **D.** & **A.** his wife, and **W. J.** taylor, and to euery of them, cōmanding them, and euery of them thereby, at a certaine day, and vnder a certaine paine therein to be limited, personally to be & appeare befo^re your good L. in his ma. said court of wards and liueries, then and there to answer the p^remisses: and to set down vpon their oathes, what deeds, writings, & evidences, touching o^r concerning all o^r any the said p^remisses, haue at any time come to their hands, custodie o^r possession, o^r to the hands, custodie o^r possession of any other person o^r persons what soeuer, by their deliuerie, consent, o^r p^rocurement. And also what estate title, o^r interest, they o^r any of them haue, o^r pretend to haue, of, in, o^r vnto all o^r any the said p^remisses. And to stand to, and abide such further o^rder & direction touching the same, as to your good Lo^rship, shall seeme most agr^eable to iustice and equitie. And also to grant his **Pa.** most gracious Writ of Iniunction, to be directed to the said **C. L.** **Sir T. C.** **C. J. Cowcher.** **Woodhull**, alias **Dell**, and **A.** his wife, and **Jenken taylor**, their seruants and work-

Pleadings in the Court

men, and to euery of them, ioyning them thereby to stay and surcease from cutting or felling downe any of the woods or timber trees standing or growing in or vpon the said premises, and not to carry away from the said premises, any woods or timber trees, which are already felled and cut downe. And also to be directed to the said Woodhull, alia: Dbell, and Anne his wife, their Councellozs, Atturneyes, and Solicitours, and to euery of them, inioyning them and euery of them, thereby to surcease and stay from further proceeding in the said suite cominced by the said Woodhull, alia: Dbell, and Anne his wife, against the tenants of the said lands as aforesaid, untill they haue answered this Information, and this honourable Court taken further order therein.

A Bill for the deliuey of a Release, and other Euidences into the Court, to preserue the inheritance of the heire.

To the right Honorable &c.

Sec. 17.

Sheweth vnto your ho. Lc. your humble suppliant H. C. Esquire, That whereas John Quick of the parish of S. James near Taunt, within the county of Somerset, was in his life time lawfully seised in his demeasne as of fee, amongst diuerse other lands, of, and in certaine lands, tenements, & hereditaments, lying and being in Eastpennard within the countie of Somerset aforesaid, and so being seised about 7. yeares last past, for diuerse good causes and considerations thereof, did infeoffe Thomas H. Esquire, John C. Esquire, Edmund H. gent. Roger Ch. gent. Thomas G. and William Collard, to haue and to hold, for them, their heires, and assignes for ever. By force of which feoffment, the said feoffees were of the premises ioyntly seised to the and their heires. And so being seised, the said Edmund Huddie, shortly after died, and the said other Feoffees aforesaid them held in the premises by right of suruiuour. And the said Thomas Hallet, John Coles, Rob. Chap. Thomas Gib. and William Collard, so being ioyntly seised to them and to their heires, the said John Coles, Robert Chaplin, Thomas Gibbon, and William Collard, by their sufficient deede in writing, did remise and release vnto the said Tho: H. their ioynt cofeoffee, and his heires, all their right and title, in and to the aforesaid landes, tenements, and hereditaments in Eastpennard aforesaid in his demeasne, as of fee, and so being seised, of such estate dyed seised about halfe a yeare last past, after whose decease, the same descended and came as it ought, to descend

discreet and come unto Walter, his sonne and next heire, being at the time of the decease of his said father of the age of six yeares or thereabouts, by reason wherof, and for that the said landes, tenements and hereditaments, are holden of the Queenes Maiestie, by knights seruice in chiefe, as by diuerse Records ready to be shewed to this honourable Court doth and may appeare: the custodie, wardship, and marriage of the bodie and lands of the said Walter of right appertaineth to her highnesse. But so it is, if it may please your good Lordship, that Jo. C. Esquire, Rob. Chapl. Gent. Tho. Gibbons, and William Collard, haue gotten into their hands and custodie, the aforesaid deed of release, whereby the landes, tenements, and hereditaments in Castpennard aforesaid, were assured vnto the aforesaid W. W. and his heires, pretending by hauing and keeping the said release, that the right and title of the said Ward, in and to the aforesaid landes, tenements and hereditaments, should no way appeare, but be concealed, to the defrauding of the Queenes Maiestie, and to the disherison of the said Ward if speedy remedie be not therein provided by order of this honourable Court. And also haue likewise gotten into their hands diuerse other deedes, Indentures and writings, concerning the said landes of right appertaining to the said Ward. In consideration wherof, and forasmuch as your said Suppli. cannot proceede further to intitle her Maiestie by office vnto the said landes, without sight, or hauing the said deed of Release, and other deedes, and euidences aforesaid. It may therfore please your good Lordship to grant the Qu. maiesties writ of priuie seale, to be directed vnto the said Jo. Coles, Roger C. T. Sib. and W. C. commaunding them, and euery of them, immediatly vpon the sight thereof, not oney to appeare in this honourable Court to answer the premises, but also to bring with them the said deed of Release, made by them vnto the said Tho. Walter, father of the Ward, and also the said writings, deedes, and Indentures aforesaid. And further to stand to and abide such order and direction concerning the premises, as to your good Lordship shall seme most meet and conuenient. And your said Suppliant also prayeth proces against &c. immediatly to appeare in this Court, to answer such Interrogatories concerning the premises, as shall be exhibited against them at their coming, in the behalfe of the said Ward.

And further to stand to and abide such order and direction concerning the premises, as to your good Lordship shall seme most meet and conuenient. And your said Suppliant also prayeth proces against &c. immediatly to appeare in this Court, to answer such Interrogatories concerning the premises, as shall be exhibited against them at their coming, in the behalfe of the said Ward.

Pleadings in the Court

A Supplication not to haue the body of a Warde disturbed until the truth of the office may be examined.

Sec. 18

I pleased your honoz in the end of the last Terme to grant a Commission to enquire after the death of Hugh Boslock within the Countie of Chester. By vertue whereof an office is found and returned for the Queenes Maiestie, whereby the sonne and heire of the said H. is claimed to be in ward to her highnesse, and granted by your honoz vnto one of the sonnes of my Lady B. who hath sold him ouer vnto one Maffer G. so that the said office was very indirecely founde and gotten, in that the Commissioners there sitting, vtterly reiected, and would not suffer any euidences to be giuen or shewed forth for the Infant, as also receiued the verdict of the foreman of the Iurie, the rest of the Iurors, or the most of them not consenting, but deuying their assent thereunto, as is manifestly to be proued; and so that in truth the Infant ought not to be in ward to her highnesse, as by his Euidences may plainly appeare.

My humble suit vnto your good Lordshippe, on the behalfe of the said Infant is, that his body and landes may not any way be disturbed by such title of wardship, vntill the trueth of the tenore and proceedings may be examined in the Court of Wards, where I haue prayed licence to trauesse and avoid the said office so found as aforesaid, which shall be prosecuted with all speed and effect.

An Iniunction to auoide possession vpon

a Lease

Sec. 19

We will and commaund you and euerie of you, all excuses and delaias set apart, forthwith vpon the receit, sight or knowledge hereof, to aboide from the possession and occupation of one capitall messuage or tenement called Bzomny, with certaine houses there standing, one hundred and twentie acres meadowe, one hundred acres pasture &c. with the appurtenances in our Countie of Cheshire, being found by office to be parcell of the inheritance of Will: ap Hoorgan, sonne and heire of Hoorgan ap Dd. amounting to the summe of one hundred seuentene pound, twelue pence, and the same landes in our hands and possession, doe yet continue for lacke of Liuerie to be sued of the same out of our said hands by the said Will: ap Hoorgan. And that you, and euery of you, doe permit and suffer Evan ap Howell, Drouer or Farmoz thereof, and his assignes, quietlie to haue, hold, occupie and enioy the same premisses, and euery part thereof

accoz.

according to the tenor of our demise and graunt to him thereof made, vnder the seale of our Court of Wards and Liveries, bearing date the thirde of this moneth of June, without let, molestation, deniall, or interruption of you, or any of you, or any other by your meanes, assent, or procurement. And else that you, and euery of you, be, and personally appeare before the Waster and Councell of our said Court at Westminster, the thirde day of July next comming, then and there to answer vnto all such matters as shall be objected against you, and e- uery of you on our behalfe. And faile you not &c. giuen &c.

*An Iniunction to stay from cutting downe
of Woods.*

W e will and commaunde you, and euerie of you, all excu. Sect. 20.
ses and delayes set apart, to be, and personally appeare be-
foze the Waster and Councell of our Court of Warden and Liveries,
at Westminster Oct. Hillarij next comming, then and there to aun-
swer to all such matters as shall be objected against you and euerie of
you by C. W. And further, that you, and euery of you, from hence-
foorth doe surcease to fell, cut downe, or carry away, or cause to be fel-
led, cut downe, or carried away any woods, or vnder woods, stan-
ding, growing, or beeing, in and vpon one parcell of woodground cal-
led rootes, in our Countie of Salop, late the lands of J. B. Esquire
deceased, vntill you shall receiue further order therein from the Wa-
ster and Councell of our said Court. And faile ye not the accomplish-
ment hereof, vpon paine of you and euery of you two hundred pound.
Giuen vnder the seale of our said Court, the 13. day of June, in the
32. yeare of our raigne.

Alia forma.

W e will &c. forthwith vpon sight, knowledge, or receipt here-
of, to surcease and stay the cutting, selling, and carrying a-
way of any timber, wood, or vnderwood, in, or out of Aceton wood,
called Bother Croft, within our Countie of Linc. beeing parcell of
the lands and possessions of Tho. G. warde, vntill you shall receiue
further order from the Waster and Councell of our Court of Warden
and Liveries, concerning the premises, not failing &c. Giuen &c.

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Pleadings in the Court

A Bill for an Injunction to avoide from Land found
by office.

To the right Honorable &c.

Sec. 21.

Humbly sheweth unto your good Lo. Jane A. committee of Richard G. her highnesse ward, That whereas it appeareth by office taken after the death of George Uernie, father of the said ward, that the reuerſion of the manor of Pinifield, with thappurtenances within the County of Glouc. did diſcend unto the said ward after the death of his father, and that one Katherine L. was tenant for terme of life of the said manor, the reuerſion thereof to the said heire. And whereas the Dy. Pa. by Indenture vnder the ſeale of her highnesse Court of Wards and Liveries, dated the 1. day of December, in the 10y. yere of her highnesse raigne, hath among other things demised to the right honorable Rob. Earle of Leic. the said manor of Pinifield, with thappurtenances within the said County of Glouc. to haue and to holde from the death of the said Katherine during the minority of the said heire, yeelding and paying therfore yearly, as in the said Indenture ready to be ſhewed unto your good Lordſhip more at large appeareth. The Rate and intereſt of which ſaid right honorable R. Earle of Leic. of and in the ſaid Manor, with the appurtenances, is by good conueyance in law, assigned vnto your ſaid Suppliant. And whereas further, ſince the ſaid conueyance and assignment made, that is to ſay, the fourth day of May, in the xiiij. yere of the reigne of our ſoveraigne Lady D. Eliz. the ſaid R. Longen being tenant for terme of life, of the ſaid manor, with thappurtenances is deceased, wherby the ſaid reuerſion is diſcended in poſſeſſion to the ſaid ward, and ſo belongeth vnto your Lo. ſaid Suppl. by vertue of the assignment afoze ſaid. But ſo it is right hon. That one R. W. of Pinifield in the ſaide county of Glouc. of his own wrong and without any title, hath not onely entred into the ſaid manor of P. with thappurtenances, and expelled your Suppl. with diuerſe riotous and diſorderly persons, doth detain and keep the poſſeſſion thereof againſt your ſaid Suppl. But alſo during his ſaid wrongfull poſſeſſion, hath cut downe great ſtores of timber, &c. &c. growinge vpon the premises, and them carted away and conueyed to his owne vſe, and hee ſeemeth not to reſtore the ſaid ſpoiled woods, wherby your Suppl. is deprived of poſſeſſion in the ſaid manor, to the great prejudice and diſheritance of the ſaid Ward, and hindrance of your ſaid Suppl. who ought to haue the poſſeſſion of the ſaid lands, by vertue of the lease thereof, vnto the right Lo. Ro.

Earle

Carle of K. as aforesaid, and the assignment of the said lease vnto your said supplyant, made as aforesaid, and so much the rather for that the same lands are found by office to appertaine vnto the said Ward in possession after the death of the said K. In consideration whereof, it may please your good Lordship to grant the Duenes Maiesties Writ of Injunction, to be directed vnto the said K. H. and all other persons to auoid from the possession of the said Manor of M. with the appurtenances, and to permit your said supplyant quietly to haue and enjoy the same, during the minoritye of the said Ward, according to the grant aforesaid to her thereof made. And further to prohibit them and euery of them not to sell or carie away any wood or timber trees, growing or being vpon the premises, but till further order shall be taken by your good Lordship, and your said supplyant shall daily pray for your honor.

*A Bill of Complaint for an Injunction to stay a suit at the
Common Law.*

To the right Honorable &c.

Shelveth vnto your good Lordship H. D. Esquire, That whereas the Custodie, Wardship, and Marriage of W. H. sonne and heire of W. H. Esquire deceased, was about five yeeres last past, by the Waster and Councell of this honorable Court, granted vnto your said supplyant, and whereas your said supplyant hath by one Indenture covenanted with the said Waster and Councell amongst other things, that if at any time during the minoritye of the said W. any strip, wast, spoile, disorder, or incroachment be done or made vpon the inheritance of the said Ward, or that any hurt or hinderance is intended or may any way grow vnto the said Ward during his minoritye. That your said supplyant forthwith, vpon knowledge thereof, had, should certifie the same vnto the said Waster and Councell, and prosecute forth their order for reformation thereof. And whereas the said W. H. yet being within age, is lawfully possessed of fortie acres of Innmarsh called Lyrwoods, and fortie acres of Dufmarsh called Linwoods outmarsh in Wonden within the Countie of Essex, for terme of diuers yeeres yet to come, of which said premises, one Richard Clarke is also fermor vnto the said Ward. So it is right Honorable, That one Thomas Lodge pretending title to the said fourescore acres of Marsh in Wonden aforesaid, hath lately brought an Electione firme in her Maiesties Court, commonly called the Kings Bench, against the said Richard C. for the lands which he holdeth as aforesaid

pretending

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pretending by some feigned title to recover the said lands against the said R. C. to the great losse and hinderance of the said Wards being within age, and so unable to defend the same if speedie remedie and redresse be not provided by your good Lordship. It may therefore please your honorable Lordship the premises considered to grant her Maiesties Writ of Injunction to be directed to the said R. W. his Councillores Attorneys &c. and euerie of them, commanding them &c. thereby vnder a certaine paine therein to be limited, to surcease any further to procede or call vpon the said suit. And your said supplicant shall &c.

A Bill of Petition into the Court of Wards, for the continuance of the tenor of Liuerie.

To the right Honorable Sir W. C. of the most Honorable order of the Garter Knight, Lord high Treasurer of England, and Master of her Maiesties Court of Wards and Liueries.

Sec. 23

Beseecheth and prayeth your good Lordship H. Earle of H. That whereas the said Earle tendered his Liuerie vnto your good Lordship the eight and thentieth day of September in the eighteenth yeare of the raigne of the Quenes Maiestie that now is, for all the Manors, Lands, Tenements, and Hereditaments, which descended vnto him after the disceale of R. late Countesse of H. as sonne and heire vnto the said Countesse, the which was granted to him by your good Lordship for foure monethes. The prosecution whereof, the said Earle earnestly labored, but yet for the want of the deeds and euidences of most of the said Manors, he could not in that time proceed, for without them the tenures and estates of the said Manors could not be found. In consideration whereof, a further continuance of y^e said tender was granted vnto the said Earle, vntill the Vears of this Terme. And now forasmuch as the said Earle could not by any waies or meanes get the said deeds and euidences in conuenient and fit tyme for the prosecution of the said Liuerie, for that the said Countesse had by occasion of diuers Suits in Law touching the said Manors, deliuered them into the hands of diuers & sundry persons, wherof many were to the said Earle vnknotwn. May it therefore please your good W. that forasmuch as without the said deeds & euidences, the said Earle could not without preiudice as well to her Maiestie as to himselfe goe forward in the prosecution of his said Liuerie, to grant vnto the said Earle that he may continue his tender thereof vntill the fiftenth of S. Michaell next following.

*A Letter to a Noble man to appeere and answer to a Bill in the Court
of Wards after not answering upon a former Letter.*

After my hartie commendations to your good Lordship, whereas Sect. 24
ther was a letter from me directed vnto your Lordship in Trinitie Terme last, desiring your Lordship to send your Solicitor or some of your Councell to take out a copie of a Bill or Information exhibited against you befoze me, in his Maiesties Court of Wards and Liveries, on the behalfe of E. W. whereunto your Lordship was also required to haue made answer in the beginning of Michaelmas Terme last, whereby the cause might receiue such speedie triall as to Justice appertained, and for that I am informed that your Lordship hath not accomplyshed the premisses, these are therfore estions to require you forthwith to do the same or otherwise to signifie the cause of your stay and refusall in that behalfe, And so I bid you hartily farewell, in her Maiesties said Court, the 9. day of Ianuarie 1606.

An Information against an Officer at Armes, for pulling downe and defacing the Coate Armor, &c. remaining in a Cathedral Church belonging to the father of a Ward &c.

To the right Worshipfull Sir W. C. Knight, Master of the Kings Maiesties Court of Wards and Liveries.

In someth your Mastership, Sir J. L. Knight, his Maiesties Attorney of the same Court, on the behalfe of J. G. Esquire, his Maiesties Ward, sonne and heire of Sir W. G. late of W. in the Countie of Yorke Knight, deceased. Whereas by Inquisition taken after the death of the said Sir W. G. sc. setting downe the substance thereof, as by the said Inquisition returned into his Maiesties high Court of Chancerie, and there remaining of Record, and from thence transcribed into this honorable Court more at large appæreth. And the Kings Maiestie being of the Wardship of the bodie and lands of the said J. G. so as aforesaid sealed, and to the same lawfully interested by consequence wherof, the marriage of the said Ward without disparagement belongeth to his Maiestie of common right, and consequently is and ought to be so much the more for his Maiesties profit and advantage, by how much he the said Ward is a Gentleman generously descended.

Pleadings in the Court.

descended of ancient families and of noble parentage: Yet so it is that one R. Saint George calling himselfe Porthroy alias Porrey by his office at Armes, W. H. and C. B. or some one of them, by the priuie and consent of the rest, haue of late since the said Inquisition found, that is to say in and about the second day of September last past, entered into the Cathedraall Church or Minister in the Citie of W. and then and their most vniuersally pulled downe and defaced the Coat-Armoz, Crest, Denons, and other the lawfull and approued Ensignes of Gentry of the said Sir W. G. Knight, and which are from him lawfully descended to his Heiresses said Ward, not only to the said Wards great disgrace & impeachment in his marriage, and consequently to the Kings manifest prejudice that way, but also to his the said Wards losse and damage of C. li. at the least bestowed at his said fathers funerals, vpon the said P. alias Saint G. W. H. and C. B. his deputie or deputies in those parts, for publishing of Ensignes of Armoz at such times and other seruices of that kind, and for tricking, coloring, preparing, and setting of them by in the place where they lawfully stood. In tender consideration whereof, and soasmuch as his Heiressie will not by the Law of his Kingdome disparage his people of whom he is the Soueraigne and generall Gouvernor and Protectour, and consequently may not dispose of his said Ward in marriage with a Gentlewoman, vnlesse the said Ward be by descent also a Gentleman, and consequently cannot make that benefit of his marriage with a Merchant, Artificer, or Peomans daughter, as with a Gentlewoman. And soasmuch as the said Saint G. alias P. hath by this his action greatly hindered the estimate of the said Wards marriage, and so much the more impeached the means of his advancement therby, by how much he is an Officer at Armes, & hath done the said wrong by vertue and color of his Office: And soasmuch as this honorable Court is ordeined and established for the iustifying and relieuing of his Heiresses wards in all things that shall touch or concerne them, as well in their persons as in their lawfull means of preferment as this doth, as in their lands and possessions. It may therefore please your Mastership, the premises considered, to award his Heiresses most gracious Proctelle of priuie Seale, to be directed to the said R. Saint G. alias P. alias P. W. H. and C. B. commanding them and euerie of them thereby at a certaine day and vnder a certaine paine therein to be limited, personally to be and appere before your Mastership in his Heiresses high Court of Wards and Liueries, then and there to answer to the premises, and to shew cause if they can why he or they should not redifie, erect, and new set by the said Ensignes of the Wards gentry, and abide such further order &c.

A Demurrer wherein the defendants being charged for money that he had paid upon a bargain of wood which the plaintifes suppose to belong to a Ward; howbeit the defendant submitte himselfe to the order of the Court, upon the deciding of the cause &c.

THe said defendant by protestation not acknowledging any thing in the said Bill surmised, & alleadged to be true in such maner and forme, as in the same is contained, doth say that forsomuch as the drift and scope of the said Bill, doth seeme to be onely to demand money for certaine wood sold to this defendant, whereto the said complainants did intitule themselves vnder or by vertue of a Lease made thereof by her Maiesties Councell of this honorable Court, during the minoritye of P. D. now her Maiesties Ward, part of whose inheritance the said wood land is surmised to be, whereupon as this defendant is informed the said complainants may haue good remedie by way of account at the Common Law, if their owne allegation on that behalfe be true, and may by due and ordinarie course of account at the Common Law recouert the price of the said wood or damages for the same if any hath bene so taken and bought by this defendant, as in the said Bill is alleadged, doth humbly pray the iudgement of this honorable Court, if he shall be impleaded or sued for the same in this honorable Court, by Bill, seeing he may be also sued and impleaded for the same at the Common Law, as he is informed by his Councell, and yet neuertheless if it shall seeme fit to this honorable Court to determine the said cause, and to put this defendant to any further answer the aduantage to the incertaintie and insufficiencie of the said Bill, now and at all times to this defendant saued, for further answer and for more full satisfaction of this honorable Court touching so much of the said Bill as concerneth him this defendant, he saith and freely confesseth, that he this defendant did heretofore about the time in the Bill alleadged, buy of one Master Edward Digges in the Bill named, a certaine portion of the said wood in the said Bill mentioned, being about or very nere fower acres, halfe an acre, and halfe a yard, after the price of five and fortie shillings and eight pence the acre, comming in all as this defendant taketh it to be, the summe of tenne poundes and some odde monney, about fiftene shillings and some ten pence. And this defendant doth also further say, that he paid to the said C. D. and his assignes, the said full summe of ten poundes two shillings and tenne pence or thereabouts, in full contentation of the said bargain.

And

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And moreover, this defendant saith, that at that time when this wood was to be sold, he had heard that the said C. D. and one C. D. his brother, were in suit for this land, and that the matter was ready to come downe into the Countrey for triall, whereupon this defendant being desirous to haue part of this wood for his money, and being also willing to know of whom he might safely buy some part thereof, did enquire how the trial was like to passe, and of whom he might safely buy some of the said woods, and thereupon did heare of diuers, whose names he doth not now remember, that the said master C. D. might well and safely make him sale of part of the said wood. And as this defendant then heard it commonly spoken in the Countrey, it was verie likely and the common opinion of most men, that the cause would passe with the said C. or C. D. Ancles to the said Ward for their parts in gauelkind of the said woods which moued this defendant to bargain with the said C. D. for the same. And this defendant utterly denieth that he had euer any warning or knowledge giuen to the contrarie, as in the said Bill is vntruely surmised. But this defendant hath heard, that since the said complaints or some body for them in their names haue heretofore exhibited a Bill in this most honourable Court against the said C. D. and others touching this cause for the money arising of this wood, saile, whereunto the said C. D. hath made his answer vpon his Oath (as this defendant hath heard, and therein doth expressly confesse) that he made sale of this wood (now againe drawne into question) and that he hath receiued money for the same, and sheweth his title to be for that he was in possession of his gauelking part therein during the life of his eldest brother T. D. father to the said Ward, and hath not since lawfully bene put from the possession thereof, the which matter this defendant hath credibly hard and beloueth to be true, and doth hope it shall be sufficiently proued when the said complainants will proceed in the said cause, vpon this their said Bill. Howbeit that for so much as this defendant is a verie poore man, and aged, and by reason of his povertie and age, vnfit to follow suits, and altogether vnwilling to enter into any course, so vndergoe the charges and expences of trying of the said title betwene the said complainants and the said C. D. he this defendant doth most humbly refer himselfe to the consideration of this most honorable Court touching the premises, and doth most willingly of his owne accord for his owne quietnesse, offer to put in good assurance to this honorable Court, that if the plaintifes will proceed vpon their former Bill, against the said C. D. who hath left sufficient authority with his Soliciter to follow the same (as this defendant is informed) that then vpon the hearing of the matter the Court shall not rest satisfied that the said C. D. hath good title to hold and detaine the said wood.

wood-money, then if the said C. o; his Soliciter, doe not within one moneth after, make sufficient satisfaction for the said money soe by him receiued of this defendand as is aboue said, that then he this defendand wil forthwith pay the same againe to such person o; persons as this Court shall order and direct the same, without that that any other matter o; thing in the said Bill conteyned, and materiall for this defendand to answer vnto and herein not alreadye no; sufficiently confessed and auoided, trauesled o; denied, is trew, all which matters this defendand is ready to auer and proue, as this honorable Court shall award and prayeth to be hence dismissed, with his costs and charges in this behalfe wrongfully sustreined.

The Reioynder of Edward Hales Esquire, and Edward Eston Gentleman, to the Replycation of Thomas Hesketh Esquire her Maesties Attourney of her Highnesse Court of Wards and Liueries.

The said defendants say in all things as in their said answer they S:ct. 26.
 haue pleaded and alleadged, without that, that the said C. C. the father, held of her Maiestie in Cheife by Knights seruice o; otherwise in Chiefe by Knights seruice, land in P. in the Countie of S. as in the said replycation is alleaged, and with that, that these defendants will auer and proue that the said J. H. mentioned in the said answer and replycation had & ought to haue the Custodie, Wardship, and Mariage, of the said C. C. one of this defendants, for o; by reason that some part of the land of the said C. C. deceased at the time of the death of the said C. were holden of the said J. H. mentioned in the said answer and replycation as of his Manor of B. and that the said J. H. did as he might lawfully doe, grant the said Wardship of the body and marriage of the bodie of the said C. C. one of the defendants, and his lands so holden of the said P. as in their said answer they haue formerly alleadged and set downe, and with that, that these defendants will likewise auer and proue that the said J. H. did make and pretend title to the said Wardship of the said C. C. one of the said defendants, in such sort as in the said answer is alleaged, which matters these defendants are ready to auer & proue, and humbly praieyth as in their said answer theye formerly prayed.

Pleadings in the Court.

A Demurrer to a Bill for petition of Traverse, exhibited by a Lessee for yeares.

Sect. 25

The said defendant by protestation not confessing or acknowledging any thing in the said Bill of Complaint conteyned, materiall for him the said defendant, to answer vnto, to be true, faith, that the said Bill of Complaint is vntreue, vncertain, and insufficient in the Law to be answered vnto, to the which the said defendant ought not, neither is compellable by the law to make any answer, for that it doth not appere thereby that the said complainant hath or had any right, title, or interest, either of, in, or to any the surueiours or tenures found by the said first Inquisition in the said Bill of Complaint mentioned, or of, in, or to any estate of freehold, and inheritance, in any the Manors, Messuages, Lands, Tenements, or Hereditaments, in the said Inquisition mentioned, but that the said tenures, surueis, manors, and premisses, and part and parcell thereof, at the time of the finding of the Office and Inquisition, in the said Bill of Complaint mentioned, which the said complainant by his said Bill of Complaint, desireth now licence of this hon. Court to Traverse, were and yet be the freehold and inheritance of others, and that the said complainant hath and claimeth onely in a part of the said Manors and Lands, a terme for yeares, and not any other or greater estate, in respect whereof, the Lawes and Statutes of this Realme doe not allow any Traverse for the said complainant. For which cause and for that H. B. Esquire, sonne and heire of the said A. hath exhibited a former Bill of Complaint into this hon. Court, of the effect and purpose of the said complainants Bill, is yet depending, wherby the said H. B. Esquire, offereth as the said complainant now doth to maintaine the said first Inquisition, and all the tenures of the said Manors thereby found; and therefore desireth to be admitted to Traverse the said second and last Inquisition, the said defendant abideth in Law vpon the said complainants Bill of Complaint, and demandeth the iudgement of this hon. Court thereupon, and prayeth to be dismissed out of this hon. Court with his costs for this veration without any further answer making.

Of

OF THE STARRE- CHAMBER.

The dignitie of this Court is such and so great, as no other Kingdome hath ever created the like, being without paire or equal: for in the Terme time when Causes are heard in Westminster Hall, every weeke twice (which is vsually on Wednesdaies and Fridaies, and the next day after that the Terme is ended) the Lo. Chancelor, when any such is, or Lo. Keeper of the Great Seale of England, whose authoritie is one and the same (by force of a Statute made Anno 5. Eliz. ca. 18.) the Lords and others of the Kings Maiesties Pruiue Council, the Prime of the Clergie, the Lords and Barons of the Land, which are no Pruiue Councelors (such of them as will) and the Judges, especially the two chiefe of either Bench, doe then & there (during the time limited for Judges to determine Causes, that is, from the houre of 9. to the houre of 11. but commonly longer) sit in that Court. And although the Honorable Sir Th. Smith, Knight, late principall Secretarie to the most famous Princes, H. Edward the 6. & Qu. Elizabeth, in his booke de Republica Anglorum saith, it is called Camera Stellata, the Starre-Chamber, because the Windows and Roofe thereof haue bin and are adozned and painted with the pictures of Starres, yet emblematically they resemble the bodie of the Judges of that Court, consisting of persons of great eminencie (such as are before named) being the principall men of the two great Estates of this Kingdome, the Lo. Spirituall and Temporall: The head of which bodie, is our Soueraigne Lord the King, who when he pleaseth, sitteth there in his owne person: But in his absence, these Judges doe censure and determine all Causes there depending, by maioritie of voices, deriuing their light and authoritie from his Maiestie, as the Starres from the Sunne.

That most Honorable Sessions of Nobilitie censureth the Oppressions, Quarrels, Contentions, Iniuries, Routs, Ryots, & vnlawfull Actions, perpetrated most commonly by insolent, forcible, & powerfull parties, and no meane persons, against some priuate subiect. It punisheth sundry other sorts of offences, conspired against his Maiesties Person, such as are vnder the degree of Treason: offendozs also against the Persons of the Nobility and States of the Realme, as Scandalum Magnatum, and the like: also Duels and priuate Challenges made betwene partie and partie, contrarie to his Highnesse Edicts & Proclamations, and any libellous or seditious speaking or writing against the publike State, or against priuate persons, Perjuries, Forgeries,

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Conspiracies, Subornations, Maintenance, Champerties, and such corrupt dealings are there likewise heard, and the offenders punished. Also diuors Usages and Customes in matters, for the benefit of the Commonwealth, haue béens and are there ouer ruled: As Orders to be obserued amongst Corporations and Companies: For we read, that a finall Decree of this Court made by Th. Wolfe, Cardinall &c. Archbishop of Yorke, Primate & Chancelor of England Anno 20. H. 8. concerning Artificers in London being Strangers borne y much wronged our native countrymen, was confirmed by a statute made Añ 21. H. 8. cap. 16. where note, that in the exemplification thereof, the words are *Insuper Deceum per Nos & Consilium nostrum in Camera Stellata reddimus*, intimating, that that which is awarded by the Lords there, is done by the King: And therefore all Wils and Informations exhibited there, are titled and stiled on this maner, To the King, most excellent Maestie.

In this Court, the party delinquent is commanded by his Maesties most gracious Writ of Subpœna, vnder a penaltie therein expressed, to appeare & answer his offence: who comming & seeing (except the presence of the highest our said most dread Soueraign the King & Prince) as it were the Maestie of the whole Realme, placed like Statues for their height of Birth and Authoritie, although he be neuer so stout, he will be abashed, & being called to answer (for appeare he must, of what degree soeuer he be) the Grantie, Reasons, & Remembrances of those chiefe Personages do so orderly one after another handle the party offending, as be his courage neuer so great, his heart will fall downe to the ground, especially if his answer be not the better. They will command him to the Fleet, to be kept sometimes in close Prison, as the Judges shall appoint, there to remaine, vtill through the restraint of his liberty, & the extraordinarie expences which he must there sustain, like one resting in oblivion, being thus wearied, he shall be glad (after his submission & long suit of his sciends) to be ordered by reason.

Sometimes, according to his desert, he shall be fined to pay a great summe of money to the King, besides his colts & damages giuen to the plaintife. Sometimes he is adiudged to stand on the Pillorie, to lose his eares, & to haue his nostrils slit, in token of his more infamie: and sometimes his goods are confiscated, & his lands are seized into y Kings hands, yea, for some transgressions, his houses and buildings shall be threwe downe, his woods felled, & meadow grounds plowed by, and the greater men shall haue the greater punishment, when they offend, Potentes potenter puniuntur, because it is an old custome, to take example from and according to the doings of the Nobler sort: All which chastisements notwithstanding, the matter for which he attempted such crime,

crime, is remitted to the Common Law. Therefore this Starrie Place seemeth like a Bridle to curbe the errors of stout Noblemen & Gentlemen, that would offer wrong vnto any sort of persons, and will not be content to abide the order of Law, but be their owne caruers.

Some men haue thought, that the said Cardinall Wolſie was the first inuentor of this most Ho. Court, & others deeme that it is of more antiquitie, because the most renowned Prince K. Henry 7. hath sitten there in his owne person: howbeit, the said Cardinall much augmented the same, & made it of greater authoritie then it was befoze his time of Greatnesse: for he being Archbishop of Yorke, had a speciall eye vnto the demeanoz & carriage of the Nobility & Gentry in the North parts, and if he heard of any misbehauoz to be by any of them comitted, they were sent for, & here compelled to answer their doings befoze him and others the Judges & Barons of this Realme: and besides that, where-as there were certaine outrages made by those of the better sort, being farre from the R. and Courts of Justice, and an ordinarie fighting amongst them, vsing force as their law, banding to doe & reuenge iniuries as they list, in such violent manner, as the most Noble Prince K. Henry 8. did much dislike the same: After that he had sent for them one by one in this Court, to answer befoze such Ho. persons, when they had receiued relation of their offence, and been well disciplined both by words & punishment, suffering some imprisonment, their courage and pulse being allwaged, they then began to liue in better order.

Finally, to prevent & restraine disordered persons from running into such enormities, as much as possibly may be, on the last day of sitting in this Court after the Terme is ended, the L. Chanceloz or L. Keeper for the time being, vsually after a most Hon. manner pronounceth a Speech (as a Charge giuen from the R. Maiestie) in open Audiance of the whole Assembly (consisting of the better sort of Gentlemen, dwelling in seueral Countiees of this Realme) exhorting them all to repaire home, and circumspectly to looke to the conseruation of the R. Lawes, that the Peace be no way infringed, nor that Dissentions, Quarrels, and Menaces be suffered to arise & grow to a head: and that the Judges in their Circuits and elsewhere, and all Sheriffes, Just. of Peace, and other the R. Officers, should likewise be vigilant to performe y^e which to their charge rightly belongeth, with diuers holſome Cautions and Counsels tending to the tranquility & benefit of this Commonwealth. And thus you may a little perceiue the vse & puillance of this Court: Now followeth an Essay of the manner & matter of Bills & Informations, Answeres and Demurrers, practised in that Court, as hereafter may appeare.

Pleadings in the

*A Bill of Petition for a Subpoena out of the Starre-chamber, exhibited by
Sir I. C. against Iustice T. as well for diuerse Ryots committed by his
seruants, as also for breaking his Oath, and taking of Bribes: in
which is recited the Oath of a Iustice of the Common
Lawes, and his Dutie, according to the tenor of
two severall Acts of Parliament, made
Añ 18. & 20. E. 3. viz.*

To the Queenes most excellent Maiestic.

Sec. 1

In most humble wise complayning, sheweth vnto your Highnesse your daily Orator Sir I. C. of &c. That where the said Sir I. C. is seised in his demesne as of fee, of and in the manor of A. &c. And he being so thereof seised, inclosed with a hedge the said manor of A. and was thereof seised in his demesne as of fee, vntill that Sir J. T. your Maiesties Iustice in your Court Palatine of Chester, and one of your Highnesse Counsell in the Marches of W. pretending the title of the said wast sometime to be in your Highnesse, as: parcell of your Monasteries Forrest of F. and sometime to be in himselfe and his tenants &c. and sometime in the Right Honorable Sir H. P. L. A. &c. hath in sundry waies molested and troubled your said Orator, his said tenants and seruants, not onely by vnlawfull meanes, processe, and suits, but also hath many diuerse and sundry times forcibly, riotously, and rousfully plucked by the inclosure of your said subiect, and beaten, imprisoned, and cruelly hurt and maymed your said Orator and seruants. For further declaration wherof, may it please your Highnesse to vnderstand, that about C. in the third yere of your Ma. reigne, one T. H. and H. L. by the procurement of the said J. T. pretending your said Orators inclosure to be against right & order of Law, did exhibite a Bill into your Highnesse Court of Requests, where after Answer, a Commission was awarded. But the said J. T. mistrusting &c. did so delay &c. that your said subiect was dismissed out of the said Court: after which time, your said subiect was severally and quietly seised in the said &c. without any manner of interruption, vntill that about the second of D. in the yere of your most happie reigne, certaine persons by the number of an hundred, did vnlawfully and riotously assemble themselves in manner of Rebellion in A. aforesaid, and in the night time did pull downe and cast away the said Inclosure. For which their excessive outrage, the said persons were indicted at C. of an vnlawfull Assembly & Riot committed at A. aforesaid, notwithstanding:

the

the said Sir J. T. sent letters in their behalves, after which said Indictment, found by the assessement of the said Sir J. S. T. being Justice of Peace in the said Countie by his earnest laboz, and the offenders that was indicted of the said notozious rebellion, and unlawfull assembly, were fined at, or vnder twelue pence, &c. to the great incouragement &c. Whereupon your said subiect exhibited a Bill against the said riotous persons before your Maiesty, and your highnes Council in this most honozable Court hanging, which suite the said Sir J. T. treated, and making the case to bee his owne, as, and but before any ende &c. A pardon in the 0000 yeare &c. whereupon the said Sir J. T. perceiuing his said unlawfull attempt to passe thus still unpunished, and still minding to pursue his deadly malice against your said subiect, that if the inclosure aforesaide were not within 0 dayes &c. that he himselfe, and which was accordingly &c. And thereupon now of late, in the Tearme of &c. The said Sir J. T. caused to be exhibited in the name of Sir W. B. knight, vnto your highnesse into this honozable Court a bill of Riot against the seruants vnto your said subiect, pretending that the defendant had forcibly inclosed to his disturbance of the Common of the said Sir W. B. of &c. as of his mannoz of J. Whereunto when the said defendants had pleaded not guiltie, the said Sir J. T. perceiuing that his said attempt could not haue &c. stayed &c. And although the place where the riot was supposed to bee done, be in the Countie of W. and out of the Commission &c. of W. where the saide Sir J. T. being both Justice and partie, the matter could not &c. hanging which suite about 00 of June last, the said Sir J. T. appointed sometime one person, and sometime another, sometime diuers vnknown desperate vagabonds weapened with &c. as well by day as by night, to pull vp &c. And if it fortun'd any of the seruants of your said subiect to disturbe the vnlawfull enterprises, and in defence of &c. they were by diuers companies lying in ambushes, and Alehouses, and assailed, and namely &c. sequitur, misusage of his men. And if any of your highnes subiects were hurt &c. it were some such as by the procurement of the said Sir J. T. did breake your highnesse peace, in pulling downe the inclosure, abusing their authoritie to the furtherance of their vnlawfull attempts of the said Sir J. T. and to the intent the euill dealing, and the misdemeanors of the said Sir J. T. may the better appeare vnto your most excellent Maiestie, as well to outrages against others your highnesse good subiects, as against Sir J. C. now complainant. So it is most gracious Soueraigne reigne Lady, that notwithstanding the most wholesome lawes and ordinances set forth and established by authoritie of Parliament by your Maiesties most noble Progenitozs Kings of this realme, for the

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furtherance and better execution of Justice, for performance whereof all your Hon. Justices of your common lawes of this realme do take a corporall oath, the effect of which oath is set forth by authority of a parliament in the xvij. yere of your highnes most noble progenitor King E. 3. that is to say, that euerie Justice shall sweare, That he shall serue the King and his people in the office of Justice, And that lawfully hee shall counsaile the King in his businesse, And that he shall not counsell nor consent vnto any thing which may turne him to damage or disherison by any maner of way or colour. And that hee shall not know the damage or disherison of the said king, whereof he shall not doe to bee warned by himselfe, or by some other. And that he shall euer doe lawe and execution of right to all his subiects rich and poore, without hauing regard to any person. And that such a Justice shall not take by himselfe priuily nor openly gift or reward of golde or siluer, nor of any other thing which may turn to his profit, vnesse it were meat or drinke, and that of small value, of any man that should haue any plea or p^{ro}uise hanging befoze him, as long as the same p^{ro}uise should bee so hanging, nor after for the cause. And that he take no fee so long as hee shall bee Justice, nor robes of any man great or small, but of the King himselfe. And that he giue none aduice or counsaile to no man great or small in no case where the King is partie. And in case that any of what estate or condition came befoze him in his Sessions with force and armes or otherwise against the peace, or against the Statute thereof made, to disturbe execution of the common law, or to menace the people, they may not presse y^e law that he should do their bodies to be arrested and put in prison. And in case they were such y^e he might not arrest them, that he certifie the King thereof, and of their names, and of their imprisonment hastily, so that he might therof ordeine couenable remedy. And that he the said Justice by himselfe nor by other priuily nor apertly maintaine any part or quarell hanging in the Kings Court or else where in the country. And that hee deny to no man common right by the kings letters nor none other, nor for none other cause. And in case any letters come to him contrary to the law, that he shall doe nothing by such letters, but certifie the King thereof, and go forth to do the law notwithstanding the same letters. And that hee shall do and p^{ro}secure the profit of the King and of his realme and crown, with all things where he may reasonably do the same. And in case he were from thenceforth found in default in any of the points aforesaid, he shall be at the Kings will of body, landes, and goodes, therest to be done as it shall please him, as by the same statute more plainely appeareth. And euer and besides that same oath so set forth by the said noble p^{ri}nce E. 3. by authority of a Parliament, as is aforesaid, the said King being greatly

more,

moued in conscience vnto all his subiects. And being bound by oath
 to see due execution of his lawes vnto all men, amongst other things
 in the 20. yeare of his reigne, by authoritie of Parliament he likewise
 established, That all his subiects should doe euery right to all people
 without more fauour shewing to one then to another. And that they
 shall take neither fee nor robe of any man but of the King. And that
 they shall take no gift or reward by themselves nor by any other pri-
 uily or apertly of any man that hath to doe before them by any way,
 except meat or drinke, and that of small value. And that they shall
 giue no counsell to no great man nor small where the king is partie,
 or which doeth or may touch the King in any point, vpon paine to bee
 at the Kings will, landes, body, and goods, to doe thereof as hee shall
 please, as in case they doe the contrary. Notwithstanding such good,
 godly, and wholesome lawes, the said Sir J. T. knight, being constitu-
 ted and made by your Maiesty, your highnes Justice of the county D.
 and L. and other parts of W. hauing receiued the oath, and also being
 learned in your Ma. Lawes of this Realme. Neither hauing God ne-
 yet the dutie of a godly Justice before his eyes, but hauing within
 himselfe a corrupt minde, and a desire of unlawfull getting of other
 mens goods by vndue meanes, did amongst other his outrages,
 and corrupt dealings sithence such time as hee was constituted your
 Maiesties Justice, as is aforesaid. And being also scorned with his
 Letter with his owne hand vnto one J. P. Esquire, your Maiesties
 Atturney in the Marches of Wales: the tenure of which saide Let-
 ter ensueth in manner and forme following. After my heartie com-
 mendations &c. J. T. by which saide Letters it may as well appeare
 vnto your Maiesties most excellent wisdom, as by diuers other his e-
 uill demeanors vsed within the compasse of his said Office, ouer well
 the said Sir J. T. hath deserued to be called to account for the euill de-
 meanors of himselfe, as well against your Ma. as also your highnesse
 good subiects, your lawes, and also your highnesse crowne and dignitie.
 In consideration whereof, may it please your Highnesse to graunt to
 your said subiect your most gracious seuerall Writs of Subpoena, to
 be directed out of this most gracious and honorable Court to the said
 Sir J. T. commanding him &c. before this most honorable Councel in
 the Court of Starre chamber, then and there to answere &c. And your
 said humble subiect shall daily pray to God for the preservation of your
 highnesse in all felicitie most happily long to reigne.

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A Bill into the Starre-chamber for a Riot.

To the Queenes most excellent Maiestic.

Sec. 2

If most humble wise sheweth and complaineth vnto your highnesse, your suppliant, and humble faithfull subiect *J. G.* of *ec.* That whereas one *R. J.* of *D.* within your highnesse said Countie of *P.* Esquire, together with *John D.* did enter and become bounden to your graces said suppliant in one Statute Staple, in the summe of *ec.* for the performance of certaine covenants contained in one paire of Indentures made betweene your highnesse said suppliant on the one partie, and the said *R. J.* on the other party, which said Statute Staple was after by the said *R. J.* forfeited for not performance of diuers covenants contained in the said Indentures, whereupon your saide suppliant according to the vsuall course and forme of the common Lawes of this your realme, procured the same Statute to be certified into your highnesse Court of Chauncerie. And after your highnesse said suppliant pursued forth of the said high Court of Chauncerie one Writ to take the bodie of the said *R. J.* and to extend his lands and tenements, which Writ was directed to the Sheriffe of your Maiesties Countie Palatine of Chester. Upon the receipt whereof the saide Sheriffe made and directed his Precept to one *W. W.* and *H. T.* and others ioyntly and severally for the apprehension of the body of the said *R. J.* And the said *H. T.* one of the especiall Bailiffes, by vertue of the said precept, repaired to the dwelling house of the saide *R. J.* within your highnesse said Countie of *C.* And there finding the said *R. J.* neere the said house, the said *H. T.* by vertue of the said Precept, commaunded the said *R. J.* to yeld himselfe vnto him, and to obey your highnesse Procelle. But he the said *R. J.* being a very riotous person, hauing liued for the most part of these ten or twelue yeares as an outlaw, contemning all due administration of Justice. And all Proses that haue bin sued forth against him in sundry your highnes Courts, by diuers and sundry your highnes subiects, about the twelth day of October last past, suddenly and in a great rage, hauing in his handes a long piked staffe, made a most grieuous and perillous assault and affray vpon the same *H. T.* and then and there most grieuously foined the said *H. T.* in the left shoulder, that by reason thereof hee shall neuer be able to relieue himselfe. And then and there the said *R. J.* by the support and helpe of diuers his tenants and household seruants in most riotous and unlawfull wise assembled to take his part, *R. H. W.* came vnto the said *H. T.* many and sundry other ozie blowes and strokes

strokes vpon sundrie parts of his bodie, and in the end by their helpe
 and comfort, the said R. J. escaped to his dwelling house from the said
 T. And after your Maiesties said suppliant to his great costes and
 charges, was inforced to sue out of your highnesse Court of Chaun-
 cerie, one other Exrendi facias, directed to Sir J. S. Knight, then high
 Sheriffe of your Maiesties said Countie of C. who by vertue there-
 of summoned a Iurie of twentie persons to appeare befoze him at a
 certaine place called T. within your highnesse said Countie, about the
 eleuenth day of Nouember last, to inquire what lands and tenements
 the said R. J. was seised of, the day of the said Statute Stapie know-
 ledged, or at any time sithence, And after the said Iurie being impa-
 ned and swozne, and euidence vnto them giuen, found vpon their co-
 poꝛall oathes, that the said R. J. was seised of and in ec. to the cleare
 yerely value of 40. marks ouer and aboue all charges and reppites, as
 by the same Inquisition moze at large doeth and may appeare. And
 the same inquisition being after put in wꝛiting, and sealed with the
 scales of the said Iury, the said Sir J. S. the Sheriffe of your Ma. said
 countie, certified and returned the same into your Ma. high Court of
 Chauncery. And immediatly therupon your highnes said suppl. sued
 foꝛth of the said high Court of Ch. one Wꝛit of Liberate, directed to one
 W. B. esquire, then Sheriffe of your Maiesties said county, by vertue
 whereof the said W. B. about the 22. of Ianuary last past, repaired to
 the said capitall messuage, meaning to haue executed your Maiesties
 said Wꝛit of Liberate, accoꝛding as he was by the same commanded.
 And then and there finding the outward gates of a certain little court
 adioyning to the said capitall messuage fast barred and shut vp, was
 inforced to breake open the same. And coming to the doze of the said
 house, knocked at the same, and willed them that were within to yeld
 vnto him the possession of the capitall house, declaring openly and sun-
 drie times by what authozitie, and to what intent hee was come thi-
 ther. And this notwithstanding, and that also your maiesties Sheriffe
 had taried there most part of five or seuen houres, willing those which
 then were in the same house to obey your highnesse said Wꝛits and
 authozitie, yet they nothing regarded the same, whereupon the saide
 Sheriffe was inforced with such company as was then with him, to
 breake open one of the dozes of the same house, and so to enter into the
 same. And at his coming in, he found there in the same house in most
 riotous and warlike manner vnlawfully assembled, W. J. iunior, J.
 J. R. K. K. L. D. S. &c. and others to the number of foꝛtie persons,
 being there put in by the said R. J. to keepe possession foꝛ him, and to
 his vse, and by his commandement, having vpon them long foꝛcest
 billes,

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billes, piked staves, bow and arrowes, and diuers other kindes of lawfull weapons, as well inuasiue as defensiuē, being most of them persons vnknownen to your Maiesties said suppl. And diuers of the said defendants being sent for, and procured by the said ff. to come out of N. shire, S. shire, and D. shire, being such men as haue no certain habitation, but wanderers abroad like masterlesse men, whereupon the said Sheriffe after much time spent, and great reuenge of them threatned vnto your said suppliant, caused all the said riotous persons to depart out of the said house. And thereupon put your said suppliant into the quiet possession thereof, who remained there about two houres. And afterwards the said riotous persons perceiuing the said Sheriffe to be departed from the said capitall messuage, immediately after in most forcible and riotous manner, entred into the said capitall messuage, vpon the possession of your said suppliant, and him in most riotous and forcible wise expulsed, and put him in great perill and danger of his life, and the possession thereof haue euer since, and yet do main- taine and keepe in most riotous and forcible manner, to the great incouragement of all such like wilfull, riotous and disobedient persons, and against your highnesse lawes and statutes in such case made and provided, for the due correction and punishment of such like malefactoꝝ and outrageous persons, neither fearing God, nor your highnesse Lawes. In tender consideration whereof, and to the intent the said riotous persons may receiue condigne punishment for these their heinous offences, whereby there may grow some terroꝝ vnto such like disposed contemners and breakers of your highnesse Lawes within the said Countie, where of late there haue bene many and sundry heinous offences perpetrated and done, and none or little reformation as yet hath hitherto bene therein had, whereby the Countrey is growen to very much boldnes in contemning your Maiesties Lawes. May it therefore please your highnesse of your accustomed clemencie and goodnesse, to grant vnto your said suppliant your Graces bread Writs of Subpœna, to bee directed to &c. commaunding them thereby and vnder a certaine paine, and at a certaine day limited, to appeare in your highnesse high Court of Starre-chamber, then and there to answer to such matter as shalbe objected against them. And your said suppliant shal daily pray vnto God for your highnesse prosperous estate in royaltie long to reigne.

A Bill of forgerie of Obligations.

To the Queenes most excellent Maiestie.

Most humbly complaining, sheweth vnto your most excellent Sect. 3
 Ha. your poore and faithfull subiect *H. W. 4c.* That whereas in the
 Parliament holden at *W.* in the v. yere of your Ha. reigne, there was
 one good and profitable act made and provided for the due punishment
 of forgers of false deeds and writings. In which amongst other things
 it was enacted and established by the authoritie of the same parliament,
 that if any person or persons after the said first day of June, vpon his or
 their owne head or imagination, or by false conspiracy or fraud, had,
 or with any other shall wittingly, subtilly and falsely forge or make,
 or wittingly, subtilly and falsely cause or assent to be made and forged
 any false Charter, Deede, or Writing, to the intent that any person
 or persons shall or may haue or claime any estate or interest, for terme
 of yeares, of, in, or to any manors, landes, tenements, or heredita-
 ments, not being Copie hold, or any annuities in fee simple, fee taile
 for terme of life, liues or yeares, or after the said day shall as is afoze-
 said forge, make, or cause or assent to be made or forged, any obligatiō
 or Bill obligatoꝝ, or any Acquittance, Release, or other Discharge of
 any debt, account, action, suite, demaund, or other thing personall. Or
 if any person or persons after the said first day of June, shall pronounce
 publish, or giue in Euidence any such false or forged Charter, Deede,
 Writing, Obligation, Bill obligatoꝝ, Acquittance, Release, or Dis-
 charge as true, knowing the same to be false and forged, and shall bee
 thereof conuicted by any the wayes or meanes afozesaid, That then
 he shall pay vnto the partie grieued his double costes and damages,
 to bee found and assessed in such Court where such said conuiction
 shall be had, And shall be also set vpon the Pillory in some open market
 to shew, or ether open place. And there to haue one of his eares cut off,
 and also shall haue and suffer imprisonment by the space of one whole
 yeare without baile or mainepprise. But so it is, most excellent So-
 ueraigne Lady, that the day of last past, your said
 subiect, at the great instance and desire of one *A. D.* became bound
 as Suretie with one *W. F.* for the debt of the said *W. R.* vnto one
W. S. of 4c. by two severall Obligations, the one of the summe of
 two and thirtie pound, with condition for the true payment of firtene
 pound at a certain day now passed, and thother of twenty foure pound
 for the true deliuerie of twelue quarters of Wheate, at a certaine day
 new

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now likewise past. And thereupon for discharge of your poore subiect the said W. K. and A. D. did become bound vnto your said subiect in two other Obligations, the one of the summe of fortye pounds, with condition for the sauing harmeles of your poore subiect of the said Obligation of two and thirtie pounds, against the said W. S. and the other of the summe of sixe and twentie pound thirtene shillings & foure pence, also to discharge and saue harmeles your said subiect against the said W. S. for and concerning the other Obligation of foure and twentie pounds. And after your poore subiect perceauing the day of the deliuerie of the said twelue quarters of Wheate to the said W. S. to appoche and draw nere, much fearing the forfeiture of the said Obligation, knowing right well that the said K. had no Wheate to deliuer to the said W. S. your said subiect, then also being sick, & verie careful both for himselfe and also for the said A. D. & not able to trauell therein, nor seeing any order taken by the said W. K. for the payment or deliuerie of the said twelue quarters of Wheate, to the said W. S. against the day of payment, your said subiect minding himselfe by his friend to make prouision for the same, did send for the said A. D. declaring vnto him the estate of the cause, and wished him to trauell and make prouision for the said twelue quarters of Wheate, to saue the said bond, who seemed also to be carefull therof, howbeit in that sodain he was not in hast to make present prouision thereof, so as your poore subiect being inforced to proue his friend, declared vnto the said A. D. that there was sufficient Wheate in the store of the said Colledge, and hoped to receiue so much of them by way of loane, as should bee paid to the said W. S. and desired the said A. D. to goe to one Master L. and to desire him in the name of your said subiect to lend him twelue quarters of Wheate of the store of the Colledge to pay vnto the said W. S. and he should be repaid againe, vnto the end that the truth of the estate of that cause, and of the assurance of your subiects sauing harmelesse might plainely appere to the said Master L. your poore subiect vpon speciall confidence deliuered to the said A. D. those two Obligations, wherein W. K. and A. D. did stand bound to your said subiect for his indemnitie as aforesaid, willing him to carie and shew these Obligations to the said Master L. as aforesaid, and immediatly to bring them againe to your said subiect, the which the said A. D. did verie gladly accept, and faithfully promised so to doe. But so it is if it may please your most excellent Maiestie, that the said A. D. hauing thus gotten into his hands the said Obligations, wherein he and the said W. K. stood bound vnto your subiect as aforesaid, contrarie to his promise and the trust and confidence by your poore subiect in him reposed,

Starre-Chamber.

reposed, seeking the utter vndoing of your said subiect, respected no-
thing the payment nor the deliuey of the twelue quarters of wheate,
accozding to the condition of the said obligation, went not to the saide
M.A. to borrow the said wheat, but of a very wicked minde returned
home to his owne house, where without all care or conscience hee did
cancel both the said obligations, and did then and there most falsly and
deceitfully counterfeite and make two other writings obligatozry in the
name of the said M.A. onely leauing out his owne name to your said
subiect in the like sammes, and with the same like conditions, and did
also most deceitfully set to euery of the said new writings obligatozry
two seales, and in euery thing made them so like to the other as he
could deuise, thereby the sooner to abuse your said subiect. And hauing
thus forged and counterfeited these two writings, he returned to your
poore subiect lying sicke in his bed, affirming very vntruely, that hee
could not obtain the said 12. quarters of wheate of the said M.A. & then
deliuered to your saide poore subiect the said two forged obligations,
which he receiued in his weakenesse and sickenesse, and being also vn-
learned, was not able to discern the fallshood by meanes of vnhonell
dealings, and forgery of the said A.D. your poore subiect being then in
extremitie of sicknes, and abused as aforesaid, and hauing none other
reliefe to perfozme the condition of the said obligation, for the pay-
ment and deliuerie of the said Wheate, the Obligation wherein your
said subiect was ioynntly bound with the said M.A. to M.S. was for-
feited, since which time the said M.S. hath commienced suite against
your poore subiect vpon the said severall obligations, within the citie of
W. and hath reconered against him the whole penaltie of the said Ob-
ligations, and hath the bodie of your poore subiect in execution, to the
great losse and utter vndoing of your poore subiect his wife and fami-
ly for euer. In tender consideration whereof, and for that your poore
subiect is without all remedie by the course of the Common Lawes
of this realme against the said M.A. and A.D. for his due discharge
in this behalfe. And for that also the saide vnhonell and wicked facte
and treacherie of the said A.D. in abusing your poore subiect, putting
his whole trust and confidence in him, as is aforesaid, not onely in can-
celling of his iust and lawfull bonds and Obligations, to the forfei-
ture of his bonds, as it may seeme to be done by him of wilful purpose
to vndoe your poore subiect. And for that the said false and deceitfull
forgery of the said two new counterfeited writings obligatozry in the
name of the said M.A. and to the utter deceiuing and defrauding
of your poore subiect, doth not only tend to the vndoing & imprisonment
of your poore subiect, but to the great incouraging of others like leud &
euill disposed persons, to attempt the like forgery, and other such no-
torious

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torious facts, to the great prejudice of diuers your louing subiects. It may therefore please your most excellent Maiestie of your abundant grace and clemencie to grant your Highnesse most gracious Writ of Subpoena, to be directed to the said A. D. commanding them by vertue thereof, at a certaine day and vnder a certaine paine therein to be limited and appointed personally to appeere before the Lords of your Honorable Councell in your Maiesties high Court of Starre Chamber at Westminster, then and there to make answer to the premises, and to stand and abide such further order and direction therein, as by the Lords of your Maiesties said Councell shall be thought meete and conuenient. And your said subiect shall daily pray to God for the prosperous estate of your Maiesties raigne.

A Bill where the partie by forcible entry is put out of possession, beaten, and his Corne caried away riotously.

To the Queenes most excellent Maiestie.

Sec. 4

In most humble and pitifull wise complaining, sheweth vnto your Highnesse, your faithfull and obedient subiect T. B. That whereas your said subiect was and yet is lawfully possessed for certaine yeares yet enduring of and in one messuage and tenement with the appurtenances, situate, lying, and being in B. &c. in your Maiesties County of &c. by force of the demise and grant of one T. D. &c. So it is most gracious Soueraigne Lady, that one W. A. of &c. B. C. D. &c. being verie light, lewde, desperat, wicked, riotous, and euill disposed persons, with diuers other persons of like disposition, whose names to your said suppliant are yet vnknown, by the abbetment, aide, and procurement of one A. S. Esquire, one of your Maiesties Iustices of P. in your said Countie of P. and one R. V. who seeking and practising daily rather how to trouble, bere and disquiet your Highnes said subiect then the preservation of your Maiesties peace or obseruation of your Graces Lawes and Statutes of your Realme, the day of in the yeare of your Highnesse most prosperous reigne, as also diuers and severall other daies and times sithence, contrarie to your Maiesties said Lawes and Statutes, in such case made and provided, not hauing the feare of God before their eyes, neither any thing waying or regarding the penalties that might thereupon ensue with force and armes, that is to say, with swords, bucklers, daggers, piked staues, pitchforkes launces, and other weapons, as well inuasiue as defensiue, in furious, forcible, riotous, and vnlawfull maner, by the wicked counsell, aide, and procurement of the said A. S. and R. V. vnlawfully and contrary

to

to your Highnesse said Peace, did not onely make one great and grieuouse assault and affray vpon your said subiect and his seruants, being then in Gods peace and your Maiesties, and them most cruelly and dispitefully did beate, hurt, and wound, and so left them in great perill of death: but also most violently and forcibly enter into the said messuages and tenements, with the appurtenances, and with strong hand, great force, might, and power, then and there did take, conuey, and carrie away the Corne and Hay (that is to say) five cart loades of Wheate, eight cart loades of Barley, twelue cart loades of Beafe, five cart loades of Dases, and two cart loades of Hay, then and there being vpon the ground, belonging vnto the said messuages and tenements: and also with like force and violence, did dispossesse and expulse your said subiect from the same, to the great losse, hinderance, damage, and utter vndowing of your said subiect. By reason of which said riotouse and vnlawfull practises and attempts, great tumults did arise in such sort that sodenly great vppore had almost like to haue risen and bene stirred in your Highnesse said Countie, by the said riotouse and euill disposed persons, beeing counselled, abbetted, and ayded in the same their vnlawfull practises and doings by the said A. S. and R. H. had not your said subiect yelded and giuen place to the said riotouse persons as of force he was constrained to doe, being with his seruants so vnpitifully handled and violently tormentted, and put in great feare and perill of their lines, which fact by the said riotous and euill disposed persons so committed, as the same is vpon verie euill intent and purpose done by them, expressly against your Maiesties Lawes, and Statutes of your Realme, and against the common quiet of the same: So is the same an open and manifest euill example to all other lewd and euill disposed persons, to perpetrate and commit the like vnlawfull attempts, if condigne punishment and sharpe correction be not to the same riotous persons and their said counsellors and abbetors, ministred and extended in this beehalfe. In tender consideration whereof may it please your Highnesse to grant your most gracious Writ of Subpoena to bee directed to the saide A. S. R. H. W. U. P. U. &c. commaunding them and euerie of them thereby at a certaine day and vnder a certaine paine therein to bee limited personally to appere before the Lords of your Highnesse most Honourable Priuie Councell in the Starre Chamber at Westminster, and then and their to answer to the premisses: And further to stand to and abide such order, rule, and direction herein, as by them shall bee thought meete,

and:

Pleadings in the

and convenient. And your said subiect shall daily pray to **G D D** for the preservation of your Highnesse estate long ouer vs most victoriously to raigne.

An Information against a Vicar for Periurie, and for swearing himselfe.

To the Queenes most excellent Maieftie.

Sect. 5.

Humbly complayning, informeth your Maieftie, your faithfull, true, and obedient subiect **G. K. of ec.** That whereas the nineteenth day of **J.** last past your Graces Letters of Commission was directed out of the Court of the Archequier at Westminster, vnto **K. B. H. S.** &c. and others, to enquire of such Church goods as did appertaine vnto your Maieftie, and were concealed and withdrawne and otherwise employed. And the said Commissioners sitting by vertue of the said Commission at Westminster for the due execution of the same. **One K. S.** Clerke, Vicar of **A.** came befoze them the said Commissioners, to be examined touching the Articles of the said Commission, who taking his Oathe vpon the holy Euangelist truely to answer to such Articles as he should be examined vpon, according to the tenour of the said Commission, was examined vpon his said Oathe, whether he had in his possession or custodie, any goods, belonging or which did belong to the Church, did answer negatiuely, that he had not, noz neuer had in his custodie or hands, any goods belonging to the Church, where in verie trueth the said **K. S.** had then in his custodie, diuers parcellis of Church goods, and namely one Canopie, one peece of a Cannopie, a Vire &c. and diuers other like things, which he did then certainly knowe of. And so the said **K. S.** verie wittingly, corruptly, and wilfully did Periurie and forswere himselfe of purpose to keepe such Idolatrouse vessells and instruments in his owne hands, and thereby to doe iniurie vnto your Maieftie, contrarie to his duetie towards Almighty **G D D** and to your Maieftie, and contrarie to the Lawes and Statutes of this Realme. In consideration whereof, May it please your Maieftie to graunt your Graces Processe of Subpena &c.

*A Bill exhibited by the Queenes high Almoner, for de-
seining of such goods as were forfeited
to her Maiestie.*

To the Queenes most excellent Maiestie.

In most humble wise sheweth and complaineth vnto your Sect. 6
highnesse, your faithfull and obedient Subiect C. Bishoppe of
Rocheſter, high Almoner vnto your Maiestie, That where
one T. P. of C. in the Countie of Kent, the day of
in the yeare of your most gracious reigne, at C. afoze-
said feloniously as a felon, of himselfe, did doo and destroy
himselfe, as by an Inquisition then and there taken before J. W.
Gentleman, one of the Coroners of the same Countie, vpon the
sight of the bodie of the same T. P. by the oathes of twelue men
according to your highnesse Lawes of this Realme moze at
large it doeth and may appeare, by reason whereof all such
goods, cattells, and debts, as the same T. P. or any person or
persons had and was possessed of the day of his said death, doe
of right belong and appertaine vnto your said Maiestie, and so
to the distribution of mee your said Almoner, in augmentation
of your most gracious Almes, by force and authoritie of your
most gracious Letters Patents vnto me in that behalfe, gran-
ted and made, as by the same Letters Patents moze at large
it doeth and may appeare. And where one H. J. of C. afoze-
said, was indebted, and did owe vnto the said T. P. the day of
his saide death, the summe of tenne pounds of lawfull currant
money of England, to bee payde vnto the same T. P. his Cre-
ditors or Assignes at a certaine day now expired. And although
the said Bishoppe Almoner by R. G. of D. in your said Coun-
tie yeoman, hath diuers and sundry times required, and in-
stantly desired the saide H. J. to content and pay vnto him to
the vse abouesaide the saide debt of tenne pounds, yet that to
doe the said H. J. at all times hitherto hath refused and denied,
and yet doeth, not onely in contempt of your most gracious Let-
ters Patents vnto mee your saide Almoner, in manner and
forme abouesaide graunted and made, but also to the great let
and hinderance of your most gracious Almes, which should
haue bene ministred by your saide Almoner vnto your pooze

Pleadings in the

and impotent subiects, And to the perillous and euill example of such like offendours, if condigne punishment and speedie remedie by your Maiestie bee not shortly had and provided in this behalfe. In consideration whereof, may it please your most excellent Maiestie, to graunt your most gracious Writ of Subpoena, to bee directed vnto the saide H. J. commaunding him by the same personally to appeare before your highnesse and the Lordes of your most honourable Councell in the Starre Chamber at Westminster at a certaine day, and vnder a certaine paine therein to bee limited, then and there to answer to the premisses. And your saide Almoner shall pray vnto Almighty God for the prosperous estate of your Maiestie according to his most bounden duetie in most high honour and felicitie long to reigne ouer vs.

The Answer of a Defendant pleading not guiltie, being charged with Rescous and Conspiracie, and other misdemeanors in the Plainifes Bill mentioned.

The Answer of Iohn Probart Gentleman, one of the Defendants, to the Bill of Complaint of William Haye Complainant.

Sec. 7

THe said Defendant sauing and reseruing to himselfe now and at all times hereafter all aduantages and benefite of exception to the incertaintie, insufficiencie, and other imperfections of the saide Bill of Complaint, saith, That Dauid ap Hugh William one of the Defendaunts, was arrested in the Towne of Kington in the Countie of Hereford, at the Complainantes suite, And was brought by the Bailiffes that arrested him to the house of Richard Baker in the Bill mentioned, where Charles Bothe then Deputie to the Under Sheriffs of the Countie of Hereford was, And the Defendant Dauid ap Hugh William, being brought to the said Charles Bothe one of the Defendants, And hee this Defendant beeing giuen to vnderstand, that the said Dauid ap Hugh William was arrested, hee this Defendant came to the saide Charles Bothe beeing Deputie to the saide Under Sheriffe of the Countie of Hereford to bee baile for the apparance of the said Dauid ap Hugh Wil.

William, being his neere neighbour, and of his Ancient acquaintance, And also Thomas Bridges, and Deuoureur Pembro, Gentleman, offered to be his baile, with many other of great sufficiencie, whome the saide Charles Woothe Deputie vnto the foresaide Under Sheriffe would haue accepted of, but the Complainant and the Bailiffes which arrested the saide David ap Hugh William, one of them being his Brother, and the other his Uncle, not onely refused to suffer the Sheriffes Deputie Charles Woothe to baile him, but the saide Complainant and others his adherents greatly abused this Defendaunt and his wife, and raised a great tumult in the house of the foresaid Richard Baker, and drew their weapons and assaulted diuers persons without any iust cause of prouocation. In which tumult the Complainant was wounded, and so were others by the Complainant and his company: but the said David ap Hugh William neuer stirred nor offered to depart, neither did any body offer to rescue him, but the said David ap Hugh William did tender himselfe to the Deputie of the saide Under Sheriffe, and put in baile for his apparance. And at the day of apparance, a Capi corpus being returned by the Under Sheriffe, the said David ap Hugh William appeared to the saide Action by his Atturney, So as the Plaintife might well procede in the saide suite, and as to the said rescue, And the said Conspiracie, and all other the residue of the offences and misdemeanors complained of by the saide Bill, and eraminable in this honourable Court, this Defendaunt saith, that he is not guiltie of them, or any of them, in manner and forme as by the said Bill is supposed. All which matters this Defendaunt is readie to auerre and prooue, as this honorable Court shall adward, And humbly prayeth to be dismissed with his costes and charges by veration in this suite most wrongfully sustained.

The Demurrer and Answer wherein the Defendaunt allegeth that the Plaintife pretendeth to put the Defendaunt in seopards of his life, for beating and wounding the complainant according to the Bill exhibited.

The said defendaunt, all aduantages of exception to the vncertainty, Sect. 8
 taintie, and insufficiency of the said bill of complaint being to
 him

Pleadings in the

him now and at all times saued, for Plea to so much of the said Bill of Complaint as any way concerneth the beating and wounding of the sayd Complainant or anie matter depending thereupon, saith that the sayd Complainant sithence the time of the committing of the sayd supposed misdemeanors, pretending that he the sayd Complainant by reason of the hurt supposed by the sayd Bill to be done vnto him by this Defendant and others was in danger of death, caused this Defendant to be bound ouer by Recognisance to appeare at the great Sessions in the Countie of Radnor where this Defendant dwelleth holden in Summer last past, where this Defendant appeared and vpon his apparance the Complainant pretending that hee was still in daunger of death by reason of the sayd woundes, caused this Defendant to bee againe bound ouer to appeare at the next great Sessions of the sayd Countie heereafter no hee holden, to the ende that if the sayd Complainant should dye of the sayd woundes, this Defendant might bee forth coming to answer according to Law for the sayd Complainants death. And therefore sithence the sayd Bill of Complaint tendeth to examine this Defendant vpon his Oathe, touching a matter which by the Complainants pretence may concerne and call in question and put in iespardie the life of this Defendant. This defendant doth demaund iudgement whether he shall be compelled to answer that part of the Bill. And as to the residue of the matters complained of by the sayd Bill, and examinable in this Honourable Court, This Defendant saith, hee is not of them or any of them guiltie, in manner and forme as by the sayd Bill of Complaint is supposed. All which matters this Defendant is readie to auerre and pꝛooue, as this Honourable Court shall alward, and prayeth to be dismissed forth of the same, with his reasonable costs and charges in this behalf, most wrongfully susteyned.

*The forme of a Replication to severall
Answers.*

THe said Replyant doth reply and say in all and euery mat- Sect. 9
ter and thing, as befoze in his said Bill of Complaint he
hath said, And that hee doth and will auerre, maintaine, iu-
stifie, and proue his said Bill of Complaint, and all and eue-
ry the matters and things therein contayned, to be good, iust,
and true, certaine, and sufficient in the Law to bee answered
vnto, in such sort, manner, and forme, as in and by the said
Bill of Complaint it is truly set forth and declared, And that
the Answers of the said Defendants, and euery of them, in all
the points thereof materiall against this Replyant, are vntue,
without that, that any other matter or thing in the said An-
swers of the said Defendants or any of them contained ma-
teriall or effectuall in the Law for this Replyant to reply vnto,
and herein not sufficiently replied vnto, confessed, and a-
uoided, denyed, or otherwise trauesed, are true, All and e-
uery which said matter and matters, thing and things, this
Replyant is readie to auerre and proue, as this Honourable
Court shall award, And humbly pray as befoze in the said Bill
of Complaint hee hath prayed.

*A Replication, maintaining that the Defendants haue com-
mitted Maintenance, Periuurie, Subornation of
Periuurie, or Champertie, and are guillie
thereof, as in the Bill of Com-
plaint is specified.*

THe said Complaynant sayth, That his said Bill of Com- Sect. 10.
plaint exhibited against the said Defendants in this Ho-
nourable Court, is very iust, true, and sufficient in the Law to
be answered vnto by the said Defendants, and doth and will
auerre, maintaine, and proue all and euery matter and thing
therein contained, to be iust and true, in such sort, manner, and
forme, as the same bene therein set forth, specified, and declared,
and that the said Answer is vntue and insufficient in the Law

Pleadings in the

to be replied unto, for diuers manifest false and apparant imperfections therein contained. And further, this Complaynant doth and will auerre and proue to this Honourable Court, that the said John Lambert, in the said Bill mentioned, was possessed of a lawfull Terme and Estate for threescore yeares to come from and after the decease of the said Agnes Abbot, in the said Bill of Complaint mentioned, of and in the said Tenement and Close of Pasture in Thornborough, in the said Bill of Complaint specified, by meane conueyance from the President and Fellowes of Magdalen Colledge in Oxford, in which sort, as in the said Bill is specified, And that the said John Lambert being so possessed, did graunt and assigne ouer the said Tenement and Close of Pasture, and all his estate therein, to the said Complaynant, vpon and in which said Tenement and Close, the said Complaynant hath continued and dwelt euer since thence the decease of the said Agnes Abbot, as in the said Bill is also set downe, And that the said Defendant John Chewe hauing no lawfull right, title, or possession of, in, or to the said premises, did by unlawfull Maintenance bring his Action of Trespass against the said Complaynant, and did recouer such great costs and damages against the said Complaynant, as in the said Bill is set forth, And that the said Defendant John Chewe did by vniust and unlawfull Maintenance, Oppression, and Misdeameanor, and by the abbetment of the rest of the said Defendants, make a Lease of the said Tenement and Close about October last, in the said Bill mentioned, vnto the said Michael Dyrnge, onely to oppresse and ouerthrow the said Complaynant, and to expell and driue him out of the said Tenement and Close, wherein he had dwelled and continued by the space of sixtene yeares before, as in the said Bill is specified, And that the said Defendant Michael Dyrnge did by unlawfull Maintenance and Oppression commence his Action of Eiectione firmæ against the said Complaynant, which did passe with the said Defendant Dyrnge against the said Complaynant, as in the said Bill is specified, And that neither the said Chewe, Dyrnge, or Richard Le had bene and continued in possession of the said Tenement and Close by the space of one yeare next before the said Lease made to the said Dyrnge, nor at any other time. And further, this Complaynant will auerre and proue to this Honourable Court, that the said Defendant John Chewe did at the

said

said Quarter Sessions at Wickham, in the Bill mentioned, falsely and corruptly depose and sweare to the Jurie, at the said Quarter Sessions at Wickham, that the said Complaynant did in and vpon the said first day of October, in the Bill mentioned, expell and amoue, and with force and violence drive out the said Defendant John Chewe, being then in the lawfull possession of the said Messuage and Close, by force of which said false Oath onely, the said Graund Jurie in the Bill mentioned, did finde the said Indictment to be true, wherreas the said John Chewe was not in possession of the said premises the said first day of October, nor at any time befoze the said Bill of Indictment preferred, as aforesaid, wherein the said Defendant John Chewe hath committed most wilfull and corrupt Periurie and Subdemeanor, as in the said Bill is specified, And that the said William Knight and Henry Dawner did by the abbetment, maintenance, and procurement of the said John Chewe, and the rest of the said Defendants, at the Tryall had in the Court, at Buckingham, by the said John Chewe against the said Complaynant, vpon the said Action of the Case in the Bill mentioned, falsely depose and sweare, that the said Complaynant should say and affirme in their presence, that the said John Chewe was periured at Wickham in such sort as in the said Bill is alleaged, and that thereby the said Chewe did vniuerty recouer against the said Complaynant the summe of fiue Nobles, besides Costs of the said Suite, as in the said Bill is alleaged: Without that, that the said William Lee was at any time possessed of any lawfull Estate or Lease of the said Tenement and Close by the said President and Schollers of Magdalen Colledge in Oxfozd, for the Terme of threescore yeres, to commence after the decease of the said Agnes Abbot and Thomas her sonne, as in the said Answer is vntrectly suggested, or that the said Tenement and Close of Pasture did come to the hands and possession of the said Richard Lee, as Administrator of the goods & chattels, debts and credits of his said father William Lee, as in the said Answer is falsely alleaged, or that the said William Lee died possessed thereof at the time of his decease. And without that, that the said Richard Lee did at any time, after the decease of the said Agnes and Thomas Abbot, enter into the said premises, or had or continued the Possession thereof, or had any lawfull power to make any such Lease for the terme of thye yeaeres to the said Complaynant,

Pleadings in the

as in the said Answer is alleaged, noꝛ that euer he the said Richard Lee receiued any Rent, Fine, oꝛ other Consideration foꝛ the same of the said Complaynant, oꝛ of any other person, And that this Complaynant paid his Rent to the President and Schollers of Magdalen Colledge afoꝛe said, oꝛ that the said Complaynant did during the said thꝛee yeares hold oꝛ enjoy the said Tenement and Close of Pasture by vertue of any Lease made to him by the said Richard Lee, as in the said Answer is falsely alleaged. And without that, that the said Complaynant, oꝛ the said Paul Francklyn his soine did wrongfully keepe the possession of the said premises otherwise then was lawfull foꝛ them to doe, either after the said first Tryall had against the said Complaynant, oꝛ at the time of the preferring of the said Indictment at the said Quarter Sessions, in the said Answer mentioned, oꝛ that the said actions haue not bene by the said Defendants John Chewe and others vniuſtly and by vnlawfull maintenance vnder taken and prosecuted, as in the said Bill is specified, oꝛ that the said Complaynant did say and affirme, that the said Defendant John Chewe was foꝛsworne and periured at Wickham in such manner and soꝛme, as in the said Answer is set downe, oꝛ that the said Complainant hath commenced this suit in this Honozable Court, oꝛ any other Action against the said Defendants, oꝛ any of them, wrongfully & vnlawfully, by the maintenance, abbetment, and procurement of any person oꝛ persons, as in the said Answer is falsely alleaged, but as he of himselfe, hauing receiued great losse, damage, and wrong, did and might lawfully do: Dꝛ that the said Defendants Joh. Chewe, Richard Davies, Michael Drynge, Henry Dawner, and William Knight, oꝛ any of them, are not guiltie to all and euery the said Maintenances, Periuries, subornations of Periuries, oꝛ Champerties, in the said Bill specified. And without that, that any other matter, cause, allegation, oꝛ thing in the said Answer contained materiall oꝛ effectuall in the Law to be replied vnto by this Complaynant, and not herein fully replied vnto, confessed, auoided, trauesed, oꝛ denyed, is true, all and euery which matters the said Complaynant is readie to auerre and proue, as this Honozable Court shall award, And therefore prayeth as in his said Bill he hath prayed.

The forme of a Reioinder.

These said defendants say, and euerie of them for themselves Sect. 11.
 severally and respectiuely saith, that there said answers are
 certaine and sufficient in the Law to be replied vnto, and doen and
 will auer, maintaine, and proue, all and euerie such clause, article,
 and sentence therein contained, to be good, iust, and true, in such
 manner and soyme, as in their said answer is set forth and declar-
 ed: And that the said repleyation is verie incertaine, vntrue,
 and insufficient in the Law to be reioyned vnto, for sundrie vn-
 truthes and imperfections comprised within the said Bill and
 Repleyation, as these defendants shall be hereafter able to mani-
 fest and declare moze at large in this most honourable Court vpon
 the hearing of the same cause, without that, that these defen-
 dants are guiltie of all or any the offences and misdemeanors
 wherewith they or any of them are and stand charged in and by
 the said complainants Bill, in any such manner and soyme as the
 same in the said Bill and Repleyation are most flaunderously and
 vntruely set forth, suggested, and declared: And without that,
 that there is any other matter or thing materiall or effectuall in
 the said Repleyation contained, and in this Reioynder not suffici-
 ently answered and replied vnto, confessed and auoided, trauersted
 or denyed, is true, All which matters and things these defendants
 are and will be readie to auer and proue, as this honozable Court
 shall award, And humbly prayeth as in their said answers they
 haue prayed.

A Bill against Riotors.

To the Queenes most excellent Maiestie.

Most humbly sheweth and complayneth vnto your High- Sect. 12.
 nesse, your daily Orator and faithfull Subiect J. M.
 and T. M. That whereas your saide Orator becing in Gods
 Peace and your Maiesties, at A. in your Highnesse Countie
 of M. certaine lewde, riotous, and euill disposed persons,
 That is to say, J. B. W. K. &c. with diuers other of the like
 dis-

disorder to the number of twelue persons as yet to your said Orator unknowne, being weaponed with Bowes, Billes, Staues, Fauclins, Pikes, Curues, and diuers other Warlike weapons, as well inuasiue as defensiue, did by the procurement, abettment, and setting out of W. H. and H. H. Esquires, being mortall enemies to your said Orators, and seeking and pretending their vtter spoile and destruction, with much force and great violence, assault, wound, beate, and euill intreate your said Subiects at diuers and sundrie times as heereafter ensueth, That is to say

In consideration whereof and for the advancement of Justice, and in reppesse of such rebellious assemblies, and in terroz and feare of other such malefactors and riotous persons, May it please your Highnesse, the premilles considered, to grant &c. And your saide Orators shall according to their bounden dueties pray vnto G. D. for the preservation of your Highnesse long to raigne ouer vs.

The forme of a Bill into the Court of Requests.

If most humble wise complayning sheweth vnto your most excellent Maestie, your humble and obedient subiect W. L. That whereas on C. H. was &c. In tender consideration whereof, may it please your most excellent Maestie to grant vnto your Highnesse said subiect, your gracious Letters of Priuie Seale, to be directed vnto C. W. Esquire, and B. Gentleman, commanding them and euerie of them, to be & personally to appere befoze your Highnesse honozable Councell of your Highnesse Court of Requests, at a certaine day, and vpon a paine therein to be limited, then and there to answer to the premilles, and further to stand and abide such order and direction therein, as to your Highnesse most honozable Councell shall seme to stand with Equitie and god Conscience.

The

The end of a Bill, where he praieth
the matter in controuersie to be

put to examination

IT may please &c. to direct your honorable Letters to some man
of worth, wisdom, and credit, to heare and finally determine
all the said quarrells, and the said matters now depending be-
tweene your said Pratores and their said aduersaries, according
to Equitie and Justice, and if they cannot determine the said con-
trouersies, then to certifie by whom the said default commeth and
your said Pratores are bound to &c.

Words of course in an Answer to a Bill
of Complaint.

THe said defendants say and either of them saith, That the
said Bill of Complaint is verie vncertaine, vntrue, and in-
sufficient in the Law to be answered vnto, and that the mat-
ters therein contained are imagined, deuised, and set forth, of euill
will, & mallice, to the intent to put the said defendants to wzong-
full veration, colts, charges, and expences in the Law, without any
iust cause or ground of suit, albeit the said defendants shall be com-
pelled by order in this honorable Court, to make any further an-
swer vnto the said vncertain and insufficient Bill, then the aduan-
tage of exception to the incertaintie & insufficiencie thereof, vnto
the said defendants at all times hereafter saued, for answer and de-
claration of the truth, the said defendants say, and first &c. without
that, that any other matter or thing in the said Bill of Complaint
contained, materiall or effectuall to be answered vnto, and herein
not sufficiently confessed and auoided, trauersed, or denied, is true,
all which matters, the said defendants are ready to auer and pꝛoue
as this honorable Court will award: And prayen to be dismissed
out of the same Court, with their reasonable colts and charges by
them wzongfully sustained concerning this suit &c.

Words

Words of course in a

Reioynder.

The said defendants sauing vnto them at all times here after the advantage of exception to the incertainetie and insufficiencie of the said Replcation sayeth, and eyther of them sayeth, That the saide answere is certaine, true and sufficient in the Law to be replied vnto, and also say as they befoze in their said answer haue said, and doe and will auer and maintaine all and euerie thing and things therein to be good, iust, and true, in such sozt, manner, and forme, as they and euerie of them be therein alleaged and expressed. (That is to say ec.) And without that, that there is any other thing materiall or effectuall to be reioyned vnto, and in this Reioynder not denied or trauesed is true, all which matters ec.

FINIS.

T

The Table to the second part of Symboleography, with new additions.

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