¶ Magna Charta cum *statutis, tum antiquis, tum* recentibus, maximopere, *animo tenendis, nunc demum* ad vnum, tipis ædita, per Richardum Tottill.

(.·.)

Anno Domini 1587.

Cum Priuilegio ad imprimendum solum.

Chris. Ro: Little

M. E. LITTLE

Mr Little
Sold to
Robt. A. McCulloch

To
Robert McCulloch

FINIS.

¶ The second Table in order of Alphabet of the titles of the Statutes conteyned in this booke.

Auerment

To the Reader.

THe former booke intituled Magna Charta, did conteine dyuers old ſtatuts, laws, and other things, although good, not verie neceſſarye to be had in one ſo portable a volume, and the ſame confuſelie and not orderly digeſted, and in many places (for want of perfect coppies (very faulty. This conteineth the moſt neceſſarye of thoſe olde Statutes, and diuers later and newe Statutes moſt conuenyent to bee had, perfect and ready, not onely by all Studentes of the law for their priuate ſtudies, readinges, mootes, bolts, caſes, and other exerciſes: but alſo by the practiſes of the ſame for their daily affaires & cauſes, which ſtatutes be thoſe that are conteined in the table next following: wherein the ſtatutes which this booke conteineth, are in ſuch order as they be placed in this book. The

other table doth conteine the titles in order of Alphabet, wherin the ſtatutes in this booke conteined, are collected, in the collection of ſtatutes compiled by Maiſter *Raſtall*: which titles, are ſet in this booke, ouer euery ſuch part of the ſaid ſtatutes, as are in that collection, and thereunto is added the number, at the which the ſame is to bee found in the collection. The wordes conteined betwene the two markes, which ſometimes ye ſhall finde in the booke, doe ſhew what is corrected or added to the ſtatutes more then was before imprinted, the corrections whereof, are to be warranted by diuers auncient coppies which haue bene carefully conferred for the ſame purpoſe.

¶ The first Table shewing the statutes in this booke conteined.

Inrolments

Rape

R.

S.

T.

V.

Vses

Finis.

Discript

Forcible

Magna Charta edita
An. nono Henrici tertij.

EDward⁹ Dei gratia, Rex Angliẹ, Dñs Hiberneñ, & dux Aquitaniæ ꝛc chiepiſcopis epiſcop', abbatibus, prioribus, comĩ, baronib', Iuſtic', vic', ꝓpoſitis, miniſtr', & omnibus balliuis &. fidelibus ſuis ſalutẽ. Inſpeximus magnam Chartam dñi H. quõdam regis Angliẹ patris nri de libertatibus Angliæ in hæc verba.

¶Henticus dei gratia Rex Angliæ Dominus Hiberñ, dux Normañ & Aquitaniæ, & Comes Andeg. Archiepis, episcopis, abbatibus, prioribus, comitibus, baronibus, vic', ꝓpoſitis, miniſtr', & omnibus balliuis, & fidelibus ſuis pñtem Chartam inſpecturis ſalutem. Sciatis quod nos intuitu dei, & ꝓ ſalute animẹ nrẹ, & animarum anteceſſorum, & ſucceſſorum noſtrorum, ad exaltationem ſancte eccleſiẹ, & emendationem regni noſtri, ſpõtanea & bona voluntate noſtra, dedimus & conceſsimus Archiepis, epis, abbatibus, prioribus, comĩ, baronibus, & omnibus liberis de regno nro has libertates ſubſcripẽ, tenendas in regno noſtro Angl' in perpetuum.

¶ *Fraunchises. 1. cap. 1.*

¶ In primis concessimus deo, & hac presenti Charta nostra confirmauimus ꝑ nobis & hered' nostris imperpetuum, qd' ecclesia Anglicana libera sit, & habeat omnia iura sua integra, & libertates suas illæsas. Cōcessimus etiam & dedimus omnibus liberis hominibus regni nostri, pro nobis & hæredibus nostris, in perpetuum has libertates subscripte, tenēd' & habend' eis & hered' suis de nobis & heredibus nostrs in perpetuum.

¶ *Relieſe. 1. cap. 2.*

¶ Si quis cōm, vel baronum nostrorum, siue aliorum tenentium de nobis in capitē per seruitium militar', mortuus fuerit, & cum decesserit, heres eius plene ætatis fuerit, & releuium nobis debeat, habeat hereditatem suam ꝑ antiquū releuiū, scz heres vel heredes comitis, de cōm integro, per centum libras, heres vel heredes baronis de baronia integra, ꝑ cētū marcas, heres vel heredes militis, de feod' mil' integro, per centum solidos ad plus. Et qui minus habuerit, minus det, secundum antiquam consuetudinem feodorum.

¶ *VVardes. 1. cap. 3.*

¶ Si autem heres alicuius talium fuerit infr' ætatem, dominus eius non habeat custodiam eius, nec terræ suæ, antequam homagium cœperit. Et postquā talis heres fuerit in custodia, cū ad ætatem peruenerit (scilicet xxj. annorū) habeat hereditatem suam sine releuio, & sine fine, ita tamen quod si ipse (dum infra ætatem fuerit) fiat miles, nihilominus ter' remaneat in

custodia

rouy folio. (Du infra etatem fuerit) est entendu or il est fait
a Gualdo dimb atte estant en gard puis le mort
le mure est et nonq ou le ne le mure est. x. E. 6. BC

custodia dominorum suorum, vsq; ad terminum prædictum.

VVast 1 cap. 4.

¶ Custos terræ huiusmodi heredis, qui infra etatem fuerit, non capiat de terra heredis, nisi rationabiles exitus, & rationabiles consuetudines, & rationabili a seruitia, & hoc sine distructione & vasto hominum & rerum. Et si nos commiserimus custodiã alicuius talis terræ vic' vel alicui alij, qui de exitibus terræ illius nobis debeat respondere, & ille de custodia illa, destructionem, vel vastum fecerit, nos ab eo capiemus emend' & terra committatur duob. leg. & discretis hominibus de feodo illo, qui de exit̃ ̃ræ illius nobis r̃ndeant, vel illi cui nos §illã assignauerim⁹. Et si dederim⁹, vel v̄ediderim⁹ custodiã alicui⁹ talis ̃re, & ille inde destructionem fecerit, vel vastũ, amittat illam custodiam, et tradatur duobus §discret̃ & § leg. hominibus de feodo illo, qui similiter nobis respondeãt, sicut prædictum est. § Vide Glo. cap. 5. vv. 1. ca. 21.

VVast 2 cap. 5.

¶ Custos autem quamdiu custodiã terræ §huiusmodi habuerit, sustentet domos, parc' viuar', stagna, molẽdina &c. ad terrã illã ꝑtinentia, de exit̃ terræ eiusdẽ, et reddat heredi cũ ad plenã etatẽ peruenerit, terrã suã tot̃ instauratã de carucis & omnibus alijs rebus, ad minus sicut illam recepit. Hæc omnia obseruent̃ de custodijs archiepiscopatuum, ep̄atuũ, abbatiarum, prioratuũ, ecclesiarum, et dignitatum vacantium, quæ ad nos pertinent̃,

excepꝯ quod custod' huiusmodi vendi non debent.

¶*VVarde*, 2. *cap*.6.

¶Heredes autem maritentur absque disparagatione.

VVomen 1. *cap*.7.

¶Vidua post mortem mariti sui statim & sine difficultate aliqua, habeat maritagiũ suũ & hereditatem suam: nec aliquid det ꝑ dote sua, nec pro maritagio suo, vel pro hereditate sua habenda, quam hereditatem maritus suus & ipsa tenuerunt simul, die obitus ipsius mariti sui, & maneat in capitali mesuagio mariti sui, ꝑ quadraginta dies post obitũ mariti sui, infra quos dies asignetur ei dos sua, nisi prius ei asignata fuerit, vel nisi domus illa sit castrum, & si de castro recesserit, statim domũ ei competens prouideatur, in qua possit honeste morari, quousque dos sua ei asignetur, secũdũ quod p̃dictũ est, & habeat rationabile estoueriũ suum interim de cõi. Asignetur autẽ ei ꝑ dote sua, tertia pars totiꝰ terr̃ mariti sui, quæ fuit sua in vita sua, nisi de minori fuerit dotata ad ostiũ ecclesiæ. Nulla vidua distringatur ad se maritand' § dummodo voluerit viuere sine marito § Ita tamen quod securitatem faciat, ꝙ se non maritabit sine assensu nostro, si de nobis tenuerit, vel sine assẽsu domini sui, si de alio tenuerit § Prærogatiua Regis. cap.4.

Det to the Kinge 1. *cap*.8.

¶Nos vero vel balliui nostri, non seisiemus terram aliquam, vel redditum ꝑ debito aliquo

aliquo, q̃ diu cattalla debitoris p̃sentia, sufficiunt ad debitum reddend', & ipse debit̃ paratus sit inde satisfacere. Nec pleg. §ipsius§ debitoris distringantur, quã diu ipse capitalis debitor sufficiat ad solucionem ipsius debiti. Et si capitalis debitor defecerit in solucione debiti, non habens vnde soluat, aut reddere noluerit cum possit, plegij de debito rñdeãt, & si voluerint, habeant terras & reddit̃ debitoris, quousque sit eis satisfact' de debit̃, q̃ antea pro eo soluerint, nisi capitalis debitor monstrauerit se esse quietum versus eosdem plegios.

¶ *Fraunchejses 2. Chap. 9.*

¶ Ciuitas Londoñ habeat omnes libertates suas antiquas & consuetudines suas. Preterea volumus & concedimus, quod omnes aliæ ciuitates, burg. & villæ et barões d̃ quinque portubus, & omnes alij portus, habeant omnes libertates, & liberas consuetudines suas. Articul' super chartas. ca. 7.

¶ *Tenure 1. cap 10.*

¶ Nullus distringatur ad faciendum maius seruicium de feodo militis, nec de alio libero tenemento, quam inde debetur.

¶ *Common pleas 1. cap. 11.*

¶ Communia placita non sequãtur curiam nostram, sed teneantur in aliquo loco certo.

§ Articul' super chart'. cap. 4.

Assise 1. cap. 12.

¶ Recognitiones de noua disseisina, & de morte antecessoris, non capiantur nisi in suis com̃, & hoc modo. Nos vero si extra regnũ fue-

pl'ment il poet p̃ lo statute 35 H 8.

Le roy mant possme en ast. cest ne sbr nostre p̃ ne.
Le roy commort p̃ lard mant en. sbre le p̃ p̃ petition
mant auter mant aun a ne mad. Lon p̃ nost
estat dard auter, (ne finiste ro good) p̃ ist.
Le roy poet sur en banck le roy q̃ son dett, on
auter comon plead, en q̃ ist pl. Coke. No. 3. ra. 2
4. E. 17. f. 240. le roy sbr. supra. ra. 10
En le Banck le roy le roy par lauire impedit
et fut dit q̃ il ne ou p̃dre a lame plead en
le roy est, mais fut mainteinable p̃ agard rec
le roy nost nosme Brisbanet en Lady 31. Eg.

fuerimus, capital' Iustic' nostri mittent Iusticiar' nostros per vnumquēq; comitatum semel in anno, qui cū militibus eorund' com̄, capiant in comit' illis assis. præd. Et ea quæ in aduentu suo in illo comitatu per Iustic' nostr' præd' ad dictas assisas capiend' missas, terminari non possunt, per eosdē terminent alibi in itenere suo. Et ea q̄ per eosdem ꝓpt difficultatem aliquorum articulorum terminari non possunt, referant ad Iusticiar' nostros de banço, et ibi terminentur.

Darrein presentment 1. Cap. 13.

¶ Assise de vltima præsentatione, semper capiantur coram Iusticiariis de bāco, & ibi terminentur.

¶ *Amerciament 1 cap. 14.*

¶ Liber homo non amercietur pro paruo delicto, nisi secundum modum illius delicti, & pro magno delicto secundū magnitudinē delicti, saluo sibi contenemento suo: & mercator eodem modo salua merchandisa sua, & villanus alterius quam noster, eodem modo amercier, saluo wainagio suo, si inciderit in miserecordiam nostram. Et nulla p̄dictarum miserecordiarum ponatur, nisi p sacramētū proborū & legalium hominū de vicinet. Comites & Barones, non amercientur insi p pares suos, & non nisi secūdū modum delicti. Nulla ecclesiastica persona amercietur secūdum quantitatem beneficij sui ecclesiastci, sed secundum laicū teñ suum, & secundum quantitatem delicti.

Bankes

¶*Bankes.* 1. *cap.* 15.

¶Nulla villa, nec liber homo distringat̃ facere pontes, aut riparias, nisi qui ab antiquo & de iure facere consueuerunt tempore Henrici regis aui nostri §al̃ de iure facere debent.

¶*Bankes.* 2. *cap.* 16.

¶Nullæ ripariæ defendantur de cetero, nisi illæ quæ fuerunt in defenso tempore Henrici Regis aui nostri §& §per eadem loca, & eosdem terminos, sicut esse consueuerunt tempore suo.

Plees of the Crowne. 1. *cap.* 17.

¶Nullus vic', constabularius, coronator, vel alij balliui nostri, teneant placita coronæ nostræ.

¶*Debt to the king.* 2. *cap.* 18.

¶Si quis tenens de nobis laicum feodum moriatur, & vic', vel balliuus noster ostendat literas nostras patẽtes de §sommonitione nostra§ de debito, ꝙ defũctus nobis debuit, liceat vic', vel balliuo nr̃o attachiare, & imbreuiare omnia bona & catalla defuncti inuẽta in laico feodo ad valenciã ipsius debiti, per visum & testimonium legal̃ hominum, ita tũ ꝙ nihil inde amoueatur, donec persoluat̃ nobis debit̃, ꝙ clarum fuerit, & residuum relinquatur executoribus ad faciendum testamẽtũ defuncti. Et si nihil nobis debeatur ab ipso, omnia catalla cedant defuncto, saluis vxori eius, & §liberis§ pueris suis, rationabilibus partibus suis.

Castels. 1. *cap.* 19.

¶Nullus constabularius, vel eius balliuus

capiat blada, vel alia catalla alicuius q̃ non fu de villa vbi castrum suum situm est, nisi statim reddat denarios, aut respectum inde habere posit de voluntate venditoris. Si autem de villa illa fuer̃ infra quadraginta dies precium redd' §VV.1.ca.7.& 31.

¶*Castels.2. cap.20.*

¶Nullus constabularibus distringat aliquẽ militem, ad dandum denarios ꝓ custodia castri, si ipse eam facere voluerit, in propria persona sua, vel per alium probum hominem faciat, si ipse eam facere non posit, propter rationabilem causam. Et si nos abducerimus, vel miserimus eum in exercitũ, fit quietus de custodia castri secundum quantitatem temporis quo per nos fuerit in exercitu, de feod' ꝓ quo fecit seruicium in exercitu.

¶*Purueyours.1. cap.21.*

¶Nullus vicecomes vel ballius nr̃, vel aliquis alius, capiat equos, vel carectas alicuius ꝓ cariagio faciẽdo, nisi reddat liberationem antiquit̃ statut̃, scilicet pro vna carecta ad duos equos decem denarios per diem, & pro carecta ad tres equos quatuordecim denarios per diem. Nulla carecta dominica alicuius personę ecclesiasticę, vel militis, vel alicuius domini per balliuos nostros capiatur, nec nos, nec balliui nostri, nec alij, capiemus boscum alienum ad castra, vel ad alia agenda nostra, nisi per voluntatem illius, cuius boscus ille fuerit.

¶*Forfeiture.1. cap.22.*

¶Nos non tenebimus terras illorum, qui con-

cõuicti fuerint de felonia, nisi per vnũ annum & vnũ diem: & tunc reddantur terr' ille dñis feodorum. §Prerog.regis ca.vlt.

¶*VVeres.1. cap.23.*

¶Omnes Kidelli deponantur de cetero penitus p Thamesiam, & Medewein, & p totã Angl', nisi per costeram maris.

¶*Right.1. cap.24.*

¶Breue quod vocatur Precip̃ in capit', de cetero nõ fiat alicui de aliquo libero tenemẽto, vnde liber homo perdat curiam suam.

¶*VVeights.1. cap.25.*

¶Vna mensura vini sit per totum regn̄ nostrum, & vna mensura seruiciæ, & vna mensura bladi, scilicet quarterium Lond', & vna latitudo pannorum tinctorum, russatorum, et haubergettarum, scilicet due vlne infra listas. De ponderibus vero sit sicut de mensuris.

¶*Fine to the kiug.1. cap.26.*

¶Nihil de cetero detur, p breui inquisitionis, ab eo qui inquisitionem petit de vita, vel de membris, sed gratis concedat', & nõ negetur. §VV.2.ca.29.

¶*VVardes.3. cap.27.*

¶Si aliqui teneant de nobis per feod' firmã vel per soccagium, vel burgagium, & de alio teneant terram per seruitium militare, nos nõ habebimus custodiã heredis, nec terre sue, que est de feodo alterius, occasione illius feodi firme, vel socagij, vel burgagij. Nec habebimus custodiam illius feod' firme, vel socagij, vel burgagij, nisi ipsa feodi firma nobis debeat seruicium militare. Nos non habebimus

custodiam

custodiam hered., vel alicuius terr' quam tenet de aliquo alio p seruitium milit', occasione alicuius paruæ seriantiæ, quam tenet de nobis p seruitium, reddend' nobis cultellos, sagittas, vel huiusmodi.

¶ *VT ager of lavv.* 1. *cap.* 28.

¶ Nullus balliuus de cetero ponat aliquem ad legem manifestam, nec ad iuramēt' simplici loquela sua, sine testibus fidelibus ad hoc inductis.

¶ *Accusation.* 1. *cap.* 29.

¶ Nullus liber homo capiat', vel imprisonetur, aut disseisietur de libero tenemento suo, vel libertatibus, vel liberis cōsuetudinibus suis, aut vtlagetur, aut exuletur, aut aliquo modo destruat', nec sup eum ibimus, nec sup eum mittemus, nisi per legale iudicium parium suorum, vel per legem terræ. Nulli vendemus, nulli negabimus, aut differemus iustitiam vel rectum.

¶ *Merchants.* 1. *cap.* 30.

¶ Omnes mercatores, nisi publice antea p̄hibiti fuerint, habeant saluum & securū conductum, exire de Anglia, & venir' in Angliā, & morari, & ire per Angliam, tam per terram quam per aquam, ad emendum vel vendendum, sine omnibus malis tolnetis p antiquas & rectas consuetudines, preterquam in tempore guerre. Et si sint de terra contra nos guerrina, & tales inueniantur in terra nostra in principio guerre attachientur sine dampno corporum suorum & rerum, donec sciatur a nobis, vel a capitali Iusticiario nostro, quo-

quomodo mercatores terræ nostræ tractantur, qui tunc inueniantur in terra illa contra nos guerrina. Et si nostri salui sint ibi, alij salui sint in terra nostra.

¶ *Tenure 2. cap 31.*

¶ Si quis tenuerit de aliqua escaeta, sicut de honore wallingford, Noting. Boloiñ, § Lanc' § et de alijs escaetis quæ sunt in manu nostra, & sint baroniæ, et obierit heres eius, non det aliud releuium, nec faciet nobis aliud seruicium, q̃ faceret Baroni, si § illa § baronia esset in manu Baronis, et nos eodẽ modo eã tenebimus, quo baro eã tenuit. Nec nos occasione talis baronię vel escaetæ habebimꝰ aliquam escaetam, vel custodiam aliquorum nostrorum hominum, nisi de nobis alibi tenuerit in capite ille qui tenuit § de § baronia, vel escaeta illa.

Tenure 3. Cap. 32.

¶ Nullus liber homo det de cætero amplius alicui, vel vendat § alicui § de terra sua, q̃ vt de residuo terræ suę possit sufficienẽ fieri domino feodi seruicium ei debitum, quod pertinet ad feodum illud.

¶ *Vacations &c. 1. cap. 33.*

¶ Omnes patroni abbatiarum, qui habent chartas Regũ Angl' de aduocatione, vel antiquam tenurã vel possessioñ, hẽant earũ custodiã cum § vacauerint § sicut habere debent, sicut superius declaratum est. § cap. 5.

¶ *Appeales. 1 cap. 34.*

¶ Nullus capiet aut imprisonet propẽ apellũ feminæ de morte alterius q̃ viri sui.

County

r stat ẕ in effect tolle p stat 18. E. 1. De quia emptores terr', lib. pol. de q̃ font, Ed firmat b. uirgiq libero homini terr' suas sub tendendi, sic tamen quod ad voluntatem suam dare, ita quod feoffatus teneat de capitali dno. Inst: 143, b.

Inst: 115: a: ? stat nd tolle ghtular custome, ? q
(cont q fort negatiuē) ē fait in affirmants de
com Dy.

¶ *County & Turne. 1. cap 35.*

¶ Nullus comitatus de cetero teneatur nisi de mense in mensem, & vbi maior termin' esse solebat, maior sit. § Vide 2. E. 6 cap. 25 Nec aliquis vicecomes vel balliuus suus faciat turnum suum per hundredum, nisi bis in anno, et non nisi in loco debito & consueto, videl', semel post Pasca, & iterum post festum S. Michaelis, et visus francipleg. tunc fiat ad illum terminum Sancti Michaelis sine occasione. Ita scilicet quod quilibet habeat libertates suas quas habuit vel habere consueuit tēpore Regis Henrici aui nostri, vel quas postea perquesiuit. Fiat autem visus de frākpleg. sic: Videlicet quod pax nostra teneat' & qd' Trithinga teneat' integra sicut esse consueuit, & qd' vicecomes non querat occasiones, & contentus sit de eo, quod vic' habere cōsueuit de visu suo faciendo, tempore H. reg. aui nostri. Vide Marlb. cap. 10.

¶ *Mortmaine 1. cap. 36.*

¶ Nec liceat de cetero alicui, dare terram suam alicui domui religiosæ, ita quod illam resumat de eadem domo tenend'. Nec liceat alicui domui religiosæ terrā alicuius sic accipere, q̄ tradat illam illi a quo eam accepit tenend'. Si quis autē de cetero terrā suam alicui domui religiosæ sic dederit, & sup hoc cōuincatur, donū suum penitus cassetur, & ēra illa domino illius feodi incurratur. § Vide statutū de Religiosis. annī 3. E. 1.

¶ *Escuage 1. cap. 37.*

¶ Scutagium de cetero capiatur sicut capi con-

consuetuit tempore H.regis aui nostri.

¶*Franchisis 3. cap.38.*

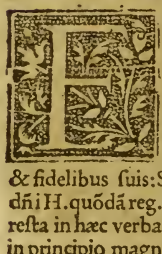
¶Et saluæ sint Archiepiscopis, Episcopis, Abbatibus, Prioribus, Templarijs, Hospitularijs, Comitibus, Baronibus, & omnib⁹ alijs tã ecclesiasticis personis, quam secularibus, omnes lebertates & liberæ consuetudines, quas prius habuerunt. Omnes autẽ istas consuetudines & libertates prædictas quas concessimus in regno nr̃o tenend'(quantum ad nos ꝑtinent) erga nos & heredes nostros obseruemus, & omnes de regno nostro, tam clerici ꝙ laici obseruent (quantũ ad se pertinent) erga suos, Pro hac autem donatione & concessione libertaẽ istaẽ et aliarũ libertatũ contentarum in Charta nostra de libertatibus Forestæ, Archiepiscopi, Episcopi, Abbates, Priores, Comites, Barones, Milites, liberi Tenẽtes, & omnes de regno nostro dederunt nobis quintodecimam partem omniũ mobiliũ suorum. § Vide stat̃ 7.anñ 25.E.3. § Concessimus etiã eisdẽ ꝑ nobis & heredib⁹ nr̃is, ꝙ nec nos nec heredes nostri, aliquid perquiremus, per quod libertates in hac Charta contentæ infringantur vel infirmentur. Et si ab aliquo contra hoc aliquid perquesit̃ fuerit, nihil valeat, & pro nullo habeatur. His testibus Bonefacio Cantuarieñ Archiepiscopo. E. Londonensi Episcopo, et alijs. Datum apud westmiñ decimo die Februarij, Anno regni nostr̃ nono.

¶Nos autem donationes et concessiones prædictas ratas habentes, & gratas, eas pro

nobis

nobis & heredibus nostris, concedimus & eō firmamus, easq; tenore præsentiū innouam⁹ volentes & concedentes pro nobis et heredibus nostris, quod Charta nostra prædicta in omnibus & singulis suis articulis in perpetuum firmiter et inuiolabiliter obseruetur, etiamsi aliqui articuli in eadem Charta contenti, hucusq; forsitan non fuerint obseruati, de cætero obseruentur. His testibus venerabilibus patribus R. Cantuarieñ Archiepiscopo totius Angliæ primate, A. Dunelm̄ Episcopo &c. Datum per manum nostram apud westmonasterium xxviij. die Martij. Anno Regni nostri vicesimo octauo. § Vide Marleb. cap. 5. §

¶ Charta de Foresta edita. Anno ix. Henrici iij



Dwardus Dei Gratia, rex Angliæ, dominus Hibern̄, & dux Aquitañ, archiepiscopis, episcopis, abbatibus, priorib⁹, com̄, baroñ, iustic' §forestarijs§vic' p̄posit', ministris, & omnib⁹ balliuis, & fidelibus suis: Salutē. Inspeximus Chartā dñi H. quōdā reg. angliæ patris nostri, de foresta in hæc verba: H. Dei Gratia &c. vt supa in principio magnæ Chartæ

¶ Foresta

¶ *Forest. 1. cap. 1.*

¶ In primis omnes Forestæ, quas H. auus noster afforestauit, videant per bonos & leg. homines. Et si boscum aliquem aliũ quam suum dñicum afforestauerit, ad dampnum illius cuius boscus ille fuerit, statim deafforestet. Et si boscum suum proprium afforestauerit, remaneat foresta, salua coia de herbagio, & alijs in eadem foresta, illis qui prius eam habere consueuerunt.

¶ Homines vero qui manent extra forestã, non veniant de cetero coram iustic' nostris de foresta per cões summonitiones, nisi sint implicitat, vel plegij alicuius vel aliquorũ, q̃ attachiati sunt ppter forestam.

¶ Omnes autem bosci q̃ fuerunt afforestati per regem Ricm auunculum nrm, vel p Reem Iohannem patrem nostr, vsque ad primã coronationem nostr, statim deafforestent, nisi sit dñicus boscus noster.

Archiepiscopi, episcopi, abbates, priores, comites, barones, milites, & liberi tenentes, qui habẽt boscos suos in forestis, habeant boscos suos, sicut eos habuerunt tempore primæ coronationis Regis Henrici auí nostri, ita quod quieti sint in perpetuum, de omnibus purpresturis, vastis, & assertis, factis in illis boscis post illud tempus vsque ad principium secundi anni coronationis nostræ. Et qui de cetero vastum, purpresturam, vel assartum, (sine licentia nostra) in illis fecerint, de vastis, purpresturis & assartis nobis respondeant.

5 Regar-

5 ¶Regardatores nostri, eant per forestam ad faciendum regardum, sicut fieri consueuit tempore prime coronationis regis H.aui nři & non aliter.

6 ¶Inquisitio vel visus de expeditatione canum existentium in foresta nostra, de cetero fiat quando fieri debet regardũ, scilicet de iij. anõ in tercium annum. Et tunc fiat ꝑ visum & testimoniũ leg. hoĩm, & non aliter. Et ille cuius canis inuentus fuerit tunc non expeditatus det pro mia tres solidos. Et de cetero nullus bos capiatur pro expeditatione canũ. Talis autem expeditatio fiat per assisam cõmuniter vsitatam, videlicet quod tres ortelli abscindantur sine pellota de pede anteriori. Nec expeditentur canes de cetero, nisi in locis vbi consueuerunt expeditari tempore primæ coronationis predicti regis H.aui nostri.

7 ¶Nullus forestarius, vel aliꝰ balliuus de cetero faciat scotalas, vel colligat herbas, vel auenam, vel bladum aliquod, vel agnos, vel porcellos, nec aliquam collectam faciat, nisi ꝑ visum & sacrm xij .regardatorum, quando faciunt regardum. Tot forestarij ponantur ad forestas custodiendas quot ad illas custodiendas rõnabiliter viderint sufficere.

8 ¶Nullum Swanimotum de cetero teneat in regno nostro, nisi ter in anno, videlicet in principio xv, dierum ante festum sancti Michaelis, quando agistatores nostri conueniunt ad agistandum dominicos boscos nostros & circa festum Sancti Martini in Hieme quando agistatores nři debent recipere pannagiũ

nostrum

nostrum. Et ad ista dua swanimota conueniãt forestarij, viridarij, & agistatores & nulli alij per districtionem. Et tertiũ swanimotum teneatur in initio xv. dierum ante festũ sancti Iohannis Baptiste, pro venatione bestiarum nostrarum. Et ad illud swanimotũ tenend' conueniant forestarij, viridarij, & nõ alij per districtionem. Preterea singulis xl. diebus per totũ annũ conueniant forestarij, & viridarij, ad videnda attachiamẽta de foresta, tam de veridi quam de venatione, per p̃sentationem ipsorum forestariorum, & coram ipsis attachiẽẽt. Prædicta autem swanimota non teneantur, nisi in comitatu, in quibus teneri consueuerunt.

9 ¶Vnusquisq; liber homo agistet boscum suum in foresta, pro voluntate sua, & habeat pannagium suum. Concedimus etiam quod vnusquisq; liber homo ducere possit porcos suos per dñicũ boscũ nr̃m, libere & sine impedimento ad agistand' eos in boscis suis, porijs, vel alibi vbi voluerit. Et si porci alicuius liberi hominis vna nocte pernoctauerint in foresta nostra, non inde occasionetur vnde aliquid de suo perdat.

10 ¶Nullus de cetero amittat vitam, vl mẽbra p venatione nr̃a. Sed si quis captus fuerit & conuictus de captione venationis nr̃æ, grauiter redimat, si habeat vnde redimi possit. Si autem nõ habeat vnde redimi possit, iaceat in prisona nostra per vnum annum & vnũ diem. Et si post vnum annum & vnũ diẽ pleg. inuenire possit quod amplius de vena-

tione nostra non forisfaciet ꝯ exeat de prisona, sin autem, abiuret regnum Angliæ.

11 ¶ Quicunq; archiepiscopus, epus, com, vl baro, veniens ad nos ad mandaẽ nostrum, transierit per forestam nostram, liceat ei capere vnam bestiam, vel duas, per visum forestarij si presens fuerit, sin autem faciat cornare, ne videatur hoc furtiue facere. Hoc idem liceat eis redeundo facere, sicut predicẽ est.

12 ¶ Vnusquisque liber homo de cetero sine occasione faciat in bosco suo, vel in terra sua siue in aqua quam hẽt in foresta nr̃a, molend' viuar̃, stagnũ, marleram, fossar̃, vel ẽrã arabilẽ, extra coparẽ in terra arabili, ita quod nõ sit ad nocumenẽ alicuius vicini.

13 ¶ Vnusquisq; liber homo habeat in boscis suis aereas accipitrum, esperuar̃, falconum, aquilarum, & hieronum. Heãt similiter mel, quod inuenẽ fuerit in boscis suis.

14 ¶ Nullus forestarius de cetero, qui nõ sit forestarius de feod', reddens nobis firmam ꝑ balliua sua, capiat chimmagiũ aliquod in balliua sua. Forestarius autem de feodo, firmam nobis reddẽs pro balliua sua, capiat chimmagium, videlicet pro carecta per dimid' annum duos denarios, & per alium dimidium annũ, duos denarios, & ꝑ equo qui portet summagium per dimid' annum obulum, & per aliũ dimid' annum obulum, & nõ nisi de illis qui extra balliuã suã, tanquam mercatores veniũt ꝑ licentiã suã, in balliuã suã, ad boscum maremium, corticẽ, vel carbonẽ emend', & alibi ducend'

ducend' ad vendendum vbi voluerit. Et de nulla alia carecta vel §equo portante§ sumagium, aliquod chimagium capiatur. Et non capiatur chimagium, nisi in locis in quibus antiquitus capi solebat & debuit. Illi auē qui portant super dorsum suum boscum, corticē vel carbonem ad vendend', q̄uis inde viuant, nullum de cetero dent chimagium forestarijs nostris, preterquam in dominicis boscis nostris.

15 ¶Omnes vtlagati pro foresta §tantum§ a tempore regis H. aui nostri vsq; ad primam coronationem nostram, veneāt ad pacē nr̄ā sine impedimento, & saluos pleg. nobis inueniant, quod de cetero non forisfacient nobis in foresta nostra.

16 ¶Nullus constabularius, castellanus, vel balliuus teneat placita de foresta, siue de viridi, siue de venatione §nostra§ sed quilibet forestarius de feodo attachaet placita de foresta tam de viridi quam de venatione, & ea præsentet viridarijs prouinciarum, & cū irrotula fuerint, & sub sigillis viridariorum inclusa, presententur capitalibus iusticiar̄ nostris de foresta, cum in partes illas venerint ad tenend' placita de foresta, & coram eis terminentur. Has autem libertates de forestis concessimus omnibus &c. Saluis archiepisc' episcop̄, abbatib⁹, prioribus, com̄. baronibus militibus, & alijs personis tā ecclesiasticis q̄ secularibus, templarijs, & hospitularijs, libertatibus, & liberis consuetudinibus in forestis & extra, in warrēis & alijs, quas pri⁹ habuer̄,

Omnes autē istas consuetudines &c. vt in fine Magnæ Chartæ. Nos autem donationes &c. vt in fine eiusdem Magnæ Chartæ &c.
§ Vide Marlb. cap. 5.

¶ Incipit Statutum de Mertō editū anno xx. Heñ. iij. &c.

PRouisum est in Curia domini Regis apud Merton, die Mercurij, in crastino Sancti Vincentij, anno regni Regis Henrici filij Regis Iohannis vicesimo. coram VV. Cantuariensi Archiepiscopo, & coepiscopis suffragan' suis & coram maiore parte Comitum et Baronū Angliæ ib idem existentium, pro coronatione ipsius domini Regis & Helionoræ Reginæ, pro qua omnes vocati fuerunt, cum tractatū esset de communi vtilitate regni super articulis subscriptis, ita prouisum fuit et concessum, tam a prædictis Archiepiscopis, Episcopis, Comitibus, Baronibus, quam ab ipso Rege, & alijs.

Douver 1 *Cap. 1.*

¶ De Viduis primo, quæ post mortem virorum suorum expelluntur de dotibus suis, et dotes suas, vel quarentenam § suam § habere non possunt sine placito, videlicet, quod quicunq; deforciauerit eis dotes suas, vel quarentenam suam, de tenementis quibus viri sui obierunt seisiti, et ipsæ viduæ postea p § placitum § recuparauerint, si ipsi § defore' de iniusto

Fin dotes nō recuperant ad ipsū damnagē, sinon p. le barons morust seisi. Dier 284 pl. 33. Inst: 32: b.
14 H. 8. 25.

iniusto deforciamento conuicti fuerint, reddant eisdem viduis damna sua, scilicet valorem totius dotis eis contingentis, a tempore mortis virorum suorum, vsque ad diem quo ipsæ viduæ per iudicium Curiæ seisinã suam inde recuperauerint. Et nihilominus ipsi deforciatores sint in miserecordia domini Regis.

vvilles. 1 Cap 2.

¶Item omnes viduæ de cetero possint legar' blada sua de terra sua, tam de dotib' suis quam de alijs terris & tenementis suis, salvis consuetudinibus & § seruicijs dominorum de feodo, quæ de dotibus & alijs tenen' suis debentur.

Reddisesin 1 Cap. 3.

¶Item si quis fuerit disseis' de libero tenem' suo, & coram iustic' itinerantibus seisinam suam recuperauit, p assinam nonæ disseisinæ vel per recognitionem eorũ qui fecerint disseisinam: & ipse disseisitus per vic', sesinã suã habuerit si ijdem disseisitores postea, post iter iustic' vel infra, de eodem ten' iterũ eũdẽ conquerentem disseisiuerint, et inde conuicti fuerint, statim capiantur & in prisona domini regis detineantur, quousq; per dominum regem per redemptionem, vel aliquo alio modo deliberentur. § Vide Marlb. capitulo 8. § Et hæc est forma qualiter tales conuicti puniri debeant, videlicet cum conquerentes ad Curiam veniant, habeãt br'e domini reg. vic' directum, in quo contineatur eorũ narratio đ disseisina facta super disseisinam. Et ideo mãdet

vic' ꝙ assumptis secum custodibus placitorum coronæ domini reg. & alijs legalibus militib⁹ in ꝓpria ꝑsona sua accedat ad ten̄ illud, vel ad pasturam illā de quib⁹ facta fuerit q̄rela, & corā eis per primos iuratores, & ꝑ alios vicinos, & legales homines § de vicineto illo § diligētē inde faciat inquisitionē. Et si ipsum iterum inuenerint disseisitum (sicut prædictum est) tunc faciat secundum prouisionem prædictam, sin autem, tunc sit conquerens in miserecordia domini regis, & alius quietus recedat. Nec debet vic' (sine speciali ꝑcepto domini regis) huiusmodi loquelam prosequi. Eodem modo fiat de illis, qui seisinam recuperauerint ꝑ assisam mortis ātecessoris, & similiter de omnibus terris & tenem̄ recuperatis ꝑ iurat̄ in curia domini regis, si postea disseisiti fuerint a prioribus deforciatoribus, versus quos recuperauerint per iurat̄ quoquomodo. § Vide w. 2. cap. 26.

Approuements 1. cap 4.

¶ Item quia multi magnates Angliæ, qui feoffauerunt milites & § alios ! libere tenētes suos de paruis tenementis in magnis manerijs suis, questi fuerunt, quod commodum suum facere non potuerunt de residuo maneriorum suorum, sicut de vastis, boscis, & pasturis ‡ communibus ‡ cum ipsi feoffati habeant sufficientem pasturam, quantum pertinet ad tenem̄ sua ‡ ita ‡ prouisum est, & concessum, quad quicūque huiusmodi feoffati assisam nouæ disseisinæ deferant de communia pasturæ suæ, & coram iusticiat̄ recognit̄ fuerit quod

quod tantam pasturam habeant, quantũ sufficet ad teñ sua, & quod habeant liberum ingressum & egressum, de §liberis§ tenementis suis, vsq; ad pasturam suam: tunc inde sint cõtenti, & illi de quibus conquesti fuerint recedant quieti, 'de hoc quod cõmodum suum de terris, vastis, bofcis, & pasturis fecerint. Si autem dixerint, quod sufficientem pasturam nõ habeant, vel sufficientem ingressum, §vel§ egressum, quantum pertinet ad teñ sua, tũc inquirat veritas per assisam. Et si per assisam recognitum fuerit, quod per eosdem deforciatores, in aliqua fuerit impeditus eorũ ingressus vel egressus, vel quod non habeant sufficientem pasturam, & sufficientem ingressum & egressum, sicut prædictum est: tunc recuperent seisinam suam, per visum iuratorum, ita quod per discretionem & sacramentum eorum habeat conquerentes sufficientem pasturam, & sufficientem ingressum & egressũ in forma predicta. & disseisitores sint in mia domini regis, & dampna reddant, sicut reddi solent ante prouisionem istam. Si autem recognitum fuerit per assisam, quod querentes sufficientem habeant pasturam, cum libero & sufficienti ingressu & egressu, sicut pred' est: tunc licite §& libere§ faciant ‡dñi‡ commodũ suum de residuo, & recedant de illa assisa quieti. ‡VV.2.ca:48.

¶Vsucy.1. cap.5.

¶Similiter prouisum est, & a dño rege cõcessum, quod de cetero non current vsure cõtra aliquem infra ætatem existen, a tempore 25.iiij. mortis

Comodis de infants Inst: 246:b.

S. qz le rent ne serr double durant le nonage [illegible] le Gard

Si le roy don terre a un autre rend rent payable a un feast annelment et de default de payment q il doble le rent a ceste de fault et pur le quel mourust le terre dans age il ne doubler le rent de le roy; car comon le statute est general, durant le roy est le roy, de ceo q est fait de mario del infant et de publico bon. 3 Eliz. 236. Floy. Co.

mortis anteceſſoris ſui, cuius heres ipſe eſt, vſque ad legittimam ætatem ſuam, ita tamen quod propter hoc non remaneat ſolutio debiti principalis ſimul cum vſuris ante mortē anteceſſoris ſui, cuius heres ipſe eſt inde prouenientibus.

¶ *VVardes. 4. cap. 6.*

¶ De hered' per parentes, vel per alios, contra pacem vi abductis, vel detentis, ſeu maritatis, ita prouiſum eſt, quod quicunque laicus inde conuictus fuerit, quod puerum aliquem ſic detenuerit, abduxerit, ſeu maritauerit, reddat perdēnti valorem maritagij: & pro delicto corpus eius capiat, vt impriſonetur, donec perdenti emendauerit delictum ſi puer maritetur: & preterea donec domino regi ſatiſfecerit pro tranſgreſsione ſua. Et hoc de herede infra quatuordecim annos exiſtēn. De herede autem cum ſit quatuordecim annorū, vel vltra, vſque ad plenam ætatem, ſi ſe maritauerit ſine licentia dñi ſui vt ei auferat maritagium ſuum, & dominus eius offerat ei rationabile maritagium, vbi non diſperagetur, dñs ſuus tunc teneat terram eius vltra terminum ætatis ſuæ, ſcilicet xxj. annorum, p tantum tēpus quod inde poſsit percipere duplicē valorem maritagij, ſecundum æſtimationem legalium hominum, vel ſecundum quod ei p eodem maritagio prius fuerit oblat ſine fraude & malitia, & ſecundum quod probari poterit in curia domini regis.

¶ *VVardes. 5. cap. 7.*

¶ De dominis qui maritauerint illos quos habent

un core ſi un enfant ſoit conuict. de rauſſhm
dauter gard, il me ſerra ou priſo ſur le roy ploy: 364

abent in custod', villanis vel alijs, sicut burens. vbi desparagenē: si talis hæres fuerit infra xiiij. annos & talis ætatis quod consentire on posit matrimonio: tunc si parentes cōuerantur de illo dño, dñs ille amittat custodiam vsque ad ætatem hæredis: & omne cōmodum quod inde perceptum fuerit, cōuertē in commodum ipsius hæredis qui infra ætē est, secundum dispositionem & prouisionem parentū suorum, propter dedecus ei factum. Si autē fuerit 14. annorū & vltra, quod consentire poterit, & tali maritagio consensent, nulla sequatur pœna. Si quis heres cuiusq; fuerit ætatis pro dño suo se noluerit maritare, nō cōpellat hoc facere, sed cū ad ætatē uenerit, det dño suo & fatisfaciat ei de tanto uantū inde ꝑcipere posset ab aliquo ꝓ maritagio suo antequam terram suam recipiat, & oc siue se voluerit maritare, siue non: quia maritagium eius, qui infra ætatem est, de meo iure pertinet ad dominum feodi.

¶ *Limitac. 1. cap. 8.*

¶ De narratione discensus in bri de recto ab antecessore a tempore H. regis senioris anno e die, prouisum est, quod de cetero non fiat mentio de tā lōginquo tempore, sed a tēpore I. regis aui nostri, & locum habeat ista prouisio ad Penthecosten Anno regni dñi Regis unc xxj. & non antea: & breuia prius impetrata procedant. Breuia mortis antecessoris, e Natiuis, & de ingressu, nō excedāt vltimū eddiē dñi regis Iohannis d' Hiberñ in Anglia, & locum habeat ista prouisio &c. vt sup.

Breuia

Breuia noue diss. non excedant primã trãsf. dñi regis qui nunc est in Vascoñ, & locũ habeat ista ꝓuisio a tẽpore pred' & breuia prius impetrata procedant. §Vide VV.1.cap.38. & 32.H.8.cap.2.

¶*Bastardie.1. cap.9.*

¶Ad bre regis de Bastardia vtrũ aliquis natus ante matrimonium habere poterit hereditatẽ, sicut ille qui natus est post matrimoniũ responderunt omnes episcopi, quod nolũt nec possunt ad istud breue respondere, quia hoc esset contra communem formam ecclesiæ. Et rogauerunt omnes episcopi magnates, vt cõsentirent, quod nati ante matrimonium essent legitẽ, sicut illi qui nati sunt post matrimoñ quantum ad successionem hereditariam, quia ecclesia tales habet pro legittimis. Et omnes comites & barones vna voce responderunt q̃ nolunt leges Angliæ mutare, quę hucusque vsitatæ sunt & approbatæ.

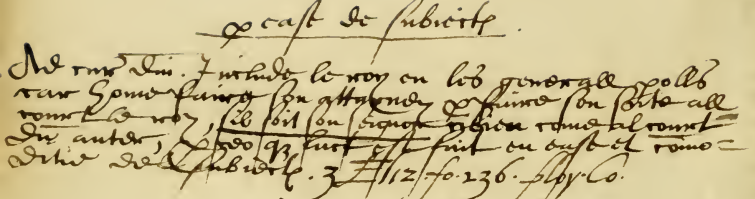
¶*Atturney.1. cap.10.*

¶Prouisum est insuper. ꝓ quilibet liber homo, qui sectam debet ad com̃, trithingum, hũdred', & wapent̃, vel ad curiam dñi sui, liberę posit facere attorn̄ suum, ad sectas illas ꝓ eo faciendas.

¶*Forests.17. cap.11.*

¶De malefactoribus in parcis & viuariis nondum est discussum, quia magnates petierunt propriam prisonam de illis, quos caperent in parcis & viuarijs suis. Quod quidem dominus Rex contradixit, & ideo differtur.

¶Di



¶Dies communes in banco
edit' An.li.H.iij.

¶*Dayes in Banke.1. cap.1.*

SI Breue venerit in octabis Sancti Michaelis, tunc dabitur dies in octabis. S. Hillarij. Si in quindena sancti Michaelis, in quindena sancti Hillarij. Si in tribus septimanis sancti Michaelis, in crastino Purificationis beatæ Mariæ. Si in mense Sancti Michaelis, in octa. Purificat', beatę Mariæ. Si in crastino animarum, in quindena Pasch. Si in crastino Sancti Martini, in tribus septim' Paschę. Si in octabis sancti Martini, in mense Paschæ: Si in quindena Sancti Martini, in v. septimanis Pasch. Et est quidam dies specialiter datus in crastino Assensionis domini, & tantũ vat, quantum v. sept' Pasch. Si in octa. Hillarij, in octabis sanctæ Trinitatis.. Si in quindena . Hill', in quindena Sãctæ Trinitatis, & aliuãdo in crastino sanc' Iohannis Baptiste. Si in crast' Purificationis. B. Mar', in crast', & in ct'. Sancti I. Bapt'. Si in octab. Purificationi in xv. Sancti Iohannis Baptiste. Si in quind' Paschæ, in octa. Sancti Michaelis. Si in tribus septimanis Paschæ, in quindena Sancti Michaelis. Si in mense Paschę, in tribus septimanis sancti Michaelis. Si in v. septimanis Paschæ, vel in crastino Assensionis Domini, in mense Sancti Michaelis. Si in octabis sanctæ Trinitatis., in crastino animarum.

Si

Si in quindena Sāctæ Trinitatis, vel in crastino Sancti Iohannis Baptiste in crastino sancti Martini. Si in octab. Sancti I. Bapt̃, in octa. sancti Martini. Si in quindeñ Sancti Iohannis Baptiste in quindena Sancti Martini. Et sic respondet quilibet terminus alij. § Vide 32. H. 8. cap. 21.

¶ Dies communes in bāco in placito dotis edit̃. An. li. H. 3

Dayes in banke. 2.

SI in octa. Sancti Michaelis breue venerit, dabitur dies in crastino animarum. Si in quindena Sancti Michaelis, dabitur dies in crastino Sancti Martin. Si in mense Sancti Michaelis, in quindena Martini. Si crastino animarum, in octabis sancti Hillarij. Si in crastino Martini, in quindena Hillarij. Si in octabis Martini, in crastino Purificationis. Si in quindena Martini, in octa. Purificationis. Si in octa. Hillari in xv. Paschæ. Si in quindena Hill̃, in tribus septimanis Pasch. Si in crastino Purific'in mense Pasch. Si in octa. Purificat̃, in crastino Assensionis. Si in quindena Pasch. in octab Trinitatis. Si in tribus septim̃ Paschę, in quindeñ Trinitatis. Si in mense Paschæ, in crast Sancti Iohannis Baptistæ. Si in v. septim Paschæ, in octabis Sancti Iohannis. Si in crastino Assensionis dñi, in xv. Sancti Iohanni

Si in octabis Trinitatis, in octabis Sancti Michaelis. Si in quindena Sanctæ Trinitatis, in xv. Sancti Michaelis. Si in crastino sancti Iohannis Baptiste, in iij. septim Sancti Michaelis. Si in octabis Sancti Iohannis Baptiste, in mense Sancti Michaelis. Si in quindena Sancti Iohannis Baptiste, in crastino animarum. § Vide 32. H. 8. cap. 21.

¶ Statutū de Marlebridge edit' anno lij. H. iij.

ANNO Gratiæ M. CClxvij. Regni autem domini Henr filij Regis Iohannis quinquagesimo secundo, in octabis S. Martini, puidente ipso dño rege, ad regni sui Angliæ meliorationem, & exhibitionem Iusticiæ (prout regalis officij exposcit vtilitas) pleniorem, conuocatis secretioribus eiusdem regni, tam maioribus quam minoribus, Prouisū est et statut, ac cordatum et ordinatum, vt cum regnū Angl multis tribulationibus & dissensionum incommodis nuper § esset § depressum, reformatione legum & iurium (quibus pax et tranquilitas incolarū conseruetur) indigeat, q̃ remedium salubre per ipsum regem & eos fideles oportuit adhiberi: prouisiones, ordinationes & statuta subscripta, ab omnibus regni ipsius incolis tam maioribus quam minoribus, firmiter & inuiolabiliter tēporibus perpe-

perpetuis ſtatuerit obſeruari.

¶ *Diſtres 1.cap. 1.*

¶ Cum autem tempore turbationis nu-
per in regno Angliæ ſubortæ, & deinceps
multi magnates & alij iuſticiam indignat
fuerint recipere per dominum regem & cu
riam ſuam, prout debuerunt, & conſueuerũ
temporibus predeceſſorum ipſius domini re
gis & etiam tempore ſuo: ſed de vicinis ſui
& aliis ꝑ ſeipſos graues vltiones fecerint, &
diſtrictiones, quouſque redemptiones re
ceperent ad voluntatem ſuam. Et pretere
quidam eorum, ſe per miniſtros domini re
gis iuſticiarij non permittant, nec ſuſtinear
quod per ipſos liberentur diſtrictiones, qua
auctoritate propria fecerint ad voluntatem
ſuam. Prouiſum eſt, concordatũ, & conceſſ
ꝙ tam maiores, quam minores, iuſticiam ha
beant & recipeant in curia domini regis. E
nullus de cetero vltiones, aut diſtrictiones fa
ciat ꝑ voluntatẽ ſuã, abſq; conſideratione cu
riẽ domini regis, ſi forte dampnum vel iniu
riã ſibi fiat, vnde emendas habere voluerit c
§ aliquo § vicino ſuo, ſiue maiore ſiue minor
Super articulo autem ſupradicto ꝓuiſum e
& conceſſum, ꝙ ſi quis de cetero vltiones h
iuſmodi capiat ꝑ voluntatẽ ſuam § propriã
abſq; conſideratione curĩ domini reg. (vt pr
dictũ eſt) & inde conuincatur, puniatur ꝑ re
demptionem, & hoc ſecũdũ quantitatẽ deli
Et ſimiliter ſi vicin⁹ ſuꝑ vicinũ ſuũ faciat di
trictionem, ſine cõſideratione curĩ dñi regis,
ꝙ damnũ habeat, puniatur eodẽ modo,

oc ſecundum quantitatem delicti. Et nihilo-
minus fiant emende plene & ſufficienter eis,
ui dampna ſuſtinuerint per huiuſmodi di-
rictiones.

¶*Diſtres.2. cap.2.*

¶Nullus inſup maior vel minor diſtringat
iquem ad veniend' ad cur' ſuam, qui non ſit
: feodo ſuo, aut ſup ipſum non habeat iuriſ-
ctionem p hundred' §wapētag.§ vel balli-
um, §quæ ſua ſit§ nec diſtrictiones faciat ex-
a feodum ſuum, ſeu locum vbi balliuam ha-
at vel iuriſdictionem. Et qui cōtra hoc ſta-
tū fecerit, puniat' eodē modo, & hoc ſecūdū
licti quantitatem, & etiam qualitatem.

¶*Diſtres.3. cap.3.*

¶Si quis autem maior vel minor, p̄mittere
luerit liberari per miniſtros domini Regis,
:undum legem & conſuetudinem regni, di-
ictiones quas fecerit: aut etiam ſuſtinere
luerit ſummonitiones, attachiemēta, execu-
nes iudiciorum curiæ domini regis fieri §ſe-
ndum legem & conſuetudinē regni vt pre-
t' eſt§ puniatur modo predicto, tanquā ſe
ticiari non permittens, & hoc ſecundū de-
ti quantitatem. Et ſi quis maior vel minor
trictiones faciat ſup tenentē ſuū, p ſeruitijs
conſuetudinibus, quæ ſibi deberi dicat, vel
p re altera, vnde ad dominum feodi p̄tineat
trictiones facere, & poſtea conuincat', quod
nens ea ſibi no debeat: non ideo puniat' dn̄s
r redemptionem, vt in ſupradictis caſibus, ſi
rmittat diſtrictiones deliberari ſecundum
em & conſuetudinem tegni: ſed amercie', vel

en trend quere di et arrend. le dis di q̄ rōnt arrend il entor et dist. ſil plēd a tout quere. tunc le ſ̄ a lui ex-
rust de dist. cu ſ̄ exrust dont en tenu mand le ſ̄ poet dist. ſuend q̄ il ne ſ̄ ſ̄ quere. 21. E. 4. fo. 3. ra. 14.

Erg qui ſ̄ bailly de ſ̄ ſ̄, p̄ q̄ il n'est dens pois de ſ̄ ſ̄, no ideo puniatur dnus p̄ redemptione, 9. H. 7: 14, a.

velut hactenus consuetum est, & tenens dáp na sua recuperet versus eum.

¶*Distrec.4. Cap.60. 4.*

¶Nullus de cetero faciat ducere districtiones, quas fecerit, extra comitatum in quo captæ fuerint. Et si vicinus hoc fecerit super vicinum suum, & per voluntatem suam, & sin iudicio, puniatur per redemptionem vt supra veluti de re §facta §contra pacem. Veruntamen si dominus hoc super tenentem suum facere presumpserit, castigetur per gratie misericordiam. Districtiones insuper sint rationabiles, & non nimis graues. Et qui districtiones fecerint irrationabiles, & indebitas, graviter amercientur propter excessum districtionum ipsarum. §Vide statutum anno 1. & 2. P. & M. cap. 13.

¶*Confirmation. 1. cap. 5.*

¶Magna charta in singulis suis articulis teneatur, tã in his quæ ad regem pertinẽt, quã ad alios, & hoc coram iusticiar' itinerantibus in suis itineribus, & vic' in com' suis, cũ opus fuerit demandetur, & breuia versus eos qui contrauenerint gratis concedantur coram rege, vel coram iustic' de banco, vel coram iustic' itinerantibus cum in partes illas venerint. Similiter Charta de foresta in singulis suis articulis teneatur, & contrauenientes per dñm regem, cum conuicti fuerint grauiter puniantur modo suprad'.

¶*Vvardes. 6. cap. 6.*

¶De his autem qui primogenitos & heredes suos infra ætatem existentes feoffare soleant

Art entomb le tort

Si vn ad manoir en vn countie, et vn tient terre en vn ad et autre countie de cest manoir, bien lust al Seignr a distrayner le tenant, et de amesner le distrayned al manoir en le autre countie ou le manoir est. Il semble en countier le tort del art. que en veritie est contra al generalitie del tort del art. 30. E. 3. 6. f. tit. 6. 3. et Fitz. 18. 2. Ell. play. 2046. Leo Judgid ouerpris lentent del statut del art. nient de exter der a cestuy seign, mais on le seignorie et tenantie ange sont en vn mesme countie.

Nota

Nota Pl. g. H. 4. 60 Hull et Gascoigne, q si ten le roy, tient lauter terre de como, p donc in chiualry et alie ceo pur collusiõ p enfoff son fits et heir a seyne age, et denuy le heire den age et vn gard le roy pur lauter terr tenu in capite q le roy ne poi auer collusiõ dun lauter terre. car ces est donc tm del seignorie p ces statute, mais si q tient del heire en gard, fayt p collusiõ et denuy heire denus age, le roy aura la vantage del collusiõ p collusiõ 16. Note ~~Ee~~ Plowden. 99.

P. 27 H. 8. fo: 7. placito 22 p Onley. In ascũ cases le seignour p distresse gard, come si le tenant enfoff son fits denus age et vn estraunge ou donc tenantry a sons fits en tayle le remaynder ouster in fo in cuppes fits ne ferra en gard.

Si le primer fits dun home soit mort, et il enfoff son second fits q est heire, ceo est denus lequity de cest statute. Ou fil luy fine alienary q est ma ter de record, ceo ferra denus lequity, et encore le statute parle de foffment. vide Plowden 59.

solent de hereditate sua, vt per hoc amitterent domini feodorum custodias suas. Prouisum est concordatum & concessum, quod occasione huiusmodi ‡falsi‡ feoffamenti, nullus capitalis dominus amittat custodiam suam / De his insuper qui de terris suis, quas tradere voluerint ad terminum annorum, vt per hoc domini feodorum amittant custodias suas, falsa fingunt feoffamenta continēcia, quod eis satisfactum est de summa seruitij in illis contenti vsque ad terminum aliquem: ita quod si ad dictum terminum soluere teneantur huiusmodi feoffati summam aliquam ad valorem terrarum illarum, vel in multo excedentem, vt sic post terminum illum terra eorum reuertatur ad ipsos, vel ad heredes suos, eo quod nemo eam pro tanto tenere curaret. Prouisum est, concordatum & concessum, vt per huiusmodi fraudem nullus capitalis dominus amittat custodiam suam: Veruntamen non licebit eis huiusmodi feoffatos sine iudicio disseisire: sed breue habeant de huiusmodi custodia sibi reddenda, & per testes in chartis de huiusmodi feoffamento contentos, vna cum alijs liberis & legal' hominibus de patria, & per quantitatem & valorem ten', & per quantitatem summæ, quæ inde reddi debeant post terminum ‡predictum‡ attingatur vtrum huiusmodi feoffamenta bona fide facta sint, an in fraudem, ad auferendum capital' dominis feodorum custodiam suam. Si vero capital' domini per iudicium curiæ in huiusmodi casibus recuperauerint custodiam suam, salua sit nihilominus huiusmodi feoffatis

actio sua, quo ad terminum, seu ad feodũ recuperandum, quam inde habuerint cum heredes ad legitimam ætatem peruenerint. Et si aliqui capitales Domini feoffatos aliquos malitiose implacitauerint, fingentes casum istum, maxime vbi feoffamenta legitime & bona fide facta fuerint, tunc adiudicẽtur feoffatis dampna sua, & misæ suæ, quas fecerint occasione prædicti placiti, & ipsi actores per miserecordiam grauiter punniantur.

VVardas. 7. cap. 7.

¶In placito vero communi de custodijs, si ad magnam districtionem non venerint deforciatores, tunc bis vel ter iteretur breue prædictum ad terminos, quibus fieri poterit, infra medietatem anni sequentis, ita quod singulis vicibus legatur breue in pleno comitatu ‡nisi ad vbi‡ prius inuentus fuerit deforciator. Et ibi publice denuncietur, vt veniat ad diem sibi prefixum. Quod si ipse extunc se subtraxerit ita quod infra medietatem anni prædicti respon-surus non venerit, nec vicecomes eum inuenire possit, per quod corpus suum habere non possit coram iusticiarijs, ad respondendum secundum legem et consuetudinem regni, tunc (tanquam rebellis, & se iusticiari non permittens) amittat seisinam huiusmodi custodie, salua sibi alias actione sua, si forte ius habeat ad eandem. In casibus autem vbi custodie pertinent ad custodes heredum infra ętatem existentium‡versus custodes illas‡petatur custodia quæ accidit heredibus‡illis tanquam pertinẽ ad eorum hereditates: & non amittant huiusmodi heredes infra ætatem existentes hereditatem

suam

ſuam per negligentiam, vel rebellionem ſuorum cuſtodum, ſicut in caſu prædicto, ſed currat lex communis eodem modo quo prius currere conſueuit.

¶ *Redisseisin. 2. cap. 8.*

¶ Illi autem qui pro iterata disseisina capt̃ fuerint & detenti, non deliberentur ſine ſpeciali præcepto domini regis, & hoc per finem cum domino rege inde faciendum pro huiuſmodi transgreſsione ita. Et ſi compertum fuerit quod vic' aliter eos deliberauerit, propter hoc grauiter amercietur, & nihilominus illi qui per vicecomitem, ſine precepto dominí regis, ſic deliberantur, pro ſua transgreſsione grauiter puniantur. ‡Mertõ. capitul'. 3. VVeſt. 2. cap. 26.

¶ *Suite. 1. cap. 9.*

¶ De ſectis vero faciendis ad curiam magnatum, vel ad curiam aliorum dominiorum ipſarum cur', de cetero ſic obſeruandum eſt, quod nullus qui p chartam feoffatus eſt, diſtringatur de cetero ad huiuſmodi ſectam faciendam ad curiam domini ſui niſi per formam ‡feoffamenti ſui‡ ſpecialiter teneatur ad ſectam illam faciendam. His autem exceptis quorum anteceſſores, vel ipſimet, huiuſmodi ſectam facere conſueuerunt ante primam tranſſretationem prædicti domini Regis Henrici in Britanniam, a tempore cuius tranſſretationis elapſi ſunt xxxix. anni, & medietas vnius anni ‡ad tempus‡ quo huiuſmodi conſtitutiones fuerunt ſtatutæ. Similiter nullus feoffatus, a tempore conqueſtus ‡ſine charta‡ vel aliquo alio antiquo

fozt le rouut hors ꝓz Englefield. ꝓz rozo ꝓz ſunt pri-
ſto pmr redisſeisin, ne deliberentur ſine ſpeciali p-
cepto dñi regis, et hoc p finem cu domino rege inde
faciendu, ꝓz reo et per illu romanu domin nu poet
estre hors ꝓz Lord del Hammerro. Et Englefield en
tant ꝓz rest ꝓtrome en rec rouut scle domu bene de
tant ꝓz rest ꝓtrome en rec rouut scle domu bene de
led Justiz do rez out pouoir de ass̃ter le fuit et
de cu fuit hide per illu bro hors de son rouut al
Lisle. Vide plius de reo. 18. H. 8. i. 1.

feoffamento distringatur ad huiusmodi sectam faciend', nisi ipsimet, vel antecessores sui, eam facere consueuerunt ante primam transfretationem prædictam. Qui autem per cartam pro certo seruitio veluti pro libero seruitio tot solidorum annuatim pro omni seruitio soluend' feoffati sunt ad huiusmodi sectam, vel ad aliud, contra formam feoffamenti sui, de cetero non teneantur. Et si hereditas aliqua, de qua tantum vnica secta debeatur, ad plures heredes participes eiusdem hereditatis deuoluatur, ille vero qui habet enitiam partem hereditatis illius, vnicam faciet sectam pro se et participibus suis, & alij participes sui pro portione sua, contribuant ad sectam illam faciendam. Et si plures feoffati fuerint de hereditate aliqua, de qua tamen vnica secta debeatur, dominus illius feodi vnicam sectam inde habeat, nec posit de predicta hereditate nisi vnicam sectam exigef. sicut prius inde fieri consueuit. Et si feoffati warrantum, vel medium non habeant, qui §inde§ eos acquietare debeat, tunc omnes illi feoffati, pro portione sua, contribuant §pro portione sua§ ad sectam illam pro eis faciendam. Si autem contingat, quod domini cuf, tenentes suos contra hanc constitutionem, pro huiusmodi secta distringant, tunc ad quæremoniam tenentium illorum attachientur eorum domini, quod ad curiam Regis veniant ad breuem diem, inde responsuri, & vnicum inde habeant essonium si fuerint in Regno, & incontinenter deliberentur conquerenti aueria sua, siue aliæ districtiones, hac occasione factæ, & delibe-

rate

general.

Item tenuit dicti rex Ricardus a plusiors regrenors temporibus regrenors deberent huiusmodi sectas, sicut in capitulo partition, rond abant. vide voc. ll. 3. ra. 2. 4 Eliz. fo. 140. No. nat. br. 159. C.

ratę remaneant, donec placitum inde inter eos terminetur. Et si domini curiarum, qui huiusmodi districtiones fecerint, ad diem, ad quem attachiari fuerint non venerint, vel diem per essonium sibi, datum non obseruauerint, tunc mandetur vicecomiti, quod eos ad alium diem venire faciat, ad quem diem si non venerint, tunc mandetur vicecomiti, quod distringat eos per omnia catalla, quæ habent in balliua sua, ita quod vicecomes respondeat domino Regi de exitibus dicti heredis, & quod habeat corpora eorum ad certum diem sibi præfigendum coram Iusticiarijs. Ita quod si ad diem illum non venerint, eat pars conquerens inde sine die, & aueria sua, siue aliæ districtiones hac occasione factæ, deliberata remaneant, donec ipsi domini sectam illam recuperauerint per consideationem Curiæ regis, & cessent interim huiusmodi districtiones, saluo dominis curiarum iure suo de sectis illis recuperandis in forma iuris, cum inde loqui voluerint.

¶Et cum domini curiarum inde venerint responsuri conquerentibus de huiusmodi districtionibus, & super hoc conuincātur, tunc p consideationem curiæ dñi regis recuperent versus ipsos cōquerentes dampna sua quæ sustinuerunt occasione districtionis prædictæ. Simili autem modo si tenentes, post hanc constitutionem, subtrahunt dominis §feodorum§ sectas quas facere §debeant et quas ante tempus prædict' transfretationis, et hactenus facere consueuerunt, tunc per eandem iusticiam & celeritatem quo ad dies præfigend', & districtiones adiudicand', consequantur dñi curiarū iusticiam de sectis illis perquirendis, vna cum dāpnis

nis suis, quemadmodum tenentes damna sua recuperarent. Et hoc scilicet de damnis recuperandis, intelligatur de subtractionibus sibi factis, & non de subtractionibus factis predecessoribus suis. Veruntamen domini curiarum versus tenentes suos seisinam de huiusmod' sectis recuperare non poterunt per defaltam, sicut prius fieri consueuit. De sectis autem, que ante tempus supradictũ subtracte fuerũt, currat lex communis, sicut prius currere consueuit.

¶ *County et Tourne 2. cap. 10.*

¶ De tournis vic. prouisum est, quod necesse non habeant ibi venire archiepiscopi, episcopi, abbates, priores, comites, barones, nec aliqui viri religiosi, seu, mulieres, nisi eorum presentia ob aliquam causam specialiter exigatur, sed teneatur turnus, sicut temporibus predecessorum domini regis teneri consueuit. Et qui in § diuersis § hund' habeant tenta § non habeant necesse ad huiusmodi turnos venire, nisi in balliuis vbi fuerint conuersantes. Et teneantur turni secundum formam magne charte, & sicut temporibus regum Rich. & Iohannis teneri consueuerunt. Vide M. cap. 35.

¶ *Beaupleder. 1. cap. 11.*

¶ Prouisum est etiam, quod nec in itinere iustic' nec in com̃, in hundred', nec in cur̃ baron̄ de cetero capientur fines ab aliquibus pro pulchre placitando, neque § pro eo § quod non occasionentur. Et sciendum est, quod per istam constitutionem non tolluntur fines certi, seu prestationes ar-

urrentate a tempore quo dominus rex prim transferetauit in Britanniam vsq; nunc.

¶ *Dies in banke. 3. cap. 12.*

¶ In placito vero dotis, quod diciter vnde nihil habet, dentur de cetero quatuor dies per annum ad minus, & plures si commode fieri poterit, ita quod habeant quinque vel sex dies ad minus per annum. In assisis §autem§ vltime presentationis, et in placito quare impedit de ecclesijs vacantibus, dentur dies de quindena in xv. vel de tribus septimanis in tres septimanas, prout locus fuerit propinquus, vel remotus.

¶ *Quare impedit. 1.*

¶ Et in placito quare impedit si ad primum diem ad quem summonitus fuerit, non venerit nec essoinium miserit impeditor, tunc attachiet ad alium diem, quo die si non venerit, nec essonium miserit distringatur per magnam districtionem superius datam. Et si tunc non venerit, per eius defaltam scribatur episcopo illius loci quod reclamatio impeditoris, illa vice conquerenti non obsistat, saluo impeditori alias iure suo, cum inde loqui voluerit. Eadem lex de attachiamentis faciendis, in omnibus breuibus vbi attachiamenta iacent de cetero (quo ad districtiones faciend') firmiet obseruet: ita tamen quod secund' attachiamentū fiat per meliores pleg. & postmod' vltima districtio. §vide art super§ cartas cap. 15.

¶ *Essoine. 1. cap. 13.*

¶ Et sciendum est §quod§ postquam aliquis posuerit se in inquisitionem aliquam, que emerserit, vel emergere poterit in huiusmodi

breuibus,non habebit nisi vnicum essonium, vel vnicam defaltam,ita quod si ad diem sibi datum per essonium suum non venerit, aut secundo die defaltam fecerit, tunc inquisitio illa per eius defaltam capiatur,et secundum inquisitionem illam ad iudicium procedatur. Si vero inquisitio illa capta fuerit in comitatu coram vicecomite vel coronatore,ad iusticiarios domini regis ad certum diem est remittendum. Et si pars rea non venerit ad diem illum, tunc propter defaltam ipsius, assignetur & alius dies, secundum discretionem Iusticiariorum, & mandetur vicecomiti, quod ad diem illum faciat eum venire ad audiendum iudicium (si velit) secundum inquisitionem illam. Ad quem diem si non venerit, propter defaltam suam procedatur ad iudicium. Eodem modo fiat, si non veniat ad diem sibi datum per essonium suum.

¶*Iurors* 1. *chap.* 14.

¶De chartis vero exemptionis, & libertatis ne ponantur impetrantes in assisis,iuratis vel recognitionibus aliquibus: Prouisum est, quod si adeo necessarium sit eorum iuramentum, quod sine eis iusticia exhiberi non poterit (Veluti in magnis assisis, & in perambulationibus, & in chartis vel scriptis conuentionum, vti fuerunt testes nominati, aut in attinctis, vel alijs consimilibus) iurari cogantur, salua sibi alias libertate,& exemptione sua prædicta.

¶*Distres.* 5. *Cap.* 15.

¶Nullus de cetero liceat, ex quacunque causa districtiones facere extra feodum suum, nec in

Trinch. post dictum in Hant. Street & Lumorria. mentat in locte, 3. 4. E. 2. 19. E. 2. fit. Adm. 121. Rot. 143

i via regia, aut in communi ſtrata, niſi domi-
o Regi, & miniſtris ſuis ſpecialem auctthorita-
m ad hoc habentibus. ‡ weſtminiſter. 1.
capit 16. ‡

¶ *Mordaunceſter. 1. cap. 16*

¶Si heres aliquis poſt mortem anteceſſoris ſui
fra ætatem extiterit, & dominus ſuus cuſtodiam
rrarum, & tenementorum ſuorum habuerit, ſi
ominus ille dicto heredi, cum ad legittimam æta-
m peruenerit, terram ſuam ſine placito reddere
oluerit, hæres ille terram ſuam per aſsiſam mor-
anteceſſoris recuperabit, vna cvm damnis ſuis,
uæ ſuſtinuerit propter detentionem illam, a tem-
ore quo fuit legittime ætatis. Et ſi heres aliquis tē-
ore mortis anteceſſoris ſui plene ætatis fuerit, &
e heres apparens, & pro herede cognitus & in-
entus ſit in hereditate illa, capitalis Dominus eum
on eiiceat, nec aliquid ibi capiat, vel amoueat,
d tamen inde ſimplicem ſeiſinam habeat pro re-
ognitione dominij ſui vt pro domino cognoſca-
ur. Et ſi capitalis dominus huiuſmodi heredes
ctra ſeiſinam malicioſe teneat, propter quod breue
ortis anteceſſoris, vel conſanguinitatis oporteat
ſum impetrare, tunc dampna ſua recuperet. ſicut
aſsiſa nouæ diſſeiſinæ. De heredibus autem, qui
e domino rege tenent in capite, ſic obſeruandum
t, vt dominus Rex primam inde habeat ſeiſinam,
cut prius inde habere conſueuit. Nec heres nec a-
quis alius in hæreditatem illam ſe intrudat, pri-
ſquam illam de manibus domini regis recipiat
rout huiuſmodi hæreditas de manibus ipſius
c anteceſſorum ſuorum recipi conſueuerit tempo-
ribus

ribus elapsis. Et hoc intelligatur de terris et fo-
odis, quæ ratione seruitij militaris, vel serieantiæ, si-
ue iuris patronatus in manibus domini regis esse
consueuerunt. ‡Vide Prærogatiua cap.3. Et
Glanuil li.7.ca.9.fo.4.

¶*Vvardes.8. cap.17.*

¶ Prouisum est insuper, quod si terra, qua
tenetur in soccagio, sit in custodia parent hered
eo quod heres infra ætatem extiter, custod' illi va-
stum facere non possunt, nec vendicionem nec ali-
quam destructionem de hereditate illa, sed salu
eam custodiant ad opus dicti hered' ita quod cun
ad ligittimam ætatem peruenerit, sibi rideant d
exit dicti hereditatis, per legalem computationem
saluis ipsis costodibus racionabilibus nisis sui
Nec etiam possunt dicti custodes maritagiu
dicti heredis dare vel vendere, nisi ad commodu
dicti heredis, sed parentes dicti hered' propin
quiores, qui huiusmodi custodiam habuerint,
toto tempore illo a quo breuia non concedu
tur implacitandi, huiusmodi custodias hab
ant ad commodum heredum vt predictu
est, sine vasto, vel exilio, vel destructione fac
enda.

¶*Amercament.1. cap.18.*

¶ Nullus escaetor, vel inquisitor, aut iu
tic' ad assisas aliquas specialter capiendas a
signatus, vel ad querelas aliquas audiendum & te
minandum, de cetero habeant potestatem aliqua
amerciandi pro defalta communis summonition
nisi capit iustic', vel iustic' itinerantes in itinerib
suis.

¶*Ess.*

¶ *Essoine. 2. cap. 19.*

¶ De essonijs autem prouisum est, quod in com̃, iund, aut in curia baroñ, vel alijs curijs nullus ha- eat necesse iurare pro essonio suo warrantizand' vide Glanuill. li. 1. cap. 12. fol. 4.

¶ *Faux iudgement. 1. cap. 20.*

¶ Nullus de cetero (excepto domino rege) teneat placitum in curia sua de falso iuditio facto in cur̃ ten̄ suorum, quia huiusmodi placita specialiter spe- tant ad coronam, & dignitatem domini regis.

¶ *Repleuin. 1. cap. 21.*

¶ Prouisum est etiam quod si aueria alicuius ca- piantur, & iniuste detineantur, vic' post queremo- niam inde sibi factam, ea sine impedimento vel cõ- tradictione eius qui dicta aueria ceperit, deliberare possit, si extra libertates capta fuerunt. Et si infra libertates capta fuerint huiusmodi aueria, & balliui libertatis, ea deliberare noluerint, tunc vic' pro de- fectu ipsorum balliuorum ea faciat deliberari.

¶ *Freeholde. 1. cap. 22.*

¶ Nullus de cetero posit distringere libere te- nentes suos ad rn̄dend' de libero tenemento suo nec de aliquibus ad liberum ten̄ suum spectantibus, nec iurare faciat libere tenentes suos contra voluntatem suam, quia hoc nullus facere potest, sine precepto domini regis.

¶ *Accompt. 1. cap. 23.*

¶ Prouisum est etiam quod si balliui, qui compotum suum dominis suis reddere tenentur se subtraxerint, & terras vel tenementa

non

2 F. 4. 16. Coppinio del roi et q̃ ceo intende del roun essoine et non de essoine de seruice roigis de Gynsuade.

Inst: 145: b: la ꝯ dit, q̃ le dr̃t. q̃ dist'bn̄ clamer cosey in m̄ lieu bn̄, le vir pd et fair delivery des bn̄; mes pl dont iudr br̄ de essoine tude ꝓbanda direct al vir.

non habuerint, per que distringi possunt, tunc per eorum corpora attachientur, ita quod vicecomes in cuius balliua inueniantur, eos venire faciat ad compotũ sufi reddend'.

¶*Vvardes* 3. *Cap* 23.

¶Item firmarij tempore firmarum suarum vastum, venditionem, vel exilium non facient de domibus, boscis, vel hominibus nec de aliquibus ad tenem quod ad firmam habent spectant, nisi specialem inde habuerint concessionem per scriptum conuentionis mencionem faciens quod hoc facere possunt. Quod si fecerint, & super hoc conuincantur, dampna plena restituant, & per miserecordiam grauiter puniantur.

¶*Iustices in Eire.* 1. *cap.* 24.

¶Iusticiarij itinerantes de cetero non amerciem villatas in itinere suo, pro eo q̃ singuli xij. annorum non venerint coram vicecomitibus & coronatoribus, ad inquisitionem de roberijs, incendij domorum, vel alijs ad Coronam spectantibus faciend'. Dum tamen de villatis illis veniant sufficientes, p̃ quos inquisitiones huiusmodi plene fieri possunt, exceptis inquisitionibus de morte hominis faciend', vbi omnes xij. annorum venire debent, nisi rationabilem causam habeant absentiæ suæ.

¶*Murdor.* 1. *cap.* 25

¶Murdrum de cetero non adiudicetur coram iusticiar', vbi infortunium tantũmodo adiudicatum est, sed locum habeat murdrum de interfectis per feloniam tantũ, & non aliter.

¶*Voucher* 1. *cap.* 26.

¶Prouisum est quod nullus, qui coram iusticia

Iustic' itinerantibus vocatur ad warrant̃ in placito terræ, vel ten̄, amercietur de cetero, pro eo quod presens non fuerit quando vocatur ad warrantum (excepto primo die aduentus Iusticiar̃ ipsorum) ed si §warrantus§ ille fuerit infra comitat̃, tunc niungatur vicecom̄, quod ipsum infra tertium di-m, vel quartum (secundum locorum distantiam) aciat venire, sicut in itinere iustic. fieri consu-uit. Et si extra comitat̃ maneat, tunc rationabil̃ abeat summonitionem xv. dierum ad minus, se-undum discretionem Iusticiar̃ & legem commu-em.

¶*Mainprise and Baile.* 1. *cap.* 27.

¶Si clericus aliquis pro crimine aliquo vel retto uod ad coronā pertineat, arestatus fuerit, & post-odum per preceptum domini regis in ballium aditus §fuerit‡ vel replegiatus extiterit, ita quod ij quibus traditus fuerit in balliuum, eum habe-nt coram Iusticiar̃, non amercientur de cetero illi ibus traditus fuerit in balliuum, nec alij pleg. i, si corpus suum habeant coram Iusticiar̃, licet ram eis propter priuilegium clericale respande-noluerit, vel non potuerit propter ordinarios os.

¶*Monasteries &c.* 1. *cap.* 28.

¶Prouisum est, quod si deprædationes, vel pini aliqui fiant abbatibus, prioribus, vel ali-oræatis ecclesiasticis, & ipsi ius suum de hu-modi deprædationibus prosequentes morte, eueniantur antequam iudicium inde fue-t assecuti, successores eorum habeant acti-es ad bona ecclesiæ suæ de manibus huius-modi

modi transgr repetend'. Similem insuper habeant actionem succ' de his quæ domui suæ & ecclesia ¶recenter ¶ ante obitū predecessorum suorum pe huiusmodi violentiam fuerint subtracta, licet predicti predecessores sui ius suum prosecuti non fuerunt in vita sua. Si autem in terris, & tenementi huiusmodi religiosorum, de quibus eorum prelat obierint seisiē vt de iure ecclesiæ suæ, aliqui se intru dant tempore vacationis, successores sui bre habe ant de seisina sua recuperand', & adiudicentur ei damna sua, sicut in noua disseisina adiudicari con sueuit.

¶*Entre of writtes.1. cap.29.*

¶Prouisum est etiam, quod si alienationes illa de quibus breue de ingressu dari consueuit, per tc gradus fiant, per quot breue illud in forma prius v sitata fieri non possit, habeant conquerentes breu ad recuperandum seisinam suam, sine mention graduum, ad cuiuscunque manus per huiusmoc alienationes, res illa deuenerit, per breue originale, & per ¶commune¶ consilium domini Regis inde prouidendum &c.

VVestm primer edit anno tertio *Edwardi primi.*

Eux sont les establishements le roy Edward fittz le roy H. faitz a Westm, a son primer parliam̃t general apres son coronement, lendemaine de la cluse d Pasche lan de son raigne 3. p so counsel, p lassentments des archeuesq, euesq, abes, priors, counteis, barons, & tout la comialty de la terre illonq somons. Pur ceo q̃ e ifir le roy ad graund volunt & desier d̃ tate de son realme redresser en les choses u mesk est damendement, & ceo pur le comõ rofite de saint esglis, & de ‡son‡ realme, & ur ceo q̃ lestate de son realm & de saint esgl d eē malem̃t gard, & les prelats & religious e la fre en mults des maners grieues, & k eople autem̃t treit q̃ estē duist, & la peace eins gard, & les leiez meis dses, & les misfãts meins punes, q̃ estre duissent, p quoy s gents de la terre doubteront meins a issaire, cy ad le roy ordein & estably, ks cho s southscripts, les q̃x il entend destē pfiables & couenables a tout le Realme.

¶Monasteries. 1. Cap. 1.

¶En primes voit le roy & command que peace de saint dsglis, & de la terē, soit dfi ard & mainteigñ en touts points, & q̃ comion droiture soit fait a touts, auxibñ as ouers, come as riches, sans regarde de nul-

luy

luy. Et pur ceo que les abbes et les mealõ
de religion de la terre, ont este surcharges
greues malement, per le venue des graũde
gents et dauters, que lour biens ne sufficie
a eux mesmes per que les religious sont cy
bates & impouers, quilz ne poient eux me
mes sustteigñ, ne la ꝛcharge de ꝛcharity que
soilent faire. Purueu est que nul ne veigne
manger, harbarger, ne giser a mealon de re
ligiõ dauter auowson, q̃ de la laine, al cos
tages de la mealon, sil ne soit prie et requi
specialment per le gouernour de la mealon
auant quil veigne. Et que nul a ses costages
demesne, ne enk, ne veigñ giser encounter
volãte ceux de la mealõ. Et par cel estat ne
tend pas le roy, que grace ỏ hospitality so
sustreit as besoignes, ne q̃ les auowes de
mealons les puissent par lour souẽt venue
surcharger ne destruer. Purueu est ensemi
q̃ nul graunõ ne petit, per colour de paren
ou despecialty, ou p auter affiance, ne p au
ter enchelon, ne courge en auter parke, n
pesche en auter viuer, ne veigne manger n
herberger, en mealon, ne en manor ou, ẽ mea
lon de plate, ne de home ỏ religion, ne daut
enconter la volunte le seigniour, ou le bail
de costages le seigniour, ne a sõ cost demes
ne. Et sil veigne, ou enter per le greé, o
sãs le greé le seigniõr ou le bailife, nul sar
re, huis, ne fenestre, ne nul maner ỏ ferme n
faire ouerer, ne ỏ pecher per soy ne p aute
ne nul maner ỏ vitaile ne auter chose preig
par colour de achate, ne auterment. Et qu
m

nul face barter blee ne prender blee, ne nul
maner de vitaile, ne les autrs bien, de nulluy
prelate, home de religion, ne de auter, ne de
clerk, ne de lay, per colour de achate, ne au-
terment, encounter la bone volunte e le cō
ge de celuy, a que la chose serra, ou de gar-
dein, deines ville marchandise, ou dehors.
Et que nul preign chiuals, boefs, chares, ne
charets, neefs, ne bateux ne auters choses
ufaire cariage, sans le bone volunte de ce-
luy, a que les choses serront. Et si il par la
bone volunte de celuy le face, lors maynte-
nāt face son gree solonqs le couenāt fait en-
tre eux. Et ceux que viendront encoūter les
establishmēts auātdits, et de ceo soient at-
taints, soiēt aiudges a la prison le roy, e dis-
onques soiēt rētes, et punies solonques la
quātitie et le maner du trespas, et solonque
ceo que la roy en sa court veier que biē soit.
Et soit assauer que si ceux, a que le trās fuit
fait, voillent suer les damages, que ils aueē
esceux lour serra agardē et restore au double
Et ceux que le trespas auerōt fait soient en-
teinēt punies en le maner auātdit. Et si nul
ne voile suer, eit le roi la suite, come de chose
fait encounter son defence, e encounter sa
peace. Et le roy fra ēquire de an en an, si cōe
il quidra que bein soit, quēx gents eient tiel
trespas fait. Et ceux queux serrōt endites p
eux enquests, serrōt attaches e distreignē p
a graūde distresse de bener a certayne iour,
que cōteigne le space dune mois en la court
le roy la ou luy plerē. Et si ceux ne veignē

a cel iour, ils serront auterfoits de recheffe distreign per mesme distr, de bener a vn auter iour, que conteign le space de vj. semaignez. Et si ceux adonqz ne deignent, soient adiudges come attaints, & rendent le double (per le suit del Roy) a ceux queux le dam aueront receux, & soient greuement rentes solonqz le maner del trespas. Et le roy dest. & commaund, q nul deformes ne face male, dam ne greuance a nul home de religion, p son de saint esglis, ne a auter p encheson de ceo q ils eiont deny lofferit, ou le manger a nulluy, ou per encheson de ceo que aseun soy pleint en court de ceo q il soit greue de z ase choses auauntdits, & si aseun le face, & de z soit attaint, soit incurru le peine auauntdit. Et est puruieu q ces points auanditz liet auxybien nous conceilloz, iustices del forest, & auz nous iustices, come auts gets. Et q les points auanditz soient maintenes, gardes & tenus. cy defend le roy sur sa greue forfaiture, que nul prelate, abbe, prior, hoe de religion, ou bailife daseun de eux, ou del auter, ne resceiue nul home encointer la forme auauntdit. Et que nul cuoy au messon, ne au manor de religion, ne de auz hom gents, chiualx, ne chiens a soiorn ne nul z resceiue. Et q le fra, pur ceo que est encon ter le defence & le commaundement le roy, il serra punis greuement. Uncore est puruieu que le biē ne herbergent oue nulluy, de desqz plus que v, ou vj. chiualx, ne q ils ne greueuent la gets d religiō, ne auz per lour

louent venire, ou giser a lour melong, ne a lour manoirs.

¶Clergy. 1. cap. 2

¶Puruieu est ensement que quãt clarke est prise pur rette de felony, & il soit demaũd per lordinary, il luy soit liuer, solonques le priuilledge de sanct esgils, en tiel paril come ils apent, solonque le custome auaunt ses heures vse. Et le roy amonist les prelates & eux enioine en la foy q̃ ils luy doyent, & mer la common profitt de la peace de la terẽ, & ceux q̃ sont ẽdits de tiel rette p solempne ilts des ꝓbes hões fait ẽ la court del Roy, en nul maũ ne les deliuerent sauns due purgacion, issint q̃ le roy neit mister de mitter mitter remedye.

¶Escape 1. cap. 3

¶Puruieu est ensement, que nul rien deformes soit demaund, ne prise, ne leue per viroun, ne per auẽ, pur escape de laron ou felon, iesque a tant que lescape soit adiudge per iustices errants. Et que auterment le terra cy rendra a celuy, ou a ceux que cel aueront pay, quant ‡ que ‡ il auer prise & rese & au roy au tant.

¶VVrecke 1. cap. 4.

¶De wrecke de mere est accord, que la ou home, chien, ou catte escape viues hors de la niefe, la niefe ou batel, ou nul rien, que la eins fuit, ne soit ‡ adiudge ‡ wrecke, mes soiẽt les choses saues & gards p le vieu del vill, coroñ, ou al ‡ et ‡ del baily le roy, et bates ẽ lez maiz ceux d le vill, ou lez choses sont

ilſint que ſi nul ꝟſue les biens, & puit prouer
q̃ls ꝟſoient ou a ſon ſeigneor, ou ē ſa garde
peris, deins lan & le iour, ſauns delay luy
ſoient rendus: ſi non, remaigne au roy, & ſoi-
ent priſes per le biſ̃ et coronors, et ꝟbailes a
la ville pur reſpoigñ deuāt iuſtices ō wreke
que appēt a roy. Et la ou wreck appent a au
ter que au roy, ſi le eit per meſm le manner.
Et que auteriment fra, & de ceo ſoit attaint,
ſoit agard al priſon, et rent al volunt le roy
& rēdra les dam̃ enſement. Et ſi le bailyfe le
face, & ſoit diſauow de ſon ſir: et le ſir ne
ottrie de ceo a luy, reſpoigñ le bailife ſi eit
de quoy, & ſi neit de quoy, rendra le ſeignior
le corps du bailife au roy.

¶ *Election 1. cap. 5.*

¶ Et pur ceo que elections doient eſtre
frankes, ſi defend le roy ſur la grieue forfait
que nul haut home ne auter, per poyar des
armes, ne per manaces, ne diſturbe de faire
franke election.

¶ *Amercement 3. cap. 6.*

¶ Et que nul citie, borough, ne ville, ne
nul home ſoit amerce ſans reaſonable ēche-
ſon, & ſolonqs le quantity del trſ̃s, reſtaſſa-
uoire, franche home ſaue ſon contenement,
marchāt ſaue ſō m̃chandiſe, & villen ſaue ſō
gainage, & ceo p lour piers.

¶ *Purueiers 2. cap. 7.*

¶ Des priſes des Conſtables ou chaſte-
leins faits des auters ꝗ que des gents de la
ville, ou la chaſels ſont aſſiſe. Purueu eſt
q̃ nul cōſtabl' ne caſtelain deſormez nul maſ
de priſe

de prise ne face dauter hom̃ que de la bill' ou
sõ chastel est assise, & ceo soit paye, ou grce
fait deins pl.toures, si ceo ne soit auncient
prise due au roy, ou a chastell, ou al seignior
del chastell.

Bataplacter 2. cap. 8.

¶ Et que nul rien soit pris pur beaupl'ñ
sicome auterfoits fuit defendu en temps le
Roy Henry pier le roy que ore est. §Mark-
bẽ cap. 11.

Robert 1.° cap. 9.

¶ Et pur ceo que la peace de la terre ad
estẽ feblement gard auant ses heurs, pur de-
faut de lone fuit fait sur les felons solõqz
due manner, & nosemt p enchelon des fran-
chises ou les felons sont resceuz. Puruieu
ẽ, q̃ toutz cõunemt soiẽt pristes, & aparails,
au commaundement & a les summons des
biconts, et au crie de pais, de sucr et arrestẽ
les felons, quant mest serra, auxibien deins
franchises come dehors. Et ceux que ceo ne
ferrsnt, et de ceo soient attaints, le Roy p̃n-
dra a ẽux greeuement. Et si defaut soit troñ
ẽ le fr̃ de la frãchise, le Roy se prẽdra a'm̃
le frãchise. Et si le defaut soit troue ẽ l' bail-
lise, eit lespriso'm̃t dũ an, et puis soit greue-
ment rent, & sil neit de quoy, eit lenprisõmt
de 2. ans. Et si biẽ, coronor ou auter bailife
deis frãch. ou dehors, p lower ou p prier, ou
per poies, ou p nul man daffinity, cõcelent,
consentẽt ou procurent de conceler, les fe-
lonies faits en lour bailies, ou autrement,
se teignont attacher, ou arrest l's misfãtz

per la ou ils purr ou auterment se feignon de faire lour office, en nul maner de fauou des misfesants, & de ceo soient attaints, qu ils eient lenprisonment dun an, & puis soi ent greuement rents a le volunt le roy, ils eyent de quoy, & non, eient lenprisonment d iij, ans.

¶Coroners 1. cap. 10.

¶Et pur ceo q̃ petitz gentz meins sage soient eslieus ore de nouel cõmunemt al of fice d coron: et mestier serroit q̃ prodez hõe loialx & sages se entermellent de cel office Puruieu est, que per touts les counttes soi ent eslieus suffisant homes coronors, de plus loials et plus sages chiualliers, queq melius sachent, puissent, et voilent a cel of fice entend, & que loialment attachent et re presentent les pleis de la corone. Et que i diõ eiett counter rooles oue les coroners auxibien des appeals, cõe des enquests, d attachements, ou des auters choses, q̃ a te office apendent. Et qui coronor riẽs dõe n preign de nullay pur faire son office, su paine de la greue forfeiture le Roy. ‡14 E. 1. stat Coron.

¶Odio & atia 1. cap. 11.

¶Et pur ceo que plusors reints d mor de home, & q̃ sont culpable de m̃ le mort sõ (per fauorables ẽquests, prises per discõt et per brieue le roy que est appell odio & a tia) repleues, iesques a le venue des iustices errants. Puruieu est, que tiel enquests soy ent de lormes prises p prodes homes, eslieus

Ces semble a cest iour, si vn ad terre suffisient ni le coro, il suffist de ceste coron cont qil ne soit chiualer car ceux parols furent mise ni le statute, al ent ent q il aua suffisient et nemy p auti cause. Fitz: Nat: Br. 164 N.

pur serement, dount les deux soiēt a meins chiualers, q̄ p nul affinitie, touchēt a l'ls prisoners ne auterment ne soient suspeccions. ‡Gloē. ca. 9. W. 2. ca. 29.

¶Felony. 4. Cap. 12.

¶Purueu est ensemēt, q̄ les felōz escriez et queux sont appertment de male fame, et ne soy voilent mittre en enquestes des felonies q̄ homes mēt sur eux denaunt iustices a le suite le roye, soyent miles en la prison sort & dure, come ceux queux refusent estre al comen ley de la terre. Mes ceo nest mye a entend pur prisoners q̄ sōt pziles pur legieē suspeccion.

¶Rape. 1. Cap. 13.

¶Et le roy defend, que nul ne rauise ne preigñ a force damesele deins age, ne p son grce, ne sans son grce, ne dame ne damesel ō age, naut feme maugre le souen. Et si vl le face, a le suite celuy que suera deines les xl. iours le roy luy fra comen droiture. Et si nul cōmence la suit deins les xl. iours l'roy suera & ceux q̄ux il trouera culpables, ils auerōt la prisonmēt de ii. ans, & puis serrōt rents a la volunte le roy, et s̄ils neient dont estre rents, soient punis per plus longe prisonment, solonque ceo que le trespas demaund.

¶Appeales. 2. Cap. 14.

¶Et pur ceo q̄ hōe ad vse en ascū payes de vtlageē les gents appels ō commaundement, force, eid, ou de receiptm̄t, deins m̄ la terme q̄ home doit vtlageē celuy q̄ est appel

de fait. Purueu est & commaunde p le roy, q nul ne soit vtlage pur appell de commaundement, force, aide, ou de receiptment, iesq a taunt que lappellee del fait soit attaint, issint q vn m ley soit de ceo per tout la terr, mes celuy q voet appeller, ne lessa pas pur ceo de attacher son appell, al procheim coūty verz ceux, auxibiē com vers les appellees du fait, mes lexigēt de eux demurge tanque les appeales de fait soient attaints p vtlagaē ou auterment.

¶Mainprise. 2. Cap. 15.

¶Et pur ceo que viscoūts et aukes, queux ount prises & retenus en prison gēts rettes de felony ‡et ‡meint foits ount lesse p repleuin les gēts, queux ne sont my repleuisabl; et ont detenus en prison ceux q̄ux sōt repleuisables, p encheason de gaign des vnz, & de greuer les auters, et pur ceo que auant ces heures ne fuit my determin ‡certeinement‡ queux gētes fuissent repleuisables, & queux non, forspris ceux queux fuissent prises pur mort de home, ou per commandement le roy ou de les iustices, ou pur la forest. Purueu est, & p le roy commaunde, que les prisoners queux sont auant vtlages, et ceux q̄ux eyent foriure la terr, prouours, et ceux queux sont prises oue manor, & ceux queux oūt debruse la prison le roy, larons apertmēt escrpes & notories, & ceux que sont appelles des prouours, tanq come les prouours sont en vie (fils ne soient de bone fame) & ceux q̄ux sōt prises pur arson feloniousment fait, ou pur

faux

ux .doney, ou fauxer de seale le roy, ou ex=
menge prise per prier leuesq, ou pur ap=
ort malueist) ou pur tresō, q̄ touche, l'roy
:sme, ne soiet en nul maner repleuisables
r le common brieve, ne sans bā, Mes ceux
: sont enditez de larceny per ēquests dez
coūts, ou des baillifes prises de lour of=
:s, ou pur leger suspeccion, ou pur petit
ceny, que namount ouster le balue de xij.
iers, ils ne soiet rettes dauter larceny,
iant cel heure, ou rettes de receiptmt des
ons, ou des felons, ou de commaundemt,
de la force. ou del aide de le felon fait, ou
tes dauter trespas, pur le q̄l bn ne doit
e bie ne membre, ē home appell'de puour
s la mort le pronour, il ne soit apiert la=
escrie, soite deformes lesse per suffisant
uin, deuant le vicōt, dont le bir̄ boil' res=
ū, ē ceo sans riens don de lour biens pur
leuin. Et ū le bir̄ ou aut lessent p pleuin
, q̄ ne soit repleuisable, ū ceo soit bir̄, cō=
ile, ou aut bailliffe de fee que eit garde
risons, ē de ceo soit attaint, parō le fee ē
lie a touts iours. Et ū soit fouth bir̄,
able, ou bailif, a celuy q̄ ad tiel fee pur
der les prisōs ē eit ceo fait sans la volū=
on seignior, ou auter bailif q̄ ne soit de
it lenprisonmt de iij. añs ē soit rēt a le
ite le roy. Et ū vl' detein les prisōers re
uisables, puis q̄ le prison eit offre suffi=
fuert, il ferā ē le greue mercy le roy. Et
ient lowō pur luy deliuerer, il rendra le
bie au prisoner, et ensement serra en le
greue

greue mercy le roye ꝓde ũnibus leuatis.
E.1.cap.13.

¶Distres.6. Cap.16.

¶En droit de ē q. ascũ gents parnoũ
prendre lount les auers des auts, & les c
lent hors del coũty ou les auers fuerdt
les. Puruen est q̃ nul deformez ne le fac
q̃ vl le face, soit greuement rent solõque
q̃ est cõtenue en les estatutes de Mar
ꝓcap.4.ꝓ faits en tẽps le roy h. pier le r
oze est. Et p m̃ le maũ soit fait de ceux,
parnont les auers a tort, & q̃ux font dis
en aut fæ, plus greuemẽt soient punis,
mener de trespes le demaũd. ꝓMarlebr
1.cap.15.

¶Distres.7. Cap.17.

¶Puruen est ensement, q̃ q̃ vt deforz
preignũ les auers des auts, & les face cha
chastell, ou au forcelet, et il ong de dey
le close du chastel. ou de forcelet les dete
encount gage & pledge, pur q̃ les auers
ront solempnemẽt dõez p vilẽ, ou p aut
lise le roy a la suite del pl, le vilẽ ou le b
lif prise oue luy power de sõ coũtie ou d
bailf, & voil assaier d fair d ceo repl ds
& celuy q̃ les auerẽ prise, ou a son sũr, o
auterẽ des homes son seignior quicunq
sont troues en le lieu, ou les auers fuer
chales. Et q̃ home luy deforce adonq̃s a
deliuerance des auers, ou q̃l ne troue h
pur le seignior, ou pur celuy que les a
prise que respoignũ & face le deliuerance.
ceo que le seignior, ou parnour, per vit o

bailli

atilife, serra admonist de faire la deliuerãce, soit in pais, ou pres, ou la ou il purẽ p le ernoz, ou per auts des fees couenablement tre garnie de faiẽ le deliuerãce, ũl fait hors cel pais quant le prise fuit fait, & ne face dõcz maintenant les auers deliuer, que le y pur le trespas et pur le dispite, face a= ite le chastle ou le forcelet sans recouer, & nutz les dam q le pt' auer resceue de sez a= ers, ou de son gainage desturbe, ou en auter aner puis le primer demaunde des auers it per le diẽ ou per le bailife, luy soiẽt res= pres au double, de seignior ou de celuy que s auers auer prise, ũl eit de quoy, & ũl neit quoy, respoign le seignior ũl heure, et in manner deliuer soit, fait apres ceo que le ẽ ou le bailyfe serra venue pur la deliue= nce faiẽ. Et soit assauoire que la ou le diẽ uer faiẽ returne del briefe le roy au bailif, seignior du chastle ou de forcelet, ou a auẽ que returne de briefe le roy appẽt, ũ le bai= e de cel franchise ne face le deliueranz, pu= ũ le diẽ auer ret a luy fait, face le discõt n office sans delay, et sur lauaũtdist peiñ. t per m le maner soit fait la deliuerans p tachement de pleint fait sans briefe, & sur le paine. Et ceo face a entender per tout ou le briefe le roy court. Et ũ ceo soit en marche de Gales, ou ailors, la ou le briefe roy ne court my, le Roy que est souerain seignior la, fra droit a ceux queux pleinds voudront.

Iustices

Iustices in Eire 2. cap. 18.

¶ Pur ceo que la common fine et amer de tout le county en eire des Justices p faux iudgements, ou pur auter trespas, assele p viē et barretors des counties ma ment, issint q̄ la sum me est meintfoits fer et les parcels auterment assele q̄ estre ne v issent, au dam̄ des people, et plusors foi sont paies as vicōts et barretors, que point les acquitent. Puruieu est, et v le roy, que desormes en eire des justices, uāt eux deuāt lour departē soit tiel sum asses p serem̄t de chiualls et des pbes h sur touts iceux que escorer deuerunt, et Justices facent mitter les parcels en le estreats q̄ ils liuerent al eschequer, et pas la summe total.

Dett al Roy 2. cap. 19.

¶ En Dropt des viē ou aux q̄x resp per lour mains al escheker, et queux o rest de les dets le Roy pier le Roy q̄ ore ou les detts le Roy m̄ auant ceux heu & q̄x ne ont my acquit de ceo les detto al Eschequer. Puruieu est que le Roy uoiera bones gents per toutes les count a oier touts iceux, q̄x de ceo plein se b droont, & a termin̄ issint la de loign̄, q̄ ceux purront m̄er q̄ ils eient issint auant pa a touts iours, ent, serront quits, le q̄l q̄ viconts ou auters serront morts ou viu en certain̄ forme q̄ lour serra bailt, Et c q̄ issint nauē fait, ils soient en vies, ser punes greuem̄t. Et s̄ ils soient morts, le

res respoign, & soiēt charges de la dett.
commaund le roy q les vicants, et les au-
auandits desormes loialment acquitēt
dettors a prothein accompt, puis q ils
ront le dett resceiue: & dongq soit le dett
we al eschequer, issint q iames ne veigne
ummon. Et si le viē auterment face, et
o soit ataint, cy rendra al pl le treble d
q il auer de luy resceiue, et soit rent a le
int le roy. Et dn le gard chescun vicont
eit tiel resceiuor, pur q il doudra respō=
car le roy le prendra del tout as viscont,
outr heires. Et si auter que respoigh p
ain al eschequer le face, il rendra le tre=
l plaintife, & soit rent en mesme le man.
que les viē facent tailes a touts iceux,
paieront le det le Roy. Et q la summōs
hequer a touts les dettors, queux de=
der doudront la vieu, facent monstrer
denier les a xulluy, & ceo sāz riē prēdre
wr, et sās rien doñ, et q ne le fra, le roy
rendra a luy greuement.

¶ *Forrestes 18. cap. 20.*

Duruieu est enfement de missefeors
es, & en viners, que si vl de e soit at=
p le sute del plaintife, soient agardes
& haut amends, solonques le manner
respas, et eit la prisonmēt de trois ans
ongq soit rent a le volunt le roy, si ad d
poit estre rent, et lors troua wn suer=
il iammes ne missface. Et si neit dont
estre issint rent, apres la prisonment d
ans, troua mesm le suertie. Et si ne
puisse

rest stat est donc q inale fesand en gerb solement
stant, et nemy q inale fesand en forest, tant rōp
sent pmisqables q stat de forest et nemy en autre
mmm / 21. H7 / 21. g. en trub. de malefactis gerb.

puille trouer la suerty, forfiur la realme. e
q̃ vl de ceo rette soit fugitiue, & nest terr
ne tenement suffisant pur quoy il poit est
iustifie, q̃ court come le roy aueta ceo tro
p bone enquest, soit demaund de county
county. Et q̃ le veigne soit delage. Pu
uieu est ensement et accord, que q̃ vil ne f
ist deins an & le iour pur le trespas fait
roy aña le suite, et ceux q̃ il troua de
retts per bone enquest, serront punes p
maner en touts points sicome desuis e d
Et q̃ vl tiel misfeisor soit attaint, quil
prise en ses parkes beasts domestices, ou
chose en la maner de robery en venant ou
murrant, ou en retornant, soit fait de
common ley, q̃ affiert a celuy q̃ est attain
eppt robery & larceny, auxibien a la suit
Roy come dauter.

¶ VVardes 9. cap. 21.

¶ En droit des terres des heires de
age, q̃x sont en le gard lour seignors, p
uieu est, q̃ les gardens les gardent, et
teinent, sans destruction fait en tout ri
& q̃ de tiels manners de gards soit fait
touts points solonqs ceo que est conteig
la grand Charter des franchises fait e
le Roy H. pier le roy q̃ ore est ‡M. C.
4. 5. & 6. ‡ Et qui illint soit ble desor
et per m le maner soit gards les Arch
uesq̃s, euesques, abbes, esglises & dignit
en temps de vacation. ‡ Vide articul super
tas. cap. 18.

¶ wa

¶ VVardes 10. 22.

¶ Des heirs marries deins age, sans le de lour gardeins, auant q̃ ils auont passe lage de xiiij. ans, soit fait solonq̃ ceo q̃ contenue in le puruciaunce de Merton dij. Et de ceux q̃ serront marries saũs l' de lour gardeins puis q̃ ils aueront es lage de xiiij. ãs, le gardein eit le douaine de son marriage, solonq̃ la tenore esme le puruciance. Ouster ceo ceux q̃ ont sustreit le marrage, rendant le droit le del mariage al Gardein pur le tres e saleme eins le Roy eit les amends so mesme le puruciance de celuy que le sustreit. fo. 2 cap. 35. Et des heires fe s, puis q̃ ils aueront accomples lage de ans, e le seignior a que le mariage ap celes ne voudra marier. mes pur couc de la terre, les voudra tener dismarry. ueu est que le seignior ne poit auer ne r per enchesoun del mariage les terres a heires femalz ouster deux ans apres rme de lauant dist xiiij. ans. Et si le seig deins les deux ans ne les marry, don eiant els accion de recouerer lour he e quietment sans rien done pur l' gardõ ur la mariage. Et si els pur malice, ou malucis counsel ne se voilent pur lour e seigniors marier, ou els ne sont dis ges, q̃ les seigniors teignent la terr e ritage iesq̃ al age del infant male, cest oir xxj. ans e ouster, iesque ils eiant pri e value del mariage.

¶ Dett

¶Dette. 1. Cap. 23.

¶Purueu est ensemēt, q̄ en citie, burg
bilk, faire. ne ē marche, ne soit nul home
rein, q̄ soit de cest roialme, distreine pur d
dont il nest dettour ou pledge, et que le
serē greuousement punie, et sans delay
le distresse deliuer per les bailifes du ly
ou per auters baylyffes le Roy, si mest
soyt.

¶Assise. 2. Cap. 24.

¶Purueu est ensemēt q̄ nulk escheto
bisk, nauter bayliffe le roy per colour de
office sans especial garē ou commaūdem
ou certaine auctholitie que appent a son
fice, ne disseise nul home de son frankk, ne
chose q̄ appent a son frankk. Et si ascun
fait, soit a la volunte le disseisie, que le
de son office le face amēder a son pleint, o
il eit la commō ley per brefe de Nouel d
seisin. Et celuy que serra de ceo attaint,
les dam̄ a double a mesme le pl', et serē e
greuous mercy le roy.

¶Champetrie. 1. Cap. 25.

¶Nul minister le roy, ne mainteine
luy ne per auter, les plees, pols, ou beso
nez queux sōt en la court le roy, des terr
tenementes, ou des auters choses, pur a
part de ceo, ou auter profit per couenāt
Et que le fra soit punie a la volunte le
¶Vide Champtie. 11. E. 1.

¶Extortion. 1. Cap. 26.

¶Et que nul bisk, nauter minister l'r
ne preigne reward pur faiē son office : n
soit

ſoiēt paies de ceo q̄ils pernōt ōl roy. Et q̄
e fra rendra le double al pl',et ſerra punie a
a volunt le roy.

¶Extorcion 2.cap.27.

¶Et que nul clerke de iuſtice, deſchetor
u ōnquiror,nul riē ne preigne pur liuerer,
hapiēs korpris ſolemēt clerks des iuſtices
rrants in lour eyres,⁊ ceo ij.s.et nient
lus de cheſcun wapentake, hundrede ou
ille,que reſpoigne per xij.ou per vj.ſolon=
ue ceo que aunceintment fuit vſe. Et qui
uterment le fra,rendra le treble de ceo q̄uil
uera priſe,⁊ perdra le ſeruice ſon ſeignior
vn an.

¶Maintenance 1.cap.28.

Et que nul clerke le roy ne des iuſtices reſ=
ciue deſormes preſenment del eſgliſ, dont
lea ou conteke ſoiet en la court le roy,ſanz
pecial conge le roy,et ceo defend le roy ſur
payne de perdre leſgliſ ⁊ ſon ſeruice. Et q̄
iul clerke de iuſtice,ne de vicount ne main=
aine parties en quarels,ne beſoigns queux
ont en la court la roy,ne fraud ne face pur
ommon droiture delaier ou diſturber. Et q̄
il le fait,il ſerra puny per la peine pchein
ment auantdit,ou per plus greinous q̄ le
reſpas le requiert.

¶Diſceit 1. cap.29.

¶Purueu eſt enſement que q̄ vl ſerieāt
ounter,ou auter face vl manner de diſceit,
u de colluſion en la court le roy,ou conſent
e faire la,ē diſceit de la court,pur engiñ la
ourt ou la party,⁊ de ceo ſoit attaint, lors

†puis†eit la prisonm̃t dun an & vn iour, & ne soit oye ē la court le roy a coūt pur nullup. Et si ceo soit aut q̃ coūt p mesme le maner eit la prison dū an et vn iour a tout le meins. Et si le trespaz demād greider peine soit a volunt le Roy.

¶Extorcion 3. Cap. 29.

¶Et pur ceo que multz des gēts se plegnent des serieants, criours de fee, et les marshals des Justices en eyre. et †dauters Justices§ quelz parnent a tozte deniers de ceux queux recoueront seisine del terre, ou queux gaignont lour quereles, et de fine leue et des iurozs, villes, prisoners, & ds auters attachies en plees de la cozone, auterment que faire ne duissent, en multes des maners, et de ceo quel ad plus graund number de ceux que estre ne duist, per que le people est malement greue: le Roy defend, que cestes choses ne soient desozmes faitz. Et si vil serieant de fee le face, office soit prise en le maine le Roy. Et si marshals des Justiē le facent, soient punis greuement a la volāt le Roy. Et a toutz les pleintifs lune & lauter rendē le treble de ceo quilz auē pris en cell maner.

¶Tolle. 1. Cap. 30.

¶De ceux q̃ux parnont outragious tolnet, enconter commen vsage du royalme en la ville merchandie. Purueu est q̃ si vil le face en la ville le roy mesme, que soit bail a fee farme, le Roy prendza le fraunchise del marche en sa maine. Et si soit auter vil et

ceo

ceo soit fait per le seignior de mesm la ville, le roy le fra per mesme le maner. Et sil soyt fait per le bailife sans le commaundemēt le seignour, il rendra al plaintif au taunt pur le outragious prise, come il auoit prise de luy, sil dit importe son tolne: & il auera prison del pl.iours. Des citizens, & des burgeis a que le roy ou son pere ad graunt murage pur lour villes encloser, & que tiel murage parnent auterment que lour est grante, et de ceo soient attaintes. Purueu est quils pardent cel graunt de toutz le temps q̄ serra a bener, et serront en le greuous mercy le Roy.

¶Purueiors.3. cap.31.

¶De ceux q̄ux parnēt vitaill' ou nul riens al oeps le roy a creance, ou a garrisō du chastell ou aillours, et quant ils ont resceue le paiment al exchequer, ou en Garderobe, ou aillours, deteignont le paiment des creancers, a graūd damage de cux, & en esclaūder du Roy. Purueu est de ceux queux ont terres ou tenementes, que maintenaunt soit ceo leue de lour terres ou de lour chateux, & paies as creanserz, oue les damages queux ilz auerōt eswe, & soiēt reints pur le trespas et sils neient terres ne tenementes, soiēt en le prison a la volūte le roy. De ceux q̄ pernōt parte des dettes le roy, ou auters lowers pernent des creansours le roy, pur faire le paiment de mesmes cels dettes. Purueu est quils rendent le double, et soient punis greuement a la volunte le Roy. Et de ceux

queux parnont chiuals, ou charettes a faire le cariage le roy, pluis que mestier serroit, & pernōt lowers pur ‡relesser‡ les chiuals, ou les charettez. Purueu est q̄ si vil de la court le face, il serra greuement chastice p les mareschalles, & si ceo soit fait hors de la court, ‡p vn del court‡ ou per aut q̄ de la court, & il‡ent‡ soit attaint, il rēdra le treble, et serē en le prison se roy p xl. iours.

Countie & Tourne 3. Cap. 32.

¶ Purueu est, q̄ nul viē ne suffē barrettours ne maintenours des parols en coūtes, ne seneschalles des graundes seigniours, ne des auts (q̄ ne soit atturney son seigniour) a‡la‡suit faire, ne render les iudgemētes des countes, ne pronoūcer les iudgemts ‡ou assent de faire les Justicements‡ si ne soit especialmt prie et requise de toutes les sutours et les attournes des sutours, q̄ux serront a la iournē. Et si vil le face, l'roy le prendra greuousmt a viē, et a luy.

Newes. 1. Cap. 33.

¶ Pur ceo q̄ plusours sōt souēt trouues in counte controuours des coūtes, dont discordō, ou maner de discorde ad este souēt entre le roy et son peopl', ou ‡ascūs d'‡l's hautes homes de son roialme, defendu est pur le damage q̄ ad este, et que vncore ent purra auenier, que d'lormes null' ne soit cy harde d dire ne d coūt null's faux nouell' ou cōtrauor, dōt discordō ou maner d discordō, ou disclaundē puit surdre ētre le roy et sō peopl', ou les hautes homes de son roialme. Et qui

le

le fra soit prys, & detenus en prisō iesques a tant que il eit troue en courte celuy dont la parrolle serra moue. §2.R.2.ca.5.†

Arrest.1. Cap.34.

¶Des hautes homes, & de lour bailiffes & des auters (forprys les ministers le roy, ags q̃ux especiall' auctho̧ritie est don̄ ō ceo.fait̄) qui a le pleit des ascūs, ou per lour auctho̧ritie demesne, attachēt autres oue lour bn̄s trespas passantes per lour poier a respondere deuant eux des contractes, couenantes, ou de trn̄s faitz hors de lour poier, & lour iurisdiction, ia ou ilz ne teignont riens de eux, ne deins la franchise ou lour poier est, en p̄iudic.du roy, & de sa corone, & a dam̄ du people Purueu est que null' desormes ne le face. Et si alt̄.le face, il rēdra a celuy, qui p̄ cel enchesson serē attache, sō dam̄ au double, , & serē ē le grieue mercy le Roy.

Reasonable Ayde. 1.Cap.35.

¶Pur ceo que auant ceux heures ne fuit bnques reasonable aid̄ a faire leigne fitz chiualr' ne a leigne file marier mise ē certeiñ, ne quant ceo deueroit estre prise, ne q̃l heure, p̄ quoy les bn̄s leuerēt outragious aide, & plʸ tost q̃ ne sembleit mestre, dont la people se sentit greue: Purueu est que desormes ō fee de chiualr' entier solement soint dones xx.s & de xx.li.de terre tenus p̄ socage xx.s. & de pluis, pluis, & de meis, meins, solōq̃ lafferāt Et que nul ne puisse leuer tiel aide a fair sō fitz chiualler, tāque que son fits soit del age de xv ās ne a sa file marier tāque que el soit

del age de vij. ans. Et de ceo serra fait mention e le briefle roy fourm sur ceo quāt hōe le voile demaunder. Et si aueign que le pier, quant il aūa tiel eide leue de les tenantes morrust auāt ql eit sa file marie, lez executours le pier soiēt tenus a la file, entant cōe le pier auera resceu pur cest aide. Et si les bns le pier ne suffisent, son heiē soit de ē tenus a le file. ‡ Glanuile fo. 71.

¶ Assise. 3. cap. 36.

¶ Purueu est & accord ensem, que si hom soit attaint de disseisin, fait ē temps le Roy q ore est, ouelqz robbery, de ascun maner de chattel ou de mouable, et soit troue vers luy per recognisās de assise de nouel disseisine, le iudgemēt soit tiel, que l' pl' recouera sa seisin & les dam, auxibien de chatel' & de mouabl' auantditz, come del soit'. Et le disseisour soit reint, le quel que il soit present ou nō, illint q (si il soit presēt) primes soit agard a la prison. Et per meisme le maner soit fait de disseisin fait a forz et armes, tout ne face home robbery.

¶ Attaint. 1. cap. 37.

¶ Pur ceo que ascuns gents de la terre doutent meins faux serement faiē, que faire ne duissent, per que mults des gentes sont disheretes, et perdent lour droit. Purueu est que le roy, de son office, de sormes donera attaintes sur les inquestes en pl' de terre, ou de franktenement, ou de chose que touche franktenement, quāt il semblera que besoign soit.

¶ Limi-

¶Limitacion. 2. cap. 38,

¶Et pur ceo que le tempz est mult passe puis que les briefes de south nosmes fuerēt auterfoits limitts. Purueu est q̄ en count countant de discent en brief de droit, nul ne soit cy ose de count de la seisin son annē de plus longe seisin q̄ de tēps le roy R. vncle le roy Henry, pier le roy que oze est. Et q̄ ꝓ briefe de nouel disseisin, & de purparty, q̄ est appell, Nuper obijt, eiēt le terme puis le primer passage le roy Henry, pier le roy que oze est en Galcoigne, mes nemy auāt. Et les briefs de mordaūnē, de cosinage, de ayel, de entre, et briefe de neifrie, eiant le terme del coronement mesm le roy Henry, & nemy auant. Mes q̄ touts les briefes oze a p̄ mesm purchases, ou a purchaser, ent cy et ꝓla feast Saint John en vn an, soient pleds du tēps q̄ auāt solient estē pleads.

¶Voucher 2. cap. 39.

¶Pur ceo que mults des gents sont delaies de lour droit, p̄ faupm̄t boucher a garranty: Purueu est q̄ en briefs de poss. tout adeprimes come en briefe de mordaunē, cosinage, del aiel, nuper obiit, de intrusion & autes briefs semblables, p̄ les queux terē ou tenements sont demaunds q̄ deuoient discēdre uerter, remainder, ou eschier per mordāē ou dauter, que si le tenaunt bouche a garrant, et le demaundant luy counterpleē, & voile auerrer per assise, ou per pais, ou en ruter maner, scome le court le roy agarde, i le tenant ou son aunē q̄ heire il est, suit le

Ceux prist bon counter plee ledire yz son ꝓdecesse puis le pm̄ qz abate. p̄ equitie Hoy. 178. bid. pl. 5.

primer qui entra apres la mort celuy de qui seisin il demaunde, soit le auerremēt del demaund resceu, si le tenant le voil attend, et sinon, soit bote ouster a auter respōs si neit son garrāty en presēt, qui luy voile garrāter de son gree, & maintenant entrer en respons, saue al demaūdant ses exceptionz encounter luy, si il voile boucher ouster, come il auoit auant, encounter le primer tenant. De rechiefe en toutz maners des briefez dentre, q̄ux sont mentiō des degrees, purueu ‡est‡ q̄ nul de sormes bouche hors d̄ la line. Et en auters briefes dentre, ou nul mention ē fait de degrees, les q̄ux briefes ne sont sustenus, forsq̄ la ou les auantditz briefez de degrees ne poiēt giser ne lieu tener, & en bre de droit Purueu est que si le tenant bouche a garrātie, & le demaund le voile coūterpled, & soit prist de auerrer per pais, que celui qui est bouche a garrant, ‡ne nul‡ de ses auncesters ne bnques auoient seisin de la terre, ou del teñ demaund, ne fee, ne seruice per la maine le tenant, ou ‡ascun‡ de ses auncesters, puis le temps celuy de q̄ seisin le demaūd counte iesques al temps q̄ le brieke fuit purchase & plee moue, per q̄ il poit le tenant ou ses auncesters aū fesse. A donques soit lauerremēt del demaūd resceu, si le tenant le voil attender, & sinon, soit le tenant bote ouster a aut respons, si neit son garrantor ē present, qui luy voile garranter de son gree et maintenant enter en respons, salue al demaund ses excep encounter luy, scome il auoit auant

encounter

recoūter le primer tenant. Et lauantdit exption eit lieu en bre de mortdaūt, & en les uters brieſes deuaūt noſmes, auxibien cōe brieſes queux touchent droit. Et ſi le teint per cas eit charter de garranty de aut me de ceo choſe, ‡ q̄ ſoit obligé en nul des aūt ditz caſes a le garrāty de ſō eigñ de æ, ſaue luy ſoit ſon recouer per brieſe de rē de charter de le chauncell' le roy, quant le voudra purchaſer, mes q̄ le plæ ne ſoit r ceo delay.

¶Battaile and graund Aſſiſe. 1. Cap. 40.

¶De ſerementz dez champions, eſt iſſint rueu: Pur ceo q̄ rarement auient que le mpion le demaundant ne ſoit perture en quil iure que il ou ſon pier biſt la ſeiñ ſeignior, ou de ſon auncestour, & que lō re luy commaūd a faire la darreign, q̄ demes ne ſoit le champion le demaūdāt cōeint a ceo iurer, mes ſoit le ſerement garō touts ſez auters points.

¶Eſſoine. 3. Cap. 41.

Pur ceo que en brieſe daſſiſe, dattaints, e iuris vtrum, les iurroz ſont ſouēt tras per eſſoines des tenāts: Purueu eſt q̄ heure q̄ le tenant vn foites apparuſt en rt iames ne puiſſe ‡ le tenāt ‡ ſe eſſoin, s fair lō atturney a ſuer pur luy, ſi boit. ſi non ſoit laſſiſe, ou le iury p̄le per ſon uolt ‡ W. 2. ca. 28.

¶Eſſoine. 4. Cap. 42.

Pur ceo q̄ les demaūd ſont ſouent des s de tout droit, pur ceo que ou ſont plu-

ſours

rest estatute est dit dun de romon essoine, et ne
mes de essoine de Ruuist le roy. 4 d. ff. 22. C. 5 e 4 f 90
ondo vdio lestatute de 5 l 3 d attaint.

ſlors parceners tenãtes, dont nul puit re
poigñ ſauns aut, ou q̃l ad pluſours tenan
iointment feoffes, ou nul ne ſciet ſõ ſeuer
& ceux tenantz ſouẽt forchiẽt p eſſoiñ, ill
q̃ cheſcun cit vn eſſoine. Puruen eſt deſo
mes, que ceux tenaunts neiẽt eſſoiñ, forſq
a vn iour, nient pluis que vn ſole tenãt n
ueroit, illint q̃ iammes ne puiſſent forch
forſqz tantſolement auer vn eſſoine.

¶Eſſoine. 5. Cap. 43.

¶Pur ceo que multes des gentes ſe fo
fauxemẽt eſſoine de oultre mere, la ou iiz fu
rent en Engleterre le iour de le ſummon
Puruien eſt deſormes, que cel eſſoiñ ne ſ
pas de tout allow, q̃ le demaundant le ch
lenge, & ſoit priſt dauerrer quil fuit en E
gleterre le iour q̃ le ſũmons fuiſt fait, & i
ſemaignes apres, mes ſoit aiourñ en c
forme, que q̃ l' demaundõ ſue a tiel iour au
ſmt p pais, ou q̃ coñ la court le roy agard
& ſoit attaint q̃ le tenant fuiſt deins le qu
meres ‡ Dengleterre ‡ le iour q̃ il fuit ſoñ
trois ſemaynez apres, illint que il puit eſ
reaſonableñt garny de ſla ‡ ſũmõz, ſoit l
ſoiñ tuzne en vn defaut, & ceo fait a ente
tantſolemẽt deuaũt les Justices le roy.

Eſtreytes. 1. Cap. 44.

¶De delaies en touts manerz dez briefs
& des attachementz eſt puruien, q̃ q̃ le ten
ou le defendant, apres le priñ attacheme
teſmoigñ, face defaut mainteñ ſoit le grai
diſtõ agardõ. Et q̃ biſtõ ne reſpoigñ ſufficie
ment au iour, ſoit greuouſemẽt amercy.

l maundē que il ad fait lexecution ē due ma=
er, & lez issues bailes as mainpnours, adō=
ues soit maūde au vic. que il al auter iour
ice venir l'es issues deuāt iustices. Et si lat=
chee veign a ē iour a saueē ses defaut, eit
ses issues. Et si il ne veign, eit le roy les is=
ues. Et les Justices le roy les facent liue=
r a la garderobe, et Justices del banke a
Westm les facent liuerer al eschequer, & iu=
ices en eire, au vic. de ceil county ou ils
edent, auxibien de cel countie come des fo=
ine counties, & de ceo soient charges ē sō=
ons per rolles de Justices.

¶Iustices of both benches. 1. cap. 45.

¶Puruen est ensemēt, & per le roy com=
aunde, que les Justices de banke le roy et
Justices de bank a ‡ Westminster desormes
pledant lesplees a terminer vn iour, a=
unt que rien soit arraine, ou commence
z pleez del iour ensuant forspris q̄ iour es=
ign soient entrees, iudges, et rendus, et p
chefson de ceo nul home se affie, que il ne
igne au iour q̄ doñ luy est.

¶Age. 1. cap. 46.

¶Puruen est ensement, que si vl desor=
s purchase briek de nouel disseisin, & celuy
r que le briek viēt, come principal disseisor
burge auaunt que lassise soit passe, que le
eit son briefe Mentre foundus sur dis=
sin sur le heire ou sur ‡ les heires § les dis=
sors, de q̄ age que ils soient. En m̄ le maū
le heir, ou lz heires le disseise iour bres
entre sur les disseisours ‡ iour ascestr, ou
iour

lour heires, de quel age ꝗz soiēt. Et ſi par-
uenture le disseisie mourge auant quel e
son purchase fait, issint que pur les nonage
des heires dun part ne dauter ne soit le b
abatus, ne le plee delaye, mes en quaunt q
lhom poit sans ley offenū, soit hasse pur
fresh suit aps le disseisin. Et ē m le mañ s
ē ceo point garū ē dēt ū plates, gētz de rel
gion, & auters, as quux terres & teñtez en n
maner puissent deuener aps auē mort; le
que ilz soient disseisies, ou disseisourz. E
les parties en pledant discendont en enqu
& lenquest passa encounter le heire deinz a
& nosmement encounter le heire le disseisie
il ē ceo cas eit latteint de la grace le roy s
rien doner.

Prochine amy. 1. cap. 47.

¶ Si garden ou chiefe seigniour enfeffe
hom de la terre que est del heritage del ē
(qui est deins age & en sa garū) a le dishe
tance del heire: Durueu est, que le heir e
maintenant son recouere per brieke de no
disseisine vers son gardein, & vers le ten
Et soit la seisine bailé p Justices, (si el s
recouer) al prochein amye lēfāt, a que le h
ritage ne purra my discenū, pur approuer
oeps lenfant. & a responder dez issues al h
quant il viendra a son plein age. Et le ga
parde a tout sa vie la garū de m le ch
recouer, & tout la rem del heritage, q̄l tier
nosme del heire. Et si auē gardein q̄ chy
seigniour le face, parde le garde de tout
thoseha cel foitz h & soit ē griene paine ēu

Et q̃ lenfãt soit esloigne, ou disturbe
ir le gardeine, ou per le seoffee, ou per aut
r q̃ il ne puisse sa assise suer, sue pur luy
ı ō ses pcheiñ amies qui voudra, et soit a
o resceuesW.2.ca.15.

¶Dower.2. Cap.48.

¶En briefe ō dower dōt dame riēs nad
soit le brief abatus p excepcion ōl tenant
ir ceo q̃l auera resceue sō dower ō auter
e auāt sō brief purchase, q̃l ne puit mon=
e que el eit resceu part ō sa dower de luy
sme, et ē mesme la ville auant son briefe
rchase.

Prærogatiua regis. Cap.49.

¶Et pur ceo que l'roy ad fait cel chose al
nour ō dieu, et saint esglise, et pur le cō=
ı pfitt ō people, et pur l'allegeãce ō ceux
ıx sont greues, il ne voit my que aukfoitz
illēt turner a piudice de luy, ne de sa co=
e, mis q̃ les droits, qui a luy appteign luy
ent saues en toutz pointes.

Assise.4. Cap.50.

¶Et pur ceo q̃ graund charitie serē de
re droit a touts en tout temps, ou mestre
roit: Purueu est per assentment des pre=
es, que assises de nouel disseisin, mordañ=
ter, et de darrein presentmēt fuillēt prises
le Aduēt en Septuagesime, & ē quaresm
auxbien cōme le homes prent lenquestes.

& ceo pria le Roy as
Euesques.

Explicit statuī de VVestm primer.

¶Stat̃ de Bigamis, editum Ann̄ iiij. *Edwardi primi.*

IN præsentia venerabilium p̃rm qu
rundam episcoporum Angl', & ali
rum de consilio regis, recitatæ fu
runt constitutiones subscriptæ,
postmodum coram domino rege
consilio suo auditæ & publicatæ, q
omnes de consilio tam iustic', quam alij concor
tuerunt quod in scripturam redigerentur ad per
tuam memoriam, & quod firmiter obseruentur.

¶*Ayde de Roy. 1. cap. 1.*

¶De placitis vbi tenens excipit, quod sine R
respondere non possit, concordatum est per iu
& alios sapientes de consilio regni Domini re
qui consuetudines & vsum iudiciorum hacte
habuerunt, quod vbi feoffamentum factum fu
per regem, & charta sup hoc inconfecta tm̄ se‡
beat‡ quod si alia persona per consimile feoffam
tum & consimilem chartam teneret ad warra
iustic' vlterius procedere nō potuerunt, nec huc
que processerunt, nisi sup hoc preceptum a rege
buerint, nec videre ‡possunt‡ q̃ procedere poss

Ayde de Roy. 2. cap. 2.

¶In certis autem casibus, vtpote vbi
confirmauerit, vel ratificauerit factum al
ius in rem alienam, vel rem aliquam al
concesserit, quantum in ipso est, vel vbi ch
profertur, quod Rex tenem̄ aliquod reddid

: clausula aliqua in ea contineatur, per quã war-
itizare debeat, & in consimilibus casibus, non e-
r supersedend' occasione confirmationis, ratifica-
nis, concessionis, seu redditionis, aut aliorum cõ-
silium, quin postquam hoc reg: fuerit ostens, si-
dilatione procedatur.

¶ *Ayde de Roy. 3. cap. 1.*

De dotibus mulierum vbi aliqui custodes he-
tatum maritorum suorum custodias habent ex
o vel concessione regis, siue custodes rem peti-
teneant, siue heredes dictorum tenementorũ
entur ad warrantũ, si excipiant, quod sine Rege
ondere non possint, non ideo supersedeatur,
loquela prædicta prout iustum fuerit, proce-
ir.

¶ *Purpresture. 1. cap. 4.*

De purpresturis, seu occupationibus quibus-
que factis super regem siue in libertatibus, siue
, concordatum est quod tempore regis H. dif-
erat & concordat, quod vbi occupatores su-
tites fuerint, Rex de plano resumat ‡sibi‡ rem
er occupatam de manibus occupantium, quod
n de cetero in regno obseruetur. Et si aliquis
uiusmodi resumptionibus conqueratur, prout
m fuerit audiatur.

¶ *Clergie. 1. cap. 5.*

De bigamis quos Dominus Papa in con-
suo Lugdunensi omni priuelegio clerica-
uauit, per constitutionem inde æditam, &
quidam Prælati illos qui effecti fuerant
Biga-

qui Roy qil offire de Keep de Wood stock pk
al vn pro id p pol (rõ redimus tamen) ie gr
in Ayde de offire aua aide de Roy, pr q pol
de stat font expressi ut disiunctim, non
copulatim ‡ Reporter 2. H. 7: 8: a.

Statut de bigamis.

Bigami ante predictam constitutionem, quando felonia rectati fuerunt, tãquam clericos exigeru sibi deliberandos, concordatum est & declaratũ ram rege & consilio suo, ꝙ constitutio illa intel genda sit ꝙ siue effecti fuerint bigami ante pr dictam constitutionem, siue post, de cetero nõ lib rent prelatis, immo fiat eis iusticia sicut de laicis.

voucher. 6. cap. 6.

¶ In chartis autem vbi continentur (dedi concessi tale tenementum sine homagio, vel s clausula que continet warrantiam, & tenend donatoribus & hered' suis p certum seruicium, cordatum est p cosdẽ iusticiar quod donatores heredes sui teneantur ad warrantiam, Vbi aut continetur (dedi & concessi) &c. tenend de capitalibus dominis feodi, aut de alijs quam feoffatoribus vel heredibus suis, nullo seruitio retento, sine homagio, vel sine dicta clausula warrantiæ, heredes sui non teneantur ad warrantia Ipse tamen feoffator in vita sua ratione doni p prij tenet warrantizare. Prædictæ autem consti tiones editæ fuerunt apud westmonasterium in parliamento post festum sancti Michaelis. Anno regni regis E. filij regis H. iiij. & extunc locum habeãt.

Explicit statut de bigamis.

conut pols de stat font (Dedi et concessi) ind (Dedi et solduit) import bn gard, et Dedi & quinqd gard dud by dl feffor, tont q ff exprssnt restraind 26 f 5 et fors hdirds Inst: 384, a. 6, H. 7: 2, a.

L'An du grace M. CC. lxviij. & del raign l'roy E. fitz l'roy Henry vi. a Glocester le mois daugust, pur-ue ante m le roy, pur amendement son roialme, & pur pluis pleiner exhibi-on de droit sicome le profit doffice demaū-, appelies les pluis discretes de son roy-me, auxibien des griends come des mein-rs, establie est et concordantmt ordeine, ne come mesme le roialme en plusours di-rs cases, auxibien des fraunchises come uters choses, en les qls ley auant faillit, a eschuer les tresgreues damages et les ent numerables disherisons, les quels icel ner defaut de ley fust a la gent du roialme mestier de diuers suppletions de ley, et nouels purueiances: les estatutes, or-inments et purueiances suis escripts de ut la gēt de la roialme desormes soiēt fir-ment gardes, come prelates, coūties, ba-s, et auts del royalme claimēt dauer diūs unchises, et les qls examiū et iudgeē, le y a mesmes les prelates, counties, barons auteē, auoit done iour. Purueu est et cō-dantment graunte, que les auauntdites elates, counties, barones et auteē, ēl ma-de fraunchise vsent, issint q rien ne iour resee per vsurpation, ou occupation, ne n sur le roy occupiēt, tesq al prchein ve-le roy per le countie, ou a la procheyne

venue des Justices errants, as cõmon plæ
en mesme le countie, ou iesques le roy con
maunde auter chose, saue le droit le roy co
il en voudra parler, solongz ceo que il eit cõ
tenue en le bẽ le roy. Et de ceo soient mã
des briefes as viscountes, bayliffes & aut
pur chescun demandant. Et soit la forme d
briefe change, solongz la diuersitie des fran
chises, les quels chescũ claime dauer. Et l
viscountes per toutes lour baillies ferron
communement crier, cestassauoir en cytye
burghes, & villes merchandes, & aillours
touts ceux q̃ ascuns franchises claiment a
per les charters les predecessours le Ro
royes Dẽgleterre, ou en auter maner, soi
deuant le roy, ou deuant Justices en oyer
certaine iour & lieu, a monstrer quel mann
de franchises ils claiment dauer, & per qu
garrãt. Et les viscontes mesmes dongz se
ront illongz personalment, ou lour bailiff
& ministers a certifier le roye sur les auan
ditz franchisez, & auters choses que cell
franchises touchent. Et cest crie destẽ deu
le roy conteigne garnisement de iij. semai
nes. Et en mesme le maner ferront les vi
countes crier en oyer de Justices. Et en
le manner ferront ils personalment, ou lo
bayliffes & lour ministers, a certifyer l
Justices de tiel manner de fraunchisez,
des auters choses que celles frãchises to
chent. Et cest crie conteigne garnisement
quarãte iours, sic come le common summi
cõtient: issint que si la party que claime de
frar

ranchises, soit deuãt le roy, ne soit pas mis
n defaut deuant les Justices en eyer, pur
eo que le roy de sa grace especial ad graũt
ue il gardera la party de damage, quaũt a
el aiournemẽt. Et si cel party soit empled
ar tiels maners de fraunchises deuant vn
aier de iustices auãtdits, mesmes les ius=
ces deuant lez q̃ux la party est en ple, gar=
rent le pty de damage deuant auters ius=
ces, & deuant le roy luy mesme, mesque il
che p les iustices, q̃ le pty fuit en plee de=
ant eux sicome il est auantdit. Et si ceux d
els frãchises claimẽt auer, ne deignẽt pas
lour auantdit, dongz soiẽt les fraũchises
nolme de distresse prises en la main l'roy
r le viscoũt del lieu, issint q̃ls tiel maner
franchises ne vsẽt, iesqz ilz deigner a re=
uer droit. Et quant ilz deignent p ẽl dis=
esse, lour frãchises eux soiẽt repleuies si ilz
s demaũd, les quels repleuies respoignẽt
aintenãt en la forme auantdit. Et parad=
ture les parties exceptẽt, q̃ls ne deuiẽt=
ent d ẽ respond sans dre original, dõqz si il
uisse estre fuer q̃ eux de lour proper fayt,
ent vsurpe ou occupie ascũs frãchises sur
roy, ou sur ses predecessours, dit lour soit
maintenant respoignẽt sans briefe, & puis
sceiuent iudgement, sicome le court le roy
ardera. Et s̃ils diont ouster, que lour aun=
ter ou lour aũcesters de mesmes les frã=
ises morront seisses, soyent oyes, & main=
nant soyt le veritie enquise, & solongz ceo
lent les auant en le besoigne. Et s̃i soyt

troue q̃ lour aũcester ent mozust seisie: dõc
ept le roy brief oziginal de sa Chaũcery e
fourme fait de ceo: Le roy maund̃ salute a
viscount, summones per bone summonto
vn tiel, que il soit deuant nous a tiel lieu e
nostre prochein venue en cel countie, ou d
uant nous Justices a primer assises, con
ils ẽ cels parties viendzont, a monstrer p
quel graunt il claime dauer quitance ỏ to
pur soy ou pur sez homez p tout nostẽ ro
alme p cõtinuacion apzes la mozt tiel iad
son predecessour. Et aits les summonou
& ceo bẽe. Et si les parties veignont al io
respoignent, & soit replie & iudge. Et sils
veignent ne soy esloinẽt deuant le roy, & si
roy demurra ouster en cel countie, soit ci
maud̃ au viscont quil le face vener al qua
iour. A q̃l iour sils ne veignent, & l'roy d
murẽ ouster en cel countie, soit fait scome
eyze ỏ Justices. Et si le roy depart del coi
tie, soient les parties aiozines a brief iour,
eient reasonables delayes, iuxte l's discrec
ons des iustices, scõe en acciõs psonall. &
les Justices en eire facẽt de ceo, en lour o
ers solongz lozdeinment auauntdit, & solõ
ceo q̃ tiel mañ ỏ plæs debuient estẽ deduc
En oier de plaints faits & affaires des ba
lies l'roy & dauterz baillifs, soit fait solon
lozdeinment auant fait de ceo, & solongz le
enquestes de ceo auant prisez, & ỏ ceo serri
les iustices en eyze solongz ceo q̃ le roy lo
ad ẽioint, & solongz les articles q̃ le roy lo
ad liuere. ¶ Vide tout ceo ẽ latin plz playi

).E.1 lestatute de quo warranto tiſt fran-
ſes 5.

¶Dam 1. cap. 1.

¶Come auant ſez heures damages ne
ſeront agards en aſſiſe de nouel diſſeiſin
bziſez tantſolement ös les diſſeiſozs. Pur-
u eſt, que ſy les diſſeiſozs aliont les tene-
ents & neient dont les damages puiſſent
ere leuies, que ceux a que maines ceux te-
ments deuiendzont, ſoient charges des
mages, iſſint que cheſcun reſpoigñ de ſon
mps, Purueu eſt enſement, que le diſſeiſe
coueř damages en briefe dentre foundue
r diſſeiſin, vers celuy que eſt troue tenant
zes le diſſeiſoz. Puruieu eſt enſement que
ou auant les hueres damages ne fueront
ardes en ple de mozdaunceſtoz, fozſquez ē
ſe ou tenements fueront recouerers deūs
ieſes ſeignioz‡ceo fuiſt y ſtatuť Marlb.
p. 16. ‡que deſozmes damages ſoiēt agar-
s en touts caſes, ou home recouer per aſ-
e de mozdaunceſtoz, ſicome eſt auantdit en
ſſiſe de nouel diſſeiſin. Et en meſme le
aner reē home damage en bziefe de Coſt-
ige, Ayel, & Beſaiel. Et la ou auant ſes
urs damages ne fueront taxes, fozques a
value des iſſues de la terre: Puruieu eſt
le demaunď puit reē vers le tenāt les coſ-
ges de ſon bziefe purchaſe, enſemblement
ieſez les damages auantdits, Et tout ceo
it tenus en touts caſes, ou home recouer
mages. Et ſoit deſozmes cheſcun tenus a
nder damages, la ou home recouer vers

lay de la intrusion demesne, ou de son fay demesne.

¶ Age. 2. Cap. 2.

¶ Si enfant deyns age soit tenus hors de son heritage apres la mort son pier, cosin, ai el ou besaiel, per que il couiēt quil purchac briefe, & son aduersarie deigne en court, & e respoignant alledge feoffement, ou auf chos dit, per que Justices agardent lenquest, i ou lenquest fuit delaye tesq; al age lenfant si passa ore lenquest auxi come il fuit de plei age.

VVarrantie. 1. Cap. 3.

¶ Establie est ensemt, que si home alye tenemēt, que il tient per le ley Dengleterr son fitz ne soit pas forbarre per le fayt so pier (de que nul heritage luy descend) a de maūder & recouerer per briefe de Mort daū cester de la seisin sa mier, tout face le chai ter son pier mencion que luy et ses heire sont tenus a la garr. Et si heritage luy del cend de part son pier, dōq; soit il forclose t le value del heritage, q luy est descendus. E si en tiel case apres la mort sō pier, heritag luy soit descendus per mesme le pier, donq; auera le tenāt vers luy recouery de la seisi sa mier, per briefe de iudgement que isse hors de rolles des iustices, deuant queux i plee fuit pleade, a resom sō garrantie, si con auant ad ester fait en auters cases, ou le ga rantie vient en court, & dit que riens ne lu est descend de luy per q fait il est vouch. E en mesme le manner eyt issue le fitz recou

· Equitie · dont en tayle

Si le garr fait plede en barr de sy, lesse, lon il nad pas d'esto mes apres a sey disrend d'issue, la le tout auera stare fariad par aber lasset et nemy le tere tayle. par le perpetuall barr. M. 11. H. 4. 21. Brake Stare fariad. 17. 74. et 130. 2 Mf. 110. Fley. Com.

er briefe de Coſinage, Ayel, & beſaiel. En-
ement & en meſm le maner ne ſoit heire la
emme apres la mort le pier & la mier, barr
accion a demaund le heritage ſa mier per
briefe Dentre, que ſo piet en temps ſa mier
tiena, doũt nul ſũ neſt leue en court le
oy.

¶ Ceſſauit. 1. cap. 4.

Enſement ſi home leſſe ſa terre a ferm,
u a trouer eſtouers en viuer, ou en veſture
amount a la quart part de la veray value
e la fre, & celuy q̃ la terr tient iſſint charge
i leſſeſt giſer freſhe, iſſint q̃ home ne puit
trouer diſtreſſe p deux ans, ou per trois, a
aire le ferme render, ou a faire ceo q̃ eſt cõ-
enue en leſcript ou leas: eſtablie eſt q̃ apres
es deux ans paſſes eit le leſſour action a de-
maũder la terr en deueign per briefe q̃il a-
iera en la chaũcery. Et ſi celuy, vers que la
erre eſt demaũd, beign auaũt iudgemẽt, et
end les arrerages & lez dam, & trona ſuerty
iel cõe la court verra q̃ ſoit ſuffiſãt a rend
en apz & ſolonq & ceo q̃ eſt cõtenue en leſcript
u leas, ſi reteign la fre. Et ſil demur tan-
que ele ſoit recouer per iudgemẽt, ſoit il for-
loſe a remenãt. ‡ W. 2. capitulo 21. et capi-
tulo 41.

¶ VVaſte. 4. Cap. 5.

Enſemẽt eſt puruieu, q̃ home eit deſor-
mes bẽ de Waſt en le chãcery vz hõe q̃ tient
per le ley Dengleſtre, ou en auter maner a
terme de vie, ou des ans, ou feme q̃ tient en
doWer. Et celuy q̃ terr attaint de Waſt, pde
le choſe

F. iiij.

Lou reſt eſtatut e parle
attaynde de waſt, burge
ſi vn ſoit rondeu vn waſt
amagede, etc. Dier f: 214 p: 45.

touts autres arres ſont deins pd ſiano de ſyſt
Inſt: 365: b: ~~mayntry~~ q̃ vſt in lieu de ſrupp
& deins part.

vn arron, reſt, lieu, p ſon - q̃ auter. a. r. l. p.
Equitie de reſt eſtat, meſme le remedie eſt vers
Fresny q̃ tient p denu ann. le reason q̃ ceo q̃ lon art
eſt ſtut p remedier aſen miſtes, q̃ a auter reſto
ou ſemblable de gard, vn arron ſon priſt p auter de vn
reſt p auty vn lieu p auter il vn p ſon p auter mal
aſſent a ſo poſe le ſtat eſt ponit. Fody. Co. 178: Brooke
Ley. Co. 178: Brooke

le chose que il auer̃ waste: et oustier ceo fac
gree del treble de ceo q̃ le wast serr̃ taxe. Et
en wast fait en gard̃, soit fait solõqz ceo qu
contenu est en la graũd̃ charter cap. quarto
Et per la ou il est contenu en la graund̃ chr̃
que celuy q̃ auer̃ fait wast en gard̃, pard̃ l
gard̃, accozd est, quel rendza al heire lez dam
del waste si illint soit q̃ la gard̃ pdue ne sue
sist mie a le value des dam̃,, auaunt lage de
heise de m̃ le gard̃. ‡ W. 1. ca. 21. articuli sup
cart. cap. 18.

¶Martdauncester. 1 Cap. 6.

¶Purueu est ensement q̃ si home murge
et eit plusours heires, dont iũ est fits ou si
frere ou soer, neueu on niece, et les aufs son
en plus long degree, touts les heirez desoz
mes eient recouere per brieke de mozt daun
cestour.

¶Entre. 2. Cap. 7.

¶Ensement si feme vend̃, ou done en fee
ou a terme de vie, tenit q̃ ele tient en dower
estably est q̃ le heir̃, ou aufr̃, a qui la terr̃ de
uerort reuerr̃ aps le decesse la fem̃, eit main
tenant son recoũe per briefe denr̃, fait de ce
en la chauncery.

¶Trespas. 1. Cap. 8.

¶Puruieu est ensement q̃ les biscõtz plei
en counties lez plees de trespas, auxi cõe il
soilent estre pledes. Et q̃ nul neit desozmes
briefes de trespas deuãt Justices, si ne af
firme per soy, q̃ les biens emportes bailen
xl. s. al meins. Et si se pleint de batery, af
firme per soy q̃ sa pleint est veritable. Des
plaies

Dñd na: 6P61.

pies, et des maihemes, eit home briefe ſi=
ne home ſoleit auer. Et graunt eſt. q̃ les
ſend puiſſēt faire attornies en tiels plæs,
appell' ne gilt mie, iſſint que ſils ſoiēt at=
ints ‡ du treſpas ‡ en lour abſence, ſoit māds
iſk̃, q̃ ils ſoient priſes, et eient adōqs la
ni, q̃ ils aueront, ſi ils vllēt eſtre preſentez
le iudgemt fuit rendus. Et ſi les plein=
s deſormes en tiel trñs ſe facent eſſoine
la priſm apparance, ſoit iour done ieſq̃s
venne des iuſtices errants, & lez defend̄
mementiers ſoient en peaī ē tielx plæz, &
uters plæs, ou attachemēts & diſtr̄ gi=
z. Si le defend̄ ſe face eſſoiñ del ſeruice le
, et ne port ſon garrāt au iour q̃ doñ luy
ier ſon eſſoiñ, eſtable eſt que il rendra al
es damages de la tourne de xx.s. ou de
is, ſolonqz le diſcret dez iuſtices, & iade=
ns ſoit en le griue mercy le roy.

¶ Pardon. 1. Chap. 9.

Duruieu eſt enſement, que nul briefe ne
deſormes de le chaunceī pur mort d̄ hōe
querer ſi home occiſt auī per miſaduen=
e, ou ſoy defēd̄, on en auī mañ pur feloñ,
celuy ſoit en priſon ieſques al venue
iuſtices errāts ou aſſignā a goal' deliuer̄
miſt en pais deuāt eux d̄ bñ & male. Et
it troue p pais q̃ il le ſiſt ſoy defendant
miſaduenī, donqs fra les iuſtices aſſa=
au roy, & l' roy luy en fra ſa grace ſi luy
ſt ‡ W. 1. ca. 11. ‡ Duruieu eſt enſement q̃
appell' ſoit abatue ſi legiermt cōe auaūt
ſte mes ſi lappell our counte le fait laſ
le iour

le iour, le heure, le tẽps le roy, & la bill' ou
fait fuist fait, & de quel arme il fuist occise,
estoia lappell', & iãmes ne soit lappell' aba
p defaut de fresh suit puis q̃ hõe sue dedeu
lan & le iour aprẽs le fait.

¶ Essoine. 7. cap. 10.

¶ Come il soit contenue en lestatute le r
q̃ ore est ‡ W. 1. cap. 42. ‡ que deux parcene
ou deux queux teigne en comen, ne puisse
forcher per essoine, del heure quils ount
soits apparus en count. ¶ Duruieu est q̃ me
me ceo soit tenus et gard̃, per la ou home
sa feme sont enpledes en la court le roy.

¶ Disceipt. 1. cap. 11.

¶ Duruieu est enlement, q̃ q̃ home bai
en la citie de Londrez son tenement a ter
des ans, & celuy a que le franktenement e
se face empled̃ per collusion, & face def. a
def. ou veigne en court, & la voile rend̃ p
faire le termour perdre sõ term̃, & le dem
eit querele, illint q̃ le termour puisse aũ
couere p briefe de couenant, le maior et
baillifes puissent enquirer per bone visñ
la presence del termour, & del demaunda
le quel le demaũdant mouest son plee p b
droit quel auoit, ou per collusiõ & per fra
pur faire le termour pard̃ son terme. E
troue soit per inquest, q̃ le demandant n
uest son ple per bone droit quel auoit, q̃ l
le iudgement parforme maintenant. E
troue soit per inq̃st, q̃ il luy empleda p fra
pur toller le termour son terme, q̃ demun
le termour en sõ t̃me, & lexecuẽ del iudge

ce stat mectend al sh'ff, 1 & bras st fans
s'ruiet. 2, stat mectend al vetow, forfy
pe default. 3, qui mor nest retrieue, il nest
remedy p stat. 4, p mectend al ẽ p stat
mort ou. 5 nog al gardein: nuls
tonts reme sont remedy p stat 24. H. 8: ca:
15. forfy les rs del gardein: Just: 46, a.

ir le demauudant soit suspendus, iesques
ꝓes le terme passe. Et en mesme le maner
it fait de equitie en tiel case deuaũt Jus=
ces, ꝟ le termour le challenge deuãt iudge=
ent rendus.

¶ Voucher. 5. cap. 12.

Puruieu est ensement que ꝟ home soyt
plede de tenement en m̃ la citie, ⁊ vouche
ceiñ a garrantie, q̃l veigñ en la chauncery
it briefe de som̃ son garrant a cert̃ iour
uaũt Justices du banke, ⁊ vn aut̃ bre au
maior ⁊ as baillifes, que ils surcessent en le
rol que est deuaũt eux per briefe, iesques
aũt que le parol de le garrantie serra ter=
ne deuaũt Justices du banke. Et q̃ñt le
rol de la garrantie serra termine deuaũt
ustices de bank, dongꝫ serra dit au garr̃ q̃
veign en la city de Lond̃ a respoigñ ỏ chiet
ꝛ. Et le dant p̃ sa suit eit br̃ de Justices
banke au maior ⁊ as baillifs, q̃ls voilent
ant en le plee. Et ꝟ le dõant recoũ verz le
nant, veigñ le teñt as iustices de banke, et
bre au maior ⁊ as baillifz, q̃ ꝟ le teñt eit
tre pd⁹, q̃ ilz facent extend̃ la tre, et ret̃
tent en bank a cert̃ iour, ⁊ aꝑs soit mand̃
bise du pais ou le garrant̃ fuist som̃, q̃l
y face auer de la terr̃ le garrãt a le value
ide articul̃ Glocester correct̃. Anno ne=
Edwardi. 2.

¶ Estrepement. 1. Cap. 13.

Puruieu est ensement, que del heure q̃
ee serra meue en la city de Lõdres per br̃,
e le tenant neit power de faire waste, ne

estrepement

estrepment du tenemt q̃ est en dõe, pend̃ plee, Et si le face, le maiẽ & les, bailifs ſe cent garõ a le suit de le dõt. Et m̃ lordre statut̃ soit gard en aufs cities, borongbs, ailors p tout le realme.

Dam̃.2. cap.14.

¶ Le roy graũt de sa grace as citizens l Lõdres, q̃ la ou auant ces heuers ceux queu fueront disseisies de lour francheteneṁt e m̃ la citie, ne poiẽt reẽ lour dam̃ auaunt venue des iustices a la tower: q̃ de lorrmes ceux disseisies eient lour dam̃ p recognisan de lassise, per le quel ilz recouõnt lour tem̃ & les disseisors soiẽt am̃cies deuant deux b rons deschequer, q̃x vn foits p an viẽdẽ en city a ẽ faire. Et ceo soit maund a treasor et as barons deschequer, q̃ls le facent fai chescun an p ij. de eux a lour leuer apres chaũdeleure. Et les amercem̃ts p les som del eschequer, soient leues al ops le roy, & Escheker deliuers.

¶ VVynes 1. cap.15.

¶ Puruen est ensement q̃ le maiẽ & l'z b lifes auãt le venue de ceux barons enque gent des vines vendus encontez lassise, & p̃sent ent deuãt eux a lour venu, & dõqz se ẽt am̃ces, la ou ils soiẽt attẽd̃ tesqz a le v nue des iustices errants. Dones a Glocet le quart iour de October, lan du raigne roy Edward fits le roy H.6.

¶ Explicit statutum de Glocester.

Explanation

¶Explanationes Stat. Gloc.
An. pred. Regis 6. edite.

POstmodum per dominum Regem, & Iusticiarios suos factæ sunt quedam explanationes quorund' articulorum superius positorum.

Damages 3. cap. 1.

¶Videlicet ad primum articulum, vt illi qui hant ingressum per disseisinam incurrant damna a tempore statuti publicati. Eodem modo de breuibus de ingressu super disseisinam. De damnis in omnibus breuibus mortis antecessoris, consanguinitatis, aui, vel proaui, de intrusione, vel de facto proprio, vel quodcunque bteue, currant dãna post impetrationem breuis, contra eos qui tenuerunt per statutum, licet antecessores sui prius inde obierunt siti.

¶Age 3. cap. 2.

¶De inquisitione faciend', quæ tangit illos qui sunt infra ætatem, currat statutũ sine temporis limitatione.

¶De terris alienatis per illos qui tenent per legem Angliæ, currat statutum de huiusmodi terris alienatis post statutum illud publicatum. Eodem modo currat statutum de terris vxoris alienatis per virum vbi finis in curia non est indenteuat.

Cessauit 1. cap. 4.

¶De terris dimissis ad feodi firmam, reddendo inde per annum quartam partem veri valoris

valoris earum, currat statutum, tam de terris, missis ante statutum æditum, quam post, dum do tenens detinuerit vltra duos annos post sta tum editum, id quod soluere debuit dimissori annum, iuxta scripť conuentionis illius.

¶*Vvaste. cap. 5.*

¶De pœna vasti, de omnibus (preterquam dotibus & custodijs) intelligatur de vastis fa post statutum editum. Et de pœna tripli in casi vasti de dotibus & custodijs, intelligatur de va factis post statutum editum.

¶*Entre cap. 6.*

¶De his qui alienant dotem suam intelliga post statutum editum.

¶Datũ apud Glocest. die dominica, proxi post festum diui Petri ad vincul, anno R. R. E. sexto.

¶Statutum de Religiosis, editum *Anno vii. E. primi.*

¶*Mortmaine. 3. cap. 1.*

CVm dudum prouisum fuerit, ꝙ viri religiosi non ingrederentur feoda aliquorum, ne licentia & voluntate capitalium dom norum feodorum de quibus feoda illa i mediate tenentur, & viri religiosi postm dum nihilominus tam feoda sua propria, qua alioru

iorum hactenus ingressi sunt, ea sibi appropri-
ıdo, & emēdo, & aliqādo ex dono aliorum reci-
endo, per quod seruitia quæ ex huiusmodi feo-
; debentur, & quæ ad defensionem regni ab i-
io prouisa fuerint, indebitæ subtrahuntur, & ca-
ales domini escaetas suas inde amittunt: Nos
per hoc pro vtilitate regni nostri congruum vo-
ites prouidere remedium: de consilio prelato-
m comitum baronum & aliorum fidelium reg-
nostri de consilio nostro existentium, prouidi-
ıs. statuimus, & ordinauimus, quod nullus re-
iosus, aut alius quicunque terras aut tenemen-
aliqua emere vel vendere, vel sub colore donati-
is. aut termini, aut ratione alterius tituli cuius-
nque, terras aut tenementa ab aliquo recipere,
alio quouismodo arte vel ingenio sibi appro-
are presumat, sub forisfactura eorundem per
od ad manum mortuam terræ vel tenementa
iusmodi deueniāt quoquomodo. Prouidimus e-
m quod si religiosus aut alius cōtra pręsens sta-
um aliquo modo arte vel ingenio venire præ-
npserit, liceat nobis & alijs immediate capital
minis feodi talis alienati illud infra annum a
ıpore alienationis huiusmodi, ingredi & tenere
feodo & hereditate. Et si capitalis dominus im-
dite negligēs fuerit, & feod' huiusmodi ingre-
noluerit infra anuum, tunc liceat proximo ca-
ali domino immediat feodi illius, infra dimidiſ
ñ sequentem, feod' illud ingredi, & tenere sicut
ed' est, Et sic quilibet capital dñs immediate in-
di possint hōi feoda, si propinquior dñs immed
ingrediend' huiusmodi feoda negligens fuerit,

vt

vt prædictum est. Et si omnes huiusmodi capi les domini huiusmodi feodi qui plenæ ætatis fi rint, infra quatuor maria, & extra prisonam, vnum annum & dimidium negligentes fuer vel remissi in hac parte: Nos statim post ann completum a tempore quo huiusmodi emptior donationes, vel alios appropriationes fieri cor gerit, terras & tenementa huiusmodi capiemus manum nostrã & alios inde feoffabimus per ce seruitia nobis inde ad defensionem regni nostri cienda, saluis capital dominis feodorum illor wardis, releuijs, & escaetis, & alijs ad ipsos per ac seruitijs inde debit & consuet. Et ideo vo mandamus, quod statutum prædictum coram bis legi & de cetero firmiter teneri & obseruari ciatis. Teste me ipso apud VVestminst. xiiij. Nouembris. Anno regni nostri vij. &c. §M. cap. 36. VV. 2. ca. 32. & 33. & VV. 3. Anno E. 1. cap. 4.

¶*Explicit statutum de Religi*

¶Statutum de Acton Burnel *edit. Anno. xi. E. i.*

¶Reconisance & stat. marchant. Cap. 1.

Par ceo que merchauntes, queux ana ceux heures ount prests lour auoir diuers gẽts, q̃ sõt chues ẽ pouertie, p ceo q̃ ils nauoiẽt pas cy redy ley purueu, la quel ils poient lour dettes hastiuemẽt r

couer

couerer al iour de la paye assigne, & per icel
enchelon sont multz des merchãts sustretz
de vener en cest terre oue lour merchaudises
as dam̃ ds marchants, & de tout le royalme.
Le roy per luy, & per tout son coũsel, ad ordeinaine & estable, que merchant que voit estre
ure de son det, face vener son dettor deuãt
e Maior de Londres, ou de Euerwike, ou
e Bristoll', ou deuant le Maior & vn clerke
ue le roy a ceo atturnera, a conuser la d̃t, et
e iour d̃ paimẽt soit la reconuis. entre ẽ roll'
e le maine le dit clerke que serra conue.
Dusser ceo le dit clerke face de la maine lettre obligat, a quel escripture soit mis l' seal'
e dettour, oue seale le roy que a ẽ soit pureu, le q̃l seale demurra en le garde d̃l maior
le clerke auantdit.
Et si le dettour ne luy rende al iour que luy
st done ou assis, si veigne le creanlore al
aior & al clerke oue sa lettre obligg. Et si
oue soit per rolle ou per letter, que la det
uit conue, & que le ioure assis est passe, le
Maior per vieu des prudes homes, maynnaunt face vendre les mouables du dettor
me atteint d̃ la dette, sicome chateux burages deuisables, iesque a la somme de la
tte, et les deniers soyent payes al creanur. Et si le Maior ne troue achatour,
ce p reasonable price liuerer les mouables
creanlour, iesque a la somme de la dett en
lowaunce de le dett. Et a la vende, et sa
uere ds burgages deuisables serra mys le
ale le Roye auauntdit, en pardurable tes-

moigne. Et ſi le dettour neit mouables ē le poier le maior, dont le dett purē eſtō leue, eins eit ailors en la realme, dongz maunde le Maior deſouth le ſeale le roy auantdiſt al Chauncelor la conuſ. fait deuant luy & lauantdit clerke. Et le Chauncellor maunde briefe al bitē en q̄ baily aueē mouables le dettor. Et le bitē face faire gree al creaunſor p m̄ la forme, que le maior le ferroit, ſi les mouables le dettor fuiſſent en ſō poier. Et bien ſoy gardēt ceux, q̄ ōt praiſe l'z bēs mouables pur liuerer al creanſor, q̄ ilz mettent reaſonable price. Car ſi ilz les mittent trop haut, en fauour del dettor, al dam̄ del creāſor, la choſe price ſoit lyuer a ceux queux laueront praiſe pur la price q̄ ilz ēt ont miſe & maintenīt reſpoign̄ al creanſor de ſa dett. Et ſi la dettor voile dire, q̄ les bēs mouables fuerōt vende ou lyuers pur meines, q̄ ils ne vailent, de ceo ne purē il my remedy auer, pur quoy q̄ le maior ou le bitē eyent loialment les biens mouables a celuy q̄ pl offert vendus, car il purra retier a luy m̄ auāt la tour de la ſuit port, & ſes bēs mouables auer dens̄, & p ſes maines les deniers auoir leue, & ne voilet.

¶ Et ſi le dettor neit mouables, dōt le det purē eē leue, dongz ſoit ſon corps pris ou q̄ il ſerra troue, & en priſon tenue, ieſq̄z tant que il eit fait gre, ou ſes amiez pur luy. Et ſi nad, dont il poit eſtre ſuſtenus ē priſon, la creanſor luy trouera paine & eawe, q̄ ne morge en priſon pur defaulte, les queux

coſtage

:oſtages le dettoꝛ luy renꝯ oue le det, auãt
ꝗ il iſſeꝯ del pꝛiſon.

¶ Et q̃ le creanſour ſoit marchãt eſtrãge
l demurra al coſtages le dettoꝛ tout le tẽpꝛ
ꝗ il demurt pur ſuer ſa dette leuer ieſque al
ieure q̃ les biens mouables le dettoꝛ ſoient
ıendus ou a luy lꝑuers.

¶ Et ſi le creanſoer ne ſe paia pas de la
uerty ſolement le dettoꝛ. per q̃ pledges luy
oient troues ou mainpernoꝛs, ſi les mainp=
ıoꝛs, ou les pledges veigñ deuant le maioꝛ
t le dit clerke, & ſoy obligent per eſcriptuꝯ
recogniſance, ſicome auaunt eſt diſt del
ettoꝛ. En m̃ le manner q̃ la dett ne ſoit
aia a iour aſſigñ, ſoit fait lexecution ꝗ les
ledges et mainpernoꝛs, come auant eſt diſt
el dettoꝛ. Et eyt le creanſoꝛ recouery ſur
es pledges & mainperuoꝛs come auant eſt
it del dettoꝛ.

Et iſſint ne pur quant que tanꝯ com̃ la
et puiſſe eſtre pleinment leue des biens
ıouables del dettoꝛ en le foꝛme auantdit, &
ıainpernoꝛs ou les pledges ne etant dam̃,
ıes en default des biens mouables du dett,
it le creanſoꝛ recouery ſur ſes mainper=
ours ou ſur les pledges en la foꝛme, que
uant eſt dit del dettoꝛs & l. Et a ſuſteineir
es coſtages de lauantdiſt clerke, ſi prẽdꝛa
roy de cheſcun lꝑuer vn denier, ¶ eſt eſta
liſhement voit le roy que deſoꝛmes ſoit
ınus et garde per tout ſon realme de An=
literre, ẽter quel gents q̃ e ſoit, q̃ de iour
ıme ſñ degree voudꝛõt ceſt recogniſãs fait

forspryse Jewes aux queux cest establisshmẽ ne se exteñ pas.

¶ Et per cest establisshmẽt ne soit pas bri de det abatus, et ne soient pas le Chaunce ler, Barons de lescheq̃uer, Barons de lu bãke et de lauter, ou iustices errãts, forclos de prendre recognusances des detts de ceu que deuant eux voudrõt faire. Mes lexecu cion des recognusances deuãt eux ne soien faitz en la forme auantdit, mes per la ley, e les vsages, et les maners auante vses.

Done a Acton Burnel, le xij. iour de October ian de nostre raigne xi. ‡ vide statut de Mer= catoribus añ 13. E. 1. ‡

¶ Statutum de Westm̃. ij. ædit̃. Anno xiii. Edwardi primi.

CVm nuper dominus Rex, in quindena san ̃ti Iohannis Baptiste anno regni sui sext conuocatis prælatis, comitibus, baroni bus, & consilio suo apud Gloc. quia plur de regno suo exheredationem patiebantu eo quod in multis casibus, vbi remedium appo debuit prius, non fuit per predecessores suos, a per ipsum remedium prouisum, quædam statu populo suo valde necessaria & vtilia ædidit, p quæ populus suus Anglicanus & Hibernic sub suo regimine gubernatus, celeriorem iust

cia

ciam, quam prius, in suis oppressionibus consecutus est, ac quidam casus, in quibus lex deficiebat remanserunt indeterminati & quidam ad reprimendam oppressionem populi remanserunt statuenda. Dominus rex in parliamento suo, post Pascham, anno regni sui tertio decimo apud VVestminster, multas oppressiones populi, & legum defectus, ad suppletionem dictorum statutorum apud Glocester editorum, recitari fecit, & statuta dedit, vt patebit in sequent.

¶ *Taile 1. Cap. 1.*

¶ In primis de tenementis, que multociens dantur sub conditione, videlicet cum aliquis dat terram suam alicui viro & eius vxori, & hered' de ipsis viro & muliere procreatis, adiecta conditione expressa tali. Si huiusmodi vir & mulier sine hered' de ipsis viro & mulier procreato obijssent, terra sic data ad donatorem, vel ad eius heredem reuertatur. In casu etiam cum quis dat ten' alicui in liberum maritagium, quod donum habet conditionem annexam, licet non exprimatur in carta doni, qui talis est. Quod si huiusmodi vir & mulier sine hered' de ipsis viro et muliere procreato obijssent, tenementum sic datum ad donatorem, vel ad eius heredem reuertatur. In casu etiam cum quis dat tenementum alicui, & hered' de corpore suo exeuntibus, durum videbat, & ad huc videtur, huiusmodi donatorius & heredibus donatorum, quod voluntas donatorum ipsorum in donis suis expressa, non fuit prius, nec ad huc est obseruata. In omnibus enim predictis casibus post prolem

suscitatam & exeuntem ab ipsis quibus ten̄ sic conditionaliter fuit datum, hucusque habuerunt huiusmodi feoffati potestatem alienandi ten̄ sic datum, & exheredandi exitum eorum contra voluntatem donatorum, & contra formam in dono expressam.

Et preterea cum deficiente exitu de huiusmodi feoffatis, ten̄ sic datum ad donatorem, vel ad eius heredes reuerti debuit per formam in charta de dono huiusmodi expressam, licet exitus (si quis fuerit) obijsset, per factum tamen & feoffamentum eorum, quibus ten̄ sic fuit datum sub conditione, exclusi fuerunt hucusque de reuersione corundem tenentium, & manifeste fuit contra formam doni. Propter quod dñs rex perpendens, quod necessarium & vtile est in predictis casibus apponere remedium statuit quod voluntas donatoris, secundum formam in charta doni sui manifeste expressam, de cetero obseruetur, ita quod non habeant illi, quibus ten̄ sic fuit datum sub conditione, potestatem alienandi ten̄ sic datum, quo minus ad exitum illorum, quibus ten̄ sic fuerit datum remaneat post eorum obitum vel ad donatorem, vel ad eius heredem (si exitus deficiat) reuertatur, per hoc quod nullus sit exitus omnino, vel (si aliquis exitus fuerit, & per mortem deficiet) herede de corpore huiusmodi exitus deficiente. Nec habeat de cetero secundus vir huiusmodi mulieris aliquid in tenemento sic dato per conditionem, post mortem vxoris sue, per legem Angliæ: nec exitus de secundo viro & muliere successionem hereditatem; sed statim post mortem viri & mulieris, qui bu

voluntas donatoris in omnibus obseruetur. Como soit
[illegible]

[illegible]

[illegible] Nec habeat [illegible]
[illegible]

bus ten sic fuit datum, post eorum obitum ad eorum exitum, vel ad donatorem, vel ad eius heredem (vt predictum est) reuertatur. Et quia in nouo casu nouum remedium est apponendum: fiat impetranti tale breue. Precepe A. quod iuste &c. reddat B. tale manerium cum pertinen, quod C. dedit tali viro, & tali mulieri, & hered' de ipsis viro & muliere exeuntibus: vel quod C. dedit tali viro in liberum maritagium, cum tali muliere, & quod post mortem predictorum viri & mulieris predicto B. filio eorundem viri & mulieris discendere debet per formam donationis predicte, vt dicit: vel quod C. dedit tali & hered' de corpore suo exeuntibus, & quod post mortem ipsius talis, predicto B. filio predicti talis discendere debet per formam § donationis § &c. Breue per quod donator habet recuperare deficiente exitu, satis est in vsu in cancellaria. Et sciendum est quod hoc statutum quoad alienationem tenementi contra formam doni imposterum faciend', locum habeat, & ad dona prius facta non extendatur. Et si finis super huiusmodi ten imposterum leuetur, ipso iure sit nullus. Nec habeat heredes huiusmodi, aut illi ad quos spectat reuersio (licet fuerunt plene etatis, in Anglia, & extra prisonam) necesse apponere clameum suum.

¶ Repleuine. 2. Cap. 2.

¶ Quia domini feod' distringēte tenēte suos, p seruicijs & consuetud' sibi debit, multociēs grauantur

per hoc,quod § cum § tenentes sui districtionem suam per breue, vel sine breue, replegiauerint ac cum ipsi domini (ad queremoniam tenentium suorum) ad com̃ vel ad aliam curiam habentem potestatem placitandi placita de vetito namio per attachiam̃ venerint, & rationabilem & iustam districtionem aduocauerint, per hoc quod tenentes disaduocant nihil tenet̃ nec clamant tenere de eo qui districtionem fecit, & aduocauit, remansit ille qui distrinxit in misericordia, & tenentes sui quieti, quibus pro illa disaduocatione per recordum com̃, siue aliarum curiarum, que recordum non habent pæna infligi non potest. De cetero prouisum est & statutum quod cum huiusmodi domini in com̃ vel huiusmodi curia,iusticiam de huiusmodi tenentibus suis consequi nõ possint,quam cito attachiati fuerint ad sectam tenentium suorum,concedatur eis breue ad ponendum loquelam§illam§ coram Iusticiarijs coram quibus(& non alibi)iusticia huiusmodi dominis exhiberi poterit, & inserat̃ causa in breui quia talis distrinxit in feodo suo pro seruic' & cõsibi debitis. Nec per istud statutum derogat̃ legi communi vsitate, quod non permisit aliquod placitum poni coram iustic' ad peticionem defendent̃: quia licet prima facie videatur tenens actor,& dominus defendens, habito tamen respectu, ad hoc quod dominus distrinxit, & sequit̃ pro seruicijs & cons. sibi a retro existens realiter apparebit potius actor, siue querens quam defendens. Et vt in certo sint Iustic de qua recenti seisina poterint domini aduoca

: rationabilem dictrictionem super tenentes suos:
e cetero concordatum est, quod rationabi-
s districtio poterit aduocari de seisina ante-
essorum vel predecessorum suorum, a tempo-
: quo breue noue disseisine currit, § vide VV. 1.
1. 38. § Et quia aliquando contingit, quod tenens
ostquam replegiauerit aueria sua, aueria illa ven-
it vel elongat, quo minus retornum possit fi e-
domino distringenti, si adiudicetur. Prouí-
m est, quod vicecomes, vel balliui de cetero
on recipiant a conquerentibus solummodo ple-
os de prosequendo, antequam deliberationem
ciant de auerijs, sed etiam de auerijs retornan-
s, si adiudicet retornum. Et si quis alio
odo plegios ceperit, respondeat ipse de precio
ueriorum. Et habeat dominus distringens recu-
rrare per breue, quod reddat ei tot aueria, vel
talla. Et si non habeat balliuus vnde reddat,
ddat superior suus. Et quia aliquando contingit,
uod postquam adiudicatum fuerit distringenti
tornum aueriorum, & sic districtus, postquam
eria sic retornata iterum replegiauerit, & cum
lerit distringentem comparentem in curia
ratum sibi respondere, defaltam fecerit, ob
iam iterum readiudicabitur distringenti re-
rnum aueriorum, & sic bis vel ter & infinitum
plegiabuntur aueria, nec habebunt iudicia
riæ regis in hoc casu effectum, super quo non
it prius remedium prouisum: Ordinatum
: in hoc casu talis processus, quod quam cito
iudicatum fuerit retornum aueriorum dis-
ngenti, per breue de iudicio, mandetur vic'

quod

quod retornum habere faciat distringenti de auerijs, in quo breui inseratur, quod vic' ea non deliberet sine breue: in quo fiat mencio de iudicio p iustic' reddit: quod fieri non poterit, nisi per breue quod exeat de rotulis Iustic', coram quibus deduct fuerit loquela. Cum igitur districtus adierit iustic', & petierit aueria sua iterum sibi replegiari, fiat ei breue de iudicio, quod vic' (cap securitate de prosequendo, & etiam de auer seu cattallis retornand', vel eorum precio, si ad iudicetur retornum) deliberet ei aueria, vel catalla prius retornata: & attachietur ille qui distrinxit, ad veniend' ad certum diem coram iustic', coram quibus placitum deducatur in presentia partium. Et si iterato ille, qui replegiaurit aueria, fecerit defaltam, vel alia occasione adiudicetur retornum districtionis iam bis replegitum, remaneat districtio illa in perpetuum irreplegiabilis. Sed si de nouo, & de noua causa fi districtio, de noua districtione seruetur processus supradictus.

¶ *Cui in vita. 1.* *Cap. 3.*

¶ In casu quando vir amiserit per defaltam, quod fuit ius vxoris sue, durum fuit quod vxor post mortem viri non habuerit aliud recuperare quam p breue de recto. Propter quod dñs rex statuit, quod mulier post mortem viri sui habeat recuperare per bre de ingressu, cui ipla in vita sua contradicere nō potuit qd' in forma subscripta erit plenitād'. Si contra petitionē mulieris tenens excipi

la fēme mesme retaine le p stat qui le bar pdy p faint pleder, tang stat 13. R. 2: ca: 17 faint faitt, 7, H. 7: 11, b.

Le contrario est disclose p diuers stat priist de ind le inquisition de rest ostat. Cui ante distrinxit stat. 179 viche libr. ca. 5

quod habuerit ingressum per iudicium & comperum fuerit, quod per defaltam, ad quod tenens necesse habet responder, si ab eo querat̃ tunc vlterius habet necesse ostendere ius suum secundum formam breuis, quod prius impetrauit super virum & vxorem. Et si verificare poterit, quod habuerit, vel habet ius in ten̄ petito, nihil capiat mulier per breue suum. Quod si ostendere non poterit, recuperet mulier ten̄ petitum, hoc obseruato, quod si vir absentauerit se, & noluerit ius vxoris sue defendere, vel ⁊ inuita vxore sua reddere voluerit ⁊ si vxor ante iudicium venerit, parata petenti respondere, & ius suum defendere, admittatur vxor. Eodem modo si tenens in dotem per legem Anglie, vel aliter ad terminum vite vel per donum in quo reseruatur reuertio, fecerit defaltam, vel reddere voluerit, admittantur heredes, vel illi ad quos spectat reuersio, ad responsionem, si venerit ante iudicium. Et si per defaltam, vel reddiderit reddat iudicium, tunc habeant hered', vel illi ad quos spectat reuersio, post mortem huiusmodi tenentium, recuperare per breue de ingressu: in quo obseruetur idem processus, sicut predictum est in casu vbi vir amittit per defaltam ten̄ vxoris sue. Et sic in casibus predictis due concurrunt actiones: vna inter petentem & tenentem, & alia inter tenentem ius suum ostendentem & petentem. ⁊ de 20. E. 1. defensio iuris.

¶ *Dovver. 3. Cap. 4.*

¶ In casu quando vir implacitatus de ten̄

Le statute me don̄ le resceit mes lou le feme est parata respondere et vnore p20 H6 fo: 23. B: Resceit 10. ad este adiudge q̄ le estat priza m ayd et ou le vouchera. et ignitur de ste re Secur, si nad este parata vnder p20 ydet 13 Si vn fur desaut̄ del tenant pur vre pur de ste resceiue et mes q̄ il est in de reuersio cto nest suspriseit mes don̄ mes cont il venust ad reuersio. p20 ydet 43: 28. ou vn fome fuit vorda vnde Ende f. 290 p. 28. ou vn fome fuit vorda et pur ce defaut de le baro et pur ce p. fu Iudicium̄ le statute p20 parata pl. et le tenant fome dure, vn vxore le tenure fuit grant.

ten̄ reddit tenementum petitum aduersario suo de plano, post mortem viri, iusticiarij adiudicent mulieri dotem suam, si per breue petat. Sed in casu quando vir amittet per defaltam tenementum petitum, si mulier post mortem viri petat dotem, & compertum est, quod per aliquos Iusticiarios adiudicata fuit dos mulieri petenti, non obstante defalta quam vir suus fecit, alijs Iustitiarijs in contraria opinione existentibus, & contrarium iudicantibus, vt de cetero huiusmodi ambiguitas amputetur & sit in certo: Ordinatum est quod in vtroque casu audiatur mulier, que dotem petit. Et si excipiatur contra ipsam, quod vir suus ten̄ vnde dos petita est, amisit per iudicium, per quod dotem habere non debet, & si queratur per quod iudicium & compertum fuerit quod per defaltam ad quod tenēs necesse habet respondere, tunc oportet tenent̄ vlterius respondere, & ostendere quod ipse § tenens § ius habuit, & habet in predicto ten̄, secundum formam breuis, quod tenens prius super virum impetrauit. Et si ostendere poterit, quod vir mulieris non habuit ius in tenemento aliquis alius quam ipse qui tenet: recedat quitus, & vxor nihil capiat de dote. Quod si ostendere non poterit, recuperet mulier dotem suam. Et sic in casibus istis, & in quibusdam casibus subsequent̄.s. quando vxor dotata amittat dotem suam per defaltam, & tenentes libero maritagio per legem Anglie, vel ad terminum vite, vel per feodum talliatum, concurrunt plures actiones. Quia huiusmodi

tenent

enentes, cum oporteat eos petere tenementa sua
et defaltam amissa, & cum ad hoc peruentum
uerit, quod tenens necesse habeat ostendere ius
suum, non possunt ipsi, sine his ad quod spectat
euersio, de iure respondere: & ideo concedatur
is, quod vocent ad warrant̃ secundum tenorem
reuis, ac si essent tenentes ⸗in priori breuiꝭ war-
ant̃ habeant. Et cum warrantus warrantizaue-
t, procedat placitum inter illum qui seisitus est &
arrantum, secundum tenorem breuis, quod te-
ens prius impetrauit, & per quod recuperauerit
er defaltam. Et sic ex pluribus actionibus, ad vl-
num peruenit ad vnum iudicium, videlicet
d hoc quod huiusmodi petentes recuperent pe-
ionem suam, vel quod tenentes eant quieti.
t si actio huiusmodi tenentis, qui necesse ha-
et ostendere ius suum, mota fuerit per breue
: Recto, licet Magna assisa, vel duellum iun-
non possunt per verba consueta, ‡iungiꝭ ta-
en possunt per verba satis apta. Quia cum
nens in hoc quod ostendat ius suum, quod ei
mpetet per breue quod prius impetrauit ‡&‡
loco actoris, bene poterit warrantum defen-
re ius tenentis, qui loco petentis (vt dictum
) habet, & seisinam antecessoris sui offerre
defendere per corpus liberi hominis sui,
l ponere se in magnam assisam, & petere
de recognitionem fieri, vtrum ipse maius
habeat in tenemento petito, an prædictus
tis: vel alio modo iungi poterit Magna as-
, et sic talis warrantus defend' ius &c. Et
gnoscit seisinam antecessoris sui & ponit se
in

Det m Id ei defor: nabourhder estranger
[illegible] de iure pols, nõ possunt [illegible] ad quos
pertinet [illegible] de iure respondere et ideo
Det m Id ei defor bourhder et nd mera remis
g [illegible] de iure pols, ideo tõcedatur eis ad
10, H. 7. 10, b: Ha ē Denus q̃ pra Tenony
in Valud fr bourhder dond g p stat.

in magnam asisam &c. & petit recognitionem fieri, vtrum ipse maius ius habeat in predicto tenemento, vt in illo de quo feoffauit talem, vel quod talis remisit & quietum clamauit &c. aut predictus talis &c. Cum aliquando contingat quod mulier non habens ‡ius‡ petendi dotem hereditatis heredis alicuius infra etatem existen, impetret breue de dote super custodem & custos per fauorem mulieris dotem reddiderit, vel defaltam fecerit, vel placitum ita fictum per collusionem defenderit, per quod dos huiusmodi mulieri (in preiudicium heredis) adiudicata fuerit: prouisum est quod heres, cum ad etatem peruenerit, habeat actionem petendi seisinam antecessoris sui versus huiusmodi mulierem, qualem haberet versus quemcunque alium deforciatorem, ita tamen quod salua sit mulieri versus petentem exceptio ostendendi, quod ius habet in dote sua, quod si ostendere poterit, recedat quieta, & dotem suam retineat, & sit heres misericordia, & amercietur grauiter secundum discretionem Iusticiariorum. Sin autem. recuperet heres petitionem suam. Eodem modo sub ueniatur mulieri, si heres vel alius eam implacitauerit de dote sua, si dotem suam per defaltam amiserit. In quo casu sua defalta non sit ita preiudicialis, quin dotem suam (si ius habet) recuperare possit, & fiat ei tale breue. Prepe A. quod iuste &c. reddat tali, quæ fuit vxor talis tantam terram cum pertinentijs in C. quam clamat esse rationabilem dotem suam, vel rationabili dote sua, & quam predictus tali

def-

Et per Legislacy de cest estatute tenant Pl. Le Curtesy and tiel br fitz Nat. bre 155 D

forceat. Et ad istud breue habeat tenens ex-
tionem suam, ad ostendendum, quod mulier
non habet in dote. Quod si verificare pote-
, recedat quietus, alioquin recuperet mulier
tementum quod prius tenuit in dote. Et cum
aporibus retroactis aliquis amisisset terram su-
per defaltam, non habuit aliud recuperare
um per breue de recto, quod eis competere
n potuit, qui de mero iure loqui non potue-
t, veluti tenentes ad terminum vite, vel per
rum maritagium, vel per feodum talliatum,
uibus casibus saluatur reuersio. Prouisum
quod de cetero non sit eorum defalta eis ita
iudicialis, quin statum suum (si ius habeant)
perare possint per aliud breue quam per bre-
e recto. De maritagio amisso per defaltam
tale breue. Precipe A. quod iuste &c. reddat
nanerium de C. cum pertinentijs, quod clamat
ius, & maritagium suum, & quod predictus
ei deforc'. Eodem modo de tenito ad terminum
per defaltam amisso, fait tale breue. Precipe
quod iuste &c. reddat B. manerium de C. cum
tiñ, quod clamat tenere ad terminum vitæ suæ,
quod predictus A, ei deforceat. Similiter quod
mat tenere sibi & heredibus suis de corpore
legittime procreatis, & quod predictus A. ei
orc' &c.

¶ *Advvison 1. cap. 5.*

Cum de aduocationibus Ecclesiarum non
nisi tria breuia originalia, videlicet breue
recto, & duo de possessione, scilicet vltime
pre-

preſentationis,& quare impedit & hucuſque vſita
tum fuerit in regno, quod cum aliquis ius preſen
tandi non habens preſentauerit ad aliquam eccle
ſiam, cuius preſentatus ſit admiſſus, ipſe qui vert
eſt patronus, per nullum aliud breue recupera
potuit aduocationem ſuam, quam per breue c
recto quod habet terminare per duellum, vel p
magnam aſsisam per quod heredes infra ætate
exiſtentes per fraudem & negligentiam cuſto
dum, heredes etiam ſiue maiores, ſiue minor
per negligentiam vel fraudem tenentium per l
gem Angliæ, vel mulierum tenentium in dote
vel alio modo ad terminum vitæ, vel annorum
vel per feodum talliatum, multociens exhered
cionem patiebantur de aduocationibus illis, v
ad minus (quod eis melius fuit) ponebant
ad breue de recto, & in caſu omnino exher
ditati fuerunt hucuſque. Statutum aſt qu
huiuſmodi preſentationes non ſint huiuſmo
rectis heredibus, aut illis ad quos poſt morte
aliquorum huiuſmodi aduocationes reuerti ‡d
bent, ‡ ita preiudiciales, quin quotieſcunque a
quis ius non habens, tempore huiuſmodi c
ſtodiarum preſentauerit, vel tempore tenentiu
in dote, per legem Angliæ, vel alio mo
ad terminum vitæ, vel annorum vel per fe
dum talliatum, in proxima vacatione, po
quam hæres ad ætatem peruenerit, vel adu
catio poſt mortem tenentium in forma pred
ta ad heredem plene ætatis exiſtentem reu
tetur, habeat eandem actionem & recuperati
nem per breue de aduocatione poſſeſſori

qual

ualem haberet vltimus antecessor huiusmodi he-
dis plenam habens etatem, in vltima vacatione
mpore suo accidente ante mortem suam, vel ante
iam dimissio facta fuerit ad terminum, vel ad
odum talliatum, vt predictum est. Hoc idem
seruetur de presentationibus factis ad ecclesi-
de hereditate vxorum, tempore quo fuerunt
b potestate virorum suorum, quibus per istud
atutum subueniatur, per remedium supradic-
m. Viris etiam religiosis, episcopis, archidiaco-
s, rectoribus ecclesiarum, & alijs personis eccle-
sticis per istud idem statutum subueniatur: si
quis ius presentandi non habens presentauerit
ecclesias domus siue prelatie, dignitati aut per-
natui spectantes, tempore quo vacauerint prela-
dignitates, aut personatus huiusmodi nec tamen
large intelligatur istud statutum, quod, perso-
, ad quorum remedium statutum istud est e-
tum, habeant recuperare supradictum, di-
ntes quod custodes, tenentes in dotem, per
gem Angliæ, vel alias ad terminum vitæ,
l annorum, vel viri ficte defenderint placitum
r ipsos, vel contra ipsos motum, quia iu- //
cia in curia Regis redelita per istud statutum //
n adnihilentur, sed stet iudicium in suo robo-
quousque per iudicium curie ‡ regis ‡ tan-
iam erroneum (si error inueniatur) adnulletur
l assisa vltime presentationis, vel inquisitio per
are impedit si transierit per attinctam, vel per
tificationem adnulletur, que gratis concedatur.
de cetero vna forma placitandi in breuibus

vltime presentationis, & quare impedit, inte
iusticiarios obseruetur, quo ad hoc quod
pars rea excipiat de plenitudine ecclesie per suar
propriam presentationem, non propter illam ple
nitudinem remaneat loquela, dummodo breu
infra tempus semestre impetretur, quanquam in
fra tempus semestre presentationem suam recupe
rare non possit. Et cum aliquãdo inter plures cla
mantes aduocationem alicuius ecclesiæ pax fuer
formata inter partes, & irrotulata coràm iusticia
rijs in rotulo, vel ‡in‡ fine sub hac forma quo
vnus primo presentet, & in sequenti vacatione a
lius, & in tertia tertius, & sic de pluribus,
plures sint. Et cum vnus presentauerit, & ha
buerit suam presentationem, quam habere de
bet per formam conuentionis illius, & in proxi
ma vacatione impediatur ille ad quem spectat se
quens presentacio per aliquem qui fuit pars illit
conuentionis, vel loco eius: statutum est quo
de cetero non habeat huiusmodi impeditus necel
se perquirere breue de Quare impedit, sed hab
at recursum ad rotulum, vel ad finem. Et si i
rotulo, vel in fine comperta fuerit predicta par
vel conuentio, mandetur vic', quod scire facia
parti impedienti, quod sit ad aliquem breuer
diem continentem spacium xv. dierum, vel triur
septimanarum, secundum quod locus est propin
quus vel remotus, ostens. (si quid sciat dicere
quare sic impeditus talem presentationem suar
habere non debeat. Et si non venerit, vel fort
venerit, & nihil sciat dicere, quare sic impeditu
presentationem suam habere non debeat, ration
ali

alicuius facti post pacem factam, vel irrotulatam, vel chirographatam, recuperet presentationem suam cum damnis suis. Et cum contingat quod post mortem antecessoris sui, qui ad aliquam ecclesiam presentauit personam, assignata fuerit illa aduocatio in dotem alicuius mulieris, vel tenenti per legem Angliæ, & tenentes in dotem, vel tenentes per legem angliæ presentauerint, & verus heres post mortem huiusmodi tenentium per legem Angliæ, vel in dotem, impediatur presentare, cum ecclesia vacauerit. Prouisum est, quod de cetero sit in electione impediti, vtrum perquirere velit per breue de Quare impedit, vel vltime presentationis. Hoc etiam de cetero obseruetur de aduocationibus dimissis ad terminum vite, vel annorum, vel ad feodũ talliatum. Et de cetero in breuibus vltime presentationis, & Quare impedit, adiudicentur damna, videlicet si tempus semestre transierit per impedimentum alicuius, ita quod episcopus ecclesiam conferat, & verus patronus ea vice presentationem suam amittat, adiudicentur dampna ad valorem Ecclesiæ de duobus annis. Et si tempus semestre non transierit, sed disrationetur presentatio infra tempus predictum, tunc adiudicentur damna ad valorem medietatis ecclesiæ per vnum annum. Et si impeditor nihil habeat, vnde restituere possit damna, in casu qñd̃ episcopus confert ecclesiæ per lapsum temporis, puniatur per prisonam duorum annorum. Et si aduocatio disrationetur infra tempus semestre, puniatur tamen impeditor p

 prisonam

prisonam dimidij anni. Et de cetero concedantur breuia de capellis, prebendis, vicarijs, hospitalibus, abbatijs, prioratibus, & alijs domibus quæ sunt de aduocationibus illorum, quæ prius concedi non consueuerunt. Et cum per breue indicauit, impeditur rector alicuius ecclesię, ad petendum decimas in vicina parochia, habeat patronus rectori sic impediti breue ad petend' aduocationem decimarum petitarum. Et cum disrationatum fuerit, procedat post modum placitum in curia Christianitatis, quatenus disrationatum fuerit in curia Regis. Cum aduocatio descendat perticipibus, licet vnus bis presentet, & vsurpet super coheredem, non propter hoc exclusus sit ille in toto qui fuit negligẽs sed alias habeat turnum suum presentandi, cum acciderit.

¶*Voucher 4. Cap 6.*

¶Cum quis petat teñ versus alium, & implacitatus vocauerit ad warranť, & warrantus dedicat warrantiam, & diu pendeat placitum inter tenentem & warrantum, cum ad vltimum conuincatur. quod vocatus ad warrantum warrantizare tenetur per legem & cons. hactenus vsitatũ, non fuit ante alia pœna inflicta vocato, qui warrantiam dedixit, nisi tamen quod warrantizaret, & esset in mĩa quia prius non warrantizauit, quod durum fuit petenti quia multociens per collusionem inter tenentem & warrantum magnas sustinuit dilationes. Propter quod Dominus Rex statuit, quod sicut tenens amitterer tenenementum petitum, si vocasset ad warrantum, & warrantus se

posset

posset deuoluere de warantia, eodem modo amittat warantus si warantiam dedicat, & conuincat̃ quod warantizare debeat. Et si inquisitio pendeat inter tenentem & warantum, & petens petat breue ad faciendum venire iuratam, concedatur ei &c.

¶ *Admesurement de dovver. 1. Cap. 7.*

¶ Custodi de cetero concedatur br̃e de admensuratione dotis. Nec per sectam custodis si ficte & per collusionem sequatur versus mulierem tenentem in dotem, p̃cludatur heres cum ad etatem peuenerit ad dotem admensurandam, secundum quod plegem Angliæ fuit admensurandum. Et tam in isto breui, quam in breui de admensuratione pasture, celerior quam prius de cetero fit processus, ita quod cum peruentum fuerit ad magnam districtionem, den̄ dies, infra quos duo com̃ tenentur, ad quos publica fiat proclamatio, quod defendens veniat ad diem in breui contentum querenti responsur.. Ad quem diem si venerit, procedat placitum inter eos, & si non venerit, & proclamatio supradicto modo par vic' testificata fuerit, p̃cedatur per defaltam ad admensurationem faciendam.

¶ *Admesurement de pasture. 1. Cap. 8.*

¶ Cum per placitum motum per br̃e de admensuratione pasture, pastura fuerit admensurata aliq̃ndo coram iustic', aliq̃n in com̃ coram vic' multotiens contingit, quod post § huiusmodi § admensurationem actam, iterum ponit ille, qui primo superonerauit pasturam, plura animalia quam ad ipsum pertinet ha-

bend', nec super hoc hucusque prouisum fuisset remedium statutum est quod de secunda superoneratione fiat remedium conq̃renti sub hac forma, quod conquerens habeat breue de iudicio, si coram iustic' admensurata fuerit pastura, quod vic' in presentia partium p̃monitarum (si interesse voluerint) inquirat de sec'da superoneratione. Que si inuenta fuerit, mandet̃ iustic' sub sigillo vic', & sigillis iuratorum, & iusticiarij adiudicent conquerenti damna, & ponant in extractis valorem animalium que superonerat̃ post admensurationem factam, posuit in pastura, vltra quod debuit, & extractas liberent baronibus de scaccario, vt inde respondeant domino reg. Si in com̃ facta fuerit admensuratio, tunc ad instantiam querentis exeat breue de cancellaria, quod vic' inquirat super huiusmodi superoneratione, & de auerijs positis in pasturam vltra debitum numerum, vel de precio domino regi ad scaccarium suum rn̄deat. Et ne vic' fraudem faciat domino regi in isto casu, concordatũ est, quod omnia huiusmodi breuia de secunda superoneratione, q̃ exeunt de cancellaria irrotulentur, & in fine anni mittant̃ transcripta ad scaccarium sub sigillo Cancellarij, vt videant thesaurarius & barones de scaccario qualit̃ vic' rn̄deat de exitibus huiusmodi br̃um. Eodem modo irrotulentur br̃ia de reddisseisina, & mittantur ad scaccarium in fine anni.

¶ *Mesne.* I. *Cap.* 9.

¶ Cum capitales domini distringunt feodum suum pro consuetudinibus, & seruicijs sibi debitis

debitis, & medius sit qui tenentem acquietare debeat, cum non iaceat in ore tenentis postquam districtionem replegiauerit, dedicere demandam capitalis domini sui, qui aduocat in cur̃ regis iustam districtionem fieri super tenentem suum, viz super medium, multi per huiusmodi districtiones hucusque grauati extiterunt, per hoc quod medius (licet haberet per quod distringi posset) magnas fecit dilationes antequam ad cur̃ venerit ad respondendum huiusmodi tenentibus suis ad breue de medio, per hoc etiam quod durius fuit in casu quando medius nihil habuit, in casu etiam cum tenens paratus esset facere capitali domino seruicia & consuetudines exactas, & capitalis dominus seruicia & cons. sibi debitas renuebat percipere per manum alterius quam per manum proximi tenentis sui, & sic amiserunt huiusmodi tenentes in dominico, proficuum terrarum suarum aliquando ad tempus aliquando toto tempore suo, nec fuit antea aliquod remedium in hoc casu prouisum.

Ordinatum est & prouisum in hoc casu remedium in posterum sub hac forma, q̃ quam cito huiusmodi tenens in dominico habens medium inter ipsum & capitalem dominum distringitur, statim perquirat sibi tenens breue de medio. Et si medius habens terram in eodem com̃ diffugerit vsque ad magnam districtionem, detur querenti in bri suo de magna districtione talis dies, ante cuius aduentum duo com̃ teneantur, & precipiatur vic' quod distringat medium per magnam districtionem, prout in breui continetur. Et

nihilominus vic' in duobus plenis com̃ solem-
niter proclamare faciat, quod huiusmodi me-
dius veniat ad diem in breui contenē, respon-
surus tenenti suo. Ad quem diem si venerit
procedat placitum inter eos modo coniuncto
Et si non venerit huiusmodi medius, amitta
seruicium tenentis sui, & amodo non respondeat
at ei tenens in aliquo, sed (omisso illo medio
respondeat capitali domino de eisdem seruicijs &
cons.que prius facere debuit predictus medius
Nec habeat capitalis dominus potestatem distrin
gendi § tenentes in dominico § dum predictu
tenens offerat ei seruicia debita & consuet
Et si capitalis dominus exigerit plus quat
medius ei facere deberet, habeat tenens in hoc cas
exceptionem § versus dominum quam habere
medius. Si vero medius nihil habuerit in po
testate regis: nihilominus perquirat tener
breue suum de medio, ad vic' illius com̃ i
quo distringitur. Et si vic' mandauerit, quo
medius nihil habeat vnde potest summoneri
nihilominus sequatur breue de attachiamento
Et si vic' mandauerit, quod nihil habet p
quod potest attachiari, nihilominus sequ
breue de magna districtione & fiat proclama
tio in forma predicta. Si vero medius no
habeat terram, in com̃ in quo fit districti
sed habeat terram in alio com̃, tunc exe
breue originale ad summoniendum medium, a
vic' illius com̃ in quo fit districtio. Et cum testific
tum fuerit per illum vic', quod nihil habet
com̃ suo, exeat breue de iudicio ad summ̃ mediu

vic' illius com̃ in quo testificat̃ fuerit quod
bet ten̄, & fiat secta in illo com̃, quousque p-
niatur ad magnam districtionem & proclama-
nem, sicut dictum est supra de medio ha-
nte terram in eodem com̃ in quo fit districtio,
nihilominus fiat secta in com̃ in quo nihil
bet (sicut dictum est supra de medio nihil
bente) quousque perueniatur ad magnam
trictionem & proclamationem, & sic post
oclamationem in vtroque com̃ factam ab-
licetur medius de feodo & seruicio suo. Et
m aliqn̄ contingat, quod tenens in domini-
feoffatus est, ad tenend' § de medio § per mi-
s seruicium quam medius facere debuit capitali
mino, cum post huiusmodi proclamationem
ornatus sit tenens capitali domino, medio
nisso, necesse habet tenens respondere capita-
domino de seruicijs & cons. que medius ei
ius facere debuit, & postquam medius ve-
rit in cur̄, & cognouerit, quod acquietat̃
bet tenentem suum, vel adiudicetur ad ac-
ietand', si post huiusmodi cognitionem aut
dicium querimonia perueniat quod medius
on acquietat tenentem, tunc exeat breue de
dicio, quod vic' distringat medium ad ac-
uietandum tenentem, & ad essend' coram
stic' ad certum diem, ad ostendend' quare
ius eum non acquietauit. Et cum per districtio-
m venerit, audiatur querens. Et si querens
rificare poterit, ꝙ ipsum non acquietauit, sa-
faciat de damnis, & per iudicium recedat tenens
uietus de suo medio, & attornetur capitali
domino

domino. Et si ad primam districtionem non v
nerit, exeat br̃e de alia districtione, & fiat pr
clamario, & post quam testificat̃ fuerit procedat
ad iudicium, sicut superius dictum est. Et sciendu
est, quod per hoc statutum non excluduntur tene
tes, quin habeant warantiam, si de tenementis s
implaciten̄, super medios suos & eorum here
secund' q̃ prius habuerunt, nec etiam excludu
tur tenentes, quin sequi possunt versus medios s
os, secundum consuetudinem prius vsitatam, si
derint quod processus eorum plus valeat per an
quam cons. quam per istud statutum. Et sciendu
est, quod per istud statutum non prouiderur
medium quibuscũque medijs, sed solummodo
casu cum sit vnus medius tm̃ in̄ dominum distr
gentem & tenentem, & in casu quando medius
est plene etatis, & in casu quando tenens sine p
iudicio alterius quam medij attornare se potest
pitali domino, quod dictum est pro mulieribus
nentibus in dotem, & tenentibus per legem A
gliæ, vel aliter ad terminum vite § vel § per feod
talliatum, quibus pro aliquibus causis nond
est prouisum remedium, sed (deo dante) alias p
uidebitur.

¶ *Iustices en eyre. 3. Cap. 10.*

¶ Cum in itinere iustic' pclamatũ fuerit, qd' om
qui br̃ia liberare voluerint, ea liberent infra cert
terminũ, post quem nullum breue recipiatur, m
de hoc confidentes, cum moram fecerint vsque
p̃dictum terminũ, & nullum br̃e super eos f
liberat

ratum, de licentia iustic' recedunt, post quorum
ssum aduersarij sui ipsorum absentiam percipi-
es, breuia sua porrigunt in certa, que aliquando
p fauorem, aliquando pro dono per vicecomitem
piuntur, & illi, qui secure credebant recessisse,
sua amittunt: vt huiusmodi fraudi subueniatur
osterum, statuit dominus rex, quod iustic' in iti-
bus suis statuant terminum quindene, vel men-
minoris vel maioris termini, secũd' quod cõm
it maior vel minor, infra quem terminum pub-
proclametur, quod omnes qui breuia liberare
uerint, ea liberent infra terminum illum. Et
duentum illius termini certificet vic' capitali iu-
itineranti, quot bria habet, & que & quod
illum terminum nullum bre recipiatur: quod
ceptum fuerit, processus per illud factus pro
o habeatur: excepto quod breue cassatum du-
e toto itinere releuari poterit. Breue etiam d'
de viris que obierint ꝯal' seisiti ꝯ infra summo-
nem itineris, assise vltime presentationis, &
re impedit, de ecclesijs vacantibus, infra sum-
itionem predictam, quocunque tempore ante
sum iustic' recipiantur in itinere. Breuia
n noue dissesine, quocunque tempore facta
it dissesina, recipiantur in itineribus iu-
ti,

(*Attorney*. 2.

Concedit dominus rex de gratia speciali,
d illi qui habent teñ in diuersis cõm, in quibus
c' itinerant, vel de quibusdam teñ in cõm
uo iustic' non itinerant timent implacitar',
&

& de alijs teñ in com̃, in quo iustie' non i
nerant, implacitentur: vt coram iustie', ap
westm̃, vel de banco domini regis, vel c
ram iusticiarijs ad asisias capiendas asigna
vel in aliquo com̃ coram vic', vel in aliqua cur̃ l
ron̄, facere posint generalem attornat̃ ad pre
quendum pro eis in omnibus placitis in itinere
stic' pro ipsis vel contra ipsos motis vel mouen
durante itenere. Qui quidem attornatus, vel
torñ, habeat potestatem in placitis motis in iti
re quousque placitum terminetur, vel domi
suus ipsum amouerit, nec per hoc excusent
quin sint in iuratis, & asisis coram eisdem
stic'.

¶ *Accompt.2. cap.11.*

¶ De seruientibus, balliuis, camerarijs, &c
buscunque receptoribus, que ad compotum
dend' tenentur, concordat̃ est & statutum, q
cum dominus huiusmodi seruient̃ dederit eis a
tores compoti, & contingat ipsos esse in arr
gijs super compotum suum omnibus allocat
allocand', arrestentur corpora eorum, & pe
stimonium auditorum eiusdem compoti, mitta
& liberent̃ pxime gaole domini regis in part
illis & a vic' seu custode eiusdem gaole recip
tur, & carceri mancipentur in terris, & sub
na custodia, & in illa prisona remaneant de
proprio viuentes, quousque dominis su
arreragijs plenarie satisfecerint. At tñ si
sic gaole liberatus conqueratur, quod au
res compoti sui ipsum iniuste grauauer
oner

rando ipsum de receptis quæ non recepit, vel
allocando ei expensas aut liberationes ratio-
iles, & inueniat amicos, qui cum manucapere
uerint ad ducend' coram baronib. de scaccario
ratur eis, & scire faciat vicecom̃ (in cuius pisona
it) domino q̃ sit coram baronibus de scacca-
ad aliquem certum diem cum rotulis & a-
er quos compotum suum reddiderit, & in pre-
a baronum vel auditorum, quos assignare
erint, recitetur compotus, & fiat partibus iu-
, ita quod si fuerit in arreragiis, committatur
le de Fleete. vt supra dictum est. Et si
gerit, & gratis compotum reddere nolue-
ficut in aliis statutis alibi continetur.
arlebr̃. cap. 23.‡ distringatur ad veniendum
m iusticiarijs, ad compotum reddendum, si
at per quod distringi posit. Et cum ad cu-
venerit, dentur ei auditores compoti, coram
us si fuerit in arreragiis, & statim arrer̃ soluere
posit, committatur goole custodiendũ in for-
redicta. Et si diffugerit, & testificatum fue-
r vic', quod non sit inuentus, exigatur de com̃
mitatum, quousque vtlagetur. Et sit huius-
incarceratus irreplegiabilis. Et caueat sibi
vel custos eiusdem Gaole, siue sit infra li-
tem siue extra, quod per commune breue,
dicitur replegiare, vel alio modo sine assen-
mini ipsum a prisona exire non permittat.
d si fecerit, & super hoc conuincatur, re-
leat domino de damnis, per huiusmodi ser-
em sibi illatis, secundum quod p patriã veri-
ficare

Non est ideo omittendum condemnatio eu dcl. et le gaole sim
lest a lure q̃ et est domus regalis de ipsi qs tamen obstat
q̃ ibi est penalis fol. 60. 178. vide st ostab de clon, ni, 5.

ficare poterit, & habeat dominus suum recupe
per breue de debito §versus custodem.§ Et si
stos gaole non habeat, per quod iusticietur, vel
de soluat, respondeat superior suus qui custod
huiusmodi gaole sibi commisit, per idem breue

¶ *Appeles.5. cap.12.*

¶ Quia multi per malitiam volentes alios
uare, procurant falsa appella fieri de homicidij
alijs felonijs, per appellatores nihil habentes,
domino regi, pro falso appello, nec appellat
damnis respondere posint. Statutum est
cum aliquis sic appellatus de felonia sibi imp
se acquietauerit in curia regis modo debito, v
sectã appellatoris vel domini regis, iusticiarij
quibus auditum erit huiusmodi appellum &
minatum, puniant appellatorem per priso
vnius anni, & nihilominus restituant huiusi
appellatores damna appellatis, secundum
cretionem iustic', habito respectu ad prisona
arrestationem quam occasione huiusmodi a
lorum sustinuerint appellati, & ad infamia
am, quam per imprisonamentum vel alio n
incurrerunt, & nihilominus versus dominu
gem gratuiter redimantur. Et si forte huius
appellatores non habeant, vnde predicta d
restituere posint, inquirat per quorum abbe
formatum fuerit huiusmodi appellum, per
ciam, si appellatus hoc petat. Et si inuen
per illam inquisitionem, quod aliquis sit
tator per maliciam, per breue de iudicio
sectam appellati, distringatur ad veniendu

m iustic'. Et si legittimo modo conuictus fue-
de huiusmodi abetto per malitiam, puniatur
r prisonam, & §teneatur ad restitutionem dam-
rum, sicut superius dictum est de appellatore. §
le anno 1.R.2.ca.13.

Essoigne. 8.

¶ Nec iaceat de cetero appellatori in appello de
orte hominis essonium. in quacunque curia ‡v-
appellum fuerit terminandum.

Inditements. I. *Cap.* 13.

¶ Quia etiam vic' multotiens fingentes aliquos
am eis in turnis suis indictatos de furtis, & alijs
lefactis, capiunt homines non culpabiles, nec
ittimo modo indictatos, & eos imprisonant, vt
eis pecuniam extorqueant, cum legittimo mo-
per duodecim iuratores non fuerint indictati.
cutum est quod vic' in tornis suis, & alibi, cum
uirere habeant de malefactoribus per precep-
regis, vel ex officio suo, per legales homines
ninus duodecim faciant inquisitiones suas de
usmodi malefactoribus, qui huiusmodi inqui-
nibus sigilla sua apponant, & illos quos per
usmodi inquisitiones inuenerint culpabiles, ca-
at & imprisonent, secundum quod alias fieri
sueuit. Et si aliquos aliter imprisonauerint,
m per huiusmodi inquisitiones indictatos, ha-
at huiusmodi imprisonati accionem suam per
e de imprisonamento versus Vicecomitem,
t haberent versus quamcumque aliam per-
m, qui eos imprisonaret sine VVarranto,

Et

Et sicut dictum est de vic', obseruetur de quolib
balliuo libertatis.

VVast 5. cap. 14.

¶ Cum de vasto facto in hereditate alicuius p
custodes, tenentes in dotem, per legem Angli
vel aliter ad terminum vite, vel annorum, cõsueu
rit fieri breue de prohibitione vasti, per qu
breue multi fuerunt in errore, credentes qu
illi qui vastum fecerint, non habuerint necesse
spondere nisi tamen de vasto facto post prohibi
onem eis directam, dominus rex (vt huiusmodi
ror de cetero tollatur) statuit, quod de vasto qu
cunque ad nocumen alicuius facto, non fiat de
tero breue de prohibitione, sed breue de summo
tione, ita quod ille de quo queritur respondeat
vasto facto quocunque tempore. Et si post sum
monitionem non venerit, attachietur, & post at
chiamentum distringatur, & post districtionem
non venerit, mandetur vic', quod in propria per
na, assumptis secum xij. &c. accedat ad locum
statum, & inquirat de vasto facto, & retornet
quisitionem. Postquam retornata fuerit inquisi
procedatur ad iudicium, secundum quod conti
tur in statuto prius edito apud Gloc'. cap. 5. de
sto 20. E. 1.

Trochein amy 2. cap. 15.

In omni casu quo minores infra etatem imp
citare possunt, concessum est, quod si huiusm
minores elongati sint quo minus personaliter se
posint, propinquiores amici admittantur ad
quendum pro eis, VVestm. 1. cap. 47.

¶VV

Mch Dicr 204 p1. Cur nihil dicit in vast bre ipsi
q bij in propria p/sona arrodat ad locu dengr deb
bamz. et homb bone et nomz d inquire de vast rac
roo d ronsc/sb, et nõ st requisite gbl vaillongn p/sn.

Vvardo. cap. 16.

¶ In casu quo alicui minori descendat hereditas
ex parte patris, qui tenuit de vno domino, & ex
parte matris que tenuit de alio domino, dubitatio
oriusque extitit de maritagio huiusmodi minoris,
ad quem de duobus dominis pertineat, concorda-
tum est quod ille dominus de cetero habeat mari-
tagium, de quo antecessor suus prius fuit feoffatus,
non habito respectu ad sexum, nec ad quantita-
tem tenementi, sed solummodo ad antiquius feof-
mentum per seruicium militare.

Essoine. 9. Cap. 17.

¶ In itinere Iustic' non admittatur de cetero es-
soniũ de malo lecti, de tenemento in eodem com̃,
si ille qui se facit essoniari veraciter sit infirmus,
nisi si excipiatur a petente, quod tenens non est
infirmus, nec in illo statu quo minus venire po-
sit coram iusticiarijs, admittatur eius calumnia.
Si hoc per inquisitionem conuinci poterit, ver-
tatur illud essonium in defaltam. Nec fiat de ce-
tero illud essonium in breui de recto inter duos
manentes per eundem descensum.

Execution. 2. Cap. 18.

¶ Cum debitum fuerit recuperatum, vel in
curia Regis recognitum, vel dampna adiudicata,
si de cetero in electione illius qui sequitur pro
huiusmodi debito, aut dampnis, sequi breue cp
fieri faciat, de terris & catallis debitoris, vel cp
liberet ei omnia catalla debitoris (exceptis bo-
vis & affris carucæ) & medietatem terræ sue, quo-
ue debit' fuerit leuat' per rationabile precii &
extent'

extent. Et si eijciatur de illo tenemento, habe recuperare per breue noue disseisine, & postea p breue de redisseisina, si necesse fuerit.

Ordinaries. 1. Cap. 19.

¶ Cum post mortem alicuius decedentis int stati, & obligati aliquibus in debito, bona deuen ant ad ordinarium disponendum, obligetur de c tero ordinarius ad respondendum de debitis qu tenus bona defuncti sufficiunt eodem modo q executores respondere tenentur, si testamentu fecisset.

Cosinage. 1. Cap. 20.

¶ Cum Iusticiarij in placito mortis antecesso consueuerunt admittere responsionem tenentis, petens non est propinquior heres antecessoris, cuius morte tenens petitur, & hoc paratus est per sisam inquirere - Concordatum est, quod in bre bus de consanguinitate, auo & proauo, que sunt iusdem naturæ, admittatur illa responsio, & inq ratur, & secundum illam inquisitionem ad iudi um procedatur.

Cessauit 2. Cap 21.

¶ Cum in statuto edito apud Gloucestr ca. continetur, quod si quis dimiserit terram ali ad reddendum valorem quarte partis tenemen vel maioris, habeat ille qui dimisit, vel eius he (postquam cessatum fuerit a solutione per bien um) accionem petendi ten sic dimissum in d nico. Eodem modo concordatum est, quod quis detineat domino suo seruitium debitum consuetum per biennium, habeat dominus accio petend ten in dominico per tale breue. Precipe A

in

Cessauit no qist de hoage qu fecalty p p stat, mob qist l'ressor de fuit al court on rt, 6, H. 7: 7, b 7, H. 7, 2, a. 33, H. 6, 44, 45. 17, 23: 57. 5, 28, a. bat na: br 139, b.

iste &c. rdedat B. tale teñ, quod A. de eo tenuit p
ile seruitium, & quod ad predictum B. reuerti dz
quod predictus A. in faciend predictum serui-
um per biennium cessauit, vt dicit. Et non so-
m in isto casu, sed in casu de quo fit mentio in
redicto statuto Gloc', fiant breuia de ingressu he-
di petenti super heredem tenentem & super eos
ibus alienatum fuerit huiusmodi teñ.

22 ¶ Cum duo vel plures teneant boscum,
rbariam, piscariam, vel alia huiusmodi in com-
uni absque hoc quod aliquis sciat suum sepera-
& aliquis eorum faciat vastum contra volun-
tem alterius, moueatur accio per breue de va-
o. Et habeat defendens, cum ad iudicium vene-
; electionem capiendi partem suam in certo lo-
per vic. & per visum & sacim, ac asignationem
cinorum ad hoc electorum & iuratorum, vel
iod concedat quod nihil capiat de cetero in hu-
smodi bosco, turbaria, & alijs, nisi secundum q
rticipes sui capere voluerint. Et si eligat capere
rtem suam in certo loco, asignetur ei locus va-
tus in suam partem, secundum quod fuit ante-
iam vastum fecit. Et est tale breue in hoc casu,
licet cum A. & B. teneant boscum per indiuisi
fecit vastum &c.

Executours. 1. Cap. 23.

¶ Habeant de cetero executores breue de com-
to, & eandem accionem, & processum per illud
eue, quale habuit mortuus, & haberet si vix-
x.

Nusance. 3. Cap. 24.

¶ In casibus in quibus conceditur breue
n Cancellaria de facto alicuius, de cetero

ex stat suspend al prendre, p q̃ ils fuer compe-
-lable p rom ley a faire reste, et p suspend ryb idem
al tenty in com̃ p̃ vn et io intenty p̃ vn, co̧ al
estate de inher: Inst: 200: b. 27, H. 8: 13, b.

si fonf 2 io intenty p̃ vn et al hereditament de lu, et
b. ist wast, rely q̃ ad inher aua par de wast
ne p̃ stat: Inst: 200: b: nemy Blount estr ca: 5: Inst. 53
ff. n. B. 49, 1. 50, d.

non recedant querentes a curia Regis sine remed
pro eo quod ten̄ transfertur de vno in alium. I
in registro de cancellaria non est inuentum alic
breue in isto casu speciale, sicuti de muro, don
mercato, conceditur breue super eum qui leuat
ad nocumentum. Et si transferatur domus, m
res, & his similia in aliam personam, breue nō d
negetur, sed de cetero cum in vno casu concedit
breue in consimili casu simili remedio indigen
sicuti prius, fiat breue, Questus est nobis A.
B. iniuste &c. leuauit domum, murum, mercat
& alia quæ sunt ad nocumentum liberi teneme
sui. Et si huiusmodi leuata ad nocument
transferantur in aliam personam, de cetero
breue sic, Questus est nobis A. quod B. & C.
uauerunt &c.

Quod permittat. 1

¶ Eodem modo sicut persona alicuius eccle
recuperare potest communem pasturam p br
noue diss. eodem modo de cetero recuperet s
cessor super disseisitorem vel eius heredem, per b
ue, quod permittat, licet huiusmodi breue prius
cancellaria non fuerit concessum.

Iuris vtrum. 1

¶ Eodem modo sicut conceditur breue, vtr
aliquod ten̄ sit libera elemosina alicuius ecclesiæ
laicum feod̄ talis, fiat de cetero breue vtrum si
bera elemosina talis ecclesiæ. vel alterius ecclesi
casu quo libera elemosina vnius ecclesiæ transfe
tur in possessionem alterius ecclesiæ.

¶ *vvritta.2.*

Et quociensçunque de cetero euenerit in cancel-
ř, quod in vno casu reperiť breue, & in consimi-
casu cadente sub eodem iure, & simili indigente
medio non reperiť, concordent clerici de cancel-
ria in breui faciendo, vel attermin ent querentes in
oximum parliamentum, & scribantur casus in
ibus concordare non possunt, & referant eos
l proximum parliamentum, & de consensu iu-
peritorii fiat breue, ne contingat de cetero quod
ria domini regis deficiat conquerentibus in iu-
cia perquirenda.

¶ *Assise.6.* *Cap.25.*

¶ Quia non est aliquod breue in Cancellaria,
r quod querentes habeant tam festinum remedi-
n, sicut per breue noue disseisine: dominus rex
luntatem habens vt celeris fiat iusticia', & quod
lationes in placiť communis amputentur & ab-
euientur, concedit quod breue assise no disseisine
cum habeat in pluribus casibus quam prius ha-
iit. Et concedit quod de estouerijs bosci, pro-
uo capiend' in bosco, de nucibus, & glandibus,
alijs fructibus colligend', de corrodio, liberatio-
bladi, & aliorum victualium, ac necessario-
m in certo loco annuatim recipiend', tolneto,
onagio, passagio, pontagio, pannagio, & hijs si-
ilibus in certis locis capiend', custodijs bos-
rum, parcorum, forestarum, chalearum,
arrennarum, portarum, & alijs balliuis, &
ficiaď de feod' iaceat de cetero assisa no diss,
t in omnibus supradictis casibus modo con-

Estrei blue in le 8 Rep: f. 47 a rost estat quāt al
assise est forsq' dertan dat romō lez, et pur ro
on assise fist ē pur bie, romē p mult possis ad dorler

ſtieto fiat breue de libero teñ. Et ſicut prius iacuit, & locum habuit in communia paſture, ita de cetero locum habeat in communia turbariæ piſcarie, & alijs communñ his ſimilibus, quas quis habet pertinentes ad liberum teñ, vel etiam ſine teñ per ſpeciale factum, ad minus ad terminum vite.

In caſu etiam quando quis tenens teñ ad terminum annorum, vel in cuſtod', illud alienat in feod' & per illam alienationem transfertur liberum teñ in feoffatum, fiat remedium per breue nouiſſ. & habeantur pro diſſeiſitoribus tam ille qui feoffat, quam feoffatus, ita quod viuente alter eorum locum habeat predictum breue.

Et ſi per mortem perſonarum ceſſet remedium per predictum bre fiat remedium per bre de ingreſſu. Et quamuis ſuperius fiat mentio de aliquibus caſibus de quibus locum non habuit prius breue noue diſſeiſine, non propter hoc credet aliquis illud breue non competere, vbi prius competerat. Et licet dubitauerint quidam, vtrum in caſu quo quis paſcat alterius ſeperale, fieri poterit remedium per predictum breue, teneatur pro certo, quod in caſu illo per predictum breue bonum & certum est remedium. Caueant de cetero illi qui nominati ſunt diſſeiſitores, quod non proponant falſas exceptiones, per quas captio aſsiſe differatur, dicendo quod alias tranſiuit aſsiſa de eodem teñ inter eaſdem partes, vel dicendo & mentiendo, quod breue de altionatura pendet inter eaſdem partes, de eodem teñ & ſuper his & conſimilibus vocent rotulos, vel recordum ad warrantum, vt per illam vocationem

nem asportare possint vesturam, & leuare red-
itus & alia proficua ad magnum detrimentum
uerentis.

Et quia prius aliam pænam non habuit, quæ
ujusmodi falsas exceptiones mendaciter proposuit
isi tantum quod post mendatium suum conuic-
um, processum fuit ad captionem assise. Dominus
x, cui odiose sunt huiusmodi false exceptiones,
atuit quod si quis disseisitor nominatus persona-
er proponat illam exceptionem ad diem sibi da-
m & defecerit de warranto quod vocauit, habe-
ur pro disseisitore absque recognitione assise, &
stituat dampna prius inquisita, vel post inquiren-
de duplo, & nihilominus pro falsitate sua puni-
ur per prisonam vnius anni. Et si illa exceptio
oponatur per balliuum, non propter hoc diffe-
tur captio assise, nec iudicium super restitutione
i, & dampnum.

Ita tamen, quod si dominus illius balliui, qui ab-
is fuerit, postmodum veniat coram iustic', qui assi-
n ceperint, & offerat verificare per recordum, vel
r rotulos, quod assisa alias transiuit de eodem ten̄
de inter easdem partes, vel quod querens alias se
traxit de breui consimili, vel placit̃ pendeat per
eue de altiori natur̃: fiat ei bre de faciendo veni-
super hoc recordum. Et cum illud habuerit, &
leant Iustic' quod recordum ita ei missum va-
et ante iudic', quod per illud excluderetur que-
is ab actione sua, statim faciant iustic' scir̃ parti,
rius recuperauit, quod sit ad certum diem, ad
em rehabeat defendens seisinam suam, & damp-
si que prius soluit per primum iudicium, simul-

Nieve si un feme couert ou son baro voudra re
cord in Assise et fayle al iour el ne serra attaint
disseisor ke mes apres estant receue el pledera
assise, dome est prise H 11 H 4 f: 48. de Eigne pnt
et fo: 50 del no prisint. B attaint 28 Ploy: 205.
car lentent del feu sors del act ne fuit a conui
cer feme couert de ceste dis: p trespasser.
Et si enfant nasme disseisor voudra record et
fayle, il ne serra emprison come estre ad iudge
vl 36 E 3. B fayler &c. 13. Ploy: Com: 364. Et
T 4 H 7 11 P Hawes. B Courtenure et Dafancy 49

mul cum dampnis que habuit post primum iudicium redditum, que ei restituantur in duplo, sicut supradictum est: & nihilominus puniatur ille qui primo recuperauit, per prisonam secundum discretionem iustiliariorum. Eodem modo si defendens contra quem transiuit asisa, in sua absentia ostendat chartas, vel quas clam, super quarum confectione non fuerunt iurat' examinat', nec examinari poterunt, pro eo quod de eis non fiebat mentio in placitand', & probabiliter ignorare potuerunt confectionem huiusmodi scriptorum. Iustic' visis scriptis illis faciant scire parti que recuperauit, quod sit ad certum diem coram eis venire fac' iurat' eiusdem asise. Et si per veredictum iuratorum, vel forte per irrotulamentum scripta illa verificauerint, puniatur ille, qui asisam impetrauit contra factum suum per pænam supradictam. Nec capiat vic' de cetero bouem a disseisito, sed a disseisitore tantum. Et si plures fuerint disseisitores in vno breue nominat', nihilominus de vno boue sit contentus: nec exigat bouem nisi pro precio vis. vel precium.

¶ *Redisseisine.* 3. *Cap.* 26.

¶ In breuibus de redisseisina adiudicentur de cetero dampna in duplo: redisseisitores de cetero irplegiabiles per commune breue. Et sicut in stat de Merton § ca. 3. § prouisum fuit illud breue de l qui disseisiti fuerunt, postquam recuperauerunt per asisam noue disseisine, mortis antecessor aut per alias iuratas: vlterius de cetero habe

ill

d breue locum in illis qui recuperauerint per altam, redditionem, aut alio modo sine recognitione assisarum vel iuratarum.

¶ *Essoine. 10.* *Cap. 27.*

Postquam aliquis posuerit se in inquisitionem quam ad proximum diem, allocetur ei essonium, ad alios dies sequentes per essonium differatur captio inquisitionis, siue prius habuerit essoñ siue non. Nec admittatur essoñ post diem de prece partiũ in casu in qua partes cõsenserint venire sine essoñ.

¶ *Essoine. 11.* *Cap. 28.*

Cum per statutum VVestm̃ § primer ca. 41. § statutum quod postquam tenentes semel comparuerint in curia, non allocetur eis essoiñ in breuibus assarum: eodem modo de ceterõ obseruetur de tentibus.

¶ *Oyer & terminer. 1.* *Cap. 29.*

Breue de transgr̃ ad audiendum & terminandum, de cetero non concedatur coram aliquibus Iustic', excep̃ iustic' de vtroq; banco, & iustic' itinerant̃, nisi pro enormi transgr̃ vbi̇ necesse est apponere festinum remedium, et dominus rex de gratia sua speciali hoc duxit concedend'. Nec etiam de cetero concedatur breue ad audiendum & terminandum appella coram iustic' assigñ, nisi in speciali casu, & certa causa cum dominus rex hoc preceperit. Sed ne huiusmodi appellati, vel indictati detineant̃ in prisona, habeant breue de odio & atia sicut in Magna Charta § ca. 26. § & alijs statutis

tutis dictum est. § VV. 1. ca. 11. Gloc'. ca. 9. §

¶ *Nisi prius.* I. *cap.* 30.

¶ Asignentur de cetero duo iustic' iurati, cora quibus, & non alijs capiantur asise no. disseisi mortis antecessoris, & attincte, & associent duos vel vnum de discretioribus militibus com quem venerint, & capiant asisas predictas, & tinctas, ad plus ter per anuum, videlicet semel in quindenam sancti Iohannis Baptiste, & gul Augusti & iterum inter festum Exaltationis san Crucis, & Octabis sancti Michaelis, & tertio festum Epiphani, & festum Purificationis be Mariæ. Et in quolibet comitatu ad quanli captionem asise, antequam recedant, statuant di de redditu suo, ita quod omnes de com scire pos eorum aduentum & de termino in terminum iournent asisas.

Si per vocationem warranti, per essoñ, vel per fectum tecognitorum, ad vnum diem captio rundem differatur. Et si aliqua causa viderint qu vtile sit, quod asise mortis antecessoris per essoñ vocationem warranti respectuate adiournent in co, liceat eis hoc facere, & tũc mittant iustic' de b co recordũ, cũ breui originali. Et cum loquela p uenerit ad captionem asise, remittatur loquela breui originali per Iustic' de banco, ad priores stic' coram quibus capiat asisa. Sed de cetero d Iustic' de banco in huiusmodi asisis ad minus q tuor dies per annum, corã prefat iustic' asign parcant laboribus & expensis. Atterminen

quisitiones capiend' de transgr placit coram iu-
s: de vtroque banco, nisi ita enormis sit transgr,
od magna indigeat examinatione.

Atterminent etiam inquisitiones coram eis de a-
placitis placitatis in vtroque banco, in quibus
ilis est examinatio, vt quando dedicit ingressus,
seisina alicuius, vel in casu quando de vno arti-
o sit inquirend'.

Sed inquisitiones de grossis & pluribus articu-
, quæ magna indigeant examinatione capian-
coram Iustic' de bancis, nisi ambe partes petant,
od inquisitio capiatur coram aliquibus de socie-
, cum in partes illas venerint, quod de cetero
fiat nisi per duos Iustic' vel vnum cum aliquo
ite de com, in quem partes consentiunt.

Nec atterminentur huiusmodi inquisitiones co-
aliquibus Iusticiarijs de banco, nisi statuat cer-
dies & locus in com in presentia partium, & di-
locus inferantur in breui de iuditio per hæc
a. Precipimus tibi quod venire fac. coram
iciarijs nostris apud VVestminster in octab.
cti Michaelis, nisi talis & talis die & loco ad
es illas venerint xij. &c. Et cum huiusmo-
di inquisitiones capte fuerint, retornentur in
cis, & ibi fiat iudicium, & irrotulentur. Et
nissa forma predicta alique iuquisitiones ca-
tur, pro nullis habeantur, excepto quod
e vltime presentationis, & inquisitiones su-
Quare impedit atterminentur in proprio
coram vno Instic. de banco, & vno mi-
ad certos tam die & locum in banco statutos,

&

& siue defendens consentiat siue non : & ibi ſta
tim reddat̃ iuditium. § vide 12.E.2. stat̃ Eboru
ca.3. § Habeant de cetero omnes iustic' de ban
in itineribus clericos irrotulantes omnia placita c
eis placitat̃, sicut antiquitus habere consueuerunt
Item ordinat̃ est, quod Iusticiarij ad asisas capie
das asignat̃ non compellant iuratos dicere pr
cise, si sit disseisina vel non, dummodo dicere v
luerint veritatem facti, & petere auxilium i
stic'. Sed si sponte velint dicere, quod disseisi
est, vel non, admittatur eorum veredictum
suo periculo. Et de cetero non ponant iustic'
asisis aut iuratis, aliquos iurat̃, nisi eos qui
hoc prius fuerunt sum̃ § de finibus leuatis. 2
E.1.cap.4.

¶ *Execpcion.1. cap.31.*

¶ Cum aliquis implacitat̃ coram aliquil
iustic', proponat exceptionem, & petat qu
iustic' eam allocent: quam si allocare noluer
& ille qui exceptionem proposuerit, scribat
lam exceptionem, & petat quod iustic' sig
lum suum apponat̃ in testimonio, Iusticiarij
ponant sigilla sua. Et si vnus apponer̃ nol
rit, apponat alius de societate. Et si forte
queremoniam de facto Iusticiariorum venire f
dominus rex recordum coram eo, & si illa excep
non inueniatur in rotulo, & querens ostẽdat exc
tionem scriptam sub sigillo iustic' appenso, man
tur Iusticiario, quod sit ad certum diem ad cogn
cendũ sigillum suum, vel ad dedicendum. E
iustic' sigillum suum dedicere non possit, pro
d

atur ad iudicium secundum illam exceptionem rout admittend̃ esset vel cassand̃.

Mortmaine.2. Cap.32.

¶ Cum viri religiosi, & aliæ personæ ecclesiasti- e implacitent aliquem, & implacitatus fecerit de- ltam, ob quam tenementum amittere debeat, ia iustic' hucusque tenuerunt, quod si implacita- s fecerit defaultam per collusionem, vt cum pe- ns occasione statuti ‡de Religiosis anno septim .1. per titulum doni, vel alterius alienationis, sei- iam de tenemento consequi non possit, per il- m defaltam consequeretur, & sic fieret fraus sta- to. Ordinatum est per dominum Regem, & ncessum in hoc casu quod postquam defaulta sta fuerit, inquiratur per patriam, vtrum petens beat ius in sua petitione vel non. Et si com- rtum fuerit, quod petens ius habuerit, proce- tur ad iudicium pro petente, & recuperet sei- iam suam. Et si ius non habuerit, incurra- r ten̄ proximo domino feodi, si illud petat in- annum a tempore inquisitionis capte. Et si ra annum non petat, superiori domino incur- ur si petat infra dimidium annum post illum num. Et sic habeat quilibet dominus post oximum dominum, spacium dimidij anni petendum, successiue, quousque peruenie- ir ad Regem, cui ad vltimum pro defectu orum dominorum tenementum incurratur. Et calumpniandum iuratores inquisitionis, ad- ttantur quicunque capitales domini feodo- m, & similiter pro Rege qui calumniare luerint. Et remaneat terra, postquam iudicium datum

3. Ed. 13.

datum fuerit in manu domini Regis quousq; t
per petentem, vel per aliquem capitalem domin
distrationetur, & oneretur vic' ad respondend̃ in
ad scaccarium.

Crosses. 1. Cap. 1. 33

¶ Quia multi tenentes erigunt cruces in ten̄
suis. aut erigi permittunt, in preiudicium domin
rum suorum, vt tenentes per priuilegium templ
riorum & hospitaliorum tueri se possent con
capitales dominos feodorum. Statutum est qu
huiusmodi ten̄ capitalibus dominis, aut regi inc
rantur, eodem modo quo statuit alibi de tenen
alienat̄ ad manũ mortuam ‡ de Religiosis 7. E

Rape 2. Cap. 34.

¶ Purueu est que ũ home rauist fe
espouse, damesel', ou auter feme desoznu
per la ou el ne soit assentus, ne auant ne
pzes, eit iudgement de vie & de membze. (
ensemeut per la ou hõe rauist feme dam̃
pouse, damisel', ou auter femme a force, te
soit q̃ el soi assent apzes, eit tiel indgeme
come deuant est dit, sil soit attaint a le s
le roy & eit le roy la suite. De mulier̃ abdu
cum bonis virorum suorũ, habeat rex sectã de b
nis sic asportatis. Et si vxor sponte reliquerit
rum suum, & abierit, & moretur cum adult
suo, amittat in perpetuum accionem petendi d
suam, que ei competere posset de ten̄ viri sui, si su
hoc conuincatur nisi vir suus sponte, & absque
hertione ecclesiastica eã recõciliet, & secũ coha
tare permittat, in quo casu restituatur ei ac

Vide Just: fo: 32, a et b.

ui monialem a domo sua abducat, licet monia-
consentiat, puniatur per prisonam trium anno-
m, & satisfaciat domui a qua abducta fuerit,
mpetenẽ: §& §nihilominus redimatur ad volun-
em Regis.

¶ Vvardrs 12. cap. 35.

¶ De pueris masculis, siue femellis (quorum
ritagium ad aliquem pertineat) raptis & ab-
ctis, si ille qui rapuit non habens ius in mari-
io, licet postmodum restituat puerum non ma-
itũ, vel de maritagio satisfecerit, puniat tamẽ p
nsgressũ per prisonam duorum annorum. Et si
n restituerit, vel heredem post annos nubiles
ritauerit, & de maritagio satisfacere non potue-
abiuret regnum, vel habeat perpetuam priso-
n. Et super hoc habeat querens tale breue. Si
fecerit te securum &c. tunc pone per vad' &c.
quod sit coram Iusticiarijs nostris &c. ostens.
ire talem heredem infra etatem existentem, cu-
maritagium ad ipsum A. pertinet, apud C. in-
itum, tali loco rapuit & abduxit, contra volun-
m ipsius A, & contra pacem &c. Et si heres sit
odem comitatu tunc addatur ista clausula. Et
genter inquiras vbi ille heres sit in balliua tua
§ipsũ vbicunque inuentum fuerit capias, & sal-
& secure custodias, ita quod eum habeas corã
satis Iusticiarijs nostris ad prefatum terminũ,
reddendum cui predictotum A. & B. reddi de-
t. Et fiat secta versus partem de qua queri-
, quousque per districtionem venerit, si ha-
t per quod distringi poterit, vel per contuma-
n (si non sit iustitiabilis) exigatur, & vtlagetur.

Si

Si forte huiusmodi heres ducatur, & transfe
tur in alium comitatum, tunc vic' illius comita
fiat tale breue sub hac forma: Questus est no
A. quod B. nuper talem heredem infra etatem
in custodia sua existen̄, tali loco in comitatu
li, rapuit, & de comitatu illo ad talem locum
comitatu tuo abduxit, contra voluntatem ip
A. & contra pacem &c. Et ideo tibi precipim
quod predictum heredem, vbicunque eum inb
liua tua inuenire poteris, capias, & saluo &
cure eum custodias, ita quod eum habeas cor
iusticiarijs nostris &c. talj loco & die, qu
diem id̄ A. habet versus predictum B. ad redd
cui de iure reddi debeat. Et si heres antequ
inueniri poterit, vel antequam restituatur q
renti, obierit, nihilominus procedat placitum i
eos, quousque terminetur, cui restitui deberet, si
perstes fuisset. Nec excusabitur aut alleuiabit
qui iniuste rapuit huiusmodi hered' de pœna su
dicta per mortem heredis, cuius extitit male f
possessor dum vixit. Et si querens obierit ante p
citum terminatur, si ius ei competebat ratione p
prij feodi sui, resummoneatur loquela ad sec
hered querentis, & procedat placitum debito or
Si vero per alium titulum competat ei ius sicut
tulo donationis, venditionis, aut alio huiusm
titulo tunc resummoneatur loquela ad sec
executorum querentis, & procedat placi
vt predictum est. Eodem modo si mori
pars defendens antequam placit̄ terminetur,
heres restituatur, procedat placitum per
sum̄ inter querentem vel eius heredem,
exec

cutores & executores defendentis, vel eius he-
es si executores non sufficiant, quo ad satisfac-
nem de valore maritagij secundum quod in a-
statutis continetur, sed non quo ad pœnam
onæ, quia quis pro alieno facto non est puni-
lus. Eodem modo cum pendeat placitum in-
partes de custodia terre, vel heredis, vel vtri-
ue per commune breue, quod incipit. Precipe
&c quod reddat &c. fiat resumnionitio inter
edes & executores querentis, & similiter here-
aut executores defendentis, si mors alteram
tem preueniat ante placitum terminatum. Et
n peruenatur ad magnam districtionem, de-
terminus infra quem tres cõm teneantur ad
ius, in quorum quolibet comitatum fiat pub-
proclamatio quod deforciator veniat ad ban-
n, ad diem in breui contentum, responsurus
renti. Ad quem diem si non venerit, & pro-
natio sic semel, secundo & tertio testificatum
rit, procedatur ad iudicium pro querente, sal-
ure defendentis, si postmodum inde loqui vo-
rit. Eodem modo fiat in breui de transgressi.
n quis queritur, se eiectum fuisse de huiusmodi
todijs.

Procurements. 1. Cap. 36,

Quia domini curiar̃, & alij qui curiam tenent,
enescalli, volentes grauare subditos suos, cum
n habeant legalem viam eos grauandi, pro-
ant alios mouere querelas versus eos, & da-
vadium, & offerre plegios, vel impetrare
uia; & ad sectas huiusmodi querentium cõ-
unt eos sequi comitatum, hundredũ, wapenta-

chium, & cuī, quousque finem fecerint cum i
p voluntate sua, statutum est, ꝙ hoc de cetero
fiat. Et si quis per huiusmodi falsas querimo
fuerit attachiatus, replegiet districtionem su
captam, & poni fac' loquelā corā iusticiarijs, co
quibus si vicecomes, vel alius balliuus, vel domi
postquam sit districtus formauerit quærimoni
suam, aduocauerit iustam districtionē ratione
iusmodi querimoniarum coram eis factarum,
replicet, quod huiusmodi querimonia moueb
tur versus eos malicioſe ad instantiam seu proc
tionem vic' aut aliorum balliuorum aut domi
rum, admittatur illa replicatio. Et si super hoc
uicti fuerint, versus dominum regem rediman
& nihilominus huiusmodi sic grauatis, damna
triplo restituant.

Distresses 8. cap. 37.

¶ Quia etiam balliui, ad quos ex officio pt
districtiones facere, grauare volentes subditos
os, vt ab eis pecuniam extorqueant, mittunt ign
ad faciendī districtiones, ea intentione, vt subd
grauare possint per hoc quod sic districti non
bentes noticiam personarum non permittunt
iusmodi districtiones super eos fieri. Statutū
quod nulla districtio fiat nisi per balliuos not
iuratos. Et si alio modo districtiones fecerint
de hoc conuicti fuerint, si grauati breue de tr
gress. impetrauerint, restituant grauatis dar
‡alias in triplo‡ & versus regem grauiter p
antur.

Iure

Iurours 2. Cap. 38.

¶ Quia etiam vic' hundredarij, & balliui liber-
tum consueuerunt grauare subditos suos, ponẽ-
in asisis & iuratis homines languidos, & de-
pitos, per etua vel temporali infirmitate lan-
entes, homines etiam tempore summonitionis
in patria non commorantes, summonendo e-
m effrenatam multitudinem iuratorum, ita vt
uibusdam eos in pace dimittendo pecuniã ex-
queant, & fiunt asise & iurate multociens per
uperiores, diuitibus pro suo dando, domi cõ-
rantibus. Statutum est, quod de cetero non
nmoneãtur in vna asisa plures quam xxiiij. Se-
etiam videlicet vltra lxx. annos, perpetuo lã-
di, vel tempore summonitionis infirmi, vel
patria non commorantes, non ponantur in iu-
is vel minoribus asisis. Nec etiam ponantur in
isis vel iuratis, licet in proprio comitatu capi
eant aliqui qui minus teñ habeant quam ad
entiam viginti solidorum per annum.

Et si huiusmodi asise, & iurati, extra comita-
n capi debeant, non ponantur in eis aliqui
i minus tenementum nõ habeant quam ad va-
tiam quadraginta solidorum per annum, illis
eptis qui testes sunt in chartis, vel alijs scriptis,
orum presentia necessaria est, dum tamen po-
tes sunt ad laborandum. Nec debet istud sta-
um extendi ad magnas asisas, in quibus
ortet aliquando ponere milites in patria non
identes, propter paucitatem militum, dum
nen tenementum habeant in comitatu. Et si
' vel subballiui sui, vel balliui libertatum, contra

Ptud statutum in aliquo articulo venerint, & su
hoc conuincantur, restituant damna grauatis
nihilominus sint in misericordia domini regis.
habeant iusticiarij ad assisas capiend' assign̄, cum
com̃ venerint potestatem audiendi quærimon
singulorum conquerentium, quo ad articulo
isto statuto contentos, et iusticiam in forma p
dicta exhibend'. § 21. Edwardi primi de pone
dis in Assisis.

¶ *Retorne of shirifes.* 1. *Cap.* 39.

¶ Quia iusticiarij (ad quorum officium spe
vnicuique coram eis placitanti iusticiam exbibe
frequentius impediuntur, quo minus officium
um debito modo exequi possint, per hoc quod
breuia originalia & iudicialia non retornant,
hoc etiam quod ad breuia domini regis falsum
tornant responsum. Prouidit dominus rex &
dinauit, quod illi qui timent maliciam vic', liber
breuia sua originalia & iudicialia in pleno com̃
§in§ retro com̃, vbi fit collatio denarior' dom
regis & capiatur billettum de vic' presente, vel su
uic', in quo biletto contineantur nomina peten
um & tenent' in breui nominat', & ad requisiti
nem illius qui breue liberauit, apponat' biletto sig
lum vic' vel subuic' in testim. & fiat mentio de
liberationis breuis.
Et si vicecomes vel subvicecomes huiusmodi bil
to sigillum suum apponere noluerit, capiatur t
timonium militum & aliorum, fide dignor
qui presentes fuerint, q̃ sigill' sua hm̃i billeto app
nant. Et si vicecom̃ breuia sibi liberata non ret
nau

mauerit & super hoc ad iusticiarios perueniat
ierimonia, mandet̃ per breue de iudicio, iustic' ad
sisas capiendas assigñ, quod inquirent per eos
i presentes fuerint, quando bre vic' liberatum
it, si sciuerint de illa deliberatione, & inquisitio
turnetur. Et si compertum fuerit per inquisitio-
nem, quod breue fuit ei liberat̃, adiudicentur
erenti vel petenti damna, habito respectu ad
ualitatem & quantitatem actionis, & ad pe-
ulum quod ei euenire posset, per dilationem
iam patiebatur. § Anno.2. E.3.ca.5. apud
ot̃. § Et per istam viam fiat remedium
iando vic' respondet, quod breue adeo tarde ve-
t, quod preceptum regis exequi non potuit
ultotiens itiam capiunt placita dilationes per
c quod vic' respondet, quod precepit balliuis
cuius libertatis, qui nihil inde fecerint, & no-
net libertates que nunquam retornum breuium
buerunt.

Propter quod, ordinauit dominus rex, quod
esaurarius & baron̄ de scaccario liberent § iu-
ciarijs in rotulo omnes libertates in quibuscun-
e com̄ qui hn̄t retornum breuium. Et si vic' res-
ndet quod mandauit balliuo alterius libertatis,
iam alicuius contente in predicto rotulo, statim
iniatur vic' tanquam exheredator regis & coro-
sue. Et si forte respōdeat quod mādauit balliuo
cuius libertatis, que veraciter retornū hz § qui nihil
de fecit § mādetur vic' qd' nō omittat propter aliquā
ertatē predictā, quin exequatur preceptū dñi re-
s, & quod scire faciat balliuis, quib⁹ fecit returnū

quod sint ad diem in breui contentum ad respi
dendum, quare de precepto domini Regis ex
cutionem non fecerint. Et si ad diem venerin
& se acquietent, quod returnum breuis non fi
eis factum, statim condemnetur vic' domino ill
us libertatis, & similiter parti læse per dilati
nem in restitutionem damnorum. Et si ad d
em non venerint balliui, vel venerint, & si
pradicto modo se non acquietauerint, in qu
libet breui de iudicio, quam diu durat placi
precipiatur vicecomiti quod non omittat prop
libertatem &c. Multociens etiam vic' falsu
dant responsum, quo ad illum articulum qu
de exitiũ &c. Mandantes aliquando & men
entes, quod nulli sunt exitus, aliquando quod pa
sunt exitus, cum de maioribus respondere po
sint, aliquando non facientes mentionem de ex
tibus. Propter quod ordjnatum est & concord
tum, quod si querens petat auditum responsi
nis vicecom̃, concedatur ei. Et si offerat veri
care, quod vicecom̃ de maioribus exitibus n
respondere potuit, fiat ei breue de iudicio
Iustic' ad assisas capiendas assignatos quod i
quirant in presentia vicecomitis, si interesse volu
rit, de quibus & quantis exiũ respondere p
tuit a die impetrationis breuis vsque ad diem
breui contentum ‡al' receptionis vide P.27.H.
cap.10.f.3.& P.20.H.6.cap.10.fol.25.‡& c
inquisitio retornata fuerit, si de pleno prius nõ r
sponderit, oneretur de superplusagio per extract
iustic' liberatas ad scaccarium, & nihilomin
grauiter amercietur pro concelamento. Et sc

Si vicecomes vel alius iosum vel ad illud fr
furorem, p nesciendum statutum, 10.H.
7.11,b.

c' quod, redditus, blada in grangia, & omnia obilia, preter equitaturam, indumenta, & vtensi- domus continentur sub nomine exituum.

Et precepit dominus rex, quod vic' pro huiusmo- falsis responsionibus semel & iterum (si sit ne- se) per iustic' castigentur. Et si tertio deliqueint, alius non appon̄ manum quam dominus rex ultotiens etiam falsum dant responsum, mandando quod non potuerunt § exequi § precepm regis propter resistentiam potestatis alicuius agnatis, de quo caueat vic' de cetero, quia huiusodi responsio multum redundat in dedecus doini regis & coronæ sue.

Et quam cito subballiui sui testificentur, quod uenerunt huiusmodi resistentiam, statim (omnis omissis) assumpto secum posse com̄ sui, eat in opria persona sua, ad faciend' executionem.

Et si inueniat subballiuos mendaces, puniat eos r prisonam, ita quod alij per eorum pænam cagentur.

Et si inueniat eos veraces, castiget resistentes r prisonam, a qua non deliberetur sine speciali ecepto domini regis. Et si forte vic' cum vene-, resistentiam inuenerit, certificet cur̄ de nomibus resistentium, auxiliantium, consentienin, precipientium & fautorum, & per breue de dicio attachient̄ huiusmodi per corpora, ad vendum ad cur̄ regis. Et si de huiusmodi rentia conuincantur, puniantur secundum uod domino regi placuerit. Nec intromit- se aliquis minister domini regis de pæna

Cest parol prout q̄ sil̄o vir̄ vtorne pnvesh
quo fuit a lup pte pty et autor̄ q̄ ilb̄ ana
fisaudr̄ a reo. Pidd Dide pl. 36 fol. 212

huiusmodi infligenda, quia dominus rex hoc si
specialiter reseruat, pro eo quod huiusmodi resister
tes censentur pacis sue & regni perturbatores § 1.
E.1.de mercatoribus articuli super cartas. c
16.

¶ *Age.4.* *Cap.40.*

¶ Cum quis alienat ius vxoris sue, concordat e
quod de cet ero secta mulieris, aut eius hered
non differatur post obitum viri per minorem et
tem heredis, qui warrantizare debet, sz expect
emptor (qui ignorare non debuit quod ius ali
num emit) vsque ad etatem warranti sui, de wa
rantia sua habenda.

¶ *Contra formam collationis.* 1. *Cap.41.*

¶ Statuit dominus rex quod si abbates, priores, c
stodes hospitalium, & aliarum domorum religi
sarum fundatarum ab ipso, vel a progenitoribus s
alienauerint de cetero, ten̄ domibus ipsis ab ip
vel a progenitoribus suis collata, ten̄ ill' in manu
domini regis capiantur, & ad voluntatem suam t
neantur, & emptor amittat suum recuparare, ta
di ten̄ quam de pecunia, quam paiauit. Si a
domus illa a com̄, baron̄, vel ab alijs fundat̄ fue
de ten̄ sic alienat̄ hēat ille a quo vel a cuius an
cessore ten̄ sic alienat̄ collatum fuerit, breue ad
cuperand' ten̄ illud in dominico, quod tale est p
cipe tali abbati, quod iuste &c. reddat B. tale ten̄ c
eidem domui colatum fuit in liberam elemosin
per predict̄ B. vel antecessores suos, & quod
dict̄ B. reuerti debet per alienationem, qu
pred

dictus abbas fecit de predicto ten̄ contra for-
m collationis predicte, vt dic'. Eodem modo
ten̄ dar̄ pro cantaria ⁊ sustinenda ⁊ vel lumina-
in aliqua ecclesia vel capella, vel alia elemosina
tentanda, si ten̄ sic dar̄ alienetur. Et si forte ten̄
dar̄ pro cantaria, luminari, pastu pauperum, vel
elemosina sustentanda vel faciend', non fuerit
enar̄, sed subtracta fuerit huiusmodi elemosina
biennium, competat actio donatori aut eius he-
li ad petendum ten̄ sic datum in dominico, si-
statur̄ est in statuto Glocester, de ten̄ di-
sis ad faciundum vel reddendum quartam
tem valoris ten̄, vel maiorem. Glocester
.4.

¶ *Fees. 1. Cap. 42.*

De marescallis domini regis de feodo, camerarijs,
stodibus hostiorum in itinere iustic', & seruien-
us virgam portantibus coram iustic' apud
stminster, qui officium illud habent de feodo,
qui plus exigunt ratione feodi sui quam exigere
nsueuerunt, secundum quod multi querun-
super eos qui statur̄ cur̄ a multo tempore vide-
nt & sciunt, dominus rex inquiri fecit, quem
tur̄ predicti ministri de feodo habere consueue-
nt temporibus retroactis, & per inquisitionem
tuit & precepit, quod marescallus de feodo
i de nouo exigit palfridum de comittibus, ba-
ñ, & alijs per partem baronie tenen̄, quan-
homagium fecerint, & nihilominus ad mili-
m eorum alium palfridum, & de quibusdam
etquibus palefridum habere non debuit) pa-
lefridū

Doteb 2 h4 f17 p24.

lefridum de nouo exigunt, ordinauit quod predi
ctus mareſcallus de quolibet comite & barone (in
tegram baroniam tenente,) de vno palefrido ſi
contentus, vel de precio quale antiquitus percipe
conſueuit, ita quod ſi ad homagium, quod feci
palefridum vel precium in forma predicta ceperi
ad militiam ſuam nihil capiat.

Et ſi forte ad homagium nihil ceperit, ad mili
ciam ſuam capiat. De abbatibus, & prioribus in
tegram baroniam tenentibus cum homagium a
fidelitatem pro baronijs ſuis fecerint, capiat pal
fridum vel precium, vt predictum eſt.

Hoc idem de archiepiſcopis, & epiſcopis ob
ſeruand' eſt. De his autem qui partem baron
tenent, ſiue ſint religioſi, ſiue ſeculares, capiat ſi
cundum portionem partis baroniæ, quam tenent
De religioſis tenent̃ in liberam elemoſinam, & n
per baroniam, vel partem baronie, nihil de cete
exigat mareſcallus.

Et conceſsit dominus rex, quod per hoc ſta
tutum non precludatur mareſcallus ſuus de feod
in plus petendo, ſi in poſterum oſtendere poter
quod ius habeat plus petendi.

Camerarij domini regis habeant de cetero c
archiepiſcopis, epiſcopis, abbatibus, prioribu
& alijs perſonis eccleſiaſticis, com̃, baroñ in
tegram baroniam tenent̃, rationabilem fine
cum homagium aut fidelitatem pro baronijs ſi
fecerint. Et ſi per partem baronie teneant, c
piant rationabilem finem ſecundum portione
ipſis contingentem. Alij vero abbate
priores, religioſi, & ſeculares non tenen

baroniam, vel partem baronie, non distrin-
ntur ad finem faciend', secundum quod de te-
ntibus per baroniam vel partem baronie dictum
, sed sit Camerarius de superiori indumento
ntentus, vel de precio indumenti: quod plus
neste dictum est pro religiosis quam seculari-
s, quia honestius est quod religiosi paiant pro
eriori indumento, quam exuant.

¶Citation 1. Cap° 43.

¶Prohibeatur de cetero hospitularijs & templa-
,ne de cetero trahant aliquem in placitum co-
n conseruatoribus priuilegiorum suorum de ali-
a re, cuius cognitio spectat ad forum regium.
Quod si fecerint, primo restituant damna parti gra-
e & versus dominum regem grauiter punian-
.Prohibet etiam dominus rex conseruatoribus
uilegiorum eorundam, ne de cetero (ad instanti-
hospitulariorum, templariorum, aut aliorum
uilegiatorum) concedant citationes, priusquam
orimatur super qua re fieri debeat citatio. Et si
lerint (huiusmodi) conseruatores, quod petatur
atio de aliqua re, cuius cognitio spectat ad forũ
gium, huiusmodi conseruatores nec citationem
iant, nec cognoscant. Et si aliter fecerint
nseruatores, respondeant parti læse de dam-
, & nihilominus versus dominum regem
uiẽ punianẽ. Et quia huiusmodi priuilegiaẽ
petrant conseruatores, subpriores, p̃ntatoẽ
ristas, religiosos, qui nihil hñt vnde lesis aut
domino

domino regi satisfacere possint, qui audatiores si
ad ledend' dignitatem domini regis quam eoru
superiores, quibus per eorum temporalia pæna p
test infligi, Caueant de cetero prelati huiusmodi
bedientiariorum, ne permittant obedientiarios s
os assumer̃ sibi iurisdictionem in preiudicium d
mini regis & coronæ sue. Quod si fecerint, pro fa
to ipsorum respondeant sui superiores ac si de ꝓpr
facto suo conuicti essent.

¶Fol. 2. Cap. 44.

¶De custodibus hostiorium in itineribus virg
portantibus coram iustic' de banco: ordinat̃
quod de qualibet assisa & iurata quam custodiu
capiant decem denarios tm̃, de chirographis nil
De his qui recuperant demandas suas versus plu
per defaltam, redditionem, vel alio modo per i
dicium sine assisa vel iurat̃, nihil. De his qui re
dunt sine die per defalt̃ petentis, vel querentis ni
capiant. Et si quis recuperauerit demandam
am versus plures per vnum breue, & per recog
tionem assise vel iurat̃, de quatuor denarijs sint co
tenti. Et similiter si plures in vno breui nomi
ti per recognionem assise vel iurate recuperaue
demandam, de quatuor denarijs sint conte
De his qui faciunt homagium in banco,
superiori panno sint contenti. De magnis ass
attinctis, iuratis, & duello percusso xij.d' tm̃
piant. De his qui vocati sunt coram iustic'
sequend', vel defendend' placitum suum, nihil
piant pro egressu vel ingressu. Ad placita corona

quoli

ualibet duodena xij.d.tantum capiantur. De
uolibet priſonario deliberato iiij.d.tantum capi-
tur. De quolibet cuius pax proclamata fuerit
l. tantum capiatur. De inuentoribus occiſo-
m & alijs attachiatis vill', quatuor denarij. De
cenarijs hominibus alijs, de quatuor hominibus
propoſito ac denarijs nihil ℈ nihil capiatur. De
rographijs pro Cirographo faciendo ſtatu-
m eſt, quod de quatuor ſolidis ſint contenti. De
ricis ſubſcribentibus breuia originalia et iuditi-
a ſtatutum eſt: quod pro vno breui de vno de-
rio ſint contenti. Et iniungit dominus Rex
nibus & ſingulis iuſticiarijs ſuis in fide & ſa-
mento quibus ei tenentur, quod ſi huiuſmodi
niſtri contra prædictum ſtatutum in aliquo ar-
ulo venerint, & quæremonia ad eos pertineat,
nam eis infligant rationabilem. Et ſi iterum de-
uerint, maiorem pænam eis infligant, qui caſti-
gi merito debeant. Et ſi tertio deliquerint, &
er hoc conuicti fuerint, ſi ſint miniſtri de feodo
ittant feodum ſuum, & ſi alij ſint, amittant cu-
n regis, nec redeant ſine ipſius regis ſpeciali p̃-
to aut gratia.

¶ *Execution* 3. *cap.* 45.

¶ Quia de his que recordata ſunt coram Can-
lario domini regis, & eius iuſticiarijs qui recor-
n habent & in eorum rotulis irrotulatur, non
et fieri proceſſus placiti per ſummonitionem,
chiementa, eſſonium, viſus terre, & alij ſolem-
ites curiæ, ſicut fieri conſueuit de contractibus
conuentionibus factis extra curiam, obſeruan-
u eſt de cetero ꝗ ea quæ inueniũtur irrotulat̃

coram

coram his, qui recordum habent, vel in finib
contenē siue sint contractus, siue conuentiones,
ue obligationes, siue seruicia, aut consuetudine
recognita, siue aliqua quecunque irrotulata, quib
curia domini Regis (siue iuris & consuetudinis o
fenso) auctoritatem prestare potest, talem de c
tero habeant vigorem quod non sit necesse in p
sterum de his placitare, sed cum venerit .conqu
rens ad curiam domini regis, si recens sit cogniti
vel finis leuaē vz infra annum, statim habeat b
ue de executione illius recognitionis facte. Et
forte a maiori tempore transacto facta fuerit i
recognitio, vel finis leuatus, precipiatur vicec
quod scire faciat parti, de qua sit querimonia,
sit ad certum diem coram Iusticiarijs, ostendens
quid sciat dicere) quare huiusmodi irrotulaē, vel
fine contenē executionem habere non debeant.
si ad diem non venerit, vel forte venerit, & ni
sciat dicere, quare executio fieri non debeat, p
cipietur vic', quod rem irrotulatam, vel in fine co
tentam exequi faciat. Eodem modo mandetur
dinario in suo casu, obseruaē nihilominus qd § V
2, cap. 9. § supradictum, est de medio, qui p rec
nitionem aut iudicium obligatus est ad acqu
tandum. 13. E. 1. Mercatoribus.

Approuer 2. Cap. 46.

¶ Cum in statuto edito apud Merton, ca
concessum fuerit, quod domini vastorum, bos
rum, & pasturarum approuare se possint de va
boscis, & pasturis illis, non obstante contradi
one tenentium suorum, dummodo tenentes
habe

berent sufficientem pasturam ad tenementa
ꝫ, cum libero ingressu & egressu ad eadem. Et
p eo quod nulla fiebat mentio inter vicinum &
inum, multi domini vastorum boscorum, &
sturarum hucusque impediti extiterint per con-
dictionem vicinorum sufficientem pasturam
bentium. Et quia forinseci tenentes non ha-
nt maius ius communicandi in bosco vasto, aut
stur̃ alicuius domini, quam proprij tenentes ip-
s domini: statutum est de cetero quod statuti
ad Merton prouisum inter dominum & tenen-
t suos, locum habeat de cetero inter dominos va-
rum, boscorum, & pasturarum & vicinos, ita
od domini huiusmodi vastorum boscorum, &
stur̃ salua sufficienti pastura hominibus suis &
inis, approuare sibi posint de residuo. Et hoc
seruetur de his qui clamant pasturam tanquam
tinentem ad tenementum suum. Sed si quis
mat communiam pasturam per speciale feoffa-
ntum, vel concessionem ad certum numerum
riorum, vel alio modo, quam de iur̃ commu-
nabere deberet, cum conuentio legi deroget, ha-
bit suum recuperare, quale habere deberet p for-
m concessionis sibi facte. Occasione molen-
ventritici, bercarie, vaccarie, necessarij, augmẽ-
onis cur̃, aut curtilagij de cetero non grauetur
s per asisam noue disseisine de communia pa-
re. Et cum contingat aliquando, quod a-
lius ius habens approuare, fossatum aut sepem
kauerit, & aliqui noctanẽ, vel alio tali tem-
pe quo non credant factum eorum sciri,
fossatũ

fossatum aut sepem prostrauerint, nec sciri potu
rit per veredictum assise aut iurate, qui fossatu
aut sepem prostrauerint, nec velint homines c
villatis vicinis indictare de huiusmodi facto cu
pabiles, distringantur propinque villate circũ ac
iacentes, leuare fossatum aut sepem, ad costum
prium &, damna restituere,

Assise 7.

¶ Et cum aliquis ius non habens cõicãdi vsu
pet communiam tempore quo heredes infra et
extiterint, vel vxores sub potestate virorum suo
existentes, vel pastura sit in manu tenentium in c
tem, per legem Angliæ, vel aliter ad terminum
tæ, vel annorum, vel per feodum talliatum, & p
stura illa diu fuerint vsi, multi sunt in opinione
huiusmodi pasture debent dici pertinere ad lib
teñ, & quod huiusmodi possessori competere
bet actio p breue no. diss. si ab huiusmodi pas
deforceãtur, sed de cetero tenendum est q̃ habẽ
huiusmodi ingressum a tempore quo currit br
mortis antecessoris §s. del commencement del h
per VV. 1. ca. 38. ‡ si antea communiam non h
buerunt, non habeant recuperare per breue ne
disseisine si fuerint deforciati.

Fish and Fishinges. 1. Cap. 47.

¶ Prouisum est quod aquæ de Humb
Ouse, Trent, Done, Arre, Derew
VVherff. Niddiore, Swale, Tese, Tyne, Ed
& omnes aliæ aquæ ‡ in regno ‡ in quibus Saln
nes capiuntur, ponantur in defenso, quo
Salmones capiendos, a die Natiuitatis b

M

ariæ, vsque ad diem sancti Martini. Et similiter
od salmunculi non capiantur, nec destruantur
r retia, nec per alia ingenia ad stagna molendi-
rum, a medio Aprilis vsque ad natiuitatem san-
Iohannis Bap. Et in partibus vbi huiusmodi
arie fuerint, assignentur conseruatores istius sta-
i, qui ad hoc iurati sepius videant & inquirant
huiusmodi transgressione, & in prima transgr
niantur per combustionem retium, & ingeno-
n suorum. Et si iterato deliquerint, puniantur
prisoniam quarterij anni. Et si tertio deliquerint, puniantur per prisonam vnius anni. Et sic
stiplicata transgressione, crescat pene inflictio.
nno 17.R.2.cap.9.

¶ *Vicvv 1. Cap.48.*

¶ De visu terræ ordinatum est & statutum q
cetero non concedatur visus, nisi in casu quan-
visus est necessarius. Sicut si aliquis amittat
ementum per defaltam: & ille qui amisit susci-
aliud breue ad petendum idem ten̄. (Et in casu
ando aliquis per exceptionem dilatoriam cassat
ue post visum terræ, sicut per non tenuram. vel
de nominando villam, vel huiusmodi, si susci-
aliud breue, in hoc casu & in superiori de ce-
o non concedatur visus, dummodo visum
buerit in prioribus breuibus.) In breui de do-
ompetatur dos de tenemento, quod vir vxo-
alienauit tenenti aut eius antecessori, cum igno-
e non debeat tenens, quale ten̄ vir vxoris aliena-
sibi vel antecessori suo licet vir non obijt seisi-

Vnore Mlt 4 et B view 75 si vpa ad view in
Precip: quod redd: et suis abate le brief p faux
Latin ou autre faute apparant q in autre bre
q aura le view.
Et Mlt 12 H 4 10 Precipe quod redatt portvers
& ils auorent le view cu onorust le plain
tif purchase nouell brief, le fur mior auā
antersorts in erst case. vide p 11 d H 7 to: 8. pl: 13.

tus, nihilominus tenenti de cetero non erit visi
conced ēdus. In breui etiam de ingressu cassa
per hoc quod petens nominauit male ingressum,
petens suscitet aliud breue de alio ingressu, si teni
in priori breui visum habuerit, in secundo non ha
bebit. In omnibus etiam breuibus per que ten̄ p
tenē ratione dimissionis, quam petens vel eius an
tecessor fecit tenenti, & non eius antecessori, fic
quod ei dimisit, dum fuit infra ætatem, non com
pos mentis, in prisona, & consimilibus, non iac
at de cetero visus, sed si dimissio facta fuerit ant
cessori iaceat visus sicut prius.

¶ *Champarty* 2. *Cap.* 49.

¶ Chauncelle, Treasorer, Justices,
nul del counselle le roy, ne clerke de la chan
cerie, ne del eschequer, ne de iustice, ne dau
minister, ne nul del hostelle le roy, ne clerk
ne lai ne puis resceiuer esglise, ne aduow
de esglise, ne terre, ne tenem̄t ne fee, p don
ne per achate, ne a ferm̄, ne a champty, ne
auter maner, tanq̄ come le chose est en p
deuant nous, ou deuant dl̄ ō nous minis
ne nul lower ent soit pris. Et q̄ encount
rest chose face, ou per luy ou par auter,
nul bargaine ent face, soit puni a la volu
le roy auxibien celuy que le purchasera c
celuy que le fra. 11. E. 1. champartie 1. c
ticuli super chartas ca. 11.

50 ¶ Omnia prædicta statuta incipiant c
seruari ad festum sancti Michaelis proximo v
turum, ita quod occasione aliquorum delictor
contra aliquod predictorum statutorum citra p
dictum festum perpetratorum, pœna delinqu
ti

is) de quibus mentio fit in statutis, non insti-
gur.

¶ *Accion vpon the statute 1. cap. 51.*

¶ Super vero statutis in defectum legis & ad
iedia editis, vt diutius querentes cum ad curi-
am Regis venerint recedant de remedio des-
perati, habeat breuia sua in suo casu pro-
uisa, sed non placitant̃ vsque ad
festum sancti Michaelis
supradictum.

¶ Explicit statutum de westm̃
second.

Statutum de Mercatoribus edit̃ Anno xiij. E. j.

¶ *Recognisaunce &c. 2.*

DUr ceo que merchants, queux auant
ceux heures out a prest iour auoier
a diuers gentes, sont chies en po-
uertye, pur ceo que nauoient pas
si readye ley parueu, pur la quel
purroyent iour dettes hastiement re-
cuerer au iour asses de la paye, et per
enchefon, sount multes des merchaun-
sustretes de vener en cel terre oue iour

merchandises, au dam̃ des merchantes & tout le Roialme: nostre signiour le Roy p luy & per son counsel a son parliament qu tient a Acton Burnel, aprẽs la seint Mi chael, lan de son raigne xi. fist & ordigne l establishmentes sur ceo, a remedie des me chantz les queux ordeinementes & establis ments le roy comaunda que tenus fusse et firmement gardes en tout son roialm̃, d merchantes ount eue remedi & meins d mischieues & trauailes de recouer lour de que auant ne soilent Mes pur ceo que me chantes puis soy pleindront au roy que l vit̃ malement interpretont son estatute ascune foitz per malice & per male interp tation delaieront lexec̃ del estatute, au gr dam̃ des merchants. Le Roy a son parlia a westm̃, aprẽs la Pasche, lan de son raig xiij. fist reciter lauantdit statute fait a A Burnel, & pur declarer ascuns articles l estatute auantdit, ad ordeigne & establie q merchant que doit estre sure de sa dette, f venir son dettour deuant le Maior de Lo dres, ou deuant ‡auter ‡chiefe gardein de citie, ou dauter bon ville, ou le roy ordig et deuant le maior ou chief gardein ou a ter probe home a ceo estieu & iure, quat le Maior ou chiefe gardeine ne poiet a entender, & deuant vn des clerkes q̃ le r a ceo assignera, quant ambideux ne poiet ceo entend̃, conus la dette & le iour de le p ment, & soit le recognisans enrolt de le m dune des auantdit clerkes que serra com

le roule serra double, dont lun demurge
rs le maior ou chiefe gardein, et lautet
rs le clerk, que a ceo serra primes nosme,
t ouster ceo vn des auandit clerkes de son
maine face lescript del obligatiō, a q̄ escript
it mise le seale del dettor, oue le seal l' roy
a ceo est purueu: le quel seale serra v̄ deux
peces, dont le greinder pece demurrera en l'
trū le Maior, ou le chiefe gardeine, & lau=
r pece en le maine le auantdist clerke. Et
e dettour ne rendra le dett au iour que a
y est assigne, cy deigne le Marchant al
Maior et clerk oue son letter del oblig. Et
troue soit per rolle, ou per letter, q̄ la dett
it conus, & la iour ‡ de paiment ‡ assigne,
it passe, cy face le maior ou chiefe gardein
endre le corps le dettor (si soit lay) quel
ure q̄ il soit troue deins iour power, a ly=
r al prison de la ville, si prison y soit, et la
murge a sez costagez ppers. iesq̄ a tāt q̄l
fait gree de la det. Et commaund est q̄ la
rdein de la prison de la ville le resceiue p
lyuery del Maior, ou le chiefe gardeyne.
t si ne luy voile resceuer, cy respoign mai=
nant le gardein de la prison de la det, si ad
quoy, et si nad de quoy, respoigne celuy
e la prison luy baile a garder. Et si le
ttor ne puit estre troue en le power le ma
r, ou le chiefe Gardeyne, donques maūde
Maior ou chiefe gardeine desouth l' seal
l roy auantdit al chaunc̄ la recognis. fait
la dett. Et le chaunc̄ enuoyera briefe al
cont en que baily le dettour serra troue,

que il preigne son corpes, ſi il ſoit laye, et e
ſafe priſon luy garď, ieſques a taũt quil a
fait grae de la dette. Et de deins vn quarte
del an apres ceo que il ſerra priſe, eit les cha
teux et ſes terres deliueres, iſſint que p le
ſoiens puiſſe leuer et paier la dette. Et bie
luy liſt deins cel quarter del an, terres & te
nementes vendre pur ſes dettes acquite
& ſa vende ſerra ferme & eſtablye. Et ſi n
face grae deins le quarter, apres le quarte
paſſe ſoient liueres al merchant toutes le
biens del dettour, & touts, ſes terres per r
ſonable extent, a tener ieſque a taunt que
dette ſerra leue pleinnmẽt. Et la le pluis tar
le corps demurge en priſon, come deuant e
dit. Et le merchãt luy troua pane & eẽ
Et eit le merchant en ceux tenemẽts liue
res a luy, ou ſon aſſigne tiel ſeiſine quil pu
iſſe porter briefe de nouel diſſeiſine, ſi ſoy
engette, & rediſſeiſine auxy come de franke
nement, a teñ a luy & a ſes aſſignes, tanq l
dette ſoit paie. Et apres la dette leue et pa
ſoit le corps le dettour deliuer, oue ſa terr
Et en les briefes que le Chaunc enuoyera
ſoit mẽciõ fait, que le viſc certifiera les iuſ
res de lune banke ou de lauter, coment il a
ueẽ perfourme le cõmaundemt le roy a b
certeine iour: a q̃l iour le merchant, q̃ ſo gr
ne ſoit fait, ſua deuant les Juſtices. Et q̃ l
viſc ne retorñ nul brief, ou retorñ que le bri
vient trope tard, ou quilz ont maũdes as be
lifes, des fraunchiſes, q̃ facent les Juſtice
ſolonq ceo que eſt contenue en le darrey
eſta

Statute de Westminster ‡ca.39. Et si p cas
: vicōt maūd que le dettour nest pas troue
a soit clerke, cy eit le merchāt brēs a toutz
s viconts ou il auera terre, quilz luy liue=
it touts les chateux, et toutz les tenemētz
dettour per reasonable extent, a ten a luy
: a ses assignes en la fourme que est auant
it. Et ialemeins eit brief a quel viscont q̄
voudra, de prender son corps si il soit laye,
: a tener en la fourme auantdit. Et byen
y garde le gardeine del prison, que luy co=
endra responder del corps, ou de la dette.
Et apres ceo que les terres le dettour sont
ueres al merchant, bien purra le dettour sa
rre vendre, issint que le merchant neit da=
ages de les approuemēts. Et salues soy=
it toutz iours al merchantes, damages, et
uts costages necessaries et reasonables en
auailes, sutes, delaies, et dispenses. Et si
dettour troua pledges que se tonust estre
incipales dettours, apres le iour passe soit
it de les pledges en touts choses come de=
int est dit de le principalle dettour quant a
rps prendre, et terres liuerer, et auters
oses. Et quant les tres les dettours soi=
it liueres au merchāte: il eit seisin de toutz
rres queux fuerunt en la maine le dettour
iour de la reconusance fait, en que maines
e ilz serront apres deuenus, ou per feoffe=
ent, ou per auter mater. Et apres la dette
ie les tres et issues des terres des dettorz
r feoffement, retournent auxibien arrere al
offes, come les auters terres as dettours.

Et q̃ le dettour ou les pledges mourge, net
le marchant power de prendre le corps de
heire, mes eit ses terres, come auant est dit
q̃ l est dage: ou quant il serra de pleine age
lesqz a tant que il ad leue des terres le a
mountance de la dett. Et soit purueu vn a
ter seale q̃ seruera a faires. Et icel seale se
ra enuoy a chescun faire desouth le seale l
Roy, per vn clerke iure ou per le gardein
la faire. Et per le cominaltie des Mar
chantes de la city de Londres, soient ell
eus deux loialx marchaunts, queux facent
serement, & deuant eux soit le seale ouert,
lun pace soit baile a les auantdists ma
chants, & lauter demurge vers le clerke,
deuant eux, ou de lun des marchants, q̃ au
bydeux ne poient attendre, soient les con
sanses faits, sicome auant est dist. Et au
ceo que le recognisaunce soit enrole, soyt
peine del auauntdit estatute appertene
lie deuant le dettour, issint que il ne p
isse auterfoits dire, que vn luy mist a aut
peine que a cel a que il soy oblig. Et a suste
ner les costages de lauãtdit clerke, q̃ prẽd
le roy de chescune li. i. d̃ en chescune bill o
le seale serra mis, forspryse faires, ou il pr
dra trois mailles de chescune li. Cest ord
nemẽt & establishmẽt voit le roy, que deso
mes soit ten' p tout lõ roialme Dẽgleter
& Direlãd entre q̃l gents que ceo soit qui
sour eign̄ degree, celz reconus. boudrõt fai
forspris Jewes, as queux cest establishme
ne se extend. Et p cest estatute & establis
me

t ne soit bře de det abatus. Et ne soit le
icell', barons del eschequer, Justices de
e de laur banck. ne iustit errãts forclos
endõ reconus. des dets deuant eux faitz
nus, mes les executions de reconus. de-
t eux faitz ne soiẽt pas faitz per la forme
itdit, mes per la ley e lusage auant vses
rueux ailleurs ẽ auter estatutes ‡ vz xx
.45. ‡ bře fundatũ sup statutum predict
x vie' saltũ. Quia coram tali maiori, vel cus-
talis villæ, vel coram custode sigilli nri de mer
ribus in nundinis de tali loco, & tali clerico
recognouit A. se debere B, tantum, quod sol-
debuit tali die et tali anno, quod idem B. nõ-
soluit, vt dicit. Tibi precipimus, quod corpus
icti A. si laicus sit capias, & in prisona nostra
custodir facias, quousque predicto B. de pre-
icto debito plenarie fuerit satisfactum. Et
qualiter hoc præceptum nostrum fueris
execuũ, scire facias iustic' nostris a-
pud westm &c. p litteras tu-
as sigillatas. Et habeas
ibi hoc breue. tes-
te. &c.

¶ Statut' de V Vestm̃ 3. edit'
Añ. xviij. E. i.

¶ Tenure. 4.

Via emptores terr
& tenementorum
feodis magnatum
aliorum dominoru
in preiudicium eo
dem, temporibus
troactis, multotiens
feodis suis sunt in
quibus liber tener
eorundem magnati
& aliorum terras &
nementa sua vendiderunt, tenend' in feod' sibi
heredibus suis de feoffatoribus § & heredibus § (
& non de capitalibus dominis feodorum, per qu
ijdem capitales domini eschaetas, maritagia, & c
stodias terrarum & tenementorum de feodis s
existentium sepius amiserunt, quod quidem eisd
magnatibus & alijs dñis quam plurimum durı
& difficile videbat̃, & § sic § in hoc casu exhereda
manifesta. Dominus rex in parliamento suo ap
westm̃ post Pasch. añ regni sui xviij. videlicet
quindena sancti Ioh. Bap. ad instantiam magna
regni sui, concessit prouidit, & statuit quod de cet
ro liceat vnicuique libero homini, terras suas, '(
tenementa sua, seu part̃ inde ad volũtat̃ suã venc
re, ita tam̃ qd' feoffatus teneat terram illã, seu t
illud de capitali domino feodi illi⁹ per ead̃ seruı
& consuetudines, per que feoffator suus illa pri

§ eo § tenuit.
t si partem aliquam earundem terrarum, seu te-
nentorum alicui vendiderit, feoffatus ille § par-
§ illam teneat immediate de capitali domino, &
t statim de seruicijs quantum pertineat siue per-
re dz eidem capitali domino pro particula illa,
ndum quantitatem terre seu ten sic venditi. Et
n hoc casu decidat § eidem § capitali domino ip-
ars seruitij per manus feoffati capiend' ex quo
fatus § debet § eidem capitali domino, iuxta quã-
em ten seu ten venditi de particula illius seruij
c debiti esse intendens & respondens. Et scien-
n est quod per predictas venditiones, seu emp-
es terrarum, seu ten, aut ptis alicuius earundem,
o modo possint tre seu ten illa in parte vel in toto
nanum mortuam deuenire, arte vel ingenio cõ-
ormam statuti super hoc dudum editi § 7. E. 1.
eligiosis. § Et sciendum est quod istud statu
at locum de terris § seu tentis § venditis tenend' in
odo simplici tantum. Et quod se extendat ad
tempus futurum- Et incipiet locum tenere ad festum sancti Andree apli proximo futur. Aũ. regni regis E. filij regis H. xviij.

Explicit statu westm'iij.

Part. quarit. rem pobis (Per particula illa) scr entende lon le feoffe est fait de le tenaunt en fee simple ou de aut mentor ou prendor gratt del tenaunt en fee simple. 129.

Part. rem pobis (Per particula illa) scr intend del tenant ou mentaine ne scr apparten, 130 et p ceo a nostre ioe. ou mentaine ne scr apparten, 130

Part. rem pobis. (Secundu quantitatem terre.) scr entende le quanto del term. 130. 679.

Sele tele ren fait feoffment del et de sa tenaunt, le roy laura p lab entrynd le feoffee tanto le seuiro, en tant p lo rata. le feoffee. Car devant le statut le feoffee fait p le tenant le seigr ponit abattre le seuiro en tout et del tenant et pur ceo le seigr ad p cel fait p ceo q le seuiro en tout ne pas al tenant le roy en tout ne pas. Et issint le roy ad mise al tenant le roy rem tel q est fait q tolle libert de le seigr, devant le statut ne ad il son libertie ne est tolle q il est nostre chattiall ou Curtt. 4 Eliz. pla. 24 et 10 H 7 fo. 23 plai. 26 Le Roy ms Litt. 240 et 12 H 7 21. ffrowike. Et cest statute.

¶ Modus leuandi fines edit'
An. 18. E. primi.

¶ Fines. 3.

Uant le brief orig
nal soit lie en p
sence des parti
deuāt Justices, d
ques dirra vn cou
tour issint. Sir u
tice, coūge dacco
Le Justiē luy d
q̄ dirra. Sir R
bert, & nosmera
des parties. Do
quant ils serrōt agree de la summe del pec
ue que est done al roy donques dira le iust
Cries la peace. Et puis dira le countour.
sint que la peace est tiel', a bous conge, q
William & Alice sa feme, qui cy sont recogn
sont le maner de B. oue les appurtenaunc
contenus en le brē, estre droit du R. cōe ce
que il ad de lour done, a aucr et tener a luy
a ses heres, de W. et Alice, & les heires
come en demesne, rents, seigniouries, cour
plees, purchases, garō mariages, reliefes, e
chetes, molins, auowsōs de esglises, & tou
anters franchises, & franke customes al
uantdits mañ appertenant, rendant per an
M. & ses heires chiefes seigniours de fee, s
uice due, & customes pur touts seruices. C
fait assauoir qui order de ley ne suffre my
que final accorde soit leue en la courte le r
sa

ins briefe original, & ceo a tout le meins
uant iiij. Justices en bauke, ou en eyre, &
n pas ailleurs, & en presence des parties
smes en briefe, queux soient de pleiñ age
de bone memorie, et hors de prison. Et si
ne couert de baron soit vn des parties,
nques conient que el soit primerment cõ=
se ỏ iiii. iustices auauntdits. Et si el nas=
it al fine, ne ceo liuerẽ mie. Et la cause pur
e tiel solempnitie doit estre fait en cel fin
, pur ceo que fine est si haute barre, et de
raunde force, et de si puissant nature en=
, que el forclos nemy solement ceux que
it parties et priues a la fyne, et lour heyr=
, mes toutes auters gents ỏ mũde, qux
it de pleiñ age, hors de prison, et de bon
memorie, et deins les iiii. meres, le iour
del fine leue, sils ne mettront
lour claime de lour acci=
on pur le pais, deins
lan et le iour.
Vide placi=
to fo. 354.

¶ Statutum de vocat̃ ad war
editum Añ xx. E. j.

¶ *Voucher 5.*

CVm tenens implacitatus in placito ter
temporibus retroactis vocauerit aliquẽ a
warrant̃, & petẽs super hoc verificare vo
luerit ‡ quod nec vocatus, ‡ nec aliquis a
tecessorum suorum a tempore seisine § a
tecessoris § ipsius petentis fuerit in seisina de ten
dictis, nec in dominico nec in seruitio, sed si ille v
catus ad warrant̃ fuerit presens & gratis tene
warrantizare voluerit, predicta verificatio pete
tis admitti non consueuit, nisi vocatus absens f
erit, & hoc ratione cuiusdam statuti domini Re
nunc, editi inter cetera statuta § sua p̃m VVestm̃ c
pit̃ 39. § propter quod dominus Rex animadu
tens fraudem, deceptionem, & maliciam, & etia
damnum suum, & exheredationem coronæ suæ
in casu predicto in curia sua multociens posset i
teruenire, & isto die interuenerit. Cum quida
tenẽtes de ipso Rege in capite per baroniam int
gram in quodam placito pendente coram Iustici
de banco vocauerint ad warrant̃ de demãda pa
ticulariter quosdam garciones ignot̃, & extrane
quos presentes duxerint, & quorum antecesso
aut ipsimet, nunquam in ten̄ que warrant̃, aliqu
habuerint, aut in aliquibus terris aut ten̄ alijs
regno suo, neque in dominico, neque in seruit
(prout a diuersis domini Regis fidelibus test
ban

tr) vt per cautellam illam, fraudem, & malici-
ipsi per baroniam tenentes auferre possent dño
e misericordiam suam, in quam inciderint, si
ens versus eos demandam suam recuperaret. Et
liter cum garciones warrant, vc'z quilibet de
ione quam warrant debet, in casu vbi duellum
, posit se defendere per corpus seruientis sui
isi, & conducti per ipsos baroniam tenen-
Et sic super vno breui, & vna demanda iam
int duo vel tria duella vadiata, q̃ durum est,
emplum pernitiosum tempore futuro p̃ pau-
us petentibus versus magnates & diuites, qui
r maliciam predictam defendere voluerint,
etens contra dictos warrant, quando vocati
nt verificationem suam in forma predicta ha-
posit, eo quod ipsi vocat presentes fuerint, &
s warrant: dominus rex de consilio suo com-
i, statuit, & firmiter de cetero, videlicet a festo
ti Hillarij, anno regni sui xx. precepit obserua-
quicunque tenens aliquem vocauerit ad war-
nt, & petens in forma predicta verificare
voluerit, addmit eius verificatio, siue vo-
catus fuerit absens, siue presens,
nullo habito respectu ad e-
ius presentiam vel ab-
sentiam.

¶ FINIS.

¶ Statut de defensione iuris, edit Anno xx.E.j.

¶ *Rescipte.* 2.

CVm quis aliquod breue domini Re
impetret versus tenent per legem Ang
vel feodum talliatum, vel sub nom
dotis, vel alio modo, ad terminum
tæ, vel annorum, & petens tant
fuerit prosecutus, quod tenemt sunt quasi
mittenda ‡ & sibi adiudicanda ‡ & super
venerit alius ante iudicium redditum a latere,
cens se habere feodum & ius in tenementis
& curiam supplicauerit, quod ex quo ante i
cii venerit tenemt sua defendere, & paratur
de petenti respondere, ad hoc admittatur rati
cuiusdam statuti domini Regis nunc, inter ce
vltima statuta VVestm edita § 5. vv. 2. cap. 3. §
quod statutum tam nullum ius habentes, qu
illi qui ius habent multociens in casu predi
falso & in deceptionem curiæ superuenerint,
petierunt se admitti responsuri, vt per
missionem suam possent petentem elongare
iudicio, & seisina de sue habende, & ad
ciendum eosdem petentes de nouo placitare,
sic petentes in casu predicto in curia Regi
pius elongantur a iure suo, per malici
supradictam, tam de falsitate de predicto
tuto superueniente, quam ex iusta causa ra
nabili, & hoc coram iusticiarijs multociens c
ingit & inuenitur, propter quod dominus rex

liciam predictam in predicto casu destruend, medium volens apponere, in pleno parliamento ex communi consilio suo statuit, & firmiter de cero, videlicet a die lune proximo post festum Purificationis beatæ Mariæ virginis, anno regni vicesimo precepit obseruari, quod cum aliquis a re ante iudicium in casu predicto superuene- & petierit se admitti, antequam admittatur eniet sufficientem securitatem prout curiæ vi- fuerit, ad respondendum petenti de valore cuum ten sic amittendorum a die quo recipitur onsur, vsque ad diem quo iudicium finale fiet er petitionem petentis. Et si ille petens de- undam suam recuperet, grauiter amercietur endens, si habeat vnde. Et si non habe- nde, committatur gaole, ad voluntatem regis. Si verificare poterit ius suum esse tale, quale d asserit quando petit ipsum admitti, tunc sit etus.

¶ Explicit.

Stat de finibus leuatis, editum Anno xxvij. E. j.

¶ *Fine* 1. *Cap.* 1.

QVia fines in curia nostra leuat finem litibus debent imponere, & imponunt, & ideo fines vocantur, maxime ‡ cum ‡ post duellum & magnam

assisam in suo casu vltimum locum finalem ten
in perpetuum, iamque per aliquod tempus pre
ritum, tam tempore claræ memoriæ domini He
rici regis patris nostri, quam nostro, partes eoru
dem finium & earum partium heredes (contra
ges & cõsuetudines regni nostri antiquitus vsit
super huiusmodi finibus adnullandis & euacua
dis admittebantur, proponentes quod ante fine
leuatum, & tempore leuationis eiusdem, & post
petentes, seu querentes, aut eorum antecessores
tenementis in finibus contentis, aut de aliqua pa
eorundem, semper fuerunt seisiẽ, & sic fines hui
modi rite leuaẽ per iuratores patriæ falso subor
tos, & malicioſe procuratos, multociens euacuab
tur & adnullabantur minus iuste. Nos volen
super premissis remedium adhibere, in parliame
to nostro ad westm̃ statuimus, quod dicte exce
tiones, seu responsiones vel inquisitiones patri
super huiusmodi exceptionibus seu responsio
bus nullo modo contra huiusmodi recognition
& fines de cetero admittantur. Et nos vero vol
mus, quod statutum istud tam locum habeat
fines prius leuatos, quam in posterum leuand
Et videant Iusticiarij, quod note, & fines in cu
nostra in posterum leuandi, publice & solemni
legantur, & quod placita interim cessent omnin
& hoc fiat per duos dies in septimana, secundu
discretionem Iustic'.

Shirif

Shiriffes 1. Cap. 2.

¶ Item ordinauimus de consilio nostro, quod vicecom̃ de cetero non onerentur de aliquibus exit̃ landi, nec aliquos leuent, antequam exeant de scacario per extractas iustic' ibidem liberandas. quod in extractis Iustic' singula capita onerent̃ exitibus suis forisfactis, sicut & de amerciamẽt. Et si forsan aliquis vicecom̃ responderit de exitibus alicuius recognitoris, vel plegij, seu manucaptoris per ipsum oppositi, & in curia nostra renati qui ad solutionem eorundem exituum seu amerciamentorum tempore retorni non sufficiat, tum vicecomes ad scaccarium nostrum inde oneretur & respondeat. Et caueant sibi vicecomites sub graui forisfactura quod de cetero faciant singulis, tallias de denarijs quibuscunque per preceptum nostrum per ipsos vicecomites & subditos suos receptis. Et quod non retornent alicubi nomina manucaptorum, iuratorum, seu aliorum, nisi ipsi manucaptores, iuratores, seu alij, secundum tenorem breuium nostrum vicecomit' inde directorum, ad hoc legaliter & manifeste ponantur. Nec retornent aliqua nomina plegiorum aliorum hominum, nisi ipsi manifeste se plegios consenserint. Et super hoc statuimus, quod quolibet anno semel in anno mittantur vnus baro, & vnus clericus de dicto scaccario nostro per singulos comitatus Angliæ, ad abbreuiandum nomina omnium, qui anno illo habita per veridem ceram ab eis exacta soluerint. Et ijdem baro & clericus, tallias illas

videant,& imbreuient, & audiant & termin
querelas super vic',& clericos suos, & balliuos
tra premissa venient,& grauiter puniant transg
sores.

3 ¶ Quia vic', & alij,temporibus retroa
latrones notorios,& manifestos, & pro morē h
minis,& alijs felonijs captos & imprisonatos,
qui non sunt replegiabiles, per pleuiñ dimi
runt, contra formam statuti nostri apud VVe
editi de his qui sunt replegiabiles, & qui non
VV.1.cap.15.§ per quod ipsi malefactores i
plegiabiles,sunt replegiati. ad quorum delibe
tionem falso faciend, iuratores patriæ per se &
micos suos; ante aduentum iustic' itinerantiu
aut aliorum ad eorum deliberationem assignat,
curant & subornant, alijsque minant, prop
quod tam propter metum vic', & aliorum per
lem pleuinam illos dimittentium, quam tim
rem eorundem latronum seu felonum sic delib
rat, coram Iusticiarijs ad gaolas deliberandas
signi huiusmodi latrocinia & homicidia suffoca
tur,& ipsa sic concelata penitus remanent imp
nita: Nos pro vtilitate regni nostri,& pace no
firmius obseruanda, statuimus & ordinauimus
Iusticiarij ad assisas capiendas assignati, in sing
lis comitatibus, vbi capiunt assisas prout ordina
est, statim post assisas captas in eisdem comita
bus.remaneant ambo si laici fuerint. Et si vn
ipsorum clericus fuerit, tunc associato illi iust
qui laicus est, vno de discretioribus militibus c
mitatus illius,per breue nostrum deliberent gaol
in com illis tam infra libertatem quā extra de pr

onarijs quibuſcunque, ſecundum formam deli-
erationis gaolæ comitatuum illorum hactenus
itatam. Et ijdem iuſticiarij tunc inquirant qui
c. & alij, priſonarios irreplegiabiles per pleuin.
miſerunt, vel in aliquo contra formam ſtatut pre-
cti nuper apud weſtminſter edit, deliqrint: et quos
lpabiles inde inuenerint § ipſos § in omnibus ſecū-
um formam ſtatut predicti puniant & caſtigent,
: 8. E. 1. de appellat.

¶ *Niſi prius.* *Cap.* 4.

Item cum ſtatuerimus, quod nullus ponat alicu-
extra com in recognitionibus, inquiſitionibus, &
atis aliquibus, qui minus quam C. s. terr, vel red-
habeat, per quod tam ipſi q plus terre habentes
ppter frequent, tam ad ſcm noſtrum quam co-
n iuſtic. noſtris de vtroque banco ſummonitio-
s, depauperentur. § 21. E. 1. de ponendis in aſsiſis
iuratis § Nos tant intolerabilem populi noſtri ia-
tiam aduertentes, non ſolum ad eorund' iurato-
n exonerationem, ſed etiam ad celerem partibus
curia noſtra placitantibus iuſtitiam exhibend':
tuimus & ordinauimus, quod inquiſitiones &
ognitiones coram iuſtic. de vtroque banco de ce-
o adiudicande, capiantur tempore vacationis co-
n aliquo iuſtic' eorundem, coram quibus placi-
n deductū fuerit, aſſociato ſibi vno milite com il-
vbi tales inquiſitiões emerſerint, niſi fuerit inqui-
o, magna indigēs examinatione. Et ſic in hmi in-
ſitionib capiendis de cetero fiat prout iuſtic. ad
litat regni noſtri potius eſſe viderint faciend,

non obstante statuto nuper apud VVestm̃.‡2.cap 30.‡super huiusmodi inquisitionibus capiend'edit continent̃ quod si omissa forma in statuto illo ordinat̃ aliquæ inquisitiones capiantur,pro nullis penitus habeantur. Dat̃ apud VVestm̃ secundo die Aprilis.Ann̄.regn̄.nostri xxvij.§12.E.2.capit̃.3.De statuto Eboracenc'.

¶Explicit statut̃ de finibus leuatis.

¶Atticuli super Chartas, edit Anno.xxviii,E.i.

Pur ceo que les pointes de la graun Charter,des fraunchis. & de la foreste les queux le roy Henrye pier nostre seigniour le roy que ore est, graunta sō people pur le priuie de son royalme ne ont pas este tenus, ne gardes auant ces heures,pur ceo que auant ces heures peine fuit establie vers les trespassants contre les pointes des Charters auauntditez. Nostre seignior le roy les ad de nouel graunt renouel et confirme, Et a la requestes des prelates,countes,& barons a son parliament a Westminster,en quaresme,lan de son reigne xxviij.ad certaines points affirm̄,& peim̄ ordeigne,et estable encounter touts iceux, qui encounter les pointes des auauntditz chartes

ies ou nul poynt de eux, en nul mas byen=
lōt, ou mispredrēt, en la fourm q̄ sensuit.

¶Confirmation. 2.

¶Cestassauoire que de cy en auaunt la
grauno charter des fraunchises Dengleterre,
gant a tout la commune Dengleterre, et la
carter de la forest en mesme le maner grāt,
soient tenus, gardes, & maintenus en ches=
cune article, et chescune point, auxi plein=
ement come le roy les ad graunt, renouele,
par sa charter confirme. Et que cels char=
ters soient baillez a chescune biscount Dē=
gleterre desoubs le seale le roy, a lier qua=
re foitez par an deuant le people en playne
countie: cestassauoir au procheine countie
apres la saint Michell', au procheine coūtie
apres le noel, au procheine countie apres la
pasque, et au procheine countie apres la
saint John Baptist. Et a ceux deux char=
ters en chescune point, et en chescune arti=
cle dicel, firmement tenir, et garder ou re=
mandye ne fuit auant par la common ley, soi=
ent eslieus en chescune countie per la cōmen
mesme la countye troys prodes homes
chualerz ou auters loialx, sages, et auises,
que soient iurez et assignez per les lettes le
roy oūts de son grande seale, de oyer et ter=
miner, sans auter briefe que lour commen
gant, lez pleintez que se ferront de toutez
iux, que contreuiendront ou mespren=
dront en nul dez ditz pointez des auaunt=
dez charterz en coūtiez ou ilz sōt assignes,
auxibien dedeins franchises, come dehorz, &

auxibien des ministers le roye, hors de lou
places, come des auters, & les pleintes oye
de iour en iour sauns delay: & les termineri
sans allower les delaies, q̃ sõt allowes p
lacomen ley. Et que mesme ceux chiualers
eyent poier de punier touts ceux que serron
atteints de trespas fait encounter vl poin
des chartres auauntdits, ou remedy ne fu
auant per la comen ley, auxi come auauntd
dit, par imprisonment, ou par raunsom, ou
amerciament, solonque ceo que le trespas
demaũd. Et per ceo nentendõ pas le roy,
nul des soiens que a cest ordeignement fu
rent, que les chiualers auantdits, teigne
nul plee par le power que done iour soit,
cas ou auant ces heures fuit remedy puru
solonq̃ la comen ley par briefe: sine q̃ prei
dice soit fait a la comen ley, ne a les charte
auantdits, en nul de iour points. Et voet
roy, q̃ si touts trois ne soient presentes,
ne purront a touts les foits attendre, a fa
iour office en la forme auantdit, q̃ deux d
trois le facent. Et ordeignẽ est, q̃ les viscõ
& les baillifs le Roy soient attendãtes a l
cõmandemẽts des auantdits Justices,
quãt q̃ appẽt a iour office. Et oustẽ ces ch
ses grãtes sur les points des charts aus
dits, le roy de sa grace especial, en alleuia
des greuances, que son people ad eew par l
guerres que ont estre, & en amendement
iour estate, & pur tant q̃ ils soiẽt plus pr
tes a son seruice, & plus volũtiers aidant
q̃nt il en aueẽ a faire: ad grant ascũs arti

ll queux il entend̃ que tyendront auxi bien
la a son people, & auxi graunde profite
front, ou plus, que les pointes auant
quintes.

Purueiours.4.& 5. Cap.2.

¶ En primes pur ceo que vn grãd̃ greuãc.
e en cest roialme, & dam̃ sans number, de
o que le roy & ces ministers de sa roialm̃,
acibien les aliens come les denizens, font
ur prises par la ou ils passẽt par my l'roi=
ame, & parnent les biens des gẽts, des cle=
ri, et des lais, sans rien paier, ou bñ meins
qe la value. Ordeine est, que de cy en auant
nl ne preign̄ prises par mie le roialm̃, forsq̃
il parnours le roy, et les purueiours pur
l'tell' le roy. Et q̃ les pnours le roy, et pur=
uiours pur son hostell' ne preignent ryens,
t sqz pur mesm̃ l'hostell'. Et des prises que
ils ferroũt per mie le pais de manger ou de
tire, et des auters menus necessaries pur
l'tell', que ils facent la paie ou grce a ceux,
ts queux les choses serront prises. Et que
tates ceux parnours le roy, purueyoures,
achatours, eyent de cy en auant lour gar=
ntie ouesque eux du graunde seale ou vn
tite seale le roy, conteignant lour poiar, et
ls choses dont ils ferrõt prises, ou purueiõ=
ce, le quel garrrãt ils mõstrent a ceux des
ieux ils ferront la prise, auant ceo que ils
preignẽt rien. Et que ceux parnourz pur=
eyours, ou achatours le roye, ne preignent
us que besoigne et mestre ne soit pur l'roy
son hostell', et de ses enfants. Et que riẽs

ne

ne preignent pur ceux que sont as gages, n
pur nul auter. Et que ils respoignent ē lo
tell', ou en la gardrobe pleinment de toute
lour prises, sans faire lour largesses ailloz
ou leueries des choses, que pur le roy serrē
prises. Et ū vl parnour del hostel le roy,
garrantie que il est, face prises, ou liueres e
aut maner, que deluis nest dit, per plaīt fa
al seneschall', & au treasorer del hostel le ro
soit la veritie inq̄se. Et ū de ceo soit attai
soit grē maintenant fait al plaintife, & so
ouste de seruice le roy pur toutes iours,
demurge en prison a la volunte le roy. Et
nul face prices sans garranty, & les empo
encounter la volunte de celuy, a que les bi
sont, soit maintenant arrest par la ville, o
le prise serra fait, & amesn̄ a la prchein gao
Et ū de ceo soit attaint, soit la fait ō lui, ci
de larō, ū la quantitie des biens ceo deman
Et quant as prices faitez en fairez, & en bō
villes, & en portes pur la grañde gardrol
le roy, eient les parnours lour commē ga
rant par le granō seale. Et des choses q
ils prendront, eient la tesmoignā du seale d
gardein de la garderobe. Et des chosez illu
p ceux prises, de nombre, de quantitie, &
value soit fait diuidēō entre les parnourz
les gardeins des fairez, maiors, ou chief
baylliez des villes et portes, par le bieu
merchantes des queux les biens serront
flint prises. Et rienz ne luy soit suffer de
dre, que il ne mette en diuidende. Et cel diu
dende soit port en gardrobe soubes le sea

ordeine, maior, ou chiefe baillife auãt dit
demurge tanqz sur laccompt du garde=
le roy. Et si soit troue q̃ il eit auk=
t prise que faire ne deueroit, soit puny
laccompt par le gardeine de le gardrobe
y, solonqz sa deserte. Et si il face tyels
es sãs garrante, et sur ceo soit attaynt,
fait de luy come de ceux que sont pri=
pur lostell' le roy sans garr̃, come desuis
pt. Et nentende mye le roye, ne son
saile, que par cest statute rien decresse
oy de son droyt des auncient prises dues
customes, come des bines, et auters
s: mesque en toutes pointes pleynment
soit saue.

Marshalsie. 1. Cap. 3.

Des estates des seneschalx, & des mar=
x, & des plæs que eux deuoient tenir, &
ẽt: ordeine est q̃ desormes ne teigñ plæ
ankenement ne de dette, ne de coue=
t, ne de cõtract des gẽts de people, forsqz
solement de trñs del hostell', & dauters
passez fait dedeis la verge, & ds cõtractz
couenantes, que ascune del hostell le roy
ra fait a auter de mesme lostell, & en m̃ le
celle & nemy aillours. Et nul plæ de
pas ne pledront, auter que ne soit attach
eux, auant ceo que le roy issera hors de
erge ou la trespas serra fait. Et les ple=
hastiuement de iour en iour, issint qz ils
nt pledes & termines auant ceo que le
issẽt hors des boundes de cel verge, ou
respas fuit fait. Et si per cas dedeinz lez

boundes

boūdes de cel berge ne poient estre termi
cessent tielx plæz deuāt le seneschalk, & so
les plæz a la comē ley. Me desormes ne
ne le seneschalk conusāces des detz, ne de
tex chose, forsque dez gent del hostelk aui
dit, ne nul auter plæ ne tiendē par oblig
fayt a le distresse le seneschalk, ou le mar
chalk. Et q̄ lez seneschal, ou lez mareschal
rien faciēt encoūter cest ordinance, soit le
fait tenu pur nul. Et pur ceo q̄ auāt cez he
res mults ōs feloniez faits dedeinz la ber
oūt este depuis, pur ceo que lez coroners
pais ne se ount pas entremis denquerer
tielx maners des felonies dedeines la ber
mes le coroner del hostel le roy, q̄ est pass
de quoy issue nad mie este fait en du man
ne lez felons mise en exigent, ne vtlages,
rien de ceo present en eire, q̄ ad este a gra
damage du roy, & a meins bone garō de
peace: Ordeine est que desormes en case
mort de home, ou office de coroner appēt
biews, & enquests de ceo faire, soit maun
al coroner del paiz que ensembleiment oue
coroner, del hostel le roy face loffice que a
pent, & le meter enrolk. Et ceo que ne pu
ra mie deuant le seneschal estre termine, p
ceo que les felonz ne purront estre attache
ou pur auter encheason demurge a la co
men ley, issint q̄ les exigentes, vtlagaries,
presentmentes en eyre soient de ceo fayt
par le coroner du pays, auxi come des a
ters felonies faytes hors de la berge. Mes
pur ceo ne soyte lesse, que les attachemen
ne so

soyent kaytes freshment sur les felonies
ytes.

Cõmen plees 2. Cap.4.

¶ Duster ceo nul cõen plee ne soit desor-
s ten' a leschequer, encount la form de
graund charter. ‡ca. 11.

Chauncerie 1. Cap.5.

¶ Et dauter part le roy voet q' l' Chan-
lour & les Justices de son banke luy
uent issent que il eyit toutes tours pres
lay ascune sages de la ley, que sachent
' besoignes, que beignent a la court due-
nt deliuerer a toutes les foites que me-
r serra.

Seale 1. Cap.6.

¶ Desouth l' petit seal', ne issera desor-
s uul bẽ que touche le comen ley.

¶ Le Constable du chastel de Douer
plede desormes a la port de chastel nul
e forein du countie, que ne touche l' gard
chastel. Et le dit Constable ne distregn
gents duecinque portes a pleder ailours
n auter maner que ils deuoient, solonq;
form des chartes q̃ ils ount des roys, de
r fraunchises auncients, affirmes par le
nõ charter ‡cap, 4.

Sheriffe 3. Cap.8.

¶ Le roy ad graunt a son peopl', que ils
t election de lour viscount, en chescun
ntie ou viscount nest mie de fee, ils voi-
=‡post cap. 13.

Tuiouri 4. Cap.9.

¶ Le roy voet, & comaunde, que nul
viscount

discount, ne baill' ne mette en enquests, in iuries plus des gents, ñ auters ne en a ter maner que il est ordeine par estatut, que ils mittent en tiels enquests, et iuri le plus procheines le plus suffisants, meines suspicious. Et que auterment l' fi et de ceo soit attaint, rendu au plaintife dam au double, & soit en la greue mercy roy. ‡ W. 2. ca. 38.

Conspiracie 2 cap. 10.

¶ En droit des conspiratours, faux formours, & malueis peurours des dous nes, enqests, assises, & iures, le roy ad ord remedy as plaintifes par briefe de Chan cellarie. ‡ 33. E. 1. de cõspiratiõ. ‡ Et in maines voet le roy, q̃ les Justices de i bank & del auter, & iustic. dassises prend signes, quant ils deignent en pais a fa lour office, de ceo facent lour enqests a che pleint sans briefe, & sans delay facẽt dr as pleintifes.

Champertie 3. cap. 11.

¶ De rechefe pur ceo q̃ le roy auoit a ordeigñ par estatute ‡ W. 2. ca. 49. ‡ que de ses ministers ne prist nul plee a chãp tie, et p cel estatut auters ministers nel ent pas auant ses heures a ceo lies. Mo roy, q̃ nul minister, ne nul auter, par auoier des choses que sont en plee, enpi les besoignes q̃ sont en plee. Ne nul su el couenant son droit ne lesse a auter. ¶ bl l' face, & de ceo soit attait, soit forfai encurẽ deuers l' roy des biens, & des te

parnour, a la value de tant com sa partie
sō purchase par tiel emprise amoūtē. Et
ceo atteind, soit resceu celuy q̄ suer voudē
r le roy deuāt les Justices, deuant queux
plee aueē este, & per eux soit laggard fait.
ces en ceo cas nest mie a entēdre, que hom
poet auer counsaile des coūtours, & des
ges gentes pur son donant, ne de ses proc
eine amies.

Det al roy 4. cap. 12.

¶ De rechefe voit l' loy, q̄ distresses que
it a faire pur la dette, ne soient faites par
tes des charues, tanque come home poet
er trouer, solonq̄ ceo que est ordeine ail=
rs par estatute, oue la paine &c. § 51. ℣. 3
distē scaccarij. § Et ne voet q̄ trope greue
res soit prise pur sa dette ne trope loigs
sne. Et q̄ le dettour puisse trouer suffi=
t, & conuenable suertie, iesq̄ a vn toure
nes le iour al vicount, de deynes l' quel
ne puisse purchaser remedie a faiē gree
a demaunde, soit la distres relesse ende=
ntiers, & que autermt le fra, soit greue=
nt, puny.

4. Sheriffes Cap. 13.

¶ Et pur ceo q̄ le roy ad grant la electiō
viscounts a ceux des countes ‡ s. ante=
s. ‡ voet le roy q̄ ils eslient tielx vicōtz,
ne les charge mie: & ne mettent nul mt=
re en baillie pur louer, ne pur done. Et q̄
s ne se herbergent trope souēt en vn li=
ne sur les pouers ne sur les religious,
E. 2. Lincolsī de vicecomitibus. §

Hundreds

Hundreds 1. *Cap.* 14.

¶ De rechete voet le roy, que les baillis & les hunds du roy, ne les auters graūd sñ de la terre, ne soient iesses a trope groun somme a ferme, par quoy le people soit gr ue ne charge per contribution faire a ty fermes.

Proces 1. *Cap.* 1. 15.

¶ En sommons, et en attachementes plee de terre, desormes conteignū la somm ou iattach l' termñ des v. iours a tout le m nes, solōqz la comē ley, sil ne soit en atta ñt des assises prendū en p̄sence l' roy, ou plees deuāt iustic. ē eyre durant le eire, ‡ de Marlebr. cap. 12.

Retorne de vicount 4. *Cap.* 16.

¶ Soit fait de ceux que font faux ret des brieses al maundement le roy, par qu droyture est delay, auxi come ordeyne es le seconde estatute de Westminster ‡ ca 39‡ oue la peine.

Proclamatson 1. *cap.* 17.

¶ Et pur ceo que multz meffesours s en la terre plus que ne solent, et robber arsions, et homicides faits sans nōber, e peace meines bien garde, pur ceo que le tute, que le roy fist faire nadgares passe Wynchester ‡ An. 13. E. 1. ‡ nad pas este nus. Voet l' roy q̄ cel estatute soit de n enuoy en chescune countie, & soit lie & p lie. iiii. foits par ā, auxi byen come les d graund charters, & firmemt gardes en ch cune poynt, sur les peynes que la cyns l as

ſes. Et a cel eſtatute garder et mainte=
n, ſoient charges les trois chiualerz, que
ſt aſſignes per my les counties pur re=
ſſer les choſes faits enconter les grand
rters, & de ceo eient garrantie. ante
ap 1.

¶ Vvaſt 8. cap. 18.

¶ En droit des waſts et deſtructions
tes en gards p eſchetors et ſubeſchetors
meſons, bois, parkes, biuers, et de touts
ers choſes, que eſchiount en le mayne le
r. Voet le roy, que celuy que aueū le dam
ceu, eit briefe de waſt, en la Chauncery
s leſchetor de ſon fait, ou ſubeſchetor
ſon fait, ſil eit de quoy reſpondē, et ſil
de quoy, cy reſpond ſon ſoueraignē per
iel peine, quant as dammages, come dar
ne ordeine eſt per eſtatute ſur ceux que
t waſte en gardes. ‡ Gloē chap. 5. &
ſt. 1. cap. 21.

¶ Liuerie & ouſter le maine. 2 cap. 19.

¶ De rechiefe la ou leſchetor, ou le diſ=
t ſeiſent en la maine le roy auters fres
ou il nad reaſon de ſeiſer: et puis quant
que eſt le nō reaſō, les iſſues du meſn tēps
t eſtre ceo en arere retenus, et nemy rē=
s, quant le roy ad la maine ouſte. Vo=
e roy que de ſormes, la ou terres ſont
nt ſeiſes, & puis la maine ouſte pur ceo
il nad reaſon de ſeiſer, ne ceo tener, ſoient
iſſues pleinment rendus a celuy a q̄ la
re demurre & aña le dam reſceu. 23. E. 1
de eſcaetoribus.

¶Golde &c 1. cap. 20.

¶ Ordeigne est que nul orfurer dāglite
ne ailors de la seigniory le roy, ne ouere,
face de cy en auant nul manner de vessel,
iatalx, ne auter chose dore ne dargent, q
soit de bone et bery alay, cestassauoire ore
certaine touche et argent del allay del est
linge, ou de melior alay. solongz le volun
de celuy, a que les ouerers sont. Et q n
ouer, peior, argent que money. Et que nu
manner de vessel dargent, ne departe ho
des maines des ouerours, tangz el soit all
per les gardeins de l' mister, et auxi q el s
signe dun teste dun Leoparde. Et q nul
ouer peior ore que de touche de Paris. Et
les gardeins du mistery allent de shope
shope enk les orfeours, assaints q lore s
tiel cōe la touche auantdit. Et sils trouo
nul peior que la touch, q louer soit forfait
roy. Et que nul ne face anneux, croix, ne s
maux, Et nul ne mett pire en or, si il ne s
naturel. Et que taillours des aimanz e d
sealz rendent a chescun son pois dargent
dore auxy auant come ils le purront scou
sur lour foialty. Et les ioyaux dore, q i
ont entermaines de veil ouere, que ils s
deliueront a plus tost que ils purront. e
sils achatent desor en auant de mesme c
ouerage, que ils lachatent pur defere, e n
my pur reuender. Et touts les bones bil
Dengliterre, la ou il y ad orfeures, que
facent per mesme lestatute, cōe ceux de Lo
dres sont. Et que vn veigne de chescū vi

p

ur touts, a Londres, de quet lour certeyn
ouche. Et ſi vil' oreſeure ſoit attaint que
uterment le face que deſuis neſt ordeyne
oit punye par priſon, & par ranſõ a la vo=
unte le Roye. Et en toutes les choſes de=
ius ditz, & cheſcune de els, voit l' roy, & tẽ
il & ſon counſell, & toutz ceux que a ceſt
ordeinement fuerent, que le droit &
la ſeignioury, de la corone ſa=
ues luy ſoient par
toutes &c.

¶ Expliciunt Articuli ſuper
Chartas.

Statutum de Appellatis,

Note that this ſtatute is in other printes
untruely entitled Modus Leuan-
di fines.

¶ Appeales 7.

CVm certi Iuſticiaſ in ſingulis comitatibus
Regni ad aſsiſas in eiſdem capiendas de
nouo aſsignati ſint, ſimulque ad de-
liberationem Gaolarum eorundem co-
mitatuum in ſingulis aduentis ſuis fac'
poſt captionem earundem aſsiſarum,
rout in ſtatuto domini regis inde confecto

plenius continetur. § 27.E.1.ca.13.de finibus leuatis. § Dominus rex ad parliamentum suum apud westm̃, Anno regni sui xxviij. pro pac' firmius obseruanda, felonibusq; celerius conuincēd, & prisonibus citius deliberand, concessit, ordinauit, & statuit, quod quicunque fuerint appellati p probatores existen̄ in gaolis, quas ipsi Iustic' deliberant, & vbicunque in regno nostro ipsi appellat̄ commorantes fuerint, aut latitantes, quod statim mandet̄ vic', in quorum balliua taliter appellati fuerint conuersantes aut poterint inueniri, per breue domini Regis sub testimonio eorundem Iustic' q̃ taliter appellatos capiant & ducere fac'. ad gaolas vbi appellatores per quos appellant̄ fuerint detenti, & ibidem coram ipsis Iustic' respondeant. Et si ipsi appellati, se super patriam posuerint, similiter mandetur per breue de iudicio per eosdē Iustic. vic'. in cuius balliua feloniæ factæ fuerint, de quibus appellātur, quod venire faciat coram eisdē Iustic', inquis. patriæ ad eundem locum, vbi appellatores sunt detenti, ad certum diem. Et vic' & alij in quorum custodia appellatores detinentur admittant sine contradictione appellatos per eosdem probatores, cum idem appellati capti fuerint in forma predicta, & ad ipsos appellatores adducti.

Sta

Stat' de coniunctim feoffatis. Anno, xxxiiii, E, i,

¶ Assise. 9.

REx omnibus ad quos &c. salutem. Non est nouum quod nos in ceteras legum editiones quas temporibus nostris adinuenimus, pro nimia & enormi trāsgressione, que in breuibus noue disseisine contingit pre ceteris, in illis breuibus celerius apponi decreuimus remedium. Et quia quam sluries contingit, quod in assisa noue disseisine tenens excipit, contra querentem, quod tenet tenēta coniunctim feoffatus cum vxore sua non nominata in breui, aliquando cum aliquo extraneo qui similiter non nominatur in breui & profert chartam sue hoc testatur, & petit iudicium de breui; concordatum est & statutum, quod si pars querens offerat verificare per assisam, quod die impetrationis breuis sui, ille qui talem exceptionem proposuit, fuit solus tenens, ita quod vxor sua, nec alius aliquid habuerit in predictis tenementis, tunc iustic' coram ipsis predicta assisa arraniata est, retineāt preditam chartam saluo in custodia eorundē, quousque assisa inde inter eos transirit, vt illam que quasi deficta est. Et scire faciant per breue nostrum sub eorum testimonio, parti absenti, quem charta

 testat

testar simul cum tenente qui presens est coniunctim feoffatum, quod sit ad certum diem responsurus, simul cum alio tenenti parti querenti, tam de exceptione proposita, quam de ten petitis & positis in visu, si sibi viderint expedire. Ad quem diem si ambo qui dicunt tenentes venerint, & feoffamentum illud aduocauerint, respondeant, & manuteneant exceptionem per vnum eorum propositam, & similiter vlterius ad assisam, ac si bre originale super eos coniunctim fuisset impetratum.

Et si conuincatur per assisam, quod exceptio illa in retardationem iuris querentis malicioſe fuit proposita, eo quod ipsi non fuerunt coniunctim feoffati de ten illis, die impetrationis predicti breuis, tunc licet assisa illa trasierit pro tenentibus & contra querentem, nihilominus puniantur talem exceptionem proponentes, per prisonam vnius anni, a qua non exeant sine graui redemptione.

Et caueant de cetero Iustic' quod talem exceptionem sic propositam per balliuos aliquorum tenentium non admittant. Si autem ille qui exceptionem illam proposuit se ad diem illum absentauerit, & alter qui dicitur coniunctim feoffatus comparuerit, licet ipse comparens predictam cartam aduocauerit, & dixerit se nihil habere in predict ten, nihilominus adiudicetur assisa versus tenentem absentem per eius defaltam. Et si conuincatur per assisam, quod ipsi non fuerunt coniunctim feoffati, die impetrationis breuis predicti, & si similiter conuincatur quod tenens super quem breue fuerit impetratum, vel alius nominatus in breui disseisierit querentem tun

nę habita consideratione ad exceptionem in le-
nem partis falso, & malicioſe propoſitam, & ad
ſeiſinam per eos factam, pars querens recuperet
ſinam ſuam & dampna ſua in duplo, & propo-
ntes illam exceptionem habeant pœnam ſupra-
ctam.

Si autem neuter tenentium ad diem illum vene-
, tunc per eorum defalt versus eos capiatur aſsiſa.
ſi compertum ſit per eandem, quod exceptio illa
re & rite ſit propoſita, quia ipſi qui eam propo-
erint fuerunt coniunctim feoffati antequam que-
ns breue ſuum verſus eos impetrauerit, non pro-
datur vlterius ad aſsiſam ſed caſſetur breue que-
ntis. Hoc idem obſeruetur ſi ambo vel vnus
ntum venerit, ſi comperiat per aſsiſam, quod ex-
ptio pred' (vt predictum eſt) veracit fuit propoſita.
odem modo ſtatutum & concordatum eſt, quod
aſsiſis mortis anteceſſoris, & breue de iuris vtrũ,
primum diem quo partes comparuerint in curia,
tenens proponat predictam exceptionem contra
tentem, & de hoc pretendit chartam, & petens
ferat verificare per aſsiſam vel iuratam, quod die
petrationis breuis ſui, ille qui talem exceptionem
oposuit, fuit ſolus tenens, extunc idem proceſ-
s & modus procedendi ſeruetur in huiuſmodi
siſa mortis anteceſſoris, & breue de Iuris v-
um, qui preordinat eſt, & ſtatut in aſsiſis no.
ſeiſine.

Et eadem pœna delinquentibus & conuictis
fligat. In alijs vero breuibus per que tene-
enta petentur, talis fiat processus, quod ſi pri-
o die quo partes comparuerunt in cur, tenens

proponat exceptionem ptædictam de coniunc
feoffamento & petens offerat vereficare per iur
tam patriæ, quod die impetrationis breuis sui, i
qui exceptionem illam proposuit fuit solus tener
tunc idem processus & modus procedendi seru
tur inter partes, quousque iurata inde inter e
transierit. Et si comperiatur per iuratum qu
exceptio illa veraciter fuerit proposita, tunc cass
tur breue petentis. Et si comperiatur per iur
tum, quod exceptio illa falso & malicioſe in læsi
nem partis fuit proposita, tunc petens recupe
seisinam suam de tenementis petitis, & tenens p
neatur per pænam supradictam in assisa nouæ d
seisinæ, quoad prisonam, & quoad dampna secu
dum discretionem iusticiariorum. Et volumus
concedimus, quod istud statutum incipiat loc
tenere in crastino sancti Petri ad vincula prox
futuro.

¶ *Indicauit.*

¶ Quia etiam lites in curia Christianitatis ha
tenus indebitas dilationes multotiens sortiebantu
per hoc quod breue nostrum quod vocatur Ind
cauit, iudicibus talium lituum in initio earum dil
tum fuit, & super hoc capitalis iusticiarius nos
ad consultationem super tali processu faciendã, r
seu debito modo nequit procedere, concordat
est, quod tale breue Indicauit alicui de cetero n
concedatur, antequam lis in curia christeanitatis i
ter partes fuerit contestata, et per inspectionem
belli cancellarius noster certioretur super ho

In cuius rei testimonium has litteras nostras fieri fecimus patentes. Teste me ipso apud VVestm̃ 27. die Maij. Añ regni nostri 34.

¶Explicit statut̃ de coniunctim feoffatis.

Statut̃ de frangentibus prisonam, editum Anno. i. E. primi. ii.

Felony. 2.

DE prisonarijs prisonam frangentibus, dominus rex vult & precipit, quod nullus de cetero qui prisonam fregerit, subeat iudicium vite vel membrorum pro fractione prisoñ tantum, nisi causa pro qua captus & imprisonatus fuerit, tale iudicium requirat, si de illa secundum legem & consuetudinem terre fuisset conuictus, licet temporibus preteritis aliter fieri consueuit.

Finis.

¶Articulus statuti Gloc', corre
ctus pro Ciuibus Londoñ,
de forensicis vocatis
ad warē in Hustin=
go Londoñ. ‡9.
E.2.‡

¶Voucher. 7.

Auruieu est enkement, q
hōe enpleē en la city
Lōdres, vouche forreiñ
garrāte, le Maior & i
baillifes aiornēt les pti
deuaūt Justices de ban
au cert iour, & enuoiēt
lour recordē. Et l'ds Just
cez fac sūm l' garē deuaūt eux & pledēt l' ga
Et le Maior & lez baillifes en demētiers s
cessent a la parolle que est deuaūt eux p bri
fe, iesque a taūt que la parolle de la garē fo
finine deuaūt Justices du bāke. Et quāt
parolle serra termine en banke, serra dit
garē, que il voise en la citie, & respoigñ d
chiefe plee. Et le demaūd per sa suit est d
Justices de banke au Maior & eux bailli
que ilz voisent auaūt en le plee. Et si le d
maūd recouer, veigñ le tenant aux Just
de banke, & cit briefe au Maior & as baili
que si le tenant est sa terre pardu, que ilz f
cent extendre la terre, & retournent lexte
au banke au certeine iour, apres soit maun
au viscount du pais ou le garē fuit somu

q

ul face auoir de la terre du garraunt a la
nce. Et ſi aueign̄ que l' tenant face de=
m iour que luy eſt don̄ en banke, don=
iſſera briefe de z Iuſtices du banke as
oz & bailliffez de prendre le tenemēt de=
de, en la maine le roy per le petit cap̄,
umm̄ le tenant q̄ il ſoit al Huſting au
ine iour, dont les Iuſtices ſerē auiſez,
rō iudgement de cel defaut, ſi ne la pu=
uer, & ſi la puiſſe ſauer, adonques les
ices ſoient de ceo certifiés per lour re=
et les Iuſtices per lour recorō pledent
cē.

Memorandum quod iſte articulus in forma pre=
conſignatus fuit ſub magno ſigillo domini E.
gis E. anno regn̄ ſui nono, & miſſus Iuſtic' de
in modum breuis patentis, cum quodam bre=
iſo ſub data regis apud weſtm̄ ſecundo die
anno predicto, quod ipſi omnia & ſingula in
lo predicto contenta facerent & exequerentur
Non obſtante quod articulus ille in om=
nibus cum ſtatuto Gloc' §ca.
12. §non concordat.

Finis.

¶ Articuli cleri edit', Añ ix. E. ii.

EDward⁹ dei gratia rex Anglie
omnibus ad quos presentes
peruenerint salutem. Sciatis q
cum dudum temporibus prog
torum nostrorum quondam
Angliæ, in diuersis parliam
suis, & similiter postquam regni nostri guberna
suscepimus, in parliamentis nostris, per prelatos
clerum regni nostri, plures articuli continentes
uamina aliqua ecclesie Anglicanæ, & ipsis pr
& clero illata, vt in eisdem asserebatur, porrect
issent, & cum instantia supplicatum, vt inde a
neretur remedium opportunum: ac nuper in pa
mento nostro apud Lincolne anno regni nostri
no, articulos subscriptos, & quasdam responsi
ad aliquos eorum prius factas, eorum consilio
stro recitaĩ, ac quasdam responsiones corrigi, &
teris articulis subscriptis per nos & dictum cor
um nostrum fecerimus respondere: quorum
dem articulorum & responsionum tenores su
quunt in hunc modum.

¶ *Prohibition. 1. Cap. 1.*

¶ In primis laici impetrãt prohibitiones in ge
super decimis, obuentionibus, oblationibus, mo
arijs, redemptionibus penitentiarum, violenta
nuum iniectione in clericum vel conuersum,
causa diffamationi: in quib⁹ casib⁹ agitur ad p
canonicam imponendam: Rex ad istum articu
resp

ndit, quod in decimis, oblationibus, obuen-
bus, mortuarijs, quando ſub iſtis nominibus
uuntur, phibitione regie non eſt locus: etiamſi,
ter detentionem iſtorum diuturnā ad eſtima-
m eorundē pecuniarium veniat. Sed ſi clericus
ligioſus decimas ſuas in horreo ſuo congrega-
el alibi exiſtentes vendiderit alicui pro pecuſ
atur pecunia coram iudice eccleſiaſtico, locū
t regia prohibitio, quia per venditionem res
uales fiunt temporales, & tranſeunt decime
alla.

Prohibition 1. cap. 2

tem ſi ſit contentio de iure decimarum ori-
n habens de iure patronatus, & earundē deci-
m quantitas, aſcendat ad quartam partē bo-
m eccleſiæ, locum habeat regis prohibitio, ſi
auſa coram iudice eccleſiaſtico ventiletur. I-
i prelat imponat penam pecuniariam alicui p
t & repetat illam, regia prohibitio locum ha-
Veruntamen ſi prelati imponant penitentias
rales, & ſic puniti velint huiuſmodi penitē-
er pecuniam redimere ſponte, non habet locū
prohibitio, ſi coram prelatis pecunia ab e-
gatur.

Prohibition 1. Cap. 3.

Inſuper ſi aliquis violentas manus iniecerit in
um pro violētia facta, debet emenda fieri corā
pro excommunicatione vel coram prelato,
nponatur penitentia corporalis, quem ſi reus
ſponte per pecuniam redimere, dandē prelato
ſo, poteſt repeti coram prelato, nec in talibus
prohibitio locum habet.

Pro-

Prohibition 1. Cap.4.

¶ In diffamationibus etiam corrigat prelat
pradicē modo, regia prohibitione non obstante,
mo iniungendo penam corporalem, quod si
velit redimere libere percipiat prelatus pecuni
licet regia prohibitio porrigatur.

Prohibition 1. Cap.5.

¶ Item si aliquis in fundo suo molendinu
rexit de nouo, & postea a rectore loci exigat
ma de eodem, exhibetur regia prohibitio sub
forma. Qd. de tali molendino hactenus decin
fuerunt solū, prohibemus &c. & sententian
communicationis, si quam hac occasione pre
gaueritis, reuocetis omnino. ¶ Responsio. in ta
su nunquam exiuit regia phibitio de principi
luntate: qui & decernit talem perpetuo no
ire.

Iurisdiction 1. Cap.6.

¶ Item si aliqua causa vel negotium,
ius cognitio spectat ad forum ecclesiastic
& coram ecclesiastico iudice fuerit senten
ter terminatē, & transierit in rem iu
tam, nec per appellationem fuerit suspensum,
postmodum coram iudice seculari super eade
inter easdem personas questio moueatur, &
betur per testes vel instrumenta, talis except
foro seculari non admittatur. ¶ Responsio.
eadē causa diuersis rationibus coram iudicib
clesiasticis, & secularibus ventilatur vt supra
de iniectione violenter manuum in clericum
cunt quod (non obstante ecclesiastico iudici
regis ipsum tractat negotium, vt sibi expedi
detur.

Ex

Excommengement 2. Cap. 7.

¶ Item litera regia ordinarijs dirigitur, qui a uos suos subditos excommunicationis vin- o innodarunt, quod eos absoluant infra cer- m diem: alioquin ꝙ compareãt respons. quare e- o xcommunicauerunt. ¶ Responsio. Rex decer- n ꝙ talis litera nunquam in posterum exire per- m tatur, nisi in casu in quo posit inueniri, ledi per e ommunicationem, regiam libertatem.

¶ Residence 1. Cap. 8.

¶ Item barones de scaccario domini regis ven- ntes sibi ex priuilegio, quod non debent extra n locum conquerenti cuicunque respondere, ndunt illud priuilegium ad clericos commo- es ibidem, vocatos ad ordines, seu ad residen- n, & diocesanis inhibeant, ne aliquo modo, ali- ue ex causa, dum sint in scaccario & in seruitio aini Regis, trahant ad iudicium quouismodo. ¶ espõsio. Placet domino Regi, vt cleric' suis ob- uijs intendentes, si delinquãt per ordinarios (vt ri) corrigantur, sed tempore quo occupantur n scaccarium, ad residentiam in suis faciendam sijs non teneantur. Hic additur de nouo, per cilium domini regis. Rex & antecessores sui a pore cuius contrarij memoria non existit, vsi , quod clerici suis immorantes obsequijs, n obsequijs illis intenderint, ad residen- n in suis beneficijs faciendam minime pellantur: nec debet dici tendere in pre- cium ecclesiasticæ libertatis, quod pro rege

& re-

republica necessarium inuenitur.

Distresse 9. Cap. 9.

¶ Item ministri domini Regis, vt vic' & alij, i
grediunt feoda ecclesiæ ad faciendum districtio
& aliqñ capiunt animalia rectorum in via regi
qñd nõ habent nisi terram pertinent ad ecclesia
¶ Responsio. Placet domino regi ‡ ne ‡ de cete
districtiones fiant huiusmodi nec in via regia, n
in feodis quibus olim ecclesiæ sunt dotatæ. V
tamen districtiones fieri in possessionibus de no
a personis ecclesiasticis acquisitis.

Abiuration 3. Cap. 10.

¶ Item quandoq; aliqui confugientes ad ec
siam abiurant terram, secundum regni consuetu
nem, & ꝓsequuntur laici eos, vel inimici eorum
a publica strata abstrahuntur, & suspendunt.
statim decapitant, & dum sint in ecclesia custo
untur per armatos infra cemiteriũ ‡&‡ quand
infra ecclesiam ita arcte, ꝙ non possint exire l
sacrum causa superflui ponderis deponendi,
permitt eis necessaria ad victus ministrari. ¶ I
sponsio. Qui terram abiurauerint, dum sint, in s
publica, sint in pace domini regis, nec debent ab
liquo molestari: & dum sint in ecclesia, custod
orum non debent morari infra cemiterium,
necessitas, vel euasionis periculum hoc requirat,
arctent confugent, dum sint in ecclesia, quin pos
habere vitæ necessaria: & exire libere ꝓ obse
pondere deponendo.

Appelles 6.

¶ Placet etiam domino regi, vt latrones,
ap

ellatores, quecunque voluerint, possint facer-
bus sua facinora confiteri: sed caueant con-
ores, ne erronicè huiusmodi appellatores in-
nent.

¶ *Monasteries* 3. *Cap.* 11.

tem petit, quod Dominus Rex, & regni mag-
es non onerent domos religiosas, vel ecclesiast-
s personas pro corodijs, pencionibus, vel per-
dinationibus faciend' in domibus religiosis, &
locis ecclesiasticis, carectis & equis sibi mit-
d', cum per hoc prædictę domus depauperent,
usquè diuinus in hac parte diminuat, & prop-
huiusmodi onera compelluntur sepissime pres-
bri, & alij ministri ecclesiastici, diuinis officijs
utat, a locis recedere supradict'.

Responsio. Placet Domino Regi quod super
tentis in peticione, de cetero indebite non ono-
tur. Et si per magnates, aut alios contra fiat,
beant inde remedium iuxta formam Statuto-
n tempore domini Edwardi Regis patris do-
ni Regis nunc editorum. Et fiat consimile re-
dium de corodijs & pencionibus per cohersi-
em exactis, de quibus non fit mentio in stat
is.

¶ *Excommengement* 3. *cap.* 12.

Item si aliqui de tenura domini Regis vocan-
t coram Ordinarijs extra parochiam in qua
gunt, si propter suam contumaciam manifestam
communicentur, ac cum post xl. dies pro eorum
otione scribatur, pretendunt se priuilegiatos,
od extra villam seu parochiam suam non de-
nt vocari, & sic denegatur breue Regium pro
otione eorundem.

¶Responsio. Nunquam fuit negatum, nec negabitur infuturum.

¶ *Abilitie & Nonabilitie* 1. *cap.* 13.

¶ Item petitur quod personę ecclesiasticę, quas dominus Rex ad beneficia presentet ecclesiastica si Episcopus eas non admittat, vt puta propter defectum scientiæ, vel aliam causam rationabilem non subeant examinationem laicarum personarum in casibus antedictis, prout his temporibus attentatur de facto, contra canonicas sanctiones: sed adeant iudicem ecclesiasticum, quem de iure pertinet, pro remedio, prout iustum fuerit, consequendo.

¶Responsio. De idonietate personæ presentatæ ad beneficium ecclesiasticum, pertinet examinari ad Iudicem ecclesiasticum, & ita hactenus visitum, & fiat in futurum.

¶ *Election* 2. *cap.* 14.

¶Item si vacet aliqua dignitas, vbi electio esticienda, petitur quod electores liberè possint eligere, absque incussione timoris à quacunque potestate seculari: & quod cessant preces & oppressiones in hac parte.

¶Responsio. Fiant liberè, iuxta formam statutorum & ordinationum. VVest. 1. cap. 5.

¶ *Clergie* 3. *cap.* 15.

¶ Item licet clericus coram seculari Iudice iudicari non debeat, nec aliquid contra ipsum fieri per quod ad periculum mortis, vel ad mutilationem membrorum valeat peruenire, seculari

tam

imen Iudices clericos ad ecclesiam confugientes, c reatos suos forte confitentes, faciunt abiurare :egnum, & eorum abiurationes admittunt ex illa iusa, quamquàm eorum iudices super his non ex- lant: sicq; dat laicis indirectè potestas huiusmodi lericos cruciandi, si ipsos post huiusmodi abiura- onem in Regno contigerit inueniri, super quo pe- int Prelati & clerus tale remedium adhiberi, vt mmunitas ecclesiæ, & personarum ecclesiastica- um conseruetur illesa.

¶Responsio. Clericus ad ecclesiam confugiens ro felonia pro immunitate ecclesiastica obtinēda, i asserit se esse clericum, regnum non compellatur biurare, sed legi regni se reddens, gaudebit eccle- iastica libertate, iuxta laudabilem consuetudinem Regni hactenus vsitatam.

¶ *Clergie* 4. *Cap.* 16.

¶Item quanq̄ confessio, coram illo qui non est udex, confitentis locum non teneat, nec sufficiat id satisfaciendum processum, vel sententiam pro- erendam: quidam tamen seculares iudices, cleri- os qui de foro suo in hac parte non existūt, reatus proprios, & enormes, vt puta furta, roberias, homi- cidia coram eis confitentes, admittūt accusationem, llorum, quam ipsi communiter vocant appellum ipsos sic confitentes & accusantes, seu appellum fa- cientes non liberant Prelatis eorum post premissa, quanq̄ super his fuerint sufficienē requisiē, licet corā eis etiam per confessionē ppriam iudicari vel con- demnari nequeant, absq; violatione ecclesiastice li- bertatis. ¶Responsio. Appellator in forma de- bita tanquàm clerico per ordinarium petito, li- bertatis ecclesiastice beneficium non negabitur.

Nos desiderantes statui ecclesiæ Anglicanæ, & tranquillitati, & quieti Prelatorum & cleri prædictorum (quatenus de iure poterimus) prouidere ad honorem Dei, & emendationem status dictæ ecclesiæ & Prelatorum & cleri prædictorum, omnes & singulas responsiones prædictas, ac omnia & singula in eisdem responsionibus contenta, ratificantes & approbantes, ea pro nobis & hered' nostris concedimus, & precipimus in perpetuum inuiolabiliter obseruari, volentes & concedentes pro nobis & herædibus nostris, quod prædicti Prelati & clerus, & eorum successores in perpetuum in præmissis iurisdictionem ecclesiasticam exerceant, iuxta tenorem responsionum prædictarum, absque occasione § ecclesiæ § inquietatione, vel impedimento nostri, vel nostrorum herædum, seu ministrorum quorumcunque. In cuius &c. Teste &c.

¶ Expliciunt Articuli Cleri.

¶ Statutum Eborac' ædit Anno 12. Edwardi 2.

Par ceo que plusors gentes du royalme Dengleterre, & de la terre Direland, ount auant ceux heures souent soits, suffertes mischiefe, damage, & disheritsons, per encheson de ceo que en ascun case

ase ou default fuit en ley, remedy ne fait
ordeigne: & auxint pur ceo q̃ aſcuns points
les eſtatutes auant faits auoyent meſter de-
clariſement. Noſtre ſeignior le Roy Ed-
ward fits au Roy E. deſirant plenier droit
ſtre fait a ſon people, a ſon parliament a
Euerwike, a trois ſemaignes de ſaint Mi-
helf, lan de ſon reigne xij. per aſſent des
Prelates, Countees, Barons, & le commu-
alty de ſon Royalme, illonques aſſembles,
iſt les eſtabliſhments et les eſtatutes, q̃ux
enſuõt, les queux il voit que en le dyt
Roialme, & en la dyt terre ſoyent ſurme-
nent tenus.

¶Aſſiſe 8. Cap. 1.

¶Enprimes pur diuers miſchiefes queux
ount eſte, de ceo que les tenants en aſſiſes
de nouel diſſeiſ. ne puiſſent auãt ceux heurez
faire attorneis. Accord eſt, q̃ les tenants en
aſſiſes de nouel diſſ. puiſſent faire attour-
neis. Et ne entend my le Roy per tant que
les tenants & les defend en aſſiſe de no. diſſ.
ne puiſſent pleder per bailifes ſils voillent,
come auant ſoient.

¶Vitines 1. cap. 2.

¶Et enſement accord eſt, q̃ quant chart,
quite claim, acquitãce, ou auter eſcript ſoit
dedit en la Court le Roy, en q̃ux ſont teſ-
moigñ noſmes, ſoit proces fait de faire deñ
les teſmoigñ, come auant ad eſte vſe, iſſint q̃
ſi nul deigne a le graund diſtreſ ſur eux re-
torne, ou retorne ſoit que ils nont riens, ou
ne ſont troues: que adonques ne ſoit leſſe le

4. H. 7. fo. 8. Vn fait fuit pled en bar, a q̃ le dr̃ dit ... 14. H. 6. 7. E. 4.

prise del enquest p absence de ceux tesmoigñ
Et ñ les tesmoignes veignont per le graūd
distresse, & lenquest per ascun encheason, re-
maine apprendre, soit m̃ le tour doñ a ceux
tesmoignes queux illint viendront, q̃ est doñ
a lenquest prend̃, a q̃l tour ñ les tesmoignes
ne viendront, soient lour issues primes sur
eux retornes forfaits, & la prise del enquest
ne remaiñ a prender pur lour absence. E
pur le absence des tesmoignes, q̃ux sōt deins
franchises, ou brief le Roy original ne court
ne soit le prise del enquest lesse.

¶Nisi prius 3. cap. 3.

¶Et come il soit conteigñ en lestatute fait
a Westminster le seconde iour de Apprill, la
du raigñ le roy, pier nostre seignior le Roy
que ore est xxbij. ‡ de Finibus leuatis cap. 4.
que les enquestes & les reconusances deuant
Justices de iun banke & de lauter aiudge
fuissent prises deuaunt ascun des Justices
des places, associe a luy vn chiualer del coū-
tie ou les enquestes serront apprendres,
les enquests ne fuissent de graunde examin-
ment, & q̃ en tiels enquestes soit fait ficom
les Justices verount q̃ soit affaire au pūt
du Roialme, le q̃l estatute ad mestre destr
mieux declare. Accord̃ est, que les enquest
& iuries, queux serrount ou soient apprē-
dres en plee de terre, queux ne sont mye
graunde examinement, soient prises en pais
deuāt vn Justice del place ou le plee est, as-
socie a luy vn prode home del pais, chiualer
ou auter, illint q̃ certeine iour soit done
banke

banke, & certein iour & lieu en pais en p̄sence
les parties, si le demaūd̄ le prie. Et auxy les
enquestes & iures en plee de terre, que de-
mande graunde examinement, soient pry-
s en pais, en la forme suisdit, deuant deux
justices de banke.

¶Nisi prius 3. cap. 4.

¶Et eit le Justice, ou les Justices poyar
de recorder nonsuites & defautes en pais, as
iours & lieux queux serront assignes, sicome
suis est dit. Et ceo que ilz aueront fait en
les choses suisdits, soit report en banke au
iur doñ, & illonques enrolle, & sur ē iudge-
ment rendus. Et nentend̄ my le roy, que les
ts enquestes & iures ne puissent estre p̄ses
bank ils veignōt, ne que cest estatute soy
tende as graūde assises. Et auxy vn Jus-
ce de lun place ou de lauter, associe a luy vn
ode home du pais, chiualer ou auter, a la
quest del pl' preigna les enquestes des
ces pledes & a pleder, queux sount moues
r attachment & distres, & eit poyar de re-
order nonsuits, come desuis est dit, & pren-
e les enquestes per defautes illonq̄ faits.
it quant a les ‡ assises de darrein present-
ent, & les enquests sur briefe de Quare im-
dit, prendres soit fait come est conteign̄ en
ij. estatute de Westminster cap. 30. Et eiēt
s Justices poiar a recorder nonsuites &
efautes en pais, & sur ceo iudgement doner
m̄ en bank, & soit report en banke ceo que
s ont faits, & illonques soient enrolle. Et
aueign̄ que le Justice, ou les Justices,

queux sont ou serront assignes dapprendre
tielz inquestes en pays ne beignount, ou
beigñ en pais au iour assigne iademaine
les parties & les gentes des inquestes ga
dent iour iour en banke.

¶Retournes &c. 3. cap. 5.

Et pur ceo q̃ sonēt pleints ont este fai
en la Court le Roy, que les retornes que
Bailifes des fraunchise queux ont ple
retourne del briefe le Roy, ount liuerie
bicounts, apres ont este chaunges, & en au
maner retornes en la Court del Roy, a d
des aseuns del parties, & en delayāce de d
ture. Accord est, que des retornes, qui
fore se serront as bicounts per bailifes
tiels franchises, soit fait indenture peren
le bailife del fraunchise nosme per son p
per nosme, & le bicont nosm̃ p son pp no
Et q̃ le biē change le reē issint liuer a la
endenture, & de ceo soit attaint al sut
seignior du franchise, dount il ad tiel ret
resceue, q̃ le seignior aueē damages encu
ou sa franchise soit emblemp, & a le suit
partie que auera damages encurrue per
encheason: soit punie deuers le Roy com
faux retorne, & rend̃ al seignior & a le pa
damages au double. Auxint est accord̃, q
desore, les biē, ou auters bail̃ queux rese
uont bēes le roy retorñ en sa court, mett
iour proper noimes oue les retornes, il
que la Court puist scauer a qui ils prend
tiels retournes q̃ mestier soit. Et q̃ al
bicount, ou auter bailife en ses retour
ent

n tiesta son nosm̃, soit il grœuousement a=
n cite al oeps del Roy.

¶ Vittailes 1. cap. 6.

¶ Ensement pur cõmon profit du people
ꝓ est, que nul minister en citie, ne bo=
ugh, que per reason de son office doit garõ
es dez viuerz, & des vitailes, entãt come
rra attendant a cel office, ne merchanõ
es ne vitailes in grosse ne a retaile. Et si
n le face, & de ceo soit attaint, le mer=
ndise dont il serra attaint soit forfait au
y, & la tierce parte soit liuer, come del
le roy a celuy a q̃ suit le trespassor serra
t attaint. Et ẽ tiel cas soit resceue celuy
bondra suer pur tiel chose atteinõ. Et
auncell', treasorer, barons del eschequer,
iscis̃ de lun bank & de lauter, & Justices
igñ as Assises prender, resceyuent tiels
ants per briefes & sans briefes, & les ter=
nent, & per facent touts les choses con=
igñ en cest article en le forme auauntdit.
r tademains puis le Roy assigñ ses Jus=
tices a cel chose parfaire en cities,
& borroughes, quant, & la ou
luy plerra.

¶ Explicit Statutum Ebor'.

¶ Statutum

¶ Statutum de Essoiñ calumñ, ædit Anno 12. E. 2.

¶ Essoñ 12. cap. 1.

HIc demonstratur quot modis essoñ si calumniand', & in quibus casibus es non iacet, videlicet, non iacet essoñ, q terra capta est in manum domini gis. Non iacet essoñ, quia districtus per terras. Non iacet essoñ, quia concessum hinc iudicium, si iurata veniant. Non iacet es quia visus fuit in curia. Non iacet de vltra m quia alias se essoniauit de malo veniendi. N iacet quia alias se essoniauit tali die. Non i quia preceptum fuit Vicecomiti, quod faceret e venire. Non iacet de seruicio domini Regis, q fæmina, nisi quia nutrix, obstetrix, aut mitta per breue ad ventrem inspiciendam. Non iace breui de Dote, quia videtur deceptio, & pro gatio iuris. Non iacet quia talis querens non uenit plegios de prosequendo. Non iacet, quia tornat̃ fuit essoniatus. Non iacet, quia habe torñ in loquela. Non iacet, quia essoniator te tor, quod non est in seruicio domini Regis. N iacet, quia sum̃ testificat̃ non est, vel pars non tachiat̃, eo quòd vicecomes mandauit quod est inuentus. Non iacet, quia alias se essoniaui seruicio domini Regis, scilicet tali die § et § m non misit warrantiam. Non iacet, quia re fuit in vltima presentatione, vel morte ante soris. Non iacet, quia talis non nominatu

br

Non iacet, quia preceptum fuit Vicecom̃ ꝓ distringat eum venire per terras & cattalla. Non iacet, quia mandatum fuit tali Episcopo, quod iaceret eum venire. Non iacet, quia termini transgressi sunt. Et sciendum est, quod essoñ de corpore domini Regis allocantur post magnum Cap̃, post paruum Cap̃, & post districtiones factas per terras & cattalla.

Prærogatiua Regis, ædit̃ Anno 17. Edwardi 2.

¶ VVardes, 13. cap. 1.

DOminus Rex habebit custodiam, omnium terrarum eorum qui de ipso tenent in capite per seruicium militare, de quibus ipsi tenentes fuerunt seisiti in dominico suo vt de feodo, die quo obierunt, & quamdiu tenuerint per huiusmodi seruicium, tamen ipsi tenuerint de Rege aliqd' ten̄ ab alio de corona, vsque ad legittimam etatem heredis, exceptis feodis Archepiscopi Cantuarien̄, Episcopi Dunolm̃ inter Tine & Tise, feodis Comitat̄ & Baronum de Marchia de terris in Wallia vbi breuia domini Regis non currunt, & vnde

Cest non solem^t est entend le terre qil ad nisi fesim pte ouer auqi qil ad ni fayle. Ploydon 11 E 3 Edwardi 3.

& vnde predicti Archiepiscopus, Episcopus, & Baroñ, habeant huiusmodi custodiam : li libi tenuerunt de Rege.

¶ *VVardei* 14. *cap.* 2.

¶Item Rex habebit maritagium hered' inf tem, & in custodia sua existent', sive terra eorundem sint ab antiquo de Corona, siue chaetis que sunt in manu domini Regis, si buerint maritagium ratione custodie terraru minorum eorundem heredum, nullo habi pectu ad prioritatem feoffamenti, licet de a nuerint.

¶ *Trimer seisine* 1. *cap.* 3.

¶Item Rex habebit primam seisinam post tem eorum, qui de eo tenent in capite, de bus terris & tenementis de quibus ipsi f seisiti in dominico suo vt de feodo, cuiusc etatis heredes ipsorum fuerint, capiendo exitus eorundem terrarum & tenement donec facta fuerit inquisicio, prout moris ceperit homagium huiusmodi heredum.

¶ *VVomen* 1. *cap.* 4.

¶Item assignabit viduis post mortem vi suorum, qui de eo tenuerint in capite, suam que eis contingit &c. licet heredes plene etatis, si vidue ille voluerint. Et vid ante assignationem dotis suæ prædictæ, si red' plene etatis fuerint siue infra ætatem, it quod se non maritabunt sine licentia Reg si se maritauerint sine licentia Regis, tu capiet in manum suam nomine districtionis,

restistat ne fuit qd affirmauit vel prouatibi li-
roy qil abait fo le tomon loy.

& tenementa, que de eo tenent in dotem, satisfecerint ad voluntatem domini Regis, d ipsa mulier nihil capiet de exitibus &c. al quousque § per huiusmodi districtiones odi mulieres, seu viri earum finem faci- gi ad voluntatem suam. Et illa voluntas e Regis Henrici patris Regis E. estimari uit ad valentiam prædictæ dotis per vnum ad minus, nisi vberiorem gratiam ha- . Mulieres que de Rege tenent in capite n hereditatem, iurabunt similiter (cuius- fuerint ætatis) quod se non maritabunt entia Regis. Et si fecerint, terræ & tene- ipsarum eodem modo capiantur in ma- omini Regis, quousque satisfacerint, ad atem domini Regis. § Magna Charta o 7.

¶ *Partition* 1. *cap.* 5.

si vna hæreditas, que de Rege tenetur in , descendat pluribus participibus, tunc illi heredes faciant homagium Regi, & reditas que de Rege tenetur, participabi- er heredes illos, ita quilibet eorum extunc suam tenebit de Rege.

¶ *VVardes* 15. *cap.* 6.

ulier ante mortē antecessoris sui qui de Rege in capite, ante annos nubiles maritata fue- nc Rex habebit custodiam corporis illius is vsque ad ętatem, quod consentire poſ- tunc eligat ipsa vtrum maluerit habere vi- lum, cui premaritata fuerit, vel alium, quem i obtulerit.

¶ Aliena-

¶ *Alienation vvithout licence. 1. & 2.*

¶ Nullus qui de Rege tenet in capite per
cium militare, potest alienare maiorem p
terrarum suarum, ita quod residuum non su
ad faciendum seruicium suum, sine licenti
gis. Sed hoc non consueuit intelligi de me
& particulis earundem terrarum.

¶ De seriantijs alienatis sine licentia Regis
sueuit rex arentare huiusmodi seriantias per
nabilem extentam inde faciendam.

¶ *Auovvson 2. cap. 8.*

¶ De ecclesijs vacantibus, quarum aduc
nes spectant ad Regem, & alij presentaue
easdem, ita quod contentio inter dominu
gem & alios oriatur: si Rex per considerat
Curię presentationem suam recuperauerit lic
lapsum sex mensium à tempore vacationis, n
occurrit ei tempus, dum tamen Rex presen
infra tempus sex mensium.

¶ Fooles 1. cap. 9.

¶ Rex habebit custodiam terrarum fatu
naturalium, capiendo exitus eorundem
vasto & destructione, & inueniet eis nec
sua de cuiuscunque feodo terræ illæ fuerin
post mortem eorum reddat eam rectis hera
ita quod nullatenus per eosdem fatuos alien
nec quod eorum heræd' exheredentur.

¶ *Fooles 2. cap. 10.*

¶ Item Rex prouidebit, quando aliquis qu
h

uerit memoriam & intellectũ, non fuerit commentis suæ, sicut quidam sunt per lucida in-
illa, quod terræ & tenementa eiusdem saluo
odiantur, sine vasto & destructione, & quod
& familia sua de exitibus eorundem, viuant
ustineanẽ competentur, & residuum vltra sus-
tionem eorundem rationabiliter custodiatur
pus ipsorum, liberand' eisdem quando me-
iam recuperauerint, ita quod prædictę terræ
nementa infra prædictum tempus nullatenus
entur: Nec Rex aliquid de exit̃ percipiat ad
suum. Et si obierit in tali statu, tunc illud
uum distribuatur pro anima eiusdem, per
lium ordinarij.

¶ *VVrecke 2. cap. 11.*

Item Rex habebit wrecum maris per totum
num, Balenas, & Sturgeones captos in mare,
libi infra Regnum exceptis quibusdam pri-
atis locis per Reges.

Est nest nrw Law Ley nris declaratiõ del comõ Ley
ploy: 315.

¶ *Escheate 1. cap. 12.*

Item habebit eschaetas de terris Norman-
m, cuiuscunque feodi fuerint, saluo ser-
, quod pertinet ad capitales dominos feodi
. Et hoc similiter intelligendum est, si ali=
hereditas descendat alicui nato in partibus
smarinis, & cuius antecessores fuerunt ad
n Regis Franciæ', vt tempore Regis Io-
nis, & non ad fidem Regis Angliæ: Sicut
ingit de Baronia Monumentę, post mortem
nnis de Monumenta, cuius herædes fue-
de Britannia & alibi. De feodis aliorum
recupe-

recuperauit Rex Henricus, plures eschaetas terris Normannorum occasione prædicta, & contulit tenend' de capitalibus Dominis feodi seruicia inde debita & consueta.

¶ *Intrusion 1. cap. 13.*

¶ Quando aliquis, qui de Rege tenet in c in fata decedat, & heres eius ingrediatur quod antecessor suus tenuit de Rege die obijt antequam fecerit homagium Regi, & finam suam ceperit per Regem: tunc nullum crescit ei liberum tenement. Et si obierit se p idē tempus, vxor eius non habebit dotem d nemento illo: Sicut contingit de Matilda Comitis Hereford' vxoris Maunsell' Maresc fratis sui, cepit seisinam castri & maner Scrogoill', & obijt in eodem Castro, anteq intrasset per Regem, & fecisset ei homagi vnde concordatum fuit, quod vxor non hal dotem, eo quod vir suus non intrauit per gem, vero per intrusionem. Sed hoc non telligatur de § Eschaetis, § alias Socagio & uis tenuris.

¶ *Forfaiture 4. cap. 14.*

¶ Item Rex habebit eschaetas de terris l tenencium Archiepiscoporum, & Episcopor quando ipsi tenentes damnati sunt pro fel facta tempore vacationis; dum temporali rundem fuerint in manu domini Regis, ferend' cui voluerit imperpetuum: Saluo uicio quod ad dictos Prelatos inde pertin fieri consueuit.

¶ Patentes 1. Cap. 15.

¶ Quando dominus rex dat vel concedit alicui
nerium vel terram cum pertinentiis, nisi faciat
harta sua vel scripto expressam mentionem de
dis militum, aduocationibus ecclesiarum, & do-
us cum acciderint, ad predictum manerium vel
ram pertinent tunc his diebus rex reseruat
eadem feoda, & aduocat, cum dotibus, licet
er alias personas non fuerint obseruata.

Forfaiture 5. Cap. 16.

¶ Item rex habebit omnia catalla felonum dā-
orum, & fugitiuorum vbicunque fuerint inuēt.
Si ipsi habent libēt tēn, tunc illud statim capiet
manum domini Regis: & Rex habebit omnes
tus eiusdem per vnum annum & vnum diem,
enementum illud vastabitur & destruetur de
nibus, boscis & gardinis, & alijs quibuscun-
e ad predictum tenementum spectant, exceptis
ninibus quorundam locorum priuilegiatorum
e per Regem. Et postquam dominus rex ha-
erit annum, diem, & vastum, tunc reddatur tēn
d capitali domino feodi illius, nisi prius faciat
em pro anno, die & vasto. De cōsuet tamen di-
ur, quod post annum & diem, terræ & tene-
nta felonum in Gloc', reddentur & reuertentur
ximo heredi, cui debuerant discendere, si felo-
facta non fuisset. Et in Kanc' in Gauelkinde:
he father to the bough, the sonne to the
ough. Ibid omnes hered' masculi participabūt

vide Dna. Cr 99, b.

hereditatem eorum, & similiter feminæ, sed fem
næ non participabunt cum masculis. Et mulie
habebit post mortem viri medietatem
pro dote sua. Et si mulier forni-
cetur in viduitat, Perdet do-
tem suam, vel si sit dis-
ponsata viro.

¶ Explicit Prerogatiua Regis.

¶ Incipit Statutum de Magn Asisa in iungendo siue duello.

Ous deues sauoir ou gra
assise se ioint ⁊, bataile np
ou battaile se ioiēt ⁊ gra
assise niēt, ⁊ ou lune ne la
ter ne se ioiēt. Graūd ass
se iointe ⁊ battaile niēt, l
vne home vendō terre a vne auter p chart
⁊ celi purchaser vendō celi terē ouster ⁊ n
niēt pluis de terre et il rēde sa charter do
il est enfeoffe, vient le heire le primer fe
four ⁊ luy empledō il ne purē my la seisin
fendere per le corps son franke hom, mes
se purra mettre en dieu et en la graunde a
sise. Battaile se ioint et graunde assise n
la ou le vouchee est enfeoffe et vouche s
feoffo

offour a garē p charē q̄il aū de luy, il pur=
dedire sa charter p le corps son franke
ome, & la ne gist pas graunde assise mes
ttaile. Auxint graunde assise ne se iointe
as enter parentes auāt q̄ ils soient pas=
s le tierē degree la ou ils claiment per vn
esme la discent. Mes battaile se ioient
tre freres la ou lune est feoffe per charter
lauter claime per discent. Et ou lune ne
uter ne se ioint nient la ou le demaundant
aim̄ a tener en franke mariage, ouē franke
urgage, ou en frāke socage, ou en gaucl=
nde com̄ en Kent, ou en auter maner come
le demaundant demaunde forsque petit
ose com̄ vne acre de terē ou demy toft ou
oft, donques p assent des parties, ou per
garde des Justices, ū poient ils consenteē
vn iurē de bones frankes homes & loy=
p pur esparer le trauaile & le serement de
bons chiuallers, & ils ferront le serm̄t
sans delay dont ils dirroūt voier
a lour assient. ✝Voies le
vieux nature des brēes
fol. 1.✝

¶ Addition 1, Cap. 5.

Item ordeine est & estables en chescune briefe original de acciones personels appeles, e endictments & en queux exigē serra agard que auxi nosm̄ de defendaunts en tielx briefes originals ap pelles et endictments soient faits addicio de lour estate ou degree, ou de mestery & le villes ou hameleton, lieux, & les countie de queux ils fuerent ou sont, ou en queux i sont ou fuerent conuersants. Et q̄ per pro ces sur les ditz brez originals appelz ou en dict ē q̄ux lez ditz addiciōz soiēt enterlesse ascuns vtlagaries soient pronuncies q̄ il soient voides irrites & tenus pur nul. Et auant les vtlagaries pronuncies les dit briefes & endictments soient abatus per ex ception du partie per la ou en icelx les dit addicions soient enterlesses. Purueu tou foitz que mesqz les dits briefes daccions p sonels ne soient accordantes as recordes e faits per le superplusage de addicions suis dits, que pur cel cause ilz ne soient abatus Et que les clerkes del Chauncellary sout q̄ nosm̄s tiels brēs isseront escriptz ne ent lessent ne facēt omission des ditz addicion cōe desus est dit sur pein destr̄ punis & fai sine al roy per discrec' de l' chaunceller. E cōmencera cē ordinānce a tenir lieu al suit d party de la feast de saint Michael, prochei ensuant.

Ann

¶Forcible entre.3. Cap.9.

ITem come per le noble Roy Richarde nadgairs roy Dengleterre puis le conquest second a son parliament tenus a Westminster lenmaine dez almes lan de son Raigne 15. a.2.entre auters choses ordeines soit e=ables que les estatutes e ordinaũces faitz niẽt repelles de ceux que sount entrees oue pte maine e armes en ascunes terres tene=ents ou auters possessions quicunques et ur teignent eins oue force et armes et de ux que sount insurrection3,riotes,routes, uauches,e assembles en disturbance de la ace nostre seigniour le Roy ou de la com=en ley en affray de son people serroient te=as e pleinement e duement executz. Et ster ceo ordeigne est per mesme lestatute ũ utz les foitz que tielz forcibles ẽtrees soi=t faitz e pleint eut beigne as Justices du eace ou ascune deux que mesmes les Justi=s ou Justice preignent ou preigne poyar el countie,e boisent ou boise al lieu ou tiel ace soit fait. Et sil3 trouent ou troue al=ins teignantes tiel lieu forciblement apres iel entrye fait,soient prises e mises en pro=heine gaole a y demurrer conuicte de recordũ e mesmes les Justices ou Justice tanque ls eient fait fine e raunsom au Roy. Et que outs gents de county sibien viscountz come

auters soient entendantz as ditz Justices e
de eux enforcer pur arrester tielz malefaisor
sur peine denprisonment et de faire fine e
ransom au Roy. Et que en mesme le mane
soit fait de ceux que sount forcibles entrye
en benefices ou offices de saint esglise, cō
en mesme lastatute est cōteine plus au plein
e per taunt que le dit estatute nextend mye
es entries en tenementes en peaūble mane
e apres teñ oue force: ne si les ysons qui en
trent oue force, en aslcunes terres ou teue
ments, soient de tout remoues e voides de
uaunt le venue des dites Justices ou Justi
come deuaunt, ne nul piene ordeine, si l
viscounts ne obeye mye les commaundemē
tes e preceptes des dites Justices pur exe
cuter lordinaunce suisdit: plusours extorce
mensles e forcibles entries sont faitz de ion
en auter, en terres e tenements, per ceux qi
droit nont, e auxi diuers dones feoffement
e discontinuances aslcune foitz faitz as seig
niours e auters persones puissants e extor
cioners deins les ditz counties, ou ils son
conuersantes, pur maintenaunce auoir,
aslcune foits as tielx persons ensy oustes
disconus a tiel entent, pur delaier e defrau
der tielx droiturels possessours de lour dro
e recoueres a toutes tours, a final disher
son de plusours des mesmes foialz lieges ni
Seigniour le roy, et semblable est decrest
de iour en auf, si due remedy ne soit purue
en cel party. Nostre seigniour le roy consid
rant les premisses ad ordeine que le dit est
tu

ite et toutez auts estatutes de tielz entriez
alienacions deuant faitz, soient tenus et
ement executes: adioustant a icelles, que
soze en auãt si ascune face tiel forcible entẽ
terres tenementes ou auters possessions,
eux teigne forciblement apres compleint
t fait deins mesme le countie lou tiel entry
it fait as Justices du peace ou a vne deux
r la partie greue, que les Justices ou
ustice ensy garnye, deins temps couenable
cent ou face duement executer le dit esta=
tes, et ceo as costages de la partye ensy
eue. Et ouster ceo, comment que tiels
rsones faisantes tielz entrees, soient pre=
ntes ou voides, deuaunt le venue des
ts Justices ou Justice, maintenaunt mes=
es les Justices ou Justice, en ascune bon
lle, plus procheine as tenementes ensi en=
ies, ou en ascune lieu couenable, solonque
ur discrecion, eient et chescune deux cyt
dhoritye et poiar denquerer per lez gentez
mesme le Countye, auxybien de ceux que
unt tielz forcibles entries en frees et tene=
entes, come de ceux que ent teignent oue
rce. Et si troue soit deuant ascune de eux
ie ascune face le contrarye de cest estatute.
onqz les ditz Justices ou Justiẽ, facẽt ou
ce releiser les frez ou tenits ensi entries, ou
nus come deuãt, et metter la pty ensi ouste
plein poss. de mz les terres ou tenements
me deuaunt entrees ou tenus. Et si
cune persone apres tiel entrye en ter=
s ou tenementes tenus oue force, face

feoffement, ou auter discontinuãce, al ascun
seigniour ou auter parson pur maintenance
auoir, ou pur toller et defrauder le possesso
de son recouery en ascune maner, si apres
en assise ou auter accion ent estre prise ou
pursuer deuant Justices des assises ou autre
Justices du Roy quicunque per due enque-
rer ent apprendre, purra duemẽt estre prou
mesmes les feoffements et discontinuance
estre faits pur maintenance, come deuis e
dit, que adonques tielx feoffements ou auter
discontinuances ensi come deuant faitz, soi
voides irrites et tenus pur nul. Et aur
quant les dits Justices ou Justice, serron
tielx enqueres come deuaunt, facent ou fa
iour garrauntz et preceptes directes as di
count de mesme le Countie, luy commaun
dant de per le roy de faire venir deuant eu
et chescune deux, parsones sufficiantz et e
differentes, pluis prochein demurrants en
les tenementz enly entries, come deuant, di
quereẽ de tielz entries dõt chescune que se
empanel dequerer en celle party, eit terre e
tenẽt dãnuel value de xl.s.p ã au meinz, ou
les reprises. Et que le biscont retourne issi
sur chescune deux a iour de primer precep
retornable xx.s. et al second iour xl.s. et al t
erce foitz C.s. et a chescune iour apres le do
ble. Et si ascune vicẽ ou bailife deins frai
chise eiant retourne de hõ du Roy, soit lat
e ne face duement exeẽ des dits preceptes
luy directes pur tielz enqueres faire, que
forfaite deũs le Roy xx.li. pur chescune d
faut

Sufficient e Indifferent
Extreme Inhabitants
chescũ a and xl.s.p. an.

te, & oust face fine & ransom au Roy. Et auxibien les Justices ou Justice auant cõe les Justices des assises a lour venir pais, pur assises prendre, eiẽt et chescune reit, poiar doier & fuiner tiels defautes egligences des dits vicountz & bailifes, chescune deux, auxibien p bille al suite del ty greue, pur luy mesme, come pur le roy ier, come per enditement apprendre pur l'y solement. Et si le viscount ou bailife t duement attaint en cel ptie p enditemẽt p bille, que celuy que sue pur luy & pur le oy, eit vn moity del forfaiture de xx.li. en= ablement oue les costages & expenses: Et mesme le proces soit fait vers tielz cõditz sues per bille en cell' partie, si come serroit s endicts ou sues p bre de trõz oue force rmes encounter la peas de nostre seigni= e le Roy. Et oustre ceo si ascune persone t ouste ou disseisie de ascuns terres ou te= nentes oue forcible maner, ou ouste peas= ment et aps tenus de hors oue forte main earmes, encounter la Justice du peace, ou ces tiel entre ascune feoffement ou discon= tuaunce en ascune maner ent soit fait pur fraudes et toller le droit del possessour, e la partie greue en celle partye eyet al= e de nouel disseisine en briefe de Trespas rs tiel disseisoure. Et si la party greue trouere per assise ou per accion de Trespas troue sit per verdite ou en auter maner r due fourme de ley que la partye defen= lant entre oue force en terres et tenements ou

Forcible entr est dont le force de rest de terre, mes il nest pas de rent, & ceo par le estatut est en abridgement del common ley, et & ceo nest donc le opinio. 21. H. 7. fo. 17. 28

arron ff. rest stub supp. q. le dest luy ouste del force et puis luy tenant hors del force le bate fait regaining de disinuestide. & si le bate ouste del force il aura action ou ff. bate ouste peartablement & tenus hors del force, rest arron et rentre a luy mesme, quant il suppose q. il luy disst del force, dont il nadme pas bien. et & ceo nest mention arron. fut amend & ceo q. fut vient tropbaris mes Cath q. en original est fait post plung enforcement del plaint et & ceo ne pust amend. 10. E. 4. fo. ii et 12. Ca. 66.

vn port al dit rest de la terre de Jon et & ceo rest arron; rest arron est bon & st. bon par al common ley.

ou eux per force apres sō entry tiendra, q
le pl' recouera ses damm au treble, vers le l
fendaunt. Et ousker ceo que il face fine
ransome au Roy. Et que Maiors Ju
tices ou Justice de peace, viscoūtes et b
lifes des Cityes et Boroughes, eiāts fra
chise, eiant en les ditez Citez, villes, et b
roughes autiel poiar de tiels entries ousk
et en auters articles desuisditez emergent
deins icelles, come ont les Justices du pe
et viscountes en counties et pais suisdyt
Purueu toutes foites, que ceux que g
dent per force lour possessions en ascu
terres ou tenementes dont ils ou lour au
testers, ou ceux queux estate ils ont en
eis terres ou tenementes ont continu
es lour possessions en icelles, per
trois ans ou plus, ne soy=
ent mye endamm per
force de celt'
estatute.

¶ Finis.

¶Shriues.25. Cap.10.

Item le roy considerant les graundes periurye, extorcion et oppression, queux sont et ont esté en cest Royalme per ses viscounts south viscounts et lour clerkes, coroners, seneschales des fraunchises bailifes et gardēs des prisons & auters officers en diuerses counties de cest royalme ordeine per lauctoritie suisdit en eschewer de touts tiels extorciōs periurie & oppression que nul viscont lesse a ferme en ascune son county, ne ascune de ses bailiswikes idredes ne swapentakes, ne q̄ les ditz viscounts south visc̄ bailifs dez frāchises, ne asc̄ bailifes retourne sur asc̄ bre ou precepte direct de retourn̄ ascūs enq̄stes, en asc̄ iel sur ceo destre fait, ascunz bailifez officers ou seruantz a asc̄ de les officers suisditz ascune panel p eux issint affaire, ne q̄ nul officers & ministers per occaciō ou soubz our de lour office, preigne ascune auter se, per eux ne per ascune auter persone ur dse profite ou auail, dascune persone eux ou ascune deux destre arrestus, ou aches, ne de nul auter per eux pur la er dascune arrest ou attachment des faites per lour corps, ou dascune persone per eux ou ascune deux per force ou

colour

cels de lour office arrestus ou attaches p
sine fœ, sewet del prison mainprise, lessaun
a baile, ou monstrance ascune ease ou fauo
a ascune tiel person, issint arestus ou arest
pur lour regarde, ou profite, sinon tiel co
ensuit, cest a sciauoir pur le viscount xx.d.
bailife que face larrest ou attachement iij.
& le gaoler si le prisoner soit commis a
garde iiij.d. Et que le viscount, south v
count, clerke de viscoūt, sene shall' ou bail
de fraunchise, seruant ou bailife, ne coron
preigne per colour de son office per luy
per ascune auter persone a son vse, dasc
persone pur le faisour dascune retourne
panell' ascune chose, et pur le copie dune
nel iiij.d. Et que les dites viscountes
toutes auters officers & ministers auau
ditz, lesseront hors de prisone, touts man
des persones per eux ou ascune deux ar
ers, ou esteants en lour garde per force d
cune brieke bille ou garraunt en ascune a
on personell'z ou per cause dendictmen
trespas sur reasonable suerty de suffician
persones, eiants sufficiante deins les co
ties lou tiels persones sont issint lesse
baile ou mainprise de garder lour iours
tielz lieux, cōe les ditez briefs billes ou
raunts requirent: tiel persone ou person
sont ou serront en lour garde per condi
cion, execucion, capias vt lagatum, siue e
municatum, suertie de la peace, et toutes
elz persones que sount ou serront comm
gard et p especial commaundement das

Iu

ustice, & vagarantes, refusãts de seruire,
lonq̃ la fourme de lestatute de Labourers
nt solemẽt except. Et que nul viscoũt, ne
l de ses officers ou ministres suisdit, pigñ
face de prẽdre ou faire, ascune obligaciõ
r ascune cause suisditz, ou colour de lour
ce, si nõ tãt solement a lour mesmes, das-
ne person ne per ascune persone, que soit
lour garõ, per le cours de la ley forsque
le nosme de lour office, & sur cõditiõ es-
, que les dites prisoñs, appergeront a le
r content en les ditz brees billes ou gar-
et ẽ tiels lieux ou les dites brees bilz ou
t requires. Et si ascune des ditz viscõtz
uitz officers ou ministers suisditz, pigñ
i obligation en aut fourme, p colour de
r offices, q̃ il soit void, et que il ne pigne
s pur le fesance dascuñ tiel obligat gar-
t ou p̃cept p eux destre fait forsq̃ iiii. v.
auxint q̃ chescune de les dits viscounts
annuelmẽt vn deputy en les courts due
de la chauncery, l banke, et lescheqer de
rõ, deuant q̃ ils retournent ascuns brees
escciuer touts maũs des brees & garrãts
x deste deliueres. Et q̃ touts vis̃ south
ounts, clerks, bailifs, gaolers, coroners
schalz, bailifs des trauchises ou ascune
rs officers ou ministers queux fount le
rary de cest ordinãce en ast̃ point dicelt̃
il pty en pcelt̃ endam̃ ou greue ses tre-
dam̃ et forfait la summ̃ de xl.li. a chest̃
q̃ eux ou ast̃ deux fount le contrary di-
, en ast̃ point dicelt̃, dont le Roy dauer

lune

lune moitie, ceo deste emploies al vse de s
hostiel, & en nul aut maner, & la party q̃ o
voet suer laut motty. Et que les Justic
des assises en lour Sessions, Justice de l
bank & de lauter, & Justice de peace en lo
pais, eiant poiar dēquerer oier & termiñ l
office sans especial cōmission, de & sur tou
yceux que ferrent le cōtrary dicestz ordin
ces ē alcuñ article ou point dicelk'. Et q̃ l
ditz viscounts retornēt sur alcune pson
pi corpus, ou reddidit se, q̃ ils soiēt charg
ables dauer les corps des ditz persons a
iours des returnes des dits brieves, b
les ou garrāts, ē tiel fourm̃ com̃ ils fuer
deuant la fesance de ceo acte. Purueu to
foitz q̃ per cest present ordinaunce le g
deine del gaole du roy de Fleete, & del P
leis du Roy a Westm̃, pur le temps este
ne soit endam̃ ne preiudice en son duit
de son office, et auxint q̃ cest ordi=
nāce commencea al feast de
de Pasche q̃ serra ē lan
nostre Seignior
1446.

Item where it was ordeined in the time of king Edward the first, by the statut de finibus, that notes and fines to de leuied in the kinges court afore his Justices, should be openly and solempnelye rid. And that pleeis in the meane time ould cease. And this to be done by two ies in the wecke, after the discretion of e Justices, as in the said statute more unly appeareth. § vide statutum de finibus leuatis 27.E.1.fines.1.before anñ 34 3.cap.6, fines 4. § The king our Soueraigne Lorde, considereth that fines ought be of the greatest strength to auoide fes and debates, and to the finall ende conclusion, and of suche effecte were en, afore a statute made of none claime, ow is vsed the contrary, to the vniuersall trouble of the kinges Subiectes, wil rfore it be ordeined, by the aduise of the ds spiritual & temporal, & the commons he said parliament assembled, & by auctitie of the same, that after ỳ ingrossing uery fine to be leuied after the feast of ster, that shalbe in the yeare of our lord, 0. in the kings court, afore his Justices of the common pleeis, of any tãds, tenemites, or any other hereditaments, the e fine be openly and solemply read & pmed in the same court the same terme, and

rest estat. extendz al corporaron & sistent tiels qz out de sy mesme absolute estate et authorite Grant graine et remmaltie doant & thurst collette, et tiels stubbles. Mes si dessez doane person ou vicar ou p: bende ou tiels stubbles ne font entre ou claime et ne poetteront garend de abider fmed donz lei hand med sont remise & tout rec temps durore lem mes resserd ne sont lei a tout iors & tiels nont absolute estate ou authorite en lour possessions, car le dessez qz estes doane ne poent faire reseis de lier lor possessions and au lastell del doane et chapter et le son et vicar et sez antres qz poent auoir droit ne poent au bro de lier le sur resseis doipit sed le assent et patron et ordinarie qz ont assent mesme ou poent en le matter. Et ment qz sur assent mesme, s and a faire son claime ou entre dun resseis qz sesser lei, s and a passer son doan sur temps demesne lui. Mes ment qil est le son surresser antra entre s and a faire son entre ou claime, ou a porter son action & le droit et le droit en le gert. Item si home ou offrer, home plaintiffe, Worcester, Gandesme del Goale et tiels stubbles offered, qz silent esse done & vic sont dessez del terr ou mesaon pertinent a lei offrer le dissesser lei sine de perlemtrond. resseis offrer, s. resseis qz aprez antre anda s and, mes resseis qz sesser s and de passer son lui a tout iours. s. & le temps qil est offrer. Co. 538.

Per Statut fait. 31. Re. Eliz. Donnant estat forsq; a forte
terme du a sondaly termes s. vnd fait. fait en lad
termes.

Et si le disseisor morust sa feme enseint out prend
fits, le disseisor leuie fine et puis l'enfant est recep-
ver ou el bref except plaine del estatute car nulle
est denz age de vyans forsq tiel gest mere nature
ou gest lenfant il est excepte. Ploy de 366.

trouve
Coke:
vide. 19
H. 8. 7.

Si tenant en fee simple ou voit sender benefit de
leo sauant dont prouuer q chose. s. q il
est auter person et q le droit primer vient
a luy, et q il deuisse puis le fine engrosse et
proclamations fayt, et q son droit ou title est
par cause ou matter deuant le fine. Ploy: 373.

tierce
Coke

and in three termes then next following
same engrossing in the same court, at four
seueral daies in euery terme. And in th
same time that it is so read & proclaimed i
pices to cease. And the said proclamatior
so had and made, the fine to be final end ar
conclude, aswel priueis as estraungers
the same, except women couert, other the
been parties to the said fine, and euery pe
son then being within age of xxi. yeres,
prison, or out of this realme, or not of wh
mind at the time of ỳ said fine leuied, nor
ties to such fine. And sauing to euery pe
or persons & to their heires, other then t
parties in ỳ said fine, such right, clayme
interest, as they haue to or in the said lād
tenements, or other hereditaments, ti
of such fine ingrossed. So that they pu
sue their title, claime or interest, by way
accion or lawfull entre, within fiue yeer
next after the said Proclamations had a
made. And also sauing to all other perso
such accio, right, title, claime and intere
in or to the saide lands, tenements, or
ther hereditamentes as first shal grow,
maine, or discend, or come ‡to‡them afte
said fine ingrossed and proclamation ma
by force of any gifte in the taile, or by a
other cause or matter, had and made bef
the saide fine leuied, so that they take th
accion, or pursue their saide right and ti
according to ỳ lawe within fiue yeres n
after suche accion, right, claime, title
inte

terest to them accrued, descended, fallen, or me, and that the saide persons and theyr ires may haue their said actyon agaynst e pernour of the profites of the said lands d tenementes, and other hereditamentes ne of the saide action to be taken, and if e same persons at the time of such action, ght, and title accrued, descended, remained come vnto them, be couert baron, or with age, in prison, or out of this lād, or not of hole mynde. That then it is ordeyned by e said aucthoritie, that their action, right d title to bee reserued and saued to them d to their heires, vnto the time they come d be at their full age of xxj. yeares, out of ison, within this lande, vncouert, and of hole minde, so ý they or their heires take eir said actions, or their lawful entre, acding to their right and title, within fyue res next after that they come & be at their ll age, out of prison, within this land, vnuert, and of whole minde. And the same tions pursue, or other lawfull entre take, cording to the law. And also it is ordeid by the aucthoritie aforesaid, that al such rsons as be couert de baron, not party to e fine, and euery person being within age xxj. yeres, in prison, or out of this land, or t of whole minde at time of the said fines ied and engrossed, and by this said act a e except, hauīg any right or title, or cause action, to any of the said landes and other reditamentes, that they or their heyres,

Dier. 133.

inheritable to the same take their saide acti-
ōs or lawful entre, according to their righ
and title, within v. yeres next after they cō
and be of the age of xxj. yeres, out of prison
vncouert, within this land, & of whole mīd
and the same actions sue, or their lauful ē
trie take and pursue accordinge to the law
And if they do, & take not their actiōs & en
ter as is aforesaid, that they & euery of ther
and their heires, & the heires of euery of th
be concluded by the same fines for euer, i
like forme as they bene ý bin parties or pri
uies to ý said fines. Sauiinge to euery per
son or persons, not party nor priuy to th
saide fine, their exception to auoid the sam
fine by that that those ‡ that ‡ were partie
to the fine, nor any of thē, nor no person no
psons to their vse, ne to the vse of any of th
had nothing in the lands or tenements com
prised in the said fine at the time of ý sayd
fine leuied. And it is ordeined by the said
authoritye, that euery fine that hereafte
shalbe leuied in any of the kings courts, o
any manors, lands, tenements, and othe
possessions, after the maner, vse, and form
that fines haue bene leuied afore the makīg
of this act, be of like force, effect, and autho
rity,, as fines so leuied be or were afore th
makinge of this act, this act or any other a
in the saide parliament made or to bee mad
notwithstandinge. And euery person b
at his lybertie, to leuy any fine hereafte
after his pleasure, whether he will after th

fourme conteyned and ordeyned in ꝑ by this act, or after the maner and fourme aforetime vsed.

¶ Women.

¶ Anno 11. H. 7. cap. 20. Discontinuance of right or estate.

For certeine reasonable considerations, be it ordeyned, enacted, ꝑ established by the king our Soueraigne Lord, ꝑ by the assent of the Lords spiritual and temporal, ꝑ the cōmons in this present parliament assembled, and by auctoritie of the same, that if any woman which hath had, or hereafter shall haue any estate in dower, or for terme of life or in taile iointly with her husbād, or onely to her selfe, or to her vse, in any manners, lands, tenements, or other hereditaments, of the inheritaunce or purchase of her husband, or geuen to the said husband ꝑ wife in taile, or for terme of life, by any of the auncesters of the said husband, or by any other person seised to the vse of the said husband, or of his auncesters, and haue or shall hereafter being sole, or with any other aforetaken husbande, discontinued or discontynue, alyened, released, or confirmed, alyen, release or confirme with warrantie, or by couyne suffred or suffer, any recoueric of the same, against them or anye of them, or any

Sentent de gift de parliament et plus ad pondere de les poles de part et lentent de ceo estat fait les temps avant ioyntures de droit originalment de leur barons, or ceux que estoute de bon de cuer et le meter a fin de ceux en auter lieu a les heirs de le baron. ris. Hil. 164.

Si home voile que son rent hors de son tenure a son auo vest de la fee del grantbot, ceo est hors de les olds del stat, car le rent ne le vest fuer en est de vant ce issint mient le inheritaunce, ne apres est del baron. Mesme le ley si feme ad fee en tayle de son baron par son ioyntures, ꝑ puis tenancy est fete, et de ceo feme suffer feme recouery bate ley, car le tier estate est nobell apres 4 E 6. Mesme le ley si le baron fait feoffement de son tenure sur condition de reenfeoffer luy et sa feme en tayle, le feoffee ceo fait accord. le baron morust le feme suffer feme recouery, le condition ꝑ fuit le ryght del son fuit nobell apres et ꝑ ceo sad del stat. M. 4. E. 6. fo. 43. Fouden

Lou fe ad ioynture ce dount sa bar, et un le bar et un lo fe Wild find des ter, ꝓ q dame, ꝓ ast, ꝓ q un un le mishdisse: mes si bar hors un dart sa fe et ils loy find et conisso got et vouch al bar et fe un t hers, vers al heirs fe, bar mor, fe prist auto bar, et ils loy find, ꝓ ꝓ ceo dame pols del ast, pur hors lutent ꝓ ꝓ q estate ad mes un del fe: Pyt: 36 E 366: a.

or any other seised to their vse, or to the vse of either of them, after the forme aforesaid, that all such recoueries, discontinuances, alienations, releases, confirmations, & warranties, so had and made, & from henceforth to be had and made, be vtterly voide and of none effect. And that it shalbe lawfull to euery person and persons, to whom the interest, title, or inheritance after the decease of the said women, of the said manors, lands, & tenements, or other hereditamentes, beeing discontinued, alienedd, or suffered to be recouered, after the first day of December next cōming, in the forme aforesaid should appertaine, to enter into all and euery of the premisses, and peaceably to possesse and enioy the same, in such maner and forme, as hee or they should haue done, if no such discontynuance, warranty, nor recouery had ben had nor made. And ouer this be it ordeined and enacted by the said authoritie, that if any of the saide husbandes and women, or any other seysed, or that shalbe seised to the vse of them, of the estate afore specified, after the said first day of December, do make or cause to be made, or suffer any such discontinuāce, alienations, warraunties, or recoueries, in fourme aforesaid, that then it shalbe lawful to the person or persons, to whom the saide tenementes should or ought to belong after the decease of the said woman, to enter into the same, & them to possede and enioy, according to such title & interest, as they should haue

haue had in the same, if the same woman had bene dead, no discontinuance nor recoueries had, as against the said husband during his life, if the said discontinuaunce, alienation, warranties, & recoueries bee hereafter had by or against the same husbandes & women during ꝑ couerture & espousels betwixt thē. ¶ Prouided alway that the saide women, after the decease of their said husband, may reenter into the mannors, landes, and tenements, and them to enioy according to their first estate in the same. And ouer this bee it ordeined and enacted by the said auctority, that if the saide woman at the time of such discontinuāce, alienations, recoueries, warranties, after the said first day of December in fourme aforesaid to be had & made of any of the premisses bee sole, that then she shal be barred and excluded of her title and interest in the same from thencefoorth, & that the person and persons to whom the title, interest, and possession of the same should belong after the decease of the saide women, shall immediatly after the said discontinuaunce, alienations, warranties, and recoueries, enter into the same manours, landes, tenementes, and other hereditaments, & them to possede & enioy, according to his or theyr title in the same. Prouided also that this act extende not to auoide any recouerie, discontinuance or warrauntie, after the forme aforesaid, afore this time had, made, or suffred but onely where the said husbād & woman,

or eyther of them now beeing alyue, or any other to their vse, now haue interest & titl to the said manours, landes, tenementes or other hereditamentes, alienedd, discontinued, or suffered to be recouered, after the forme aforesaid, and therof now taking the issues and profites, or any other person or persons to their vse.

¶ Prouyded also that this acte extende not to any such recouerie or discontinuance to be had with the heires next inheritable to the said woman, or he or they that next after the death of the same womā should haue estate of inheritance in the same manours landes, or tenements, be assenting or agreeable to the said recoueries, where the same assent and agreement be of record or inrolled. Prouided also that it shalbe lawful to euery such woman being sole or maryed, after the death of her first husband, to geue sell, or make discontinuaunce of any such landes for terme of her lyfe onely, after the course and vse of the common law before the making of this present acte.

¶ An

¶ An Acte concerning actions populer, and statutes penall. Anno 7.H.8.cap.3.

Actions populer 3.

WHere dyuers and many penall Statutes and ordinances haue bene made and ordeyned, some whereby the punyshments geuen onely to the king our Soraigne Lorde, hys heires and successours, action, writ, bill, indictment, or informa=on, and some whereby the kinge by hym f, or any other cōmon person for the king for himselfe onely, may sue by writ, bill, dictment, or information against the of=nders in that behalfe, and because of long act of tyme, and for sparinge of the suite ereof, and that then after such long tract tyme, dyuers and many of the kings true biectes hau bene in time passed vexed and oubled for the penalties contayned in the ide Statutes and ordinaunces, more for alyce then for Justice, whereupon periu=es haue ensued, to the great trouble and xation of the kinges true subiectes their ires and executors, being ignorant of the id statutes & offences: wherefore, & for the nder loue & zeale that our soueraigne lord e king beareth to his said louing subiects id at their humble desire. Be it enacted, deined & established by his highnes, & by e assent of the Lords spiritual & temporal

and the commons in this present parliam
assembled, & by the auctholitie of the sam
that all and singuler such actions, suite
bills, indictments, or informations, as fro
the xx. day of the moneth of Nouember t
vij. yeare of our saide soueraigne Lord
raigne shalbe commenced, taken, sued, ha
or made, onely for any dette, moueable goo
or cattalles forfaited and lost, or to be fo
faited or lost, whereunto the king onely, h
heires or successours, and none other com
mon person shal or may be entitled by re
sō of the said penal statutes or any of the
shalbe commenced, sued, taken, or had wi
in fower yeres next after the offence or off
ces, forfayture or forfaitures, of, or for t
same, had or made against the ordinance, a
prouision of any such acte or actes, statu
or statutes penal, and not after the said u
yeares. And that for any offence or forfay
ture made or had, or to bee made or had
gainst the ordinaunce and prouision of any
acte or actes penal, made and ordeyned, or
be made and ordeined, whereby action, sui
bille, or information populer, is or shalb
gæuen to any personne or personnes, suc
as will sue for the kinge and for him
them selfe, or onely for him or them self
that such action, bille, sute or informatio
bee commenced, sued, had and made, by suc
person or persons, other then the kinge, a
will sue in that behalfe, withinone yere ne
after the offence or forfaiture, had, made,
committe

committed against the ordinaunce and pro-
vision of any such acte or actes penall, and
not after the sayd yeare ended. And that the
liges suit by writ, bill, plaint, indictment,
or information on that behalfe be commen-
ced, sued, had, or made, within two yeares
next after the offence or forfaiture made or
done against the prouision and ordinance of
any acte or actes, statute or statutes penall
and not after the said two yeres. And if any
action, suit, bill, indictment, or information,
concerning the foresaid statutes, or any of
them ‡be‡ had or made, otherwise thē with
the time or times limited, as is aforesaid,
that then the same action, suit, bille, indict-
ment, and information, and euery of them
commenced, sued, had, or made, for the saide
offence or offences, forfaiture or forfaitures,
be voide and of no force ne effect, any act
actes, statute or statutes made to the con-
trarie notwithstanding.

Prouided alway, that where any action,
information, or indictment, is limitted by a-
statute to be had, made, or taken within
porter time or times, then (as is afore
rehearsed) that it be had, made,
and taken, according to
the time limitted in
that estatute.

¶ An

¶An act concerning aduowries for rentes and seruices. anno 7.H.8.cap.4.

Recoueries 1.

Whereas dyuers, aswell noble men other the kinges subiectes haue suffered Recoueries agaynst them dyuers their mannours, lordships, lands and tenements, for the performance of their willes, or for the suertie of theyr wyues ioyntures, or for the iointure of sonnes & heires apparant and their wiues, or for any other persone or persons, according their couenants and agreements, and the personnes that so haue recouered the sayd manors by the course of the cōmon law, haue no remedy, nor may haue, to compel the tenant, freholders and tenants, which hold of the same manours by the rents seruices or customes, to attourne to them, nor could by the order of the law attaine to the rents, seruices, or customes, (if they were denied by distres or actyon, without they could once atteine to the possession of the sayd rentes, seruices, and customes, by paying & doing the said rents, seruices, or customes by the same freholders, fermors, & tenants, which to do, dyuers and many of them have oftentimes refused, & yet do, to the great offence and charge of their conscīēce, not only to the disheritāce of the said recouerers, but also in breaking of ye last wils of thē against whom such recouery is had: and also to the dis-

eritance of the said husband, wiues, and
r to whose vse the same recouerie was
id. Also if there were any aduowsō ap=
ant to any of the said manors, the same
wson had fallen void, & a stranger had
nted, the saide recouerers, nor they to
se vse the same recoueries were had, had
medie for the same disturbance, & some
thereby they haue bene disenherited.
t therefore enacted by this present par=
ent, & by the authoritie of ỳ same, that
ecouerers in all such recoueries, theyr
s, & all assignes, may from henceforth
ine for the foresaid rents, seruices, and
mes, so being due & vnpaied, and make
orie or iustifie the same, as those persōs
ist whom the saide recouerie is, should
done, if the said recouerie had not bene
& also haue like remedy for the recoue=
of the said rent seruices & customes, by
ory, & also Quare impedit for the said ad=
son, if any disturbāce be made, as those
ns, against whom the said recouerye
had, might, or should haue had, by the
e of the cōmon law before ỳ said reco=
if any such rēt seruices or custōes had
nenied thē, or any such disturbance had
nad in their times And also ỳ euery a=
āt, & euery other persō or persōs ỳ ma=
auowry, conisāce or knowlege, or ius=
as daily, to any other person or persōs
y Replegiare, second deliuerāce, for any
itōe or seruice, if their auowry, conisāz
or

or iustification be found for them or ꝑ pl
tifes in the said actions otherwise ba
shal recouer their damages and costes
they haue sustained, as the plaintife sh
haue done, if they had recouered in the
Repleuins. ‡ See after Anno 21.H.8
19. Auowrie 1.

¶ Assise.

¶ An acte concerning Abridgementes of p
in Assise, anno 21.H.8.cap.3. Assise

Forasmuch as Assises s
haue bene thought the
speedy remedy, be now by
sion of pleding of many b
to moities and partes c
landes put in view and p
greatly delayed, for difficulties & diuis
pleding. And one cause thereof is, beca
plaintifes in the assise in such plees, to
ties and partes, cannot by the law al
their plaintes. For remedy whereof
enacted, that the plaintife in euery assi
henceforth, may at his pleasure seuer
bridge his plaint, of any part or parts
vnto any barre is pleaded, in such lik
ner, as he or they might do, in case tha
in barre had bene made and deuided,
certeintie or number of acres in the
& that the plaint for the resydue of th

ts of the landes not abridged, shalbe & good & effectuall in the law.

¶ Spirituall persons.

n Acte against Pluralities of benefices, r taking of fermes by spiritual men, and for residence. An. 21. H. 8. ca. 13. Residence 2.

For the more quiet and vertuos increase and mainteynaunce of diuine seruice, the preachinge and teaching the worde of God, with godly & good example geuinge, the discharge of Curats, the maintenāce pitality, the reliefe of poore people, the se of deuocion, and good opinion of the t, toward the spiritual persons. Be it cd, ordeined, & established by the king ueraigne Lord, with the assent of the spiritual and temporal, and the com in this present parliament assembled, authoritie of the same, that no spi person, seculer or reguler, of what de euer he or they be, shall from hence take to ferme to him selfe, or to any or persons to his vse, of the lease or t of the king our soueraign Lord, nor other person or persons, by letters ts, indentures, writings, by word, or other=

otherwise, by any maner of meanes, an
nors, landes, tenementes, or other here
ments for terme of life, for terme of ye
or at will, vppon payne to forfait
pound for euery moneth that he or any
to his vse shall occupie any such ferm
reason of any such lease or graunt here
to be made. The one halfe of which fo
ture to be to the king our soueraigne
and the other halfe thereof to euery
person as will sue for the same by or
writ, bill, or plaint of debt, or by any
mation in any of the kinges Court
which action and suit no wager of la
be admitted for the defendant, nor any
or protection allowed.

And be it also enacted by the auct
aforesaide, that all & euery such spir
person or persons, which now haue or
pie in ferme by them selfe, or by any ot
their vse, any manors, landes, tenemer
hereditamentes, of the lease or grau
the king our soueraigne Lord, or any
person or persons for terme of life, o
yeares, or at wil, by any writing, or o
wise, or that now haue any annual rer
other annual aduātage or profit, by oc
or colour of any such lease or ferme:
clerely bargaine, sell, gæue or graunt
on this side the feast of Saint Miche
Archangell next comming to any suc
person or persons, as they wil at their
nominacions and appointmēt, al such

ne, interest, and profite as any such spi=
ritual persō, or any other to his vse nowe
may or haue, in, or by reasō of any such ferm̄
or at in no wise any such spiritual person
or persons at any time after the same feaste,
them selfe or any other to their vse by a=
ny maner of means, fraud, or male ēgin, shal
have vse, or occupy in ferme, any manors,
ages, tenements or hereditaments, of the
wise, lease or graūt of any person or per=
sons heretofore made, or hereafter to bee
made, to them selfe, or to any other to their
vse: nor from the said feast shall take any
annuel rent or other annuall aduantage or
profite, by occasion or colour of any suche
lease or ferme by any maner of meanes, vp=
on paine to forfait for euery moneth so oc=
cupyng any such ferme, at any time after ye
said feast, contrary to this present act, tenne
pounde, and vpon peine to forfait tenne tīes
so much as any such spirituall person or a=
ny to his vse, shall take in any annuell rent
aduantage or profite, by occasion or colour
of any suche lease at any time after the said
feast. The one halfe of which forfaiture
shall be to the Kinge our soueraigne Lorde,
and the other halfe to him that will sue for
the same by original writte, bille, or plainte
of debt, or by information in any of the kīgs
courts, in which action & suit no wager of
law shalbee admitted for the defendaunt,
nor any essoine or protection allowed.

And

¶ And be it also enacted, that all such l
ses made or hereafter to bee made unto
such spirituall person or persons, or to
other to their vse, for terme of lyfe, term
yeres, or at will, of any manors, landes
nements, or hereditaments, whereof the
any of them shal take any profit, or med
by them selfe or by any to their vse, after
said feast of saint Michael, by colour of
such lease or graunt, (and not by them
gained, graunted, and solde away befor
said feast, as is before limitted) shall
thenceforth be vtterly voide and of non
fect, as well against the lessour or lesso
grauntour or grauntours, their heires
assignes, and against euery of them, a
gainst the lessee or lessees, and their ex
tors and assignes, and euery of them.

¶ Prouyded alway that this present
shall not extende to any spiritual perso
persons, in, and for taking to ferme an
poralties, during the time of vacation
any Archbishoprickes, Bishoprickes,
beis, Priories, or other collegial, cathed
or conuentual churches, nor to any spiri
person or persons, that shall tende or m
any trauers vpon any offices or office,
cerning his or their freholde.

¶ And be it also enacted by the autho
aforesaid, that no spiritual person or pe
seculer or reguler, of what estate or de
soeuer they be, shal from henceforth by
self, nor by any other for him, nor to his
barg

ırgaine and bny to sel againe foz any lucre
une oz profite, in any markets, faires, oz
her places, any manner of cattelles, cozne,
de, tinne, hides, lether, tallow, fish, woole,
ood, oz any maner of victuall oz marchan=
se, what kinde soeuer they be of, vpon pein
fozfaite treble the value of euery thing by
em, oz by any to their vse bargained and
ught to sel againe contrary to this presēt
te. And that euery such bargaine and cō=
act hereafter to be made by thē, oz by any
their vse contrarie to this acte, shall bee
terly voide & of none effecte. And the one
lfe of euery such fozfaiture to be to ye king
ir soueraign lozd, & the other halfe to him
wil sue foz the sāe by oziginal wzit of det
l, plaint, oz infozmatiō, in any of ye kinges
urtes. In which action oz suite no wager
law foz the defendaunt shalbe admitted,
z any essoine noz pzotection allowed.

Pzouided alway, that if any such spiri=
iall person oz persōs, shal happē hereafter
ithout fraud oz couine to buy any hozses,
ares, oz mewles to the only intēt to occu=
e foz himselfe oz his seruauntes, to ride to
d fro, vpon his necessarie busines, oz any
her cattelles oz goods, to the only intent
d purpose at the buying therof to be em=
oied and put, in, and about his necessarie
paraile of his own house, oz of his person
d seruantes, oz in, foz, and about the only
cupping, manuring, oz tillage of his own
ebe oz demeane landes annexed to his

church, or for the necessarie expenses of h
owne houshold keeping. And after the bu
ing of any such horses, cattels or goods, o
exercise of them or of anie of them, hapne
to mislike anie of them, that they should no
be good, profitable nor conuenient for any o
the purposes aboue saide, for the which the
were bought, that then euery such spiritu
person or persons may lawfully bargaine
put away such things so by him bought, w
out fraude or couine for any of the purpos
aboue saide, at his pleasure and aduantag
this acte or any thing therin contained no
withstanding.

¶ Prouided alway that all abbots, p
ours, abbesses, priorresses, prouostes, pre
dentes, maisters of colledges, and hospital
and all other spirituall gouernors, and g
uernesses of any spirituall monasteries,
houses of religion, by what name or nam
soeuer they be called, hauing manors, land
and tenementes, hereditamentes, and oth
yerely profites, in the right of their mona
teries or houses, of the yerely value of bi
£. markes, or vnder, and not aboue, may b
and occupie as much and as many of the
demeane landes, fee fermes, and fermes
their most aduantage, commodity, and pf
to and for the onely maintenaunce of th
householdes and hospitalities, in as am
e as large maner as they or any of them,
their predecessours, or the predecessours
any of them, at any time by ye space of one
yer

yres last past, before the making of this act, have done, vsed, and occupied. Any thing in this present acte to the contrarie notwithstanding.

Provided also, that euerie other spiritual person and persons, not hauing sufficiēt glebe or demeane lands in their own hands, to the right of their churches, monasteries, & houses for pasturage of cattelles, or for increase of cornes, to and for the onely expēses of their housholdes, or for their carriages and iurnies, may take in ferme other landes, and buy and sell corne and cattell for the onely manurance, tillage, and pasturage of such ferme, so that the increase thereof bee applyed imployed and put to, and for the onely expenses in their housholdes and hospitalities, and not in any wise to buy and sell wine, for any other commoditie, lucre, or marchandage any corne or cattell, renewing, cōmynge, or growing, in and vppon anye such ferme, or otherwise, but onely the remayne and ouer plus aboue the expenses of their housholdes, if any such shall happen to the vsed and increase therof, without fraude or guile. Any thing in this present act to the contrarie hereof notwithstanding.

And be it enacted by the authority afore said, that if any persō or persōs hauing one benefice with cure of soule, being of ye yerely value of xiij. pounde or aboue, accepte and take any other with cure of soule, and be instituted and inducted in possession of ye same:

that thē and immediately after such posse
sion had thereof, the first benefice shalbe ad
iudged in the law to be voyde. And that i
shall be lawfull to euery patron, hauing th
auowson thereof, to presēt another, and th
presentee to haue the benefite of the same, i
such like manner and fourme as though th
incumbent had died or resigned, any lycenc
vnion, or other dispensation to the cōtrar
hereof obtained, notwithstanding.

¶ And that euery such licence, vniō, or di
pensation had, or hereafter to bee obtain
contrarie to this present acte, of what nam
or names, qualitie or qualities so euer th
be, shal be vtterly voide and of none effecte
And if any person or persons at anye tim
after the first day of Apryl, in the yere of o
lord God, M.v.C. and xxx. contrary to th
present act, procure and obtaine at the cou
of Rome, or els where, any licēce or licēc
vnion, tolleration, or dispensatiō, to recei
and take, any moe benefices with cure, th
is a boue limitted, or els at any time after
saide day put in execution any such licen
tolleration, or dispensation, before that o
tained contrarie to this acte: that then eue
such person or persons, so after the said d
suing for himselfe, or receiuing and taki
such benefice by force of such licence or l
cences, vnion, tolleration, or dispensatio
that is to say, the same persō or persons o
ly and none other, shal for euery such defa
incurre the daunger, peine, and penaltie,

y.li.sterlinge. And also lose the whole pro-
fits of euery such benefice or benefices, as
he receiueth or taketh by force of any suche
dispence or licences, vnion, tolleratiō. or dis-
pensatiō. The one halfe of which forfaiture
shall be to the kinge our soueraigne lorde, and
the other halfe thereof to him that will sue
for the sāe by original writte, bill, plaint or
bate, or information in any of the kīges
courts, in which action and suit no wager
of law, essoine, or protection for the defen-
dant shall be admitted or allowed.

Prouided alwaies, that this act cōcer-
ning the not keping of mo benefices with
cure of soule then one, extend ne be preiudi-
cial to any person or persons, which at any
time before the saide first day of Apryll, in the
yere of our Lorde God M.v.C. and xxx.
shall be realy intitled or possessed of any such
benefices with cure of soule, as concerninge
or touchinge any of the sāe benefices, where
they shall then be all ready really ētitled
or possessed before the saide daye, to or vnder
the number of iiij. and not aboue, and if any
such spiritual person or persons so beinge ē-
titled or possessed of moe benefices with cure
of soule then iiij. do not by the first daye of
Apryll clerelye and without yerely pension
signe or otherwise geue vp al and euerye
such benefices and benefice as he shal be soe
entitled and possessed of, aboue the said nū-
ber, that then it shall bee lawfull for euery
persō hauing ye aduowsō of any such bene-

nefice of the same in like maner and four
as though it had bene voyde by death or
signation of the incũbent, any licence, dn
or other dispensation to the contrary here
obteined notwithstanding. And this cla
of presentation to be taken and understa
dē, and of such benefices with cure of sou
as were geuen to any such spirituall per
after the saide number of iiij. benefices w
cure furnished and fulfilled.

¶ Prouided also, that al spirituall mē n
being, or which hereafter shall bee of
kings counsaile, may purchase licence or
pensation, and take, receiue, and keepe th
personages or benefices with cure of sou
& that al other being the kings chapleins
not sworne of his cōsaile, the chapleins
the queene, prince or princesse, or of any
kings children, brethren, ūsters, vncles,
auntes, may semblablye purchase licence
dispensation, and receiue and keepe two
sonages or benefices with cure of soule. A
in likewise that euerie archbishop and b
may haue vi. chapleines, whereof euerie
shall and may purchase licence, or dispen
tion, and take, receiue, and keepe two per
nages or benefices with cure of soule,
that euery marques & earle may haue
chapleines, wherof euery one may purch
licence or dispensation, and take, receiue
keepe ij. personages or benefices with
of soule. And that euery viscount and o
bishoppe, may haue fower chapleins, wh

'euery one may purchase licence, and re-
iue, haue, & keepe two personages or bene-
ces with cure of soule, as is aforesaid.
nd that the chauncellour of England for
e time being, and euery baron & knight
the Garter, may haue three chapleines,
hereof euery one shal now purchase licēce
dispensation, and receiue, haue, and keepe
oo personages or benefices with cure of
iule. And that euery dutchesse, marques,
untesse, & baronesse, being widowes, maye
iue ij. chapleines, wherof euery one of thē
ay purchase licence or dispensation to re-
iue, haue, and keepe two benefices with
re of soule, & that the treasourer & comp-
oller of the kings house, the kings secre-
ry, & deane of his chappell, the kings alm-
r, & ye maister of ye rolles, may haue euerye
them two chapleins, and the chiefe Jus-
e of the kings benche one chapleine, and
e warden of the fiue portes for the tyme
ing, one chaplein, wherof euery one maye
rchase licence, and receiue, haue and keepe
o personages, or benefices with cure of
iule. And that the brethren and sonnes of
temporal lords, which are borne in wed-
cke, maye euerye of them purchase ly-
ice or dispensation, and receiue, haue
d keepe as manye personages or benefi-
s with cure, as the chapleines of a duke
an archbishoppe. And likewise the bre-
ren and sonnes borne in wedlocke of e-
rie knight, maye euery of them purchase

licence or dispensation, and receiue take an
kæpe, two personages or benefices w cu
of soule.

¶ Prouided alwaies, that the said chap
leines so purchasing, taking, receiuing an
kæping benefices with cure of soule as
aforesaid, shalbe bounde to haue and exh
bite where næde shal be, letters vnder th
signe and seale of ye king, or other their lo
and master, testifying whose chapleins th
be, and els not to enioy any such pluralit
of benefices by such chapleine. Any thing
this act notwithstanding.

¶ Be it also prouided that all doctors a
bachelers of diuinitie, doctours of law, a
bachelers of law canon, and euery of the
which shal be admitted to any the saide d
grees, by anye of the vniuersities of th
Realme, and not by grace onely, may pu
chase licence, and take, haue, and kæpe th
personages or benefices with cure of sou
so that alwaies the saide libertie by any
the prouisions beforesaide geuen to anye
the saide counsailours chapleins, and oth
persons before specified, to purchase licen
or dispensation, and take, receiue, and kæ
mo benefices thē one, after the manner a
fourme aforesaide: be taken and vnderst
den to extende in number to no more ben
fices with cure of soule, thē is aboue lim
ted; accompting in the same and as part
therof, such benefices with cure of soule
any of the said persōs shal haue in real th

in their possession, at the saide first day of
pril, in ye yere of our lord God. M.d.C.
d xxx.

Prouided also, that euery Archebishop,
cause he must occupie viij. chapleines at
nsecrations of bishoppes. And euery Bi-
oppe because he must occupie vj. chapleins
geuing of orders & consecration of chur-
es, may euery of them haue ij. chapleines
er and aboue the number aboue limitted
to them, whereof euery one may purchase
ence or dispensation, and take, receiue and
epe as many personages & benefices with
re of soule, as is before assigned to such
apleines.

Prouided also, and be it enacted by auc-
oritie aforesaid, that no person or persons
whom anie number of chapleines or any
apleine by any of the prouisions aforesaid
limitted, shal in any wise, by color of any
the same prouisions, auaunce any spiritu-
l person or persons, aboue the number to
em appointed, to receiue or keepe any mo
benefices with cure of soule; then is aboue
mitted by this acte, any thing specified in
e saide prouisions notwithstanding, and
they doe, then euery such spiritual person
d persons, so auaunced aboue the said nū-
er, to incurre the peine and penaltie contai-
ed in this acte.

Be it also furthermore enacted by the
thoritie aforesaid, that as wel euery spi-
ual person nowe being promoted to anie
Arche=

archdeacōry, deanry, or dignity in any m
nasterie or cathedral church, or other chur
conuentual or collegiall, or being benefic
with anie personage or vicarage, as all a
euery spirituall person & personnes, whi
hereafter shall be promoted to any of ye sai
dignities, or benefices, with anie persona
or vicarage from the feast of saint Migh
the archangel next comming, shall be pers
nally resident and abiding, in, at, and vp
his saide dignitie, prebende, or benefice, or
one of them at ye least. And in case any s
spirituall person at any time after the sa
feast, kepe not residēce at one of his said di
nities, prebend, or benefices, as is aforesa
but absent himselfe wilfully by the space
one moneth together, or by the space of t
moneths, to be accompted at seuerall tim
in any one peare, and make his residence a
abiding in any other places, by such ti
that then he shall forfait for euerie such
fault x.li. sterling. The one halfe thereof
the king our soueraigne lorde, and the ot
halfe of the same to the partie that will
for the same in any of the kings courtes
originall writ of debt, bill, plaint, or inf
mation. In which actiō and suit the def
dant shall not wage his lawe, nor haue a
essoine or protection allowed.

¶ And if any person or persons procur
obtaine at the court of Rome or els whe
anie maner of licence or dispensation to
non resident at their said dignities, preb

benefices, contrarie to this acte, that then
ery such person or persons, putting in ex=
cution anie such dispensation or licence for
imselfe, from the said first day of Aprill, in
e yere of our lord god M.v.C.xxx. shall
inne and incurre in the penaltie, damage,
d peine of xx. pounde sterling for euerie
me so doing, to be forfaited and recouered
is abouesaid, and such licence or dispen=
tion so procured, or to be put in executiō,
be voide and of none effecte.

¶ Prouided alwaies that this acte of non
sidence shal not in any wise extend ne bee
eiudicial to any such spirituall person as
all chaunce to be in the kinges seruice be=
nd the sea, nor to anie person or persons
ig to any pilgrimage or holy place beyōd
e sea, during the time that they shal so bee
the kings seruice, or in their pilgrimages
ing and returning home, nor to any scho=
r or scholers being conuersaunt, and aby=
ng for studie, without fraude or couine at
y vniuersity within this realme or with=
it, nor to any of the chapleines of ye kings
quænes daylie or quarterly attending
d abyding in the kings or quænes moste
norable housholdes. Nor to anie of the
apleines of the prince or princesse, or anie
the kings or quænes children, brethren
sisterne, attending daylie in their honora=
e housholdes, during so long as they shall
tende in anie of their saide housholdes.

Nor

Nor to any chapleine of any Archbishop
bishop, or of any spiritual or tẽporal lord
of the parliament, daily attendinge, abidin
and remaining in any of their honourab
housholds. Nor to any chaplein of any du
chesse, marques, countesse, vicountesse, or b
ronesse, attendinge dailye and abiding in
ny their honorable housholds. Nor to an
chapleine of the lord Chauncellor or Tre
sorer of England, the kinges Chamberlai
or stewarde of his housholde for the ti
being, the treasorer and comptroller of
kinges most honorable housholde for
time beinge, attending daily in any their
norable housholds. Nor to any Chaple
of any the knights of the honorable order
the garter, or of the chiefe iustice of the ki
benche, warden of the ports, or also of
Maister of the rooles. Nor to any ch
leine of the kinges secretarie and deane
the Chappell, or almner for the time bein
daily attendinge and dwellinge in any th
housholdes, duringe the time that any su
chapleine or chapleins shal abide and dw
without fraude or couine, in any of the
honourable housholdes. Nor to the ma
of the rolles, or deane of the arches. Nor
any chauncellor or commissary of any ar
bishope or bishoppe. Nor to as many of
xij. masters of the Chauncery, and xij. ad
cates of the arches, as be or hereafter
be spirituall men, duringe so longe time
they shall occupy their saide romes & off

or to any such spirituall persons, as shal
ppen by iniunction of the lord chancellor
the kinges counsel to be bounde to anye
ly apparance and attendance to answere
the law, during the time of such iniuncti=
n.

Prouided also that it shall be lawful to
ry spirituall persō or persōs, being cha=
ines to our soueraigne lord the kinge, to
om it shal please his highnes to geue a=
benefices or promotions spirituall, to
at number soeuer it be, to accept & take
same, without incurring the daunger,
altie, and forfaiture in this estatute cō=
ed. And that also it shalbe lawful to the
ges highnes to geue licence to euery of
owne chapleins for non residence dpon
r benefices. Any thing in this presente
contained to the contrarie notwithstā=
g.

And be it furthermore enacted by the
horitie aforesaid, that no spirituall par=
, seculer, or reguler, beneficed with cure,
s afore rehearsed, from the feast of saint
ghel tharchāgel next comming, by auc=
rity of any maner licence, dispensation,
therwise, shal take any particular stipēd
alarie to sing for any soule, nor haue or
ipie by himselfe, or by any other to his
any personage, or vicarage in ferme of
lease or graunt of anye person or per=
s, nor take any profite or rent out of any
ferme, dppon peine to forfaite xl. s. for

euery

euery such wæke that he or any to his b
shall occupie or haue any such stipende
ferme contrary to this present act. And by
peine to loose x. times the value of such p
or rēt as he shal take out of any such ferm
after the said feast. The one halfe of whi
forfaitures to be to the king our soueraig
lord, & the other moity to him that will i
for the same by originall writ, bill, plaint
debt, or by information in any of the king
courtes, in which suit & action, no wager
law shalbe admitted for the defendant, n
any essoine or protection allowed.

¶ Prouided alway that no deanrie, arc
deaconrie, chauntellourship, treasorersh
chauntership, or prebende in any cathedr
or collegial church, nor personage, that ha
a vicar indued, nor any benefice perpetua
appropriate, be taken or cōprehended bn
the name of benefice hauing cure of soule
any article afore specified.

¶ Prouided also and be it enacted by
authoritie aforesaid, that no spiritual p
son or persons regular or secular, of w
estate, degree, or condition soeuer he or th
be, from the first daye of Apprill next co
ming, haue, vse, or keepe, by him or thē se
or by any person or persons to his or th
vse or commoditie, any maner of tāne ho
or tāne houses, to be vsed or occupied to
or their owne vse, commodity, or behc
nor from the said first day of Apprill next
ming, shall haue, vse or keepe any manne
bre

whouse or brewhouses to any other vse
nt or behooke, then onely to be spent and
ipied in his or their owne houses, vppon
e to forfait for euerye moneth so vsing
occuppying any of the said misteries, or
pations x.li. The one moitie thereof to
ting our soueraigne Lord, and the other
ty to him that will sue for the same by
inal writ, bil, plaint of det, or informa-
in any of the kings courtes, in which
n and suite no wager of law shalbe ad-
ed for the defendant, ne any essoigne, or
ection allowed.

Prouided alwaies, that euery dutches,
quesse, countesse, baronesse, widowes,
th haue taken, or that hereafter shall
anye husbandes vnder the degree of a
n, may take such number of chapleines
aboue limitted to the being widowes
that euery such chapleine may purchase
ce to haue and take such number of be-
es with cure of soule, and haue like li-
e of non residence in manner and forme
ey might haue done if their said ladies
istresses had kept theselues widowes.
thing in this present acte contained to
ontrarie notwithstanding.

Prouided alwaies, that euerie spirituall
on or personnes, hauing landes, tene-
tes or other possessions in the right of
houses, aboue the yerely value of viij.
arkes, may keepe & retaine in their oc-
tion ond manurance, as much as their
said

said landes and tenementes, and other p
sessions, as shalbe necessarie and suffici
for pasturage of their cattelles, and for
lage of cornes to be employed and spent
the only maintenance, sustentation, and k
ping of his or their housholdes and hos
talities, without fraud or couine, any th
in this present acte to the contrary ther
notwithstanding.

¶ Prouided alway that it may be law
to euery spiritual person and personnes
take in ferme any meases, mãsiõs, or dw
ling houses, hauing but onely orchardes
gardeines, in any citie, borough, and tos
for their own habitation or dwelling. T
thing in this acte to the contrary notw
standing. So that no persõ spirituall o
then be aboue prouided for, for their nor
sidence haue any libertie of non residenc
colour of this prouiso: § See the stat
made 25. Henry 8. cap. 16. and 28. H.
capt 13. and 33. H. 8. ca. 28. in Re=
sidẽce 3. 4. and 5. who els may
haue dispensation e be
non resident. §

An acte that all fermers may enioy their leases, against recoueries had by fayned titles, and falsifie the same recoueries, An. 21. H. 8. ca. 15. Recoueries 2.

Where afore this time diuers persons haue made leases of their manors, landes, tenements, and other hereditaments, sometime by their indentures, and sometime without writinges to their persons for terme of yeares, taking of the great rentes for the incummes of the same leases, & after the same lessours, theyr heires or assignes, haue caused and suffered recoueries to be had against them in the Court of our soueraigne lord the king, and in other lords courts, vpon fained & vntrue titles, by craft & coun, to put the said termours from their said termes. And after such recoueries had, the same recouerers, by reason of such recoueries and iudgements, haue entred into the same manors, landes, tenements, and other hereditaments, so to ferme letten, & thereof haue expulsed the said fermers, contrary to their said leases, couenants, & agreements. And because it was doubted to some persons whether the said fermers might falsify such recoueries or not.

Be it therefore enacted by the king our soueraigne Lord, by the assent of the Lords spiritual & temporal, & the commons in this present parliament assembled, & by the auctority of ye same, that al such fermers shal & may

may kalũſie for hys terme onely, ſuch reco
ueries, alſwel heretofore had, as hereafter t
be had, in ſuch wiſe and forme, as a tenant
of a freeholde, ſhall and may do by the court
of the cõmon law, where ſuch tenant of fr
hold was neyther priuie nor partie to th
ſame recouerie. And that the ſame termers
their executors and aſſignes, notwithſtan
dinge ſuch recoueries ſo had, ſhall reteyn
hold, & enioy their ſaid termes, according
their ſaid leaſes againſt al ſuch recouerors
their heires and aſſignes. And that the ſa
recouerors their heires and aſſygnes, aft
ſuch recouerie ſo had, ſhal haue like reme
againſt the ſaide termers, their executors
and aſſignes, by auowrie or action of de
for the rentes and ſeruyces reſerued u
pon the ſame leaſes, beeyng due after t
ſame recoueries, & alſo like actions agai
them for waſt done, after the ſame recou
ries ſo had, in lyke maner and fourme as t
ſaid leſſours ſhould or might haue had
the ſame recoueries had neuer ben had.

And alſo be it further enacted by the au
thoritie aforeſaid, that no maner of ſtat
of the Staple, ſtatute Marchant, nor e
cution by Elegit, be hereafter auoyded, or
any wiſe made fruſtrate, by meanes of a
ſuch feined recouery, but that al perſons h
uing any lands, tenements, or other here
taments in execution, or being intituled
haue execution of any manours, landes
tenements, by any ſuch meanes, ſhal h

Gardan nd ſquirifidr gforrede
Stat Inſt: 46, a.

forze of this estatute lyke remedy to a=
ide and falsifie the same recoueries, as be=
fe is ordeyned and prouided for the lesse
terme of yeares.

¶ Auowrie.

An acte concerninge Auowries. Anno 21.
H.8.cap.19. Auowrie 1.

Where as well the noble men of thys
Realme, as diuers other persons, by
fines, recoueries, grauntes, and se=
feoffements & leases, made by their te=
nts to persons vnknowen, of the lands &
ements holden of them, haue ben put frō
knowlege of their tenants, vpon whom
y should by order of the law make their
swries, for their rentes, customes, & ser=
ies, to their great losses & hinderances.
Be it therefore enacted, established, and
ained by authoritie of this present par=
ment, that wheresoeuer any manours,
ds, tenements, and other hereditaments,
olden by any maner person or persons,
entes, customes, or seruices, that if the
d, of whom any such manors, landes, te=
entes, or hereditamentes bee so holden
taine vpon the same manours, landes,
enementes, for any such rents, customes
eruices, & replenin thereof be sued, ý the
d, of whom the same lands, tenementes,

Vn sergr ne forme de ceste stat ad ehord d'auowry
arrord al roi ly ne reason de ceste pot (may)
2 tout ne pary ne ridens sont ily tiens, et
p ceste sergr ou alledger le fin le maine
dafr ou deine 40. ans: 3 li auowrie sou
fait arrord al stat, ceste p ou reason broud
deliu p aucun ad uantage ne ad ar ly
(except disclaimer): 4, si sergr vnt ad pr
deine pidro, et ou enthale les bras ho
de les de sergr, p ce distres deine le stat:
Inst: 268: b.

or hereditaments be so holden, may auo
or his bailife or seruant make conisance,
iustify for taking of the said distres, vpp
the same lands, tenements, or hereditame
so holden, as in lands or tenements with
his fee or seigniorie, alleaging in the said
nowrie, conisance, & iustification, the sa
manors, landes, and tenements to be holt
of him without naming of any person c
taine to be tenant of the same, and with
making any auowrie, iustification or co
sance vpon any person certeine. And ly
wise the Lord, bailife, or seruant to mak
nowrie, iustification, or conisance, in
maner and fourme vpon euery writ sue
second deliuerance.

¶ And also be it enacted by the saide a
thoritie, that euery auowant, & euery ot
person and persons, that make any such
nowrie, iustification, or conisance, as bai
or seruant to any person or persons in
Replegiare, or second deliuerance, for rent
customes, seruices, or for damage fesant
other rent or rentes, vpon any distres ta
in any landes or tenementes: if the sam
nowrie, conisance, or iustification be fo
for them, or the plaintifes in the same
nonsuit, or otherwise barred: that then t
shall recouer their damages & costes aga
the saide plaintifes, as the same plainty
should haue done or had, if they had r
uered in the Replegiare, or second delinu
found against the said defendants. ✝ Sæ

t.e, anno 7.H.8.cap.4. Recoueries 1.

And be it also ordeyned, that the sayde
plaintifes and defendants in the said writs
Replegiare, or writs of second deliuerãce,
and in euery of them, shall haue like pleas &
like aide and prayers in all such auowries,
cuisances, & iustifications, pleas of disclai-
mer onely except, as they might haue had
before the making of this acte, & as though
the said auowrie, conisance, or iustification
had beene made after the due order of the
common law.

And it is further enacted by the said auc-
toritie, that all such persons as by ye order
of the common law may lawfully ioyne to
the plaintifs or defẽdants in the said writs
Replegiare, or second deliuerance, as well
without proces as by proces, shal frõ hence
forth ioine vnto the said plaintifes or defẽ-
dants, as well without proces as by proces, &
haue the like pleas & like auantages, in al
things (disclaim only except) as they might
haue done by the order of the common law
before the making of this acte.

¶ Attaint.

An acte concerning periurie and punishment
of vntrue verdictes. Anno 23.H.8.
cap.3. Attaint 15.

The king our soueraigne lord of his most
godly & gracious disposicion, calling to
his remembrance, how that periurie in this

lande is in manifolde cauſes, by vnreaſo
ble meanes, deteſtably vſed to the inherit
and great damage of many and great nu
ber of his ſubiectes, wel diſpoſed, and to
moſte high diſpleaſure of Almighty G
The good ſtatutes againſt all officers
hauing returne of writs and their deput
making panells partially for rewardes
them gæuen, againſt vnlawfull maint
nors, embraceors and irors, and aga
irors vntruely gæuing their verdict,
withſtanding. For reformation wher
and for aſmuch as the late noble king
rye the ſeuenth, prouided remedye for
ſame by a ſtatute made in the xj. yere of
raigne ‡cap 24.‡ which ſtatute is now
pyred. Be it therefore now enacted by
king our ſoueraigne Lord, & the Lords
rituall and temporall, and the Comm
in thys preſent Parlyament aſſembl
and by authoritie of the ſame, that
pon euerye vntrue verdicte hereafter
uen betwixt partye and partye, in a
ſuyte, plaint, or demaunde, before a
Iuſtices or Iudges of recorde, where
thinge in demaunde and verdicte there
pon gæuen, extendeth to the value of fo
pounde, and concerneth not the leopard
mans lyfe, the partie græued by the ſ
verdict, ſhall haue a writte of Attaint
gainſt euery perſon hereafter ſo gæu
an vntrue verdicte and euery of them,
aga

ainst the party, which shall haue iudge=
nt vppon the same verdict. And that in
the same attaint, there shalbee awarded a=
ginst the petit iurye, the party, and the
graunde Jury, Sommons, resomm, and dis=
tresse infinite, which graund Jurye shall bee
like number, as the graunde iurie is now
attaint: and euerye of them, that shall
dwelle in the same, shall haue landes and
tenementes to the value of twenty markes
by the yeare, of freeholde, out of the aunci=
ent demesne. And vpon the distres which
shall bee deliuered of recorde, vpon the same
shall be proclamation to be made in the court
where the distresse shall bee awarded more
than fifetene daies afore the retourne of the
same distresse, and euerye such distresse shall
be made vppon the lande of euerye of the
saide graunde Jurye, as in other distres=
ses is and hath bine vsed. And if the saide
partye defendant, or the petite Jurours,
or anye of them appeare not vpō the distresse
then the graund iurie to be taken againste
them and euerye of them that shall so make
default. And if any of the saide petite iu=
rors appeare, then the partie complainant in
that behalfe, shall assigne the false seremēt
of the first verdict vntrulye geuen, where=
vnto they of the petite iury shall haue none
answere (if they bee the same persones,
and the writte, proces, retorne, and assigne=
ment goode and lawful), except that the
demaundaunt or, plaintife in the same

Vide p̄ expoſit de ſtat 21. H. 7. 37.

Attaint hath afore ben nonsuit, or discon
nued his suit of attaint taken for the sam
or hath for the same verdict in a writ of a
taint had iudgement against the said peti
iurie) but onely ꝑ they made true serement
which issue shalbe tried by xxiiij. of the sa
graũd iury, & the partie shal plead, that th
gaue true verdit, or any other matter, whi
shalbe a sufficient barre of the said attai
And that plee notwithstanding the grau
iurie to be taken without delay, to enqu
whether the first iurie gaue true verdict
no. And if they finde that the said petit i
rie gaue an untrue verdict, then euery of t
said petite iurie to forfait xx.li. whereof t
one halfe shalbe to the king our soueraig
Lord, & the other halfe to the partie that s
eth. And ouer that, that euery of the say
petit iurie shall seuerally make fine & ran
some by the discretion of ꝑ Justices, befo
whom the said false serement shalbee fou
after their seueral offences, defautes & suf
ciency of euerie of the said petit iurie. A
after that, that those of the said petite iu
so attainted shall neuer after be in any cr
dence, nor their othe accepted in any cou
And if such plee as ꝑ partie pleadeth, whi
is a barre of the said Attaint be founde
deemed against him that so pleadeth, th
the partie that so sueth shal haue iudgem
to be restored to that he lost with his re
sonable costes and dammages.

¶ Forseene alway that any vtlarie
acti

tion or cause personal, or excommengemēt
eaded or alleaged in the party plaintife or
mandāt shal be taken but as a void plee, &
that he shal not be put to answere. And
at in al the aforesaid processe such day shal
e geuen as in a writte of Dower, and nōe
oine or protection to lie nor to be allowed
the same. And if the said grand iury ap=
pire not vpon the first distres had against
em, so that the iury for their default do re
ine, he that maketh default shall forfaite
the kinge twenty shillinges, and vpon y
ond distres forty shillings, & after makig
ault, for euery such default fiue pounde,
like penalties and forfaitures to be a=
nst them and euery of them that shall bee
ned in the Tales, as is afore expressed a=
nst euery of the saide grand iury afore=
de. And that for and by the death of the
ty or any of the saide petit iury, the saide
aint shal not abate, nor be deferred against
remnant, as longe as two of the said pe=
iury be aliue.

And if hereafter any false verdit be geuē
ny action, suit or demaunde, afore anye
stice or iudge of record, of any thing per=
nal, as det, trespas, and other like, which
be vnder the value of forty pound, that
n the party greued shal haue attaint, w̄
y proces and plees as is afore reherſed, &
ues to be taken awaye as is afore remē=
: except that in this case of attainte
ry person of the graund iury that may
dispende

dispende v.markes by the yere of frœholt
out of auncient demesne, or is worth an hu
dred markes of goods and cattalls, shalbe
ble to passe in ye same attaint. And if ye peti
iurie be attainted, that then they shal in th
case of attaint euery of them forfait v.
whereof one halfe shal be to ye kinge, & ye
ther halfe to the party, after the forme afo
rehersed, & ouer ye to make fine & raunso
by ye discretiō of ye iustices, as is aforesaid.

¶ And if there be not persons of s
sufficiencye within the shire or place wh
anye of the saide attaintes shall be tak
as may passe in the same: be it ordeined b
authoritye abouesaide, that then one Ta
shalbee awarded into the shire next adjoi
by the discretion of the Justices, afore w
the same attaints shall be taken, which s
be warned to appere vpō like peines, as
aforesaide, and enabled to passe in the sa
attaints, as if they were dwelling in ye sh
where the same attaint shalbe taken. A
that the same lawes action and remedye
deined by this present act, be kept for and
all them that shalbe greued by such vnt
verdicts of any inheritance, in discent,
uersion, remainder, or of any frœholde in
uersion or remainder. And if the party in
taint geuen by this act be nōsuit, or ye se
discontinue, that thē ye said party so nōs
or so discōtinuinge ye said attaint, make
& raūsō by ye discretiō of ye iustices afore ye
the said attaint shalbe taken & depending

¶ A

And that al attaintes hereafter to be ta-
en, shalbe taken afore the king in his bēch,
afore the Justices of the common place, &
none other Courts. And that Nisi prius
albe graunted by discretion of the Justi-
s vpon the distres. And euery of the said
tit Iurie may appeare and aunswere by
torney in the said attaint. And that the
oity of the said forfaiture of the petit iury
albe leuied to thuse of our soueraigne lord
Capias ad satisfaciendum, or Fieri facias, or
egit, or by action of det, against euery per-
n of the petit iurie so forfaitting, & against
s executors and administrators, hauyng
en sufficient goodes of their said testatour
t administred: and the other moitie shall
like proces be leuied to the vse of ꝑ party
at sueth any attaint gæuen by this act, a-
inst euerie of the said petit iurie and his
ecutors or administrators, hauing then
fficiency of goods as is aforesaid, not ad-
nistred, and the iudgement of restitution
the partie græued suing this act and exe-
tion of the same to be had, and like iudge-
nt for the partie defendant or tenaunt to
e discharged of restitucion, as afore this
sent act in case of a graūd attaint had ben
ed. And if there be diuers plaintifs or de-
mundants in attaint, that the nonsuit or
case of any of them shall not bæ in any
ise hurtful or preiudicial to ꝑ residue, but
at they & euery of them in such cases may
be

be summoned and seuered lyke as it is vse
when there be dyuers demaundantes in a
tions reals.

¶ Be it also ordeyned and enacted by th
authority abouesaid, that in euery writ
attaint hereafter to be takē by or vpon th
act, the which shalbe such as other writt
of attaint be, & after the Teste of the sa
writ, shalbe written these wordes in lati
Per statū continuaē vsq; annum vicesimum t
cium domini Henrici octaui dei gratia Angliæ
Franc' Regis, fidei defens', & domini Hiberniæ.

¶ And it is also enacted, that this act sh
take effect for verdictes hereafter to be g
uen and to continue to the last day of t
next Parliament.

¶ Prouyded alway, that this acte be n
preiudicial to a statute made in the xj. yea
of the late king of famous memorie Hen
the vij. for punishment of Periurie in v
true verdictes gæuen in plaintes sued in t
Courtes of the Citie of London, but th
it shalbe at the liberty of al persōs, for & v
on any vntrue verdict gæuen in any cour
of the same citie, to sue their Attaint vp
this estatute, or els vpon the said estatu
made in the said xj. yere at their owne ple
sures and willes. ✝ See Anno 11. H. 7. ca.
Attaint 13.

¶ For Attaintes in London, Note th
thys Statute is made perpetuall, Anno
Elizab. cap. 25.

¶ A

An acte expresing an order for vses, and willes, An.27.H.8.cap.10. Vses 9.

VHere by the common lawes of thys Realme, landes, tenementes, & hereditaments, be not diuisable by testament, nor ought to be transferred from one another, but by solempne liuerie & seisin, matter of recorde, writing sufficient, made in fide, without couine or fraude, yet nevertheless, dyuers and sundry imaginations, subtile inuentions and practises haue been vsed: wherby the hereditaments of this realme haue been conueied frō one to another by fraudulent feoffements, fines, recoueries and other assurāces craftely made, to secret vses, intents, and trustes, and also by willes and testaments, sometime made by nude parolles and wordes, sometime by signes and tokens, & sometime by writing, and for the most part made by such persons as be vysited with sicknes in their extreame agonies and paines, or at such time as they haue had lantly any good memorie or remembrance, which times they being prouoked by greedy and couetous persons lying in a wayte about thē, do many times dispose indiscretly & vnaduisedly their landes and inheritances: by reason whereof & by occasion of which fraudulent feoffemēts, fines, recoueries, & other like assurances to vses, cōfidences & trustes, diuers & many heires haue been iniustly

Si home seisie en droit de sa feme fist feoffement al b. et luy mesme et sa feme ouu et a restauer donc q. p. longe tempora et a prend a diuers autres vses, et puis ceux vses estaunte, entant q. le feoffement par le bar fut discontinuance et per le estate q. prent p la limitation del vse le feme nest remise mes est dun solement rent pur cause del possession et ceux vses et bargaine de ceux estaute. Melior opinio. fol. Co. iii.

iniustly at sudry times disherited, the lor
haue lost their wardes, mariages, relieſe
harriots, escheates, aides pur faire fits cl
ualer, & pur file marier, and scantly any pe
son can be certeinly assured of any lands
them purchased, nor knowen surely agai
whom they shal vse their actions or exec
tion for their rightes, titles, & duities. Al
men maried haue lost their tenancy by t
curteſie, womē their dowers, manifest pe
iuries, by trial of such secret willes & vse
haue bene committed. The kinges highne
hath lost the profites and aduauntages
the landes of personnes attainted, and t
landes craftely put in feffement to the vs
of alyens borne, and also the profites
waste for a yeare and a day, of landes of
lons attainted, and the lordes their eschet
thereof, and many other inconueniens
haue happened and daily do encreaſe amo
the kinges subiectes, to their great troul
and inquietnes, to the vtter subuersion
the auncient common lawes of this realm
For the extirping and extinguishment of
such subtile practised feoffements, fines,
coueries, abuses and errours, heretofo
vsed and accustomed in this Realme, to t
subuersion of the good and auncyent law
of the same, and to the intent that t
kinges highnes, or any other his subiect
of thys Realme, shall not in anye wy
hereafter by any meanes or inuentions,
deceyued, domaged, or hurted, by reason
sy

ich trustes, vses, or confidences, it may
ease the kinges most royal Maiestie, that
may be enacted by his highnes, by thas=
nt of the Lordes spirituall and temporal,
the commons in this presēt parliament
embled, and by auctholitie of the same, in
ner and fourme following, that is to say,
t where any person or persons stande or
seised, or at any time hereafter shall hap=
to be seised, of & in any honors, castels,
nors, lands, tenementes, rents, seruices,
ersions, remainders, or other heredita=
nts, to the vse, confidence, or trust, of a=
other person or personnes, or of any bo=
politique, by reason of any bargayne,
, feoffement, fine, recouerie, couenaunt,
tract, agreement, will or otherwise, by
maner meanes whatsoeuer it bee, that
uery such case, all and euery suche per=
ne and personnes, and bodies politique,
t haue or hereafter shall haue any suche
, confidence, or trust, in fee simple, fee taile
terme of life, or of yeares, or otherwise,
ny vse, confidence, or trust in remainder
euerter, shall from henceforth stand and
seised, deemed, and adiudged in lawfull
on, estate, and possession, of, and in the
e honours, castels, manors, landes, te=
entes, rentes, seruices, reuersions, re=
nders, and hereditamentes, with theyr
urtenances, to all intentes, constructi=
, and purposes in the lawe, of and in
lyke estates, as they had or shall haue
in vse

rest primer bryngs stude a mettre le tort en restoy ye
dist arrondaunt al q̃ hantisie del estate. Bloy. Co 112.

in vse, trust, or confidence, of, or in the sa
And that the estate, title, right, & possess
that was in such person or persons, ỳ w
or hereafter shalbe seised of any lands, te
ments, or hereditamentes, to the vse, con
dence or trust of any such person or pers
or of any bodie polityke, be from henceforth
clerely deemed and adiudged, to be in him
them that haue or hereafter shall haue
vse, confidence, or trust, after such quali
maner, forme, and condicion, as they had
fore, in or to the vse, confidence, or trust
was in them.

¶ And be it further enacted by the auc
ritie aforesaid, that where diuers and m
persons, be or hereafter shall happen to
iointly seised, of & in any lands, tenemen
rents, reuersions, remainders, or other
reditaments, to the vse, confidence, or t
of any of them, that be so iointly seised,
in euery such case, that those person or p
sons, which haue or hereafter shal haue,
such vses, confidence, or trust, in any s
landes, tenementes, rentes, reuersions,
mainders, or hereditaments, shall frō h
forth, haue & be deemed & adiudged to
onely to him or them, that haue or herea
shall haue such vse, confidence, or trust,
estate, possession, and seysin, of and in
same landes, tenements, rentes, reuersi
remaynders, or other hereditamentes
lyke nature, maner, fourme, condicion,
course, as he or they had before in the

consid

confidence or trust of the same landes, tene=
mentes, or hereditaments. Sauing, and re=
seruing to all and singuler persons and bo=
dies politike, their heires and successours,
other then those person or persons, which
be sealed or hereafter shalbe sealed of anye
lands tenemēts or hereditamēts to any vse, cō=
dēce or trust, al such right, title, entrie, in=
terest, possessiō, rēts and action, as they or a=
ny of them had or might haue had before the
making of this acte.

And also sauing to all and singuler those
persōs, and to their heires, which be or here=
after shalbe sealed, to any vse, al such former
right, title, entry, interest, possessions, rents,
customes, seruices, and action, as they or any
of them might haue had to his or their own
proper vse, in or to any manours, landes, te=
nements, rentes, or hereditamentes, wherof
they be or hereafter shalbe sealed to any o=
ther vse, as if this present act had neuer bene
made or made, any thing contained in this
acte to the contrarie notwithstanding.

And where also diuers persons stand
and be sealed of, and in any lands, tenemēts,
hereditamentes, in fee simple, or other
vse to the vse or intēt that some other per=
son or persons, shal haue and perceiue yerely
thē and to his or their heires one annual
rent, of tenne poundes or more or lesse out of
the same landes and tenementes, and some
other person one other annual rent to him &
his assignes for terme of life, or yeres, or for

Remember me. When this you
See: Wm Blenn has left

I had a token Broad and fair
for you deare Sr I had it
Heare

But to no Parson I
dust declare all for God

Robert A. McCulloch
June 1867

To
Robert McCulloch

some other speciall time, accordinge to such intent and vse, as hath bene heretofore declared, limited, and made thereof. Be it therefore enacted by the authoritie aforesaide, in euery such case, the same persons their heires, and assignes, that haue such vse and interest, to haue and perceiue any such annuall rents out of any lāds, tenementes, or hereditaments, that they and euery of them their heirs and assignes, bee adiudged and deemed to bee in possession and seisin of the same rent, of and in such like estate, as they had in the title, interest or vse of the said rent, or profitte, and as if a sufficient graunt or other lawfull conueiance had ben made & executed to them, by such as were or shall bee seised to the vse or intent of anye such rent to be had, made, or paied, accordinge to the verye truste and intent thereof. And that all and euerye such person and persons as haue or hereafter shall haue any title, vse and interest, in or to any such rent or profitte shall lawfully distreine for none paiment of the saide rēt, and in their owne names make aduowries, or by their Bailifes or seruants make cognusances & iustifications, and haue al other suits, entries, and remedies, for such rēts, as if the same rents had bē actually & really graūted to them, is sufficient clause of distres, rœntrie, or otherwise, accordinge to such cōditions, paines, or other thinges limited & appointed vppon the truste & intent for paiment of suerty of such rent.

¶ And be it further enacted by the autho=
ritie afoꝛesaid, that where as diuers persõs
haue purchased oꝛ haue estate made & con=
ueied of and in diuers landes, tenementes &
hereditaments vnto them & to their wiues
and to the heires of the husbande, oꝛ to the
husband & to the wife, and to the heires of
their two bodies begottẽ, oꝛ to the heires of
one of their bodies begotten, oꝛ to the hus=
band and to the wife foꝛ term of their liues
oꝛ foꝛ terme of life of ye said wife. Oꝛ where
any such estate, oꝛ purchase of anie landes,
tenements, hereditamẽts, hath bene oꝛ here=
after shalbe made to any husbãd and to his
wife, in maner and fourme aboue expꝛessed,
oꝛ to any other person oꝛ persons, & to their
heires and assignes, to the vse and behoꝛfe, of
the said husband and wife, oꝛ to the vse of
the wife, as is befoꝛe rehearsed, foꝛ the ioin=
ter of the wife: that then in euery such case,
euery woman maried, hauing such ioynter
made oꝛ hereafter to be made, shal not claim
oꝛ haue title to haue any dower of the re=
mue of the lands, tenemẽts oꝛ hereditamẽts,
that at any time were her said husbands by
whõ she hath any such iointer, noꝛ shall de=
maund noꝛ claime her dower of and against
them that haue the landes, and inheritaun=
ces of her saide husbande. But if she haue
such iointer, then she shall bee admitted
and inabled to pursue, haue and demaunde
her dower by writte of dower, after the
ꝛule course and oꝛder of the common lawes

of this realme: this act or any lawe or prouision made to the contrarie thereof notwstanding.

¶ Prouided alway, that if any such womā be lawfully expulsed or euicted from her said iointer, or from any part thereof, without any fraude or couine, by lawfull entre action or by discontinuance of her husbande then euery such woman shal be endowed o as much of the residue of her husbandes tenementes, or hereditamentes, whereof she was before dowable, as ỳ same landes and tenements, so euicted and expulsed, shall amount or extend vnto.

¶ Prouided also, that this acte or any thing therin cōtained or expressed, extēd not nor be in any wise hurtful or preiudicial to any womā or women, heretofore being married, of for or cōcerning such right, title, or interest or possession, as they or any of the haue claime or pretende to haue for her or their iointer or dower, of, in or to anie manours, landes, tenementes, or other hereditamentes, of any of their late husbands, being now dead or deceased, any thing contained in this act to the contrarie notwithstanding.

¶ Prouided also, that if any wife haue hereafter shal haue any manors, landes, tenementes, or hereditaments, vnto her ge or assured after mariage, for terme of li life, or otherwise in iointer, except the sai assurance bee to her made by acte of parli

mer

ment, and the said wife after that fortune to
ouer liue the same her husbande, in whose
time the saide iointer was made or assured
onto her, that then the same wife, so ouerli=
ing, shal and may at her libertie, after the
eath of her said husband, refuse to haue &
ake the landes, and tenementes, so to her
euen, appointed or assured, during the co=
erture, for terme of her life or otherwise in
ointer: except the same assurance be to her
ade by acte of parliament, as is aforesaide,
nd thereupon to haue, aske, demaunde and
ake her dower, by writ of dower, or other=
oise, according to the common lawe, of and
n all such landes, tenements, and heredita=
entes, as her husbande was and stode sei=
ed of any state of inheritance, at anie time
uring the couerture, anie thing contayned
n this act to the contrarie in any wise not=
oithstanding.

¶ Prouided also that this present acte nor
ny thing therein contained, extende, nor bee
t any time hereafter interpreted, expoũded
r taken, to extinct, release, discharge or sus=
end, any statute, recognisance, or other bõd
y the execution of any estate, of, or in anye
ndes, tenementes, or hereditamentes,
y the auctherity of this act, to any persõ or
ersons, or bodies politique, any thing cõ=
ained in this act to the cõtrarie therof not=
oithstanding.

¶ And forasmuch as great ambiguities &
oubts may arise of ye validity & inualidity

of willes heretofore made of any landes, te-
nements, and hereditamentes, to the grea
trouble of the kinges subiectes: the kinges
most royal maiestie minding the tranquilit
and rest of his louing subiectes, of his mo
excellent and accustomed goodnes is please
and contented, that it be enacted by the auc
thority of this present parliament, ꝑ all mane
true and iust willes and testamentes, here
tofore made, by any person or persons, de
ceased, or that shall decease, before the firs
day of May, that shalbe in the yeare of ou
lord god M.v.C.xxxvi. of anie lands, tene
ments, or other hereditamentes, shall be ta
ken and accepted good and effectuall in th
lawe, after such fashion, maner and fourm
as they were cõmonly taken & vsed, at an
time win forty yeres next before the makin
of this act, any thing cõtained in this act, o
in the preamble thereof, or anie opinion o
the common lawe to the contrarie there
notwithstanding.

¶ Prouided alwaies, that the kings high
nes, shall not haue, demaunde, or take any
aduauntage or profite, for or by occasion o
the executing of anie estate onelye by au
thoritie of this acte, to any personne or pe
sons, or bodies politique, which now hau
or on this side the saide first daye of May
which shall bee in the yeare of our Lor
god. M.v.C.xxxvi. shall haue anie vse
vses, trustes, or confidences, in anie m
nours, landes, tenementes, or heredit
men

mentes, holden of the kinges highnes, by
reason of primer seysin, liuerie, ouster le
maine, fine for alienation, relieke, or harriot
but that fines for alienations, relieffes, and
harriottes, shal bee paide to the kinges high-
nesse. And also liueries and ouster le maine
shal be sued for vses, trustes, and confiden-
ces to bee made and executed in possession,
by authoritie of this acte, after and from
the saide firste daye of Maye, of landes,
and tenementes and other hereditamentes
holden of the king in such like manner and
ourme, to all intentes, considerations, and
purposes as hath heretofore bene vsed or ac-
customed by ye order of ye lawes of this realm
¶ Prouided also, that no other person or
persons or bodies politique, of whom anie
lands, tenements, or hereditamts be or here-
after shal be holden, mediate or immediate,
shal in any wise demaund or take, anie fine,
relieke, or hariot, for or by occasion of ye exe-
cuting of any estate by ye authoritie of this
act to any person or persons, or bodies poli-
tique, before ye said first day of May, which
shal be in the yeare of our Lord God 1536.
¶ And be it enacted by authority aforesaid
that all and singuler person and persons, &
bodies politique, which at any time on this
side the said first day of May which shalbee
in the yere of our lord god 1536. shall haue
anie estate vnto them executed, of and
in anye landes, tenementes, or heredita-
mentes, by the authoritie of this acte, shall

and may haue and take the same or like ad-
uantage, benefite, voucher, aide praier, reme-
dy, cōmodity and profitte, by action entrie
condition or otherwise, to all intents con-
structions or purposes, as the person or per-
sons seised to their vse, of, or, in any suc
landes, tenements, or hereditaments, so ex
ecuted, had, should, might or ought to hau
had, at the time of the execution of the estat
thereof, by the authority of this act, again
any other person or persons, of, or for an
Wast, disseisin, trespas, condition broken,
any other offence, cause, or thinge cōcerni
or touchinge the saide landes or tenement
so executed by the authority of this act.

¶ Prouided also, and be it enacted by th
authority aforesaid, that actions nowe de
pending against any person or persons, se
sed of or in any landes, tenements, or her
ditaments, to any vse, trust or considēce, sh
not abate ne be discharged for or by reaso
of executing of any estate thereof by auth
rity of this acte, before the saide first day
May which shal be in the yeare of our lo
God 1536. any thinge conteined in this a
to the contrary notwithstandinge.

¶ Prouided also, that this act nor an
thinge therein conteined, shal not be prei
dicial to the kinges highnes, for wardship
of heirs now beinge wīn age, nor for iyu
ries, or for ouster le maine, to be sued by
ny person or persons now beinge with
age, or of full age, of any lands or tenemen

onto the same heire or heires now alreadye
nscended, any thinge in this acte conteined
o the contrary notwithstanding.

¶ Prouided also, and be it enacted by the
uthority aforesaid, that all and singuler
ecognisances heretofore knowledged, takē
made, to the kinges vse, for or concerning
ny recoueries of any landes, tenements or
ereditaments, heretofore vsed or had, by
rit or writts of entre vpon disseisin in le
ott, shal from hence forth be vtterly voide,
nd of none effect to all intents, constructi=
ns, and purposes.

¶ Prouided also, that this acte, nor anye
inge therein conteined, be in any wise pre
diciall or hurtful to any person or persōs
rne in Wales, or the marches of the same
hich shal haue any estate to them executed
auctority of this act, in any lands, tene=
ents, or other hereditaments, within this
ealme, whereof any other person or per=
ns now stand or be seised, to the vse of a=
such person or persons borne in Wales,
in the marches of the same: but that ye sāe
rson or persons borne in Wales or in the
rches of the sāe, shal or may lawfully
ae reteine or kepe the same lands tene=
ts or other hereditamēts, wherof estate
ll be so vnto thē executed by the auctori=
of this act, according to ye tenour of ye sāe,
y thing in this act conteined, or any other
or prouision heretofore had or made to ye
ntrary, notwithstandinge.

An

¶ An acte concerning Inrollements of bargaines and contractes of landes & tenements, an. 27. H. 8.

Cap. 16.

¶ Inrollementes. 2.

BE it enacted by the auctholite of this present parliamēt, th frō ꝑ last day of July, whe shalbe in the yere of our Lor god 1536. no manours, lande tenements, or other heredit mentes, shall passe, alter, or change, from o to another, wherby any state of inheritan or frœholde, shalbe made or take effecte, in ny person or persons, or any vse thereof be made, by reason onely of anie bargay and sale thereof, excepte the same bargai and sale be made by writing indented, se led, and inrolled in one of the kings cour of recorde at Westminster, or els within t same cōtie or cōtties where the same m nours, landes, or tenementes, so barga ned and solde, lie or bee, before the Cust Rotulorum, and two Justices of the pe and the clerke of the peace of the same cou tie or counties, or two of them at the lea whereof the clerke of the peace to bee o and the same enrollement to be had & m within sixe monethes next after the date the same writings indēted, the same cus Rotulorum, or Justices of the peace, t

cle

lerke, takinge for the enrolment of euerye suche writinge indented before them, where the land comprised in the same writing exceede not the yerely value of fortye .two shillings, that is to say, xij.d. to the Justices, and xij.d. to the clerke, and for the inrolment of euerie such writing indented before them, wherin the land comprised exceede the summe of xl.s. yerely value v.s. that is to say, ij.s. vi.d. to the said Justices, and ij.s. vi.d. to the said clerke for the inrolling of the same. And that the clerke of the place for the time being, within euerie such countie, shall sufficiently inrolle & engrosse in parchment the same deedes or writinges indented, as is aforesaid, & the rolles therof at the ende of euery yere shal deliuer vnto the Custos Rotulorum of the same countie for the time being, there to remaine in the custodie of the saide custos Rotulorum for the time being, amongst other recordes of euerie of the same counties, where any such inrolmentes shall be so made, to the intent that euerie party that hath to do therewith may resorte & see the effect & tenour of euery such writinge so enrolled.

Prouided alwaies that this acte nor any thing therin contained, extēd not to any other lādes, tenemētes, or hereditamētes, being or being within any Citie, borough, or towne corporate within this Realme, wherein the Maiors, recorders, chamberlains, bailifes, or other offic̄ or officers haue

authority or haue lawfully vsed, to enroll any euidences, dedes, or other writinge within their precincte or limitts, any thin in this act conteined, to the contrary not withstandinge.† See after a statute mad 34. H. 8. cap. 22. touchinge dedes enrolle in such Cities. &c.†

¶Partition

¶An act concerninge iointenants and tenants in common, Añ 31. H. 8. cap. 1. partitiō 3.

Forasmuch as by the comm lawes of this Realme, diu of the kinges subiects, bein seised of manors, lādes, ten ments and hereditaments, iointenants, or as tenants common, with other of any estate of inhe tance, in their owne rights, or in the ri of their wiues, by purchase, discēt, or oth wise, and euery of them so being iointen or tenants in common, haue like right, ti interest, or possession in the same mane lands, tenements, and hereditaments, their parts and portions iointly or in c mon vndeuidedly together with other, none of them by the law doth or may kn their seuerall partes or portions in the s or that that is his or theirs by it selfe b

ided: and cannot by the lawes of this re=
me otherwise occupie or take the profites
f the same, or make any seuerance, deuision,
partition thereof, without other of their
utuall assentes and consentes: by reason
hereof diuers and many of them, being so
intly and vndeuidedly seised of the sayde
anours, landes, tenementes, and heredita=
entes, oftentimes of their peruers coue=
as and malicious mindes and wilies, a=
inst all right, iustice, equitie, and good cō=
ience, by strength and power, haue not on=
cut and fellen downe all the woodes and
ees growing vpon the same, but also haue
tirped subuerted pulled down, and distroi=
al the houses, edifications, & buyldinges,
adowes, pastures, commons, & the whole
mmodities of the same, and haue taken &
uerted them to their owne vses, and
hones, to the open wronge and disheri=
, and against the mindes and willes of
er, holding the same manours, landes, te=
mentes, and hereditaments, iointly or in
mmon with them, and they haue bene al=
ies without assured remedy for the same.
e it therefore enacted by the king our most
ad soueraigne lord, and by thassent of the
des spirituall and temporall, and by the
mmons in this present parliament assem=
d, that all iointenantes, and tenantes in
mmon that nowe be, or hereafter shall bee,
any estate or estates of enheritaunce, in
ir owne rightes, or in the right of their
wiues

wiues, of any manours, landes, tenementes
or hereditamentes, with in this Realme o
England, wales, or the marches of ꝑ sam
shall and may bee coacted and compelled b
vertue of this present acte, to make partici
on betwene the, of al such manours, lands
tenements, and hereditaments, as they no
holde, or hereafter shal hold, as iointenant
or tenantes in common, by writ De partici
ne facienda in that case to be deuised, in t
king our soueraigne lordes court of chan
cerie, in like maner & fourme as copercene
by the common lawes of this realme, ha
bene and are compelled to do, and the sa
writ to be pursued at the common law.

¶ Prouided alway and be it enacted, th
euerie of the said iointenantes or tenants
common, and their heires, after such parti
on made, shall and may haue ayde of the
ther, or of their heires, to the intent to
reigne the warrauntie paramont, and to
couer for the rate, as is vsed betwene cop
ceners after partition made by the order
the comō lawe, any thinge in this act, co
teined to the contrarye notwithstandi

‡ See after a statute made 32. H. 8.
cap 32. touchinge partition
betwene tenants of
particuler es=
tates.

An act whereby religious houses ar dissolued, & their lãds are assured to the kinge. And how leases and graunts made of them shall take effect anno 31.H.8.cap.13.

Monasteries. II.

WHere diuers and sundry abbots priors, abbesses, priorsses, and other ecclesiasticall gouerners, & gouernesses, of diuers monasteries, abbathies, priores, nunries, eges, hospitals, houses of friers, & other gious, and ecclesiastical houses & places, this our soueraigne lord the kings realm England and Wales, of their owne free voluntary mindes, good willes, and as & without constraint coactiõ or compul of any manner of person or persons, n the iiij. day of February, the xxviij yere he raigne of our now most dread soue ne lord, by the due order and course of y mon lawes of this his Realme of En id, and by their sufficient writinges ecorde, vnder their couent and common ales, haue seuerallye geuen, graunted by the same their writinges seuerallye ãrmed, al their said monasteries, abba s, priories, nũries, colledges, hospitales, ses of friers, & other religious and ec astical houses and places, and all theyr s, circuits, & precinctes of y sãe, & all and singuler

singuler their manours, lordships, grange
meases, landes, tenementes, medowes, pa
tures, rentes, reuersions, seruices, woode
tithes, pēsions, porcions, churches, chapel
aduowsons, patronages, annuities, righte
entries, conditions, commons, leets, court
liberties, priuiledges, and fraunchises, a
pertaining or in any wise belonging to a
such monastery, abbathie, priory, nunry, c
ledge, hospital, house of friers, and other
ligious and ecclesiasticall houses and pla
or to any of them, by what soeuer name
corporation they or any of them were th
named or called, and of what order, haby
religiō, or other kind of quality soeuer th
or any of them then were reputed know
or taken. To haue and to holde all the sa
monasteries, abbathies, priories, nūries,
ledges, hospitales, houses of friers, & o
religious and ecclesiasticall houses and p
ces, sites, circuits, precinctes, manours, lā
tenementes, meadowes, pastures, rentes,
uersions, seruices, and al other the prem
ses, to our saide soueraigne lorde his he
and successours for euer, and the same th
saide monasteries, abbathies, priories, m
ries, colledges, hospitalles, houses of fri
and other religious and ecclesiastical hou
and places, sites, circuites, precinctes, t
nours, lordshippes, graunges, meases, lā
tenementes, medowes, pastures, r
tes, reuersions, seruices, and other the
misses, voluntarilye as is aforesayde, h
renou

renounced, left, and forsaken, and euery of
hem hath renounced, left and forsaken. We
t therefore enacted by the kinge our soue-
aigne Lord, and the lords spiritual & tem-
oral, and the commons in this present par-
ament assembled, & by auctoritie of the
ime, that the king our soueraigne lord shal
aue, hold, possede & enioy to him, his heirs
successors for euer; all & singuler such late
onasteries, abbathies, priories, nuries, col-
ges, hospitals, houses of friers, & other re-
gious & ecclesiastical houses and places, of
hat kindes, natures, qualities, or diuersi-
es of habites, rules, professions or orders
ey or any of them were named, knowen or
lled, which sith ꝑ said iiij. day of Febru-
y, the xxviij. yeare of the raigne of our said
ueraigne Lord, haue bene dissolued, sup-
essed, renounced, relinquished, forfayted,
euen vp, or by any other meane come to
s highnes, and by the same auctoritie &
like maner shal haue, holde, possede, & en-
y all the sites, circuites, precinctes, man-
urs, lordships, graunges, meases, landes,
nements, meadowes, pastures, rentes, re-
rsions, seruices, woodes, tithes, pensions,
rcions, parsonages appropried, vicarages,
urches, chapels, aduowsons, nominatiõs,
tronages, annuities, rightes, interestes,
tries, conditions; ‡ See 32. H. 8. ca. 34. ‡
nons, leetes, courts, liberties, priuileges,
unchises, and other whatsoeuer heredi-
nents, which apperteyned or belonged, to

the said late monasteries, abbathies, priories
nunries, colleges, hospitalls, houses of fry
ers, & other religious or ecclesiastical house
and places, or to any of them, in as large an
ample maner and fourme, as the late abbots
priors, abbesses, prioresses, and other eccles
asticall gouernors and gouernesses, of suc
late monasteries, abbathies, priories, nun
ries, colleges, hospitals, houses of friers,
other religious and ecclesiasticall houses
places, had, helde, or occupied, or of rig
ought to haue had, holdē, or occupied, in t
right of their saide late monasteries, abb
thies, priories, nunries, colleges, hospital
houses of friers, or other religious or eccl
siasticall houses or places, at the time of t
said dissolution, suppression, renouncing, r
linquishing, forfaiting, gyuing vp, or by a
other maner of meane comming of the sa
to the kinges highnes, sithen the iiij. day
Februarie aboue specified.

¶ And it is further enacted by the auth
ritie abouesaid, that not onely all the sa
late monasteries, abbathies, priories, nu
ries, colleges, hospitalls, houses of frie
and other religious and ecclesiasticall ho
ses and places, sites, circuites, precinct
manuours, lordshippes, graunges, me
sses, landes, tenementes, meadowes, p
tures, rentes, reuersions, seruices, and
other the premisses, forthwith immedia
and presently, but also al other monasteri
abbathies, priories, nunries, colleges, h
pita

itals, houses of friers, and all other reli-
ious and ecclesiastical houses and places,
which hereafter shal happen to be dissolued,
uppressed, renounced, relinquished, forfay-
d, gœuen vp, or by any other meane come
into the kings highnes, & also all the sites,
ircuites, precinctes, manors, lordshippes,
anges, meases, landes, tenementes, mea-
dowes, pastures, rentes, reuersions, serui-
s, woodes, tythes, pensions, portions, par-
ages appropriate, vicarages, churches,
apples, aduowsons, nominations, patro-
ges, annuities, rights, interests, entries,
conditions, commons, lætes, courtes, liber-
ies, priuileges, franchises, and other here-
aamentes whatsoeuer they bee, belonging
appertaining to the same, or any of them,
wensoeuer & as soone as they shalbe dis-
ued, suppressed, renounced, relinquished,
faited, gœuen vp, or by any other meane
ome vnto the kings highnes, shalbe vested,
ned, & adiudged, by auctoritie of thys
sent parliament, in the verie actual & real
on and possession of the kinge our soue-
ne Lord, his heires and successours for
, in the state and condition as they now
nd as though all the said late monaste-
s, abbathies, priories, nunries, colledges,
ospitals, houses of friers, and al other re-
ious and ecclesiastical houses & places, so
lued, suppressed, renoūced, relinquished
nited, geuē vp, or cōe to ꝑ kings highnes
aforesaid, as also the said monasteries,

abbathies, priories, nunries, colledges, ho
pitals, houses of friers, and other religio
& ecclesiastical houses & places, which her
after shal happen to be dissolued, suppresse
renounced, relinquished, forfaited, geuen
or come vnto the kinges highnes, sites, ci
cuites, precinctes, manors, lordships, gra
ges, landes, tenements, & other the prem
ses, whatsoeuer they be, & euery of the w
in this present act specially & particule
rehearsed, named, and expressed by expr
wordes, names, titles, and faculties, an
their natures, kindes, and qualities.

¶ And be it also enacted by thauthor
aforesaid, that all the said late monaster
abbathies, priories, nunries, colledges, h
pitals, houses of friers, & other religiou
ecclesiastical houses & places which ben
solued, suppressed, renounced, relinquis
geuen vp, or come to the kinges highne
any maner of meanes, as is aforesaid, an
the manors, lordships, granges, landes
nementes, and other the premisses, (ex
such thereof as be comen to the kings h
by attainder or attainders of Treason)
al the said monasteries, abbathies, prior
nuries, colleges, hospitals, houses of fr
& other religious & ecclesiasticall house
places, which hereafter shall happen to
dissolued, suppressed, renouced, relinquis
forfaited, geuen vp, or come vnto the ki
highnes, & al the manors, lordships, grā
lands, tenemēts, medowes, pastures, re
re

uersions, seruices, woods, tithes, porcions, pensions, parsonages appropriat, vicarages, churches, chapels, aduowsōs, nominations, patronages, annuities, rightes, interestes, entries, cōdicions, commons, leetes, courts, liberties, priuiledges, franchises, and other hereditaments whatsoeuer they be, belonging to ye same, or to any of them (except such as rof, which shal happē to come to ye kings highnes, by attainder or attainders of treason) shalbe in the order, surueyed, & gouernāce of our said soueraigne Lord the kings court of Augmentacions of the reuenues of his crowne, & of the chauncellor, officers, and ministers of the same. And al the fermes, issues, reuenues, & profits, comming & growing of the premisses, & of euery part thereof, (except before excepted) shalbe ordered, takē and receyued to the kinges vse by the saide chauncelor, mynisters, and officers of the saide Court, in such and like maner & forme as the monasteries, priories, sites, circuites, manors, graunges, meases, lands, tenemenes, rentes, reuersions, seruices, tithes, pensions, porcions, aduowsons, patronages, rightes, entries, condicions, and other hereditaments, late apperteining or belonging to the monasteries, abbathies, priories, or other religious houses, late by aucthoritie of parliament suppressed, ‡ videlicet 27. H. 8. ‡ later, but in Rastalls collect' Monasteries 9. ‡ be ordered, surueyed & gouerned. Sauing all and euery person and persons, & bodies

politike, & their heires and successors,
the heires & successors of all & euery of t
other then the said late abbots, priors,
besses, prioresses, and other ecclesiastical
uernors & gouernesses, of the said late
nasteries, abbathies, priories, nũries, co
ges, hospitals, houses of friers, & other r
gious & ecclesiasticall houses & places,
their successors, & the successors of euer
them, & such as pretende to be founders
trons, or donors of such monasteries, a
thies, priories, nunries, colledges, ho
tals, houses of friers, and other ecclesiast
houses and places, or of any manors,
suages, lands, tenements, or other hered
ments, belonging to the same, or to an
them, their heires & successors, & the he
& successors of euery such founder, pat
or donor: and the now abbots, priors,
besses, prioresses, & other ecclesiastical
uernors & gouernesses of such monaster
abbathies, priories, nunries, colledges,
pitals, houses of friers, and other religi
& ecclesiastical houses & places, which h
after shal happen to be dissolued, suppre
renounced, relinquished, forfaited, gœue
or come to the kinges highnes, and such
pretend to be founders, patrons, or don
of such monasteries, abbathies, priories,
ries, colleges, hospitales, houses of frie
other ecclesiasticall houses and places,
any manors, mesuages, landes, tenemen
or other hereditaments to the same be

ing, or to any of them their heires and suc=
cessors, and the heires and successors of euc=
e of them) all such right, title, claime, in=
rest, possession, rentes charges, annuities,
ases fermes, offices, fees, liuories, and ly=
nges, porcions, pensions, corodies, com=
ons, synodes, proxies, and other profites,
hich they or anye of them haue clayme,
ight, may, or might haue had, in or to the
emisses, or to any part or parcel thereof,
such like maner, fourme, and condicion, to
l intentes, respectes, constructions & pur=
ses, as if this acte had neuer ben had ne
ade (rentes seruices, rents seck, & al other
ruices and suites onely except.)

Prouided alwayes and be it enacted by
e aucthoritie abouesaide, that if any late
bot, prior, priorresse, abbesse, or other eccle=
iastical gouernor or gouernesse abouesaide,
ithin one yere next before the dissolution,
ppression, renouncing, relinquishing, for=
iting, geuing vp, or comming to the kings
ghnes, of hys late monasterie, abbathie,
iorie, nunrie, colledge, hospitall, house of
iers, or other religious or ecclesiasticall
ouse or place, hath made any lease or grāt,
nder his couēt or cōmon seal, or otherwise
r terme of life, or for terme of yeres, of the
e, circuit, & precinct, of his said late mo=
nstery, abbathy, priory, nūry, college, hospi=
l, house of friers, or other religious or ce=
esiastical house or place, or of any part ther
, or of any manors, mesuages, grāges, lāds

tenements, parsonages appropriate, tithe
pencions, porcions, or other hereditament
which belonged or appertained to hys sai
late monasterie, abbathie, priorie, nunri
college, hospital, house of friers, or other r
ligious or ecclesiastical house or place, whi
manors, mesuages, graunges, landes, ten
ments, parsonages appropriat, tithes, pe
sions, porcions, or other hereditamēts, we
not before the same lease commonly vsed
be set nor let to ferme, but kept & reseru
in the manurance, tillage or occupation o
said gouernour or gouernesse, for the mai
tenance of hospitalitie and good house ke
ping: or within one yere, as is abouesai
hath made any lease or graunt for terme
life, or for terme of yeres, or of any manor
mesuages, lands, tenemēts, meadowes, pa
tures, woods, parsonages appropriat, tith
pensions, porcions, churches, chappelles,
other hereditaments whatsoeuer they b
whereof, or in the which any estate or int
rest for terme of life, yeare or yeares, at t
time of the makinge of any such graunt
lease, then had his being or continuance, a
then was not determined, finished, or exp
red: or win the time of one yere, as is abou
said, hath made any lease or graūt for ter
of life, or for terme of yeres, of any manor
mesuages, lands, tenements, medowes, pa
tures, woodes, parsonages appropriate, t
thes, pensions, porcions, churches, chapell
or other hereditamēts whatsoeuer they b

pon the which leases & graunts, the vsual
nd olde rentes & seruices, accustomed to be
elden & reserued by the space of xx. yeres,
xt before the first day of this present par=
iment, is & be not thereupon reserued and
elden. Or if any such gouernour or gouer=
sse hath made any bargaine or sale of hys
oods, within one yere, as is afore limited,
hich woods be yet growing and standing:
at then all and euery such lease, graunt,
rgaine & sale of woode or woodes, shalbe
terly voide and of none effect.

And it is also enacted by aucthoritie a=
eforesaid, that all feoffements, fines, and re=
eries, had, made, knowledged, or suffred,
any gouernor or gouernesse, without the
iges licence vnder his great seale, within
ore yere next before the dissolution, renoun=
g, relinquishing, forfaiting, geuing vp,
comming vnto the kings highnes, of hys
de monasterie, abbathie, priorie, nunrie,
ledge, hospitall, house of friers, or other
gious or ecclesiastical house or place, or
manors, meases, landes, tenementes, or
er hereditamentes, whatsoeuer they be,
ich the said late Abbot, Prior, abbesse,
oresse, and other ecclesiasticall gouernour
gouernesse, or any of the, or any of their
decessors had or helde, of the gift, graunt
onfirmation of our said soueraigne Lord
ny of hys highnes progenitors, or of
which monasteries, abbathies, priories,
ries, colledges, hospitalles, houses of

friers,

friers, or other religions or ecclesiastica houses or places, our said soueraigne Lo was founder or patron, or which manor meases, lands, tenements, or other hered taments, were of the auncient or olde fou dation or possession of the said late monast ries, abbathies, priories, nunries, colledge hospitals, houses of friers, or other relig ous or ecclesiastical houses or places, shal vtterly voide and of none effect.

¶ And it is further enacted by the auth ritie aboue saide, that if any abbot, prior abbesse, prioresse, or other ecclesiasticall g uernor or gouernesse, of any monasterie, a bathie, priory, nūrie, college, hospital, ho of friers, or other religious or ecclesiasti house or place, which hereafter shal happ to be dissolued, suppressed, renounced, rely quished, forfaited, gæuen vp, or come to kings highnes, within one yere, next bef the first day of thys present Parliame haue made, or hereafter do make any leas graunt, vnder his couent or common see or otherwise for terme of yeares, or lyf lyues, of the site, circuite and precinct hys said monasterie, abbathie, priorie, m rie, colledge, hospitall, house of friers other religious or ecclesiasticall hous place, or of any part thereof, or any m nors, mesuages, lands, tenements, parso ges appropriat, tithes, pensions, portio or hereditamentes belonging or appert ning to his said monastery, abbathie, pri

n

nunrie, colledge, hospital, house of friers, or other religious or ecclesiasticall house or place, which manours, meases, graunges, landes, tenements, parsonages appropriate, tithes, pensions, porcions, and other hereditamentes whatsoeuer they be, were not before the same lease, commonly vsed to be set or let to ferme, but kept and reserued in the manurance, tillage or occupation of the said gouernour or gouernesse, for the maintenance of hospitalitie and good house keeping: or now be in the manurance, tillage, or occupation of the saide gouernor or gouernesse, for the maintenance of hospitalitie good house keeping, or win-one yere next before the first day of thys present parliament, hath made, or hereafter shal make any lease or graunt for terme of life, or for terme yeres, of any manors, meases, landes, tenementes, meadowes, pastures, woodes, parsonages appropriate, tithes, pencions, porcions, churches, chapels, or other hereditaments, whatsoeuer they be, whereof and in the which anye estate or interest for terme of lyfe, yere or yeres, at the time of the making of any such graunt or lease, then had is beeing or continuance, or hereafter shal haue his being or continuance, and that was not determined, finished or expired, or at the time of any suche lease to bee made, shall not bee determined, finished, or expired, within one peare next before the first dye of thys present Parlyament, hath

made

made or hereafter shall make any lease o
graunt for term of life, or for terme of yere
of any manors, mesuages, lands, tenements
medowes, pastures, woodes, parsonages ap
propriate, tithes, pēsions, porciōs, churches
chapels, or other hereditaments whatsoeue
they be, vpon the which leases & graunte
the vsual and olde rentes & fermes, accusto
med to be yelden & reserued by the space
xx. yeres, next before ỳ said first day of thy
present parliament, is or be not, or hereaft
shal not be thereupon reserued & yelden: A
yf any such gouernor or gouernesse, of ar
such monasterie, abbathie, priorie, nunri
colledge, hospitall, house of friers, or oth
religious or ecclesiasticall house or plac
which hereafter shal happen to be dissolue
suppressed, renoūced, relinquished, forfait
gœuen vp, or come to the kinges highnes,
in one yere, next before the first day of th
present parliament, hath made, or hereaft
shal make any bargain or sale of his wood
which woods be yet growing and standin
that then al & euery such lease, graunt, ba
gaine, & sale of wood or woodes, shalbe v
terly voide and of none effect.

¶ And it is also enacted by thaucthori
aforesaide, that all feoffements, fines, & r
coueries, had, made, knowledged or suffer
within one yere next before the first day
this presēt parliamēt, or hereafter to be h
made, knowledged or suffred, by any gou
nour or gouernesse, of any monasterie, abb
th

ie, priorie, nunry, colledge, hospital, house
friers, or other religions or ecclesiasticall
use or place, which hereafter shal happen
be dissolued, suppressed, renounced, relyn=
ished, forfaited, geuen vp or come to the
ings highnes, without the kinges licence
der his great seale, of any manors, mea=
s, lands, tenements, or other hereditamēts
hatsoeuer they be, which the said abbots,
iors, abbesses, priorresses, and other eccles=
icall gouernors and gouernesses, whiche
reafter shall happen to be dissolued, sup=
essed, relinquished, forfaited, geuen vp or
me vnto the kings highnesse, as is afore=
id, or any of them, or any of their prede=
lours had or helde, or haue and holde of
e gift, graunt, or confirmation of our said
ueraigne Lord, or of any of his highnes
ogenitors, or of the which monasteries,
bathies, priories, nunries, colledges, hos=
tals, houses of friers, or other religious &
clesiastical houses and places, our sayde
ueraigne Lord is founder or patron, or
hich manors, meases, landes, tenementes,
other hereditamentes, were or be of the
ncient or olde foundation or possession of
e said monasteries, abbathies, priories, nū
s, colleges, hospitales, houses of friers, or
her religions or ecclesiasticall houses or
aces, shall bee vtterlye voyde and of none
ect.

¶ Prouided alway, and be it enacted by
ethoritie aboueseide, that if any abbot,
prior,

prior, abbes, or priores, or other gouernor or gouernesse abouesaide, within one yeare next before the first day of this present parliament, or if any late abbot, prior, abbesse, prioresse, or other late gouernor or gouernesse abouesaid, win one yere next before any such dissolution, suppression, renouncing, relinquishing, forfaiting, geuing vp, or comming to the kings highnes of the premisses, or of any parcel therof, as is aforesaid, haue made any demise, lease or graunt, to any person or persons, for terme of yeres, of any manors, meases, lands, tenemēts, parsonages appropriat, tithes, pēsions, porcions, or other hereditaments aforesaid, which person or persons at the time of the said demise, lease, or graunt, had & held ye same to ferme for terme of yeres then not expired: ye then ye said person or persons to whō any such demise, lease or graūt hath ben so made, shal haue & hold the same for the terme of xxj. yeres only, fro the time of the making of ye said demise, lease or graunt, if so many yeres be by ye same demise, leas, or graunt, specified, limited, & expressed, or els for so many yeares as in such demise, leas, or graūt ben expressed, so ye the old rent be thereupon reserued, & so that the same lease or leases exceede not xxj. yeres this act or any thing therin conteined to the contrarie notwithstanding. ‡ See Plow. Com. fo. 106. and after Pulmerston & Stewardes case.

¶ Prouided also, & be it enacted by thauthoritie abouesaid, that if any abbot, prior ab-

Lib. pold only Abridge Simplage de Lands.

Lib. pold. So that they shall least or lasts ye rode not xxj yeares. Statutum de donis. Stratōn et mūny condition. et stat. de aud. Delistate qd le lease ancora et mūny compresse en le Indenture. Dictor.

ıbbesse, priorresse, or other late gouernor or
gouernes, win one yere next before any such
ıssolution, suppression, denouncing, relin=
quishing, forfaiting, geuig vp or cōming vn
o the kings highnes, of ỳ premisses, or of a=
y parcel therof, as is aforesaid, haue made
ny demise, leas or graunt, to any person or
ersōs, for terme of life or liues, of any ma=
ors, meases, landes, tenements, parsonages
ppropriat, tithes, pēsions, porciōs, or other
ereditamēts aforesaid, which person or p=
ons, or any of thē, at the time of ỳ said de=
ise, lease or graūt, had & held the same for
rme of life or liues, or for terme of yere
ıen not expired: ỳ then the said person or
ersōs, to whō any such lease or graūt hath
so made, shal haue & hold ỳ same for term
their life or liues, so ỳ the old rēt be there
ıon reserued. This act or any other thing
erin contained to ỳ contrary therof notw=
ınding. Prouided also & be it enacted by
e auctority aforesaid, that all & singuler
ıses & grāts made by copie, to any person
persons, of any of ỳ said meuages, lāds,
nemts, parsonages appropriat, tithes, pē=
ons, porcions, or other hereditamēts afore
id, for terme of life or liues, which by the
stome of the countrey hath ben vsed to be
mised, letten, or graūted by copy of court
ll, shal be good & effectual in ỳ law, so ỳ the
o rēt be reserued, by & vpō euery such leas
leases: this act or any thing therin cōtay=
d to ỳ cōtrary in any wise notwstanding.

¶ Pro=

¶ Prouided alway, and be it further ene
ted by thauthority aforsaide, that all leas
heretofore made, of any ye premisses, by au
thority of our soueraigne lord ye kings co
of Augmentacions of the reuenues of ye
crowne, & al such leases, feoffements & wo
sales, made by the said gouernors & gou
nesses, or any of them, vnder their cou
seales, or vnder the couent or cōmon seal
any of thē, win one yere next before ye dis
lution, suppressiō, renoūcing, relinquishi
forfaiting, gæuing vp or cōming to ye kin
highnes, of the said monasteries, abbathi
priories, nūries, colleges, hospitals, hou
of friers, or other religious and ecclesiast
houses or places, which said leases, grau
feffements, & wood sales haue ben examin
enrolled, decreed, or affirmed, in our said
ueraigne Lord the kings Court of augm
tacions, & the decree of ye same put in writ
sealed with ye seal of the said court of au
mētacions, shalbe good & effectual, accordi
to ye same decree: any clause or act herefof
in this present act, to ye cōtrary notwithād

Prouided alway & be it also further en
ted by the auethority abouesaid, that if
person or persons haue iustly & truely wi
fraud or couin, paied or gæuen any sume
summes of money to any ye said late gou
nors or gouernesses, for the bargain & sal
any woods, being & growing in or vpon
manors, lands, tenements, or hereditami
which appertained or belōged to ye said l
mona

monasteries, abbathies, priories, nūries, colledges, hospitals, houses of friers, or other religious or ecclesiastical places, or vnto any of thē, which bargain & sale, by authority of this act, is made voide & of none effect, & by meane thereof, ỳ kings highnes may haue & take the commoditye and profite of suche goodes, so bargained and sold: that thē the chauncellour and other officers of our said soueraigne lorde the kinges courte of Augmentations, or three of them, whereof the chauncellor for the time being shal be one, of our said soueraigne Lord the kings treasour, remaining in the Treasorie of ỳ same court, shal satisfie & recompence euerie such person and persons, such summe of money & other recompence, as the same Chauncellour and officers, or three of them, whereof the said chauncellour shalbe one, shal thinke meete and conuenient. And if any other person or persons, shall happen to take profite & commoditie, by reason of auoiding of such woode sales by authoritie of this acte, that then euery person and persons which may or shal take such profite, shal be ordered satisfactiō to be made to the parties, that shall happen to be greued by this acte, by the said chauncellour and other the officers of the same court.

Prouided also, and be it further enacted by the authority aboue said, that al and euery person and persons their heires and assignes, which sithen the said iiij. day of Fe=

bruarie, by licence, pardon, confirmation, re-
lease, assent, or consent of our said soueraign
lord the king, vnder his great seale hereto-
fore geuen had or made, or hereafter to bee
had or made, haue obtained or purchased, by
indenture, fine, feoffement, recouery, or other-
wise, of ye said late abbots, priors, abbesses,
prioresses, or other gouernors or gouernesses
of any such monasteries, abbathies, priories,
nuries, colledges, hospitals, houses of friers
or other religious & ecclesiasticall houses or
places, any monasteries, priories, colledges
hospitals, manours, lands, tenements, medo
wes, pastures, woodes, churches, chapels, p
sonages, tithes, pensions, porcions, or othe
hereditaments, shal haue & enioy ye same, ac
cording to such writings and assurances, a
bene therof before ye first day of this presen
parliament, or hereafter shalbe had or mad

¶ Sauing to all & euery pson & person
& bodies politike their heires & successours
& to the heires & successours of euery of th
other the ye said late abbots, abbasses, prior
prioresses, & other gouernors & gouernesse
& their successours, & the successours of eu
ry of them, and such as pretende to be fou
ders, patrons or donours of the said mona
teries, abbathies, priories, nuries, colledge
hospitals, and other religious or ecclesiast
call houses or places: or of any of them, or
any manours mesuages, landes, tenement
or other hereditamentes late belonging
the same, or to any of them, and their heir
successou

successours, and the heires and successours of euery such founder, patrone or donour) al such right, title, interest, possessiō, rents, annuities, commodities, offices, fees, liueries, and liuinges, portions, pencions, corodies, synodes, priories and other profites, which they or any of them haue, ought or inought haue had, in or to any of the saide monasteries, abbathies, priories, colledges, hospitals, manours, lāds, tenemēts, rents, seruices, reuersions, tithes, pensions, portions or other hereditamentes, at anye tyme before anye such purchase, indentures, fynes, feoffementes, recoueries, or other lawfull meane, betweene anye such parties, had or made, as aboueſaid: this act or anye thinge herein contained to the contrarie notwithstanding.

¶ And where our saide soueraigne Lorde (th the fourth daye of Februarie, the saide xbij. yere of the raign of our said soueraign lord, hath obtained and purchased alwel by exchaunges as by giftes, bargaines, fines, feoffementes, recoueries, deedes inrolled, & otherwise of diuers and sundrye persones, many and diuers honours, castelles, manours, landes, tenementes, meadowes, pastures, woodes, rentes, reuersions, seruices, and other hereditamentes, and hath not onelye payde diuers and sundrye great summes of money for the same, but also hath geuen and graunted for the same, vnto diuers, and sundrye personnes,

diuers and sundry manours, landes, tenementes, and hereditamentes, and other recompences, in and for full satisfaction of al such honours, castels, manours, landes, tenementes, rentes, reuersions, seruices, and other his hereditamentes, by his highnesse obtained or had, as is abouesaid: Be it therfore enacted by the authoritie abouesayde, that our saide soueraigne Lord the king, his heires and successors, shall haue, holde, possede and enioy, al such honours, castels, manours, lands, tenementes, and other hereditamentes, as his highnes sith the said iiij. day of Februarie, the xxbij. yere abouesaid, hath obtained and had by way of exchange, bargaine, purchase, or other what soeuer meane or meanes, according to ꝑ true meaning & intent of his highnes bargaine, exchãge or purchase, misrecital, misnaming, or nõ recital, or not naming of ꝑ said honours, castels, manours, landes, tenementes, and other hereditaments, comprised, or mentioned in the bargaines or writings, made betwene the kinges highnesse and any other partie or parties, or of the townes or counties, where the saide honours, castels, manours, landes, tenements, & hereditamentes lye and bene, or any other matter or cause whatsoeuer it be in any wise notwithstanding.

¶ Sauing to all and euerie person, and persons, and to their heires, bodies politik and corporate, and to their successours, and

to euerie of them (other then such person & personnes, & their heires, and their wiues, and the wiues of euerie of them, bodies politike and corporate, and their successoures and euerie of them, of whō the kinges highnes hath obtained, by exchange, gifte, bargaine, fine, feoffement, recouerie, deede enrolled or otherwise, any such honours, castels, manours, landes, tenementes, and other hereditamentes, as is aforesaid) al such right, title, vse, interest, possession, rentes charges, annuities, cōmodities, fees, and other profites, (rentes seruices, and rentes seeks only except,) which they or any of them haue, might or ought to haue had, in or to the premises so obtayned and had, or in or to anye parcell therof, if this act had neuer beene had nor made, this presēt act or any thing therin contayned to the contrarie notwithstanding.

¶ And where it hath pleased the kinges highnes of his most abōdant grace & goodnes, alswell vpon diuers and sundry cōsiderations his maiestie specially mouing, as also otherwise to haue bargained, sold, chaūged, or geuen and graunted by his graces sueral letters patentes, indētures, or other writinges, alswell vnder his highnes great seale, as vnder the seale of his highnes Duchie of Lancaster, and the seale of the office of the augmentations of his crowne, vnto diuers and sundrie of his louing and obedient subiectes, diuers and sundry honoures,

castels, manours, monasteries, abbathies, priories, landes, tenementes, rentes, reuersions, seruices, ꝑsonages appropriated, aduowsons, liberties, tithes, oblations, porcions, pēcions, fraunchises, priuiledges, liberties, and other hereditaments, cōmodities and profites, in fee simple, fee talle, for terme of life, or for terme of yeres. For auoiding of which said letters patentes, and of the contentes of the same, diuers sundry and manie ambiguities, doubts, and questions, might hereafter arise, be moued, & stirred, alswell for misrecital or nonrecitall. as for diuers other matters, thinges, or causes to be alledged, obiected, or inuented against the said letters patents, as also for lacke of finding of offices or inquisitions, whereby ꝑ title of his highnes therin ought to haue bene found, before the makinge of the same letters patents, or for misrecital, or nonrecitall of leases, alswell of record as not of record, or for lacke of the certainetie of the values, or by reasō of misnaming of the honours, castels, manours, monasteries, abbathies, priories, lands, tenements, and other hereditaments, comprised and mentioned within the same letters patentes, or of the townes and counties, where the same honours, castelles, manours, monasteries abbathies, priories, landes tenements, rēts and other hereditamentes, lyen and bene as for diuers and sundrie other suggestions and surmises, which hereafter might, hap

per

pen to bee moued, surmised, and procured, against the same letters patentes, all bee it the wordes in effecte contained in the sayde letters patentes bee according to the true intent and meaning of his moist royall maiestie.

¶ Be it therefore enacted by the authoritie of this present parliament, that as well all and euerie the said letters patentes, indentures, or other writinges and euerie of them, vnder the seale or seales abouesayde or anie of them, made or graunted by the kings highnes, vpon the sayde fourth day of Februarie, the said xxviij. yere of his moist noble raigne, as all and singuler other his graces letters patents, indentures or other writinges to be had, made or graunted to anie personne or personnes within three yere next after the making of this present acte, of any honours, castels, manours, monasteries, abbathies, priories, nūries, colleges, hospitals, houses of friers, or other religious or ecclesiastical houses, or places, sits, circuits precincts, landes, tenementes personages tithes, pentions, portiōs, aduowsons, nominations and all other hereditaments, & possessions, of what kinde, nature, or qualitie soeuer they bee, or by what soeuer name or names they or anye of them bee named, knowen or reputed, shall stand and bee good, effectuall, and auaileable in the lawe of this Realme to all effects, purposes, constructions, & intentes,

against his maiestie, his heires and successours, without any other licence, dispensation or tollerance, of the kings highnes his heires and successours, or of anye other person or persons whatsoeuer they be, for anye thing or thinges contained or hereafter to be contained in any such letters patents, indentures or other writings: any cause, cõsideration, or thing material, to the contrary in any wise notwithstanding.

¶ Saying to al and singuler persons, bodies politique & corporate, their heires and successours, and the heires and successours, of euery of them (other thē his highnes his heires and successours, and the saide gouernours and gouernesses & their successours, donours, founders, and patron aforenamed and their heires and successours, & all other persons claiming in their rights, or to their vse, or in the right, or to the vse of anye of them) al such right, title, claim, interest, possession, reuersion, remainder, offices, annuities, rent charges, and cõmons, which they or anie of them, haue, ought or mought haue had, in or to anie of the said honors, castels, manours, monasteries, abbathies, priories, landes, tenementes, & other hereditaments, in the said letters patents made, or hereafter to be made, compriſed at any time before the making of the said or such letters patentes. This act or any thing therein contained to the contrarie notwithstanding.

¶ And where diuers and sundry abbots

priors

priors, abbesses, priorresses, and other eccle=
asticall gouerners, & gouernesses, of the
nde late monasteries, abbathies, priores,
unries, colleges, hospitals, houses of fri=
s, and other religious, and ecclesiasticall
ouses & places, haue had, possessed, and en=
yed diuers and sundry psonages, appro=
iated, tithes, pencions, and portions, and
so were acquited and discharged of & for
e paiment or paiments of tithes to bee
ade out or for their said monasteries, ab=
thies, priories, nũries, colledges, hospi=
ls, houses of friers, & other religious &
clesiastical houses and places, manours,
ssuages, landes, tenementes and hereditā=
ntes: Be it therefore enacted by the auc=
oritie aboueſaid, that aſwel the king our
ueraigne lord, his heires & successors, as
& euery such persõ & psons their heires &
signes which haue or hereafter shall haue
any monasteries, abbathies, priories, nũries,
leges, hospitals, houses of friers, or other
clesiasticall houses, or places, sites, circuits
pcincts of the same, or of any of them, or
any manors, messuages, personages appro=
pate, tithes, pentions, portiõs, or other he=
itaments whatsoeuer they be, which be=
longed or appertained, or which now belõg
appertaine vnto the said monasteries, ab=
thies, priories, nunries, colledges, hospi=
ls, houses of friers, or other religious and
esiasticall houses or places, or vnto anye
them: shall haue, holde, retaine, keepe, and
enioy

enioy, aswel the said personages, appropr
ate, tithes, pencions, and portions of the sa
monasteries, abbathies, priories, nunrie
colledges, hospitals, houses of friers, & oth
religious and ecclesiasticall houses & pl
ces, sites, circuites, precinctes, maners, me
ses, landes, tenementes, and other heredit
mentes, what soeuer they bee, and euery
them, according to their estate and titl
discharged and acquited of payment of t
thes, as freely and in as large and am
maner, as the said late abbottes, priors,
besses, priorresses, and other ecclesiastical
uernours, and gouernesses, or any of th
had, helde, occupied, possessed, vsed, retain
or enioyed the same, or any parcell there
at the dates of their dissolution, suppress
renouncing, relinquishing, forfaiting, giu
vp or comming to the kinges highnesse,
such monasteries, abbathies, priories,
ries, colledges, hospitals, houses of friers
other religious or ecclesiastical houses
places, or at the day of the dissolution, s
pressio, renouncing, relinquishing, geuing
or comming to the kings highnesse of a
of them: this act or any thing therein c
tained to the contrarie notwithstanding
§Anno 32.H.8.ca.7.§

¶Sauing to the kings highnes his he
and successours, all and all manner of rē
seruices, and other dueties, what so e
they bee, as if this acte had neuer bene
nor made.

¶A

And be it further enacted by auctoritye
this present parliament, that such of the
ide late monasteries, abbathies, priories,
nries, colleges, hospitals, houses of fri=
s, and other religious, and ecclesiasticall
ules & places, and all churches and chap=
's, to them or anye of them belonginge,
hich before the dissolution, suppression,
oucing, relinquishing, forfaiting, giuing
or comming vnto the kinges highnesse,
re exempted from the visitation or visi=
ions, and all other iurisdiction of the or=
arie or ordinaries, within whose dio=
e they were situate or set, shal from hēce=
th be within the iurisdiction and visi=
on of the ordinarie or ordinaries, within
ose diocesse they or any of thē bee situate
set, or within the iurisdiction and visi=
on of such person or persons, as by the
ges highnes shall be limitted or appoin=
this act or any other exemption, liber=
or iurisdiction to the contrary notwith=
ding &c. ¶ Confirmation of the duke
Northfolke his purchase of Sip=
ten monasterie, and of the
lord Cobhams purchase
of Cobham chaun=
terie.

¶ An acte how by the kinges graunt landes, tenements &c. may be by will, testament or otherwise disposed, & concerning wardes & primer seisons. 32. H. 8. Cap. 1.

VWilles. 2.

VVHere the kinges most ro maiestie, in al the time of moste gratious and n raigne, hath euer bene t ciful, louing and beneuol & most gracious soueraigne Lord vnto singuler his louing & obedient subiectes, many times past, hath not only shewed imparted to the generally, by his many ten great and beneficial pardons herete by authorities of his parliamentes gre ted, but also by diuers other waies & me many great & ample grauntes and be nities, in such wise as al his said subie bene most bounden, to the vttermost o their powers and graces by them rece of God, to render & giue vnto his mai their most humble reuerence and obe thankes and seruices, with their daily continuall prayer to almightie God, fo continuall preseruation of his moste r estate, in most kingly honour & prosper yet alwaies his maiestie being replete dowed by God, with grace, goodnes, an beralitye, most tenderly considering tha

l de obedient and louing subiectes, can not
k: or exercise thē selues, according to their
ates, degrees, faculties, and qualities, or
beare thēselues in such wise as that they
y conueniently kepe and maintaine their
pitalities and families, nor the good edu-
ons and bringing vp of their lawful ge-
ations, which in this Realme laude bee
God, is in al partes very great and abū-
te, but that in maner of necessitie, as by
y experience is manifested and knowen,
y shall not be able of their proper goodes
cels and other mouable substance, to dis-
ge their debts, and after their degrees
orth & aduaunce their children & poste-
s. Wherefore our said soueraigne Lord
t vertuously considering the mortalitie
y is to euery person, at gods wil & plea-
, most common and vncertayne, of his
blessed disposition and liberality, being
ing to relieue and helpe his sayde sub-
, in their said necessities and debility, is
ented and pleased, that it be ordeined, &
ted by authoritie of this present par-
ent, in maner & fourme as hereafter fo-
eth, that is to say, that all and euerye
on and personnes, hauing, or which
after shall haue, any manours, landes,
mentes, or hereditamentes, holden in
ge, or of the nature of socage tenure, and
hauing any manours, lands, tenemēts,
hereditamentes, holden of the kinge
soueraigne Lord by knightes seruice, or

by

by socage tenure in chiefe, or of the natur
socage tenure in chiefe, nor of any other p
son or persons by knightes seruice, fr
the xx. day of July in the yere of our Lo
God. M. v. C. & xl. shall haue full and
libertie, power, and auctoritie, to give, d
pose, will, and deuise, as wel by his last
and testament in writing, or otherwise,
any acte or actes, lawfullye executed in
life, al his said manours, landes, tenemen
or hereditamentes, or anye of them, at
free will and pleasure: any law, statute, o
ther thing, heretofore had, made or vsed
contrarie notwithstanding.

¶ And that all and euery person and p
sons, hauing manours, landes, tenement
hereditaments, holden of the king our so
raigne Lord his heires or successours in
tage, or of the nature of socage tenu
chiefe, and hauing any other manours, l
tenementes, or hereditamentes, ho
of any other person or persons, in soc
or of the nature of socage tenure, and no
uing anye manours, landes tenementes
hereditaments, holden of the king our s
raigne Lord, by knightes seruice, or of
other lord or person by like seruice, from
xx. day of July in the said yeare of our
God M. v. C. and fortye, shall haue full
free liberty, power, and authoritie, to g
will, dispose, and deuise, as well by his
will or testament in writing, or others
by anye acte or actes lawfullye execute

is life, all his saide manours, landes, tene=
entes, and hereditamentes, or any of them,
his free wil & pleasure, any law, statute,
stome or other thinge, heretofore had,
ide or vsed to the cōtrary notwithstāding
sauing alway and reseruing to the kinge
r soueraigne Lorde his heires and suc=
cours, all his righte, title, and interest of
mer seison, and reliefes, and also all other
hytes, and dueties, for tenure in socage,
of the nature of socage tenure in chiefe, as
etofore hath bene vsed and accustomed:
same manours, landes, tenementes, or
editamentes, to bee taken, had and sued
of and from, the handes of his highnesse
heires and successours, by the person or
sonnes, to whom anye such manours,
des, tenementes, or hereditamentes,
ll bee disposed, willed or deuised in such
like maner and fourme, as hath bene
by any heire or heires before the ma=
g of this estatute.

And sauing and reseruing also, fines
alienations, of such manours, landes,
mentes, or hereditamentes, holden of
king our soueraigne Lorde, in socage or
he nature of socage tenure in chiefe,
reof there shall be any alteration of free
e or inheritance made by will or other=
e as is aforesaid.

And it is further enacted by authori=
aforesayde, that all and singuler per=
and personnes, hauing anye manours,
landes,

landes, tenementes, or hereditaments, of e
tate of inheritaunce, holden of the Kinge
highnes in chiefe by knightes seruice, or
the nature of knightes seruice in chiefe fro
the said twentie day of July, shal haue fu
power & authority by his last will by wr
ting, or otherwise by any acte or actes law
fully executed in his life, to giue, dispose, a
or assigne, two partes of the same manour
landes, tenementes, or hereditamentes,
three partes to be deuided, or els as mu
of the said manours, lands, tenementes,
hereditamentes, as shall extende or amou
to the yerely value of two partes of ye sa
in three partes to bee deuided in certayn
and by special diuisions, as it may be know
in seueraltie, to and for the aduauncem
of his wife, preferment of his children, a
paimēt of his debts, or otherwise at his
and pleasure: any law, statute, custome or
ther thing, to the contrarie therof notwi
standing. Sauing and reseruing to the ki
our soueraigne Lord, the custodie, wardsh
and primer seasō, or any of them, as the
shall require, of as much of the same man
landes, tenements, or hereditaments, as
amount and extend to the ful and clere y
ly value of the third part therof, withou
ny diminutiō, dower, fraude, couine, cha
or abridgement of any of the same third p
or of the full profites thereof. Sauing
and reseruinge to the kinge our soueraig
Lorde, all fines for alienations, of all
manor

manors, landes, tenementes, and hereditaments, holden of the king by knightes seruice in chiefe, whereof there shal be any alienation of freeholde or inheritance, made by will or otherwise, as is aboue said.

And be it enacted by auctholitie aforesaid, that all and singuler person & persons hauing manors, landes, tenementes, or hereditaments, of estate of inheritance, holden of the king in chiefe by knightes seruice, & hauing other manors, landes, tenements, or hereditaments, holden of the king, or of any other person or persons by knights seruice, or otherwise, euery such person & persons, from the said xx. day of July, shal haue full power & auctholitie, to geue, dispose, wyll & assigne by his last will in writing, or otherwise, by any act or acts lawfully executed in his life, two partes of the same manors, lands, tenements, or hereditamēts, in three parts to be deuided, or els as much of the same manors, landes, tenementes, & hereditaments, as shall extende or amount to the yerely value of ij. partes of the same, in iij. partes to bee deuided in certeintie, & by special deuisions, as it may bee knowen in iuraltie, to & for the aduauncement of his life, preferment of his children, & payment of his debtes or otherwise, at his will and pleasure: any law, statute, custome, or other thing to the contrary thereof notwithstanding. Sauing alway & reseruing to ye king our soueraigne Lorde, the custodie, ward-

ship, and primer seisin, or any of them, as th
case shal require, of as much of the same ma
nors, landes, tenementes, or other heredita
ments, as shall amount & extend to the ful
& clere yerely value of the third part there
of, without any maner diminution, dower
fraude, couine, charge, or subtraction of th
same third part, or of the ful profits therof
Sauing alway and reseruing to our sayd
soueraigne Lord the king, all fines for alie
nations, of al such manors, lands, tenemēt
or hereditamēts, holdē of ỳ king by knight
seruice in chiefe, whereof there shalbee an
alteration of freehold or inheritance, mad
by will or otherwise, as is aboueseid.

¶ We it further enacted by the author
tie aboueseid, that if any person or person
holde manours, landes, tenements, or her
ditamentes onely of any other Lord or pe
son then of the kinge our sayde soueraig
Lord by knightes seruice, and other land
and tenements in socage, or of the nature
socage tenure: that then euery such pers
shall or may geue, dispose, or assure by h
last will or otherwise, by any acte or act
lawfully executed in his life, two part
of the saide manours, landes, and ten
mentes holden by knightes seruice, or of
much thereof as shall amount to the fi
yearely value of two partes, in maner a
fourme as is aboue declared. And also
the landes and tenementes holden by s
cage, or of the nature of socage tenure,

his will and pleasure, as is aboue written.
Hauing and reseruing to the Lorde of the
andes and tenementes holden by knightes
eruice, for his custodie and wardshippe, as
uch of the same landes and tenements, as
hall extende or amount to the full and clere
erely value of the thirde part of the same
ndes and tenementes holden by knightes
eruice, wout any diminution, dower, fraud,
uin, charge, or subtraction of any porcion
f that thirde part, or of ẏ clere yerely value
hereof, in maner & forme aforesaid.
And be it further enacted by the autho=
tie aboue said, that if any person or persons
olde any manors, landes, tenementes, or
ereditaments, onely of the king our soue=
igne Lord by knightes seruice, and not in
ieſe, or holde any manours, landes, tene=
entes or hereditaments, of our saide soue=
igne Lord by knightes seruice, and not in
ieſe, and also holde other manors, landes,
nementes, and other hereditaments of any
her person or persons by knightes ser=
ce, and also holde other manors, landes,
nementes, or hereditaments of any other
rson or persons in socage, or of the nature
socage tenure: ẏ then al & euery such pson
ersons, shal & may geue, dispose, wil, de=
se & assure, by his last wil or otherwise, by
y act or acts lawfully done & executed in
s life, two parts of the same manors, lāds
ncements, & hereditaments, holden of our
ld soueraigne Lord the king by knightes

seruice, & two parts of the manors, landes
tenements & hereditaments, holden of an
other person or persons by knights seruice
or asmuch of either of them as shal amoun
to the full yerely value of two parts, in ma
ner and forme as is aboue declared: & als
of all his lands and tenements so holden i
socage, or of the nature of socage tenure a
his free will and pleasure. Sauing & rese
uing to the kinges highnes, the custodie
wardship of as much of the same manours
landes, tenements, or other hereditament
as shall extende and amount to the full an
clere yerely value of the thirde part of th
said manors, landes, tenements, and hered
tamēts so holden of his highnes by knight
seruice, without any deminution, dowe
fraud, couin, charge, and subtraction of an
porcion of that third part, or of the ful pr
fites therof. And also sauing and reseruin
to the lordes of whom any of the said man
nors, landes, tenementes, or other heredit
ments, ben holden by knightes seruice, f
custody and wardship, as much of the sam
mannors, landes, tenementes, or heredit
mentes holden of them or any of them, i
knightes seruice, as shal extende & amoun
to the full and clere yearely value of th
thirde part of the same, without any dim
nution, charge, fraude, couin, or subtracti
of any porcion of that thirde, or of the cle
yearely value of the thirde part thereof,
maner and forme aboue declared.

¶ Prouided alway, & it is further enacted
by the auctholitie aforesaid, that if that iij.
part of the manors, landes, tenementes, or
ereditaments, of any of the kings subiects,
which in any of the cases aboue saide, shall
ereafter come to the kinges highnes, hys
eires or successors, by vertue of this act, as
aboue saide, be not, or do not amount to
e clere yearely value of the third part of
ll the said manors, landes, tenementes, or
ther hereditaments, wherof the kings high=
es, is or shalbe intitled to haue the custody
primer seisin, as is aboue said: that then
r said soueraigne Lord & his heires shal &
ay at his or their free libertie & pleasure
ke into his or their hands & possession, as
uch of the other two parts of the said ma=
rs, lands, tenements, and other heredita=
entes, as with that of the same manours,
nds, tenements, or hereditaments holden,
maining in the kings hands, shal make vp
e clere yerely value of the full third part
the said manors, lands, and tenements so
bee had to the kinges highnes in title of
ardship & primer seisin, or any of them, as
e case shal require, & like benefit & aduan=
ge to be geuen to euery Lord & Lordes, of
hom any such manors, lands, tenements,
hereditaments bene or shalbe holden by
ights seruice, as is aboue said, concerning
ly his iij. part, of or for title of wardship,
Prouided alway, & be it further enacted by
e auctholitie aforesaid, that euery person

Transfer by

and persons shal sue their liueries, for possessions, reuersions, or remainders, & also pay reliefes & heriots, after such maner & forme as they should or ought to haue done, before the making of this act, & as if this acte had neuer ben made. And the fines for alienations, shal be paied in the kings chaucery, for & vpon writs of entre in the post, to be obteined in the same court of chaucery, after the said xx. day of July, for cõmon recoueries to be had or suffered of any manors, lands, tenementes, or hereditamentes, holden of the king in chiefe: in like maner & forme as vsed vpon alienatiõs of such manors, lands, tenemẽts, or hereditamẽts, so holdẽ in chief by fine or feoffement.

¶ Prouided also & be it enacted by the auctholitie aforesaid, that in such cases where fines for alienations shalbe paid in ye kings Chancerie for writs of Entre in the Post as is aforesaide: that then none other fine shalbe paid in the same Court for any such writs: any vsage or custome to the contrary thereof notwithstanding.

¶ And be it further enacted by the auctholitie aforesaid, that where two or more persõs now hold, or hereafter shal hold, any manors, lands, tenemẽts, or hereditaments of the king our soueraigne Lord by knights seruice, iointly to thẽ, & to the heires of one of them, & he that hath the inheritance thereof dyeth, his heire being vnder age, ye in euery such case, the king shal haue the warde and

maria

iariage of the body of such heir so being ẽ=
n age, the life of ye frœholder or frœholders
f the said manors, lands, tenements or he=
editamentes so holden by knights seruice
otwithstanding. Saning & reseruing to
l & euery woman & women, al & euery such
ight, title & interest of dower, as they or a=
y of them, owe to haue, or be or shalbe iust=
limitted to haue, claime, or demaund, of a=
y manors, landes, tenements, or hereditamentes, by the lawes of this realme, to be
iken or assigned vnto them or any of them,
ut of the two parts of ye said manors, lãds,
enements, or hereditaments seuered & de=
ided from the third part as is aboueſaid, &
ot otherwise. And sauing also to the king
ur soueraigne Lord, his heires & successors
ye reuersions of all such tenants in ioynt
enure & dower, immediatly after the death
f such tenants, if they shall happen to dye
uring the minoritie of the kings wardes.

¶ An acte for the limitation of Prescription, Anno 32. H. 8. cap. 2.

¶ Limitation 3.

¶ Or almuch as the time of limitation ap=
pointed for shewing of writtes of right,
and other writtes of possession and seyſ=
n of mens auncestors or predecessors, or
their owne possession or seison, by the
wes & statutes of this Realme heretofore

made, limitted, & appointed ‡ viz. Merton ca.
VV. 1 ca. 39. VV. 2. ca. 2. & ca. 46. ‡ extend an
be of so farre & longe time past, that it is a
boue the remembrance of any liuing mar
truely to trie & know the perfect certeynt
of such things, as hath or shal come in tria
or do extende vnto the tyme and tymes li
mitted by the said lawes & statutes, to th
great dãgers of men consciences, that hat
or shalbee impanelled in any Iurie for th
triall of the same. And also it is a great o
casion of much trouble, vexation, & suites
the kinges louing subiectes, at the comm
lawes of this realme, so ꝑ no man although
he and his auncestors, & those whose este
he or they haue, haue bene in peaceable po
session of a long seison, of & in lands, ten
ments, & other hereditamẽts, is or can be
any suertie, quietnes or rest, of & in ꝑ sam
without a good remedy and reformation
had, made, and prouided for the same. Be
therfore enacted by the king our soueraig
Lord, and the lordes spirituall & tempora
and the commons in this present parlian
assembled, & by the authoritie of the sa
that no manner of person or persons, th
from henceforth sue, haue, or mainteine a
writ of right, or make any prescription, ti
or claime, to or for any manors, lands, ten
ments, rentes, annuities, commons, per
ons, porcions, corodies, or other heredi
mentes, of the possession of his or their an
cestour or predecessour, & declare and all

y further seisin or possessiō of his or their
ncestor or predecessor, but onely of the
sin or possession of his auncestor or pre=
cessor which hath ben, or now is, or shalbe
sed of the said manors, lands, tenements,
its, annuities, commons, pensions, porci=
s, corodies, or other hereditaments, with
three score yeres next before the Teste of
e same Writ, or next before the saide pre=
iption, title, or claime, so hereafter to bee
d, commenced, brought, made, or had.

And bee it further enacted by the auc=
oritie aboueſaid, that no maner of person
r personnes shall hereafter sue, haue, or
maintaine any assise of Mortdancester, cos=
ge, aye!, Writ ‡ of ‡ entrie vpon disseisine,
e to anye of his auncestors or predeces=
s, or any other action possessary vpon the
ssession of any of his auncestors or prede=
sors, for any manors, landes, tenementes,
other hereditaments, of any further sey=
e or possession of hys or their auncestour
predecessor, but onely of the seisin or pos=
sion of his or their auncestor or predeces=
, which was, or hereafter shalbe seased of
e same manors, lands, tenements, or other
reditaments, within fifty yeres next be=
e the Teste of the originall of the same
it hereafter to be brought.

And be it further enacted by the auc=
oritie aforesaid, that no person nor persōs
ll hereafter sue, haue, or maintein any ac=
on, for any manors, lāds, tenemēts, or other
heredi=

hereditaments, of or vpon his or their ow
seisson or possession therein, aboue xxx. yea
next before the Teste of the original of t
same writ hereafter to be brought.

¶ And be it also enacted by the auctho
aforesaid, that no perso or persons shal he
after make any auowrie or recognisance
any rent, suit, or seruice, & alleage any se
of any rent, suit or seruice in ye same auo
rie or recognisance, in the possession of
or their auncestors or predecessor, or pre
cessors, or in his owne possession, or in
possession of any other whose estate he
pretende or claime to haue, aboue xl. yea
next before the making of the said auow
or cognisance.

¶ And ouer that, be it enacted by the a
thoritie aforesaid, that all formedons in
uerter, formedons in remainder, & Scire fa
vpon fines of any manors, lands, tenemen
or other hereditamets, at any time herea
to be sued, shalbe sued & taken within fi
yeres, next after ye title & cause of actio fa
& at no time after the said fifty yeres pa

¶ And be it also enacted by auctho
foresaid, that if any person or persos at
time hereafter, do sue any of the said a
ons or writs, for any manors, landes, t
ments, or other hereditaments, or make
auowrie, cognisance, prescription, title
claime, of, or for any rent, suite, seruic
other hereditamentes, & cannot proue
he or they, or his or their auncestors or
decess

ssors, were in actuall possession or seisin
of in the same manors, lands, tenements,
rys, suites, seruices, annuities, commons,
ctions, porcions, corodies, or other here=
ments, at any time or times within the
ces before limited & appointed in thys
cent act, & in maner & forme as is afore=
, if the same be trauersed or denied by ye
y plaintif, demandāt, or auowāt, or by
party tenant or defendāt: ye then & after
trial therin had, all & euery such person
rsons, & their heires, shal frō thēcefoorth
tterly barred for euer, of all & euery the
writts, actions, auowries, cognisance,
cription, title, and claime hereafter to be
, had, or made, of & for the same manors,
s, tenements, or hereditamēts, or other
premisses, or any part of the same. for the
ch the sāe action, writ, auowry, consās
criptiō, title or claime, hereafter shalbe,
ny time had, sued, or made ‡ &c. Certain
mūions for those & their heires who had
ons &c. depending or were then wīn age,
rt baron, in prison, or out of ye realme.
Prouided furthermore, that if any false
it happen hereafter to be geuen or made
ny of the said actions, suites, auowries,
criptions, titles, or claimes: that then
party greued by reason of the same, shal
may haue his attaint vpon euery such
ict geuen or made, and the plaintyfe
he same attaint vpon iudgement for him
ien, shall haue his recouerie, execution
and

and other aduantage in like maner & fo
as heretofore hath bene vsed & accustom
any thing before in this act conteyned to
contrarie notwithstanding.

¶An acte for contentacion of debtes vpon
executions. Anno 32.H.8.cap.5.

Executions 10.

WHereas before this time diu
& sundry persons haue sued
cutions, aswel vpon iudgem
for them gæuen of their de
or damages, as vpon such
tutes Marchants, statutes of the Sta
or recognisances, as haue ben to them be
made, recognised, & knowledged, & there
pon such landes, tenementes, and other
reditamentes, as were lyable to the
execution, haue bene by reasonable ex
to them deliuered in execution for the sa
faction of their saide debtes and dama
accordinge to the lawes of thys Rea
Neuertheleſſe, it hath bene often ty
seene, that such landes, tenementes,
hereditamentes so deliuered and had in
cution, haue bene recouered or lawfully
uested, takē away or euicted from the
sellion of the sayde recouerers, obligo
or recognisees, theyr executors or assig
before such time as they haue bene
satisfied and payed of theyr debtes and
mages, without any maner fraud, disc
couin, collusion, or other default in the

r ouerers, obligees, or recognisees, their ex=
e tors, & assignes, by reason wherof ye said
r ouerers, obligees, & recognisees haue ben
reby set clerely without remedy, by any
ner suit of the law, to recouer or come by
such part or parcel of their said debts &
nages, as was behind, & not by them le=
d or receyued, before such time as the said
ds, tenements, & other hereditaments, so
he had in execution, were recouered law
y deuested, taken or euicted out of & from
r possessiōs, as is aforesaid, to their great
t & losse, and much seeming to be against
al iustice and good conscience. For refor=
ion whereof be it enacted by authoritie
his present parliament, that if hereafter
such lands, tenements, or hereditamēts
e or shalbe had & deliuered to any person
ersons in executiō as is aforesaid, vpon
iust & lawfull title, matter, condicion or
e, wherewithal the said lāds, tenemēts
reditaments were lyable tied & bound,
ich time as they were deliuered & taken
execution shal happen to be recouered,
fully deuested, taken, or euicted out of &
the possession of any such person & per=
s as now haue & hold, or hereafter shall
& hold ye same in execution as is afore=
, wout any fraud, disceit, couin, collusion
ther defaut of ye said tenāt or tenants by
ution before such time as ye said tenants
execution their executors or assignes shal
fully & wholy leuied or receiued ye said

whole

whole debt & damages, for ye which the
lands, tenemēts, & other hereditamēts
deliuered & takē in execution, as is afor
then euery such recouerer, obligee, & rec
nisee, shall & may haue and pursue a wri
Scire facias out of the same court, frō whe
the said former writ of execution did
cede, against such persō or persōs, as
writ of execution was first pursued, t
heires, executors, or assignes, of such la
tenements or hereditaments, as were o
thē liable or charged to ye said execution
turnable into ye same court, at a certain
being ful xl. dayes after the date of the
writ. At which day if the defendant be
lawfully warned make default, or appe
& do not shew & plead a sufficient matte
cause, other then the acceptance of the
landes, tenements, & hereditaments, by
said former writ of executiō, to barre, a
or discharge the said suit for the residue
said debt & damages, remaining vnleuie
vnreceiued by the said former executiō:
the Lord Chauncelor, or other such Ju
or Justices, before whom such writ of
facias shalbe returnable, shal make eftson
new writ or writs out of the said four
record of iudgement, statute marchant,
tute staple, or recognisance, of lyke natu
effect, as the said former writ of execu
was, for the leuying of the residue of al
debt & damage, as then shal appere to be
leuied, vnsatisfied, or vnpaied of the w
sui

ſumme or ſummes in the ſaid former writ of
ecution conteined: Any law, cuſtome, or
er thing to the contrarie hereof hereto-
re vſed, in any wiſe notwithſtanding.

An acte for the true payment of Tythes and offringes. Anno 32. H. 8. cap. 7.

¶ Tythes 8.

Where diuers and many perſons inha-
biting in ſundry counties & places of
this Realme, & other the kinges do-
mions, not regardinge their duities to
Almighty God, & to the king our ſoueraigne
lord, but in few yeres paſt more contemp-
tuſly & cõmonly preſuming to offend and
infringe the good & holſome lawes of thys
realme, & gracious cõmandements of our
ſoueraign Lord, then in times paſt hath
been or knowen, haue not letted to ſub-
tract & withdraw the lawful & accuſtomed
tithes of corns, hay, paſturages, & other ſort
of tithes & oblations cõmonly due to ye ow-
ners, proprietaries, & poſſeſſors of the parſo-
nages, vicarages, & other eccleſiaſticall pla-
ces of & win the ſaid realme & dominions, be-
cause the more encouraged thereto, for ye that
ſuch of the kings ſubiects being lay per-
ſons hauing perſonages, vicarages, & tithes
to them & to their heires, or to the & to ye heirs
of their bodies lawfully begotten or for term
of life or yeres, cannot by the order & courſe
of the eccleſiaſtical lawes of this realme, ſue

in

of any ecclesiasticall court for the wrong
withholding & deteyning of the said tit
or other duities, nor cannot by the order
the common lawes of this realme, haue
due remedy against any person or perso
their heirs or assignes, that wrongfully
teyneth or withholdeth the same: by occ
on whereof much controuersie, suit, var
and discorde is like to insurge and ensu
mong the kinges subiectes, to the great
triment, damage, and decay of many of t
if conueniēt and spædy remedy therefor
not had and prouided.

¶ Wherefore it is ordeyned & enacted by
said soueraigne Lord ỳ king, w̄ the assei
the lords spiritual & temporal, & the cōm
in this present parliament assembled, an
authoritie of the same, that all and sing
persons of this his saide Realme, or o
his dominions, of what estate, degree, or
dicion soeuer he or they be, shal fully, tr
& effectually deuide, set out, yeld, or pay
singuler tithes & offerings aforesaid, ac
ding to the lawful customes & vsages o
parishes & places where such tithes or
ties shal grow, arise, come, or be due. A
ease that ‡it‡ shal happen any person or
sons of his or their vngodly & peruerse
& mind, to deteine or w̄hold any of ỳ sai
thes or offrings, or part or peel therof,
parsō or party beig ecclesiastical or lay
hauing cause to demād or haue ỳ said ti
or offrings, being therby wrōged or gre

all ⁊ may conuert the plon or persons so
fending before the ordinary, his cõmissary
other cõpetent minister, or lawful iudge
ỳ place where such wrong shal bee done,
cording to the ecclesiastical lawes. And in
ery such case of matter or suite, the same
dinary, commissarie or other cõpetent mi=
ster or lawful iudge, hauing the parties or
eir lawfull procuratours before him or
em, shall and maye by vertue of this acte
occede to the examination, hearing ⁊ de=
mination of euerye such cause or matter
dinarily or summarily, according to the
urse and processe of the said ecclesiasticall
wes, and thereupon may geue sentẽce ac=
dingly. And in case that any of the par=
s, for any cause or matter cõcerning that
t, do appeale from the sentence, order, and
finitiue iudgement of the saide ordinary,
other competent Judge, as is aforesaid:
n the same iudge by vertue of this acte
thwith vpon such appellation made, shal
udge to the other partie the reasonable
tes of his suit therein before expended, ⁊
l compel the same party appellant to sa=
fie and pay the same costs so adiudged by
mpulsory processe, and censures of the said
oes ecclesiastical taking suertie of the o=
r partie to whõ such costs shalbe adiud=
and paide, to restore the same costes to
partie appellant, if after the principall
se of that suit of appeale shalbe adiudged
inst the same partie, to whom the sayde

costes shalbe yelden. And so euery ordinar
or other competent iudge ecclesiasticall, i
vertue of this acte shall adiudge costes to t
other partie vpon euerie appeale to be ma
in anie suite or cause of subtraction or dete
tion of anie tithes or offeringes, or in an
ther suite to bee made for or concerning t
duetie of such tithes or offeringes.

¶ And further be it enacted by the auth
ritie aforesaide, that if anie person or pe
sons after such sentence diffinitiue geuen
gainst them, obstinatelye and willingly r
fuse for to pay their tithes and duties,
such summes of money so adiudged whe
in they be condempned for the same, th
then two Justices of the peace of the sa
shire, whereof one to be of the Quoru
shall haue authoritie by this acte, vpon
formation, certificate, or complaint to th
made in writing by the saide ecclesiasti
Judge that gaue the same sentence, to ca
the same partie so refusinge, to be at
ched, and committed to the next gaole, t
there to remaine without baile or mai
prise, till he or they shall haue founde s
ficient suerties to bee bounde by recog
sance or otherwise before the same Justi
to the vse of our soueraigne Lord the ki
to perfourme the saide diffinitiue sente
and iudgement.

¶ Prouided alwaies and bee it enacted
the authoritie aforesaide, that no person
persons, shalbe sued, or otherwise compe

yealde, geue or pay any manner of tithes, any manors, lands, tenements, or hereditaments which by lawes or statuts of this realme are discharged, or not chargeable with the payment of any such tithes. § Vide anno 27. H. 8. cap. 13. Monasteries 11. in fine. §

Prouided also and be it enacted by auctority aforesaide, that this acte nor anyenge therein conteined, shal in any wise bde thinhabitants of the city of London suburbs of the same, for to paye theire tithes & offerings win the same city & suburbs, otherwise thē they ought or shoulde ve dōe before ỳ making of this act, anienge in this act cōteined to ỳ cōtrary notwthstanding. And be it further enacted by auctority aforesaid, ỳ in al cases where anyone sō or persōs, which now haue or whichehereafter shal haue any estate of inheritāce hold, terme, right, or interest, of, in, or to any personage, vicarage, portiō, pēciō, tithes, ations, or other ecclesiastical or spiritual fit, which now be, or which hereafter bee made temporall or admitted to be, and go to, and in temporal handes & layes and profits by the lawe or statutes of this Realme, shall hereafter fortune to bee seised, deforced, wronged, or otherwise out or put frō their lawfull inheritāce estate, seisen, possessiō, occupatiōs, terms, right interest, of or to the same, or of, in, or to parcel thereof, by any other personne personns, claiminge or pretendings to

haue interest or title in or to the same, the
then in all and euery such case or cases th
person or personnes so disseised, deforced
wrongfullye kept or put from his or they
right or possessiō, as is afore rehearsed, the
heires, wiues, and such other, to whom su
iniury or wrong shal be done or committe
shal & may haue their remedie in the king
temporall courtes or other temporal cour
as the case shal require, for the recouery ge
ting or obtaining of such inheritaunce, est
freholde, seison, possession, terme, right,
interest, by writes original, of Precipe qu
reddat, Ass. of nouel disseisin, Mort daun
Quod ei deforceat, writes of dower, or oth
writes originall, as the case shall require,
be deuised and graunted in the kinges cou
of Chauncery, of euery such personage,
carage, portion, pension, or other profite c
led ecclesiasticall or spirituall, so to bee
maunded according to the nature and ca
of the suit thereof, in like maner and fou
as they should, ought, or might haue had,
or for landes, tenementes, or other here
tamentes, in such manner to be demaund
And that writes of couenaunt and ot
writes for fines to be leuied, and al other
surances to be had made or conueied of
such personage, vicarage, portiō, pension
other profite called ecclesiastical or spirit
as is aforesaid, shall bee hereafter deuise
graunted in the said Chauncerie, accord
as hath bene vsed for fines, to be leuied,

assura

surance to be had made or conuaied of lāds
nementes, or other hereditamentes. And
at all iudgements to be geuen vpon any of
e saide writes originall so to be deuised
graunted of or for any the premisses or a=
of them: and all fines to bee leuied and
knowledged in any of the kings said courts
ereof, shal be of like force and effecte in the
w, to all intentes and purposes, as iudge=
ntes geuen and fines leuied of landes, te=
mentes, and hereditamentes in the same
urtes vppon writes originall therefore
ely pursued and prosecuted, albeit no such
irme of writes originall out of the sayde
urt of Chauncerie haue heretofore proce=
d or bene awarded,

Prouided alwaies, that this laste acte
ll not extende nor bee expounded, to giue
ye remedye cause of action or suite in the
rtes temporal against any person or per=
nes, which shall refuse or deny to set out
or their tithes, or which shall detayne,
thhold, or refuse, to paye his tythes, and
ringes, or any parcell thereof, but that in
such cases the person or partie being ec=
lasticall or laye person, hauing cause to
maunde or to haue the saide tithes, or of=
nges; and thereby wronged or greued,
ll take and haue their remedye for theyr
tithes and offeringes, in euery such case
the spirituall courtes, according to the
maunce in the first part of this act men=
ied, and not otherwise. Anye thinge

herein expressed to the contrary thereof no
withstanding.

¶ An acte against maintenaunce, embracery, &
and against vnlawful buying of titles,
An. 32. H. 8. cap. 9.

¶ Maintenance. 7.

THe King our soueraigne Lord
ling to his moste blessed rem
brance, that there is nothing
this Realme that conserueth
loving subiectes in more quietnes, rest, pe
and good concord, then the due and iust
nistration of his lawes, and the true and
different trypals, of such titles and issues
bene to be tryed, according to the lawes
this Realme, which his most royall ma
tie perceiueth to bee greatlye hindered
letted by maintenance, embracerie, champ
tie, suborination of witnesses, sinister labo
buying of titles, and pretenced rightes
personnes not being in possession, wher
great periurie hath ensued, and much ing
etnes, oppression, vexation, trouble, wro
ges, and disenheritaunce hath followed
mong his most loving subiectes, to the gr
displeasure of almightie God, the discor
tation of his maiestie, and to the great
derance and let of Justice within this
Realme: For the auoiding of al which
demeanours and buying of titles and
ter

enced rightes, & to the intent that Justice may be more fully and indifferently ministred, and the truth in causes of contention plainely tried, betwene his subiects of this Realme: Be it enacted by our said Soueraigne Lord, with the assent of the Lordes spiritualll and temporall, and the commons in this preset parliament assembled, and by authoritie of the same, that from hencefoorth all statutes heretofore made, concerninge maintenaunce, champertie, and embracerie, or anie of them, nowe standing and beinge in their full strength and force, shalbe put in due execution, according to the tenoures and effects of the same statutes.

And ouer that be it further enacted, by the authoritie aforesaid, that no person nor persons, of whatestate, degree or condition seuer he or they be, shall from henceforth bargain, buy or sel, or by any wayes or meanes obtaine, get, or haue any pretēded rights or titles, or take, promise, graunt, or couenaunt, to haue any right or title, of any person or persons, in or to any manours, lands tenementes, or hereditamentes, but if such person or psons, which shal so bargaine, sel, geue, graunt, couenant, or promise the same, their antecessours or they by whom hee or they claime the same haue bene in possession of the same, or of the reuersion or remaynder thereof, or taken the rentes or profites thereof, by the space of one whole yere next before the sayde bargaine, couenaunt,

Lon vn est en possession de terre ou tenēt, et auit q. est Lord
dell possession claimet rēo ou sue q rēo, rēo est pteusd
droit ou title.

Dirl est ē pleind p abrydg, ou quil ē mudreint
in surprise, ou quil ē bon in berrie, et
ambiū que sont includ d'ceux ē stat:
cēy q ad absolute ownership de terre ou bargaine
a demurrer ne soyent bedan, droit q il
bard et bend terre, mais cēy q ad tortious
possession, quil auer droit ē deniis p stat:
Dans p ceux q ē ceux stat sino sont al intent
a bryder title in Eide firm, p q ē vn
course de lay: cēy q ad loyall estate et
obtainder ceo dans pleinement droit, issint et
cēy in vsm ou vsed: Just: 369: a ctb.

graunt, or promise made, vppon peine th
hæ that shall make anie suche bargain
sale, promise, couenant, or graunt, to forfa
the whole value of the landes, tenement
or hereditaments so bargained, sold, prom
sed, couenaunted, or graunted, contrarie
the fourme of this act. And the buyer or t
ker thereof. knowing ỳ same to forfait al
the value of the said landes, tenements,
hereditaments so by him bought, or take
as is aboueslaide, Thone halfe of the sa
forfaitures to be to the king our soueraig
Lorde, and the other halfe to the partie th
will sue for the same, in anie of the kin
courts of record, by action of dept, bil, plai
or information. In which actiō bill, plai
or informatiō, no essoine, protection, wag
of law, nor iniunction shall be allowed.

¶ And furthermore, that no maner of pe
son or persons of what estate, degree, or c
dition soeuer he or they be, do hereafter b
lawfully mainteine or cause, or procure a
vnlawful maintenance, in anie action, d
maund, suite, or complaint, in anie of t
kinges courts of the Chauncery, the sta
Chamber, White hall, or els where, with
any of the kings dominions of England
Wales, or the marches of the same, wh
any persō or persons haue, or hereafter sh
haue authoritie by vertue of the kings c
mission, patent, or writ, to hold plee of lā
or to examine, heare, or determine, anie
tle of landes, or anie matter or witnes

conc

cbcerning the title, right, or interest of any lands, tenemẽts, or hereditaments. And also that no person or persõs, of what estate, degree, or condition soeuer he or they be, doe hereafter vnlawfully retain for maintenãce of any suit or plee, any person or personnes or embrace any freholders or iurours, or suborne any witnes by letters, rewardes, promises, or by any other sinister, labour or meanes, for to maintaine any matt or cause or to the disturbance or hinderance of iustice or to the procuremẽt or occasion of any maner of periury by false verdict, or otherwise, in any maner of courts aforesaid, vpon peine of forfeiture for euery such offẽt x.li. The one moity thereof vnto the king our soueraigne lord, and the other moity to him that will sue for the same by action of debt, bill, plaint, or information, in anye the kinges courtes, which action, no essoine, protection, warder of lawe nor iniunction shalbe allowed.

Prouided alway, & be it enacted by the authoritie aforesaide, that it shalbe lawfull to any person or persons, being in lawfull possession by taking of the yerely ferme, rẽts profites of or for any manours, landes, tenementes, or hereditamentes, to buy, obtaine, get or haue, by anie reasonable way or meanes the pretensed right, or title of anie other persõ or persons, hereafter to be made of or in such manours, lands, tenementes, or hereditamentes, whereof he or they shall be bee in lawfull possession: any thinge in

this

this act contained to the contrary notwith-
standing.

¶ And for the due execution of this pre-
sent acte, be it further enacted by authoritie
abouesaid, that the Justices of assise of eu-
rie circuit within this realme & els where
within the kinges dominions, shal in euery
countie within their circuits, two times in
the yere, that is to say, in ye time of their sit-
tings, for the taking of assises or deliuerie in
their gaoles, cause open proclamation to be
made, aswel of this present acte, and of eu-
rie thing therin contained, as also of al oth
statutes heretofore made, against vnlawful
maintenance, champerty, embracerie, or vn
lawfull retainours, to thentent ye no man
of person or psons, hearing the same shou
be ignorant or miscognisant of the dañge
and penalties therein contained and spec
fied.

¶ Prouided alway, and bee it enacted b
the authoritie aforesaid, that this acte sha
not extende to charge any person or perso
with anie of the penalties mentioned in t
said acte, for anie offence by him or thē co
mitted, contrarie to the said acte, excepte t
same person or persons so offending be su
therof by action of debt, bil, plaint, or infe
mation in any of the kinges courtes with
one yere next after the same offence by hi
or them committed as is aforesaid.

¶

¶ An acte that lessees shall enioy their fermes against tenants in taile, or in the right of their wiues, or churches &c. An. 32. H. 8. Cap. 28.

¶ Leases. 2.

BE it ordained, established and enacted by the kinge our souerainge Lorde, the Lords spirituall and temporall, and the cōmons in this present parliament assembled, and by authoritie of the same, that all leases hereafter to be made of anie manours, landes, tenementes, or other hereditamentes, by writing indented, vnder seale, for terme of yeres, or for terme of life, by any person or personnes being of ful age of one and twentie yeres, hauing any estate of inheritance either in fee simple, or in fee tayle, in their owne right, or in the right of their churches or wiues, or iointly with their wiues, of anie estate of inheritance made before the couerture or after, shall be good and effectuall in the lawe, against the lessours, their wiues, heires and successours, and euery of them, according to suche estate as is comprised and specified in euerie such indenture of lease, in like manner & fourme as the same should haue bene, if the lessours thereof, and euerie of them, at the time of the making of such leases had bene

lawe

lawfully sealed of the same lands, tenem
and hereditaments comprised in such inden
ture, of a good, perfect and pure estate of fe
simple thereof to their owne only vses.

¶ Prouided alway, that this acte nor ani
thing therein contained, shal not extende t
anie leases to be made, of any manours lāds
tenementes, or hereditamentes, being i
the handes of anye fermour, or fermours
by vertue of anie olde lease, vnlesse the sam
olde lease be expired, surrendred, or ended
within one yere next after ye making of th
said new lease, nor shal extend to any gra
to be made of any reuersiō, of any manours
landes, tenementes, or hereditamentes, n
to any lease of any manours, landes, tene
mentes, or hereditaments, which haue n
most commenly bene letten to ferme, or o
cupied by the fermours thereof, by the spa
of xx. yeares next before such lease there
made, nor to any lease to be made, withou
empeachment of waste, nor to anye lease t
be made aboue the number of one & twent
yeres, or three liues at the moste, from th
day of making thereof. And that vpō euery
such lease there be reserued yearely during
the same lease due & paiable, to the lessou
their heires and successours, to whome th
same landes shouide haue commen after t
deathes of the lessours, if no suche lease h
bene thereof made, and to whom the reue
sion thereof, shall appertaine, accordinge
their estates and interestes, so much yere

fert

erme or rent, or more, as hath bene moste
ecustomably yelde or paid for the manours,
ndes, tenementes, and hereditamentes, so
be lette within xx. yeres next before such
ase therof made, and that euery such per-
n and persons, to whom the reuersion of
ich manours, landes, tenements, or heredi-
ments, so to be letten, shall appertaine as
aforesaid, after the deathes of such les-
urs or their heires, shal ye may haue such
ke remedie and auantage, to all intentes
purposes, against the lessees thereof, their
ecutours and assignes, as the same lessour
ould or might haue had against the same
lees. So that if the lessour were seised
any especial estate taile of the same here-
itaments, at the time of such lease, that the
ue or heire of that especial estat, shal haue
e reuersion, rentes and seruices reserued
on such lease, after the death of the sayde
lour, as ye lessour himselfe might or ought
haue had if he had liued.

Prouided alway that the wife bee made
rtie to euerie such lease, which hereafter
al bee made ye by her husband, of any ma-
urs, landes, tenements, or hereditaments,
ling the inheritaunce of the wife, and
at euerie such lease be made by indenture
the name of the husbande and his wife,
d she to seale to the same. And that the
rme and rent be reserued to the husbande
d to the wife, and to the heires of ye wife
cording to her estat of inheritaunce in the
same,

same. And that the husband shal not in any wise alien, discharge, graunt or geue awaye the same rent reserued, nor any part thereof longer then during the couerture, without it be by fine leuied by the said husbande and wife: But that the same rent shall remaine discend, reuert, or come after ye death of such husband, vnto such person or persons, and their heires, in such maner and sort, as the lands so leased should haue done, if no such lease had thereof bene made.

¶ Prouided also that this act extend not to geue anye libertye or power to anye person or persons to take any moe fermes, leases, or takings of any manors, lands, tenements or other hereditamentes, thē he or they should or might lawfully haue done before the making of this acte. § See the statute made 25. H.8. cap. 13. sheepe 2. § nor extende to geue any liberty or power to any person or vicar, of any church or vicarage, for to make any lease or graunt of any their meluages lands, tenements, tithes, profits, or hereditaments belonging to their churches, or vicarages, otherwise or in any other māer thē they shoulde or might haue done before the making of this acte, any thinge conteined in this act to the contrary notwithstanding.

¶ And furthermore be it enacted by authoritye aforesaid, that all leases at any time within the space of thrée yeres next before the xij. day of Aprill, in the xxxi. yeare of our soueraign lord ye kinges raign, ma

writing indented vnder seale, by anie
rson or persons of full age, of whole me=
ory, not vnlawfully coarcted, nor being
ert baron, for terme of yeres, of anie ma=
urs, landes, tenementes, or other heredy=
nentes, whereof the lessour or lessoures,
re seised of any estate of inheritaunce, of
d in the same to their owne only vse at the
e of making any such lease thereof, and
hereof the lessees their executours and as=
nes, be now in possessiō by vertue of the
e lease, and no cause of reentry or forfai=
re therof had or made, shalbe good and ef=
ual in the lawe, against the lessoures,
ir heires and successours, and the heires
successours of euerie of them, according
he couenaunts, articles, and agreements
tified in euery such indenture of lease.

2 alwaies there be reserued & yerely pai=
, during the same lease, to the said lessors
ir heires or successours, or to such other
should or ought to haue had ỳ same man=
rs, lands, tenements, or hereditamentes
ased, after the decease of such lessours,
ase no such lease had there of bene made,
uch yerely rent for the same, as was at
time therfore yelden or paid within xx.
s next before ỳ makīg of any such lease,
ls such leases to be of no other force ne
t, then they were before the making of
s present acte,

3 And moreouer for certaine consideratī=
, be it enacted by authoritie aforesaide,

that

Se bar et fe font voidant forfe alque et lour heires Sed estat fait duplie couture, p le dime p act: Se bar fest fait nul de les fa fe, et puis bar et fe font diuorce, tiel fe aua b. nobst de p stat, car el fuit on foits fe de facto, mais se bar lony fine ond Clamatt et mor, fe dont entr en Co. Dauis b ants, car le stat remedy de continuantes, ne my barrd. Dy: 7: 8. cay in reid ou rent et entr ze foure de fait, et q dont estate taile nest forfaite, lour reid ne et le dirent: Inst: 326: a.

that nō fine, feoffement, or other acte or acte hereafter to be made, suffered, or done, by th husband only, of any manours, landes, tene mentes, or hereditamentes, being the inhe ritaunce or freehold of his wife, during th couerture betweene them, shal in any wi be or make any discōtinuāce therof, or be p iudicial or hurtful to the said wife, or to h heires or to such as shal haue right, title, interest to ye same by the death of such wi or wiues. But that ye same wife or her hei and such other to whom such right shall a pertaine, after her decease, shal and may t lawfully enter into all such manours, lād tenements, and hereditaments, according their rightes, and titles therein, anye su fine, feoffement or other act to the contrar notwithstanding, fines leuied by ye husba and wife (whereunto the said wife is par and priuy) only except.

¶ Prouided furthermore, that this clau or acte, extend not to geue any libertie to ny such wife, or to her heires. for to auoy any lease hereafter to be made of any the i heritaunce of the wife by her husbande a her for terme of xxi. yeares, or vnder, or a her inheritaunce for terme of three liues the vttermost, whereupon as much year rent or more is or shall be reserued, & per paiable during ye same lease, as was at a time therfore yeldē or paied wīn xx. yea next before the making of any such lease, cording to the tenour of this presente a

e

ny thing therein conteyned to the contrary
otwithstanding.

Prouided also, that this act extend not to
ake good any lease or leases, heretofore
ade, by any ecclesiastical person or persons
y their couent or common seale, which bee
ade void or taken away, by auethority of
ny act of parliament heretofore made, nor
tende to make good anye lease or leases,
retofore made by any ecclesiastical person
, persons, now being attainted of treason,
ider their couent seale or otherwise, or by
ny other person or persons now being at=
inted of treason by acte of parliament or
herwise. But that al & singuler such lease
id leases, and euery of them, now made,
, hereafter to be made, shalbe of such lyke
fect & strength in the law & none other, as
ey & euery of thē were before ỳ making of
is act: any thing before mencioned in this
t to the contrary thereof notwithstāing.

¶An act concerning Mispleading, Ieofayles, and attourneis. Anno 32. H. 8. cap. 30.

¶Repleader 1.

Rom henceforth if any issue be tried by the othe of twelue or moe indyfferent men for the partie plaintife or demandant, or for the partie of the tenaunt or defendaunt, in any maner of

action or suite at the common law of thys realme, in any the kings Courtes of record: that then the Justice & Justices by whom iudgement thereof ought to be geuen, shal proceede & geue iudgement in the same, any mispleading, lack of colour, insufficient pleding or leofaile, any miscontinuance or discontinuāce or misconueying of proces, misioyning of the issue, lack of warrant of attorney of the partie against whom the same issue shal happen to be tried, or any other default or negligence of any of ye parties, their counsailors or attorneis, had or made to the contrarie notwithstanding. And the sayde iudgemēts thereof so to be had & geuen shal stande in full strength & force, to al intents & purposes, according to the saide verdicte without any reuersel or vndoing of ye same by writ of error, or of false iudgemēt, in like forme as though no suche default or negligence had neuer ben had or committed.

¶ Prouided alway and bee it enacted by the authoritie aforesaide, in auoydinge of errors and other great inconueniences, that daylie do fortune to rise and growe in the kinges Courtes of recorde at Westminster through the negligence of attourneis, bee-cause they deliuer not their warrauntes of attourney in such actions and suits, wherein they bee named attourney, accordinge to the lawes of this realme, that all and euery such person and persōs, which shal fortune hereafter to be attourney, to or for any other

per

erson or persons, beeing demaundant or aintife, tenant or defendant, in any action suite, at any time hereafter commenced or ken in any of the kings said Courtes, and ead to any issue in the same action or suit: hat then the same Attourneis and euery them from time to time, shall deliuer or use to be deliuered his or their sufficient & lawful warrant of attourney, to be entered recorde for euery of the saide actions or ites, wherein they be named attourneis, the officer or his deputie, ordeined for the eipt & entering thereof, in the same terme hen the said issue is entered of recorde in said court, or afore, vpon paine of forfai= tig vnto our said soueraigne Lorde tenne undes sterling for euery default, for non iuering of the said warrāt of attourney. id also further to suffer such imprisonmēt by the discretion of the Justices of the rt for the time being, where any such de= lt shal fortune to be had or made, shalbee ought conuenient. This present act with prouiso to endure till the last day of the ext parliament. ‡ This was continued Añ.33.H.8.cap.17. & Añ.37.H.8. cap.23. & Añ.2.E.6.cap.32. it was made per= petuall.

¶ An acte concerning Iointenants for terme of life, or yeares. Anno 32.H.8.cap.32.

¶ Particion 4.

FOrasmuch as in the Parliament be gon at Westm̃ the eight and twent day of Apryl, & there continued till th xxbiij.day of June the xxxj. yeare the kinges most noble and victorio raigne that now is. It was amongst oth thinges there enacted and established, th all Iointenants and tenants in commo that then were or hereafter should be of a estate or estates of inheritãce in their ow rightes, or in the right of their wiues, of ny manors, landes, tenements, or heredyt ments within this Realme of England Wales, or Marches of the same, shall a may be coacted and compelled by vertue the saide acte, to make particion betwe them of all such manors landes, tenement & hereditaments, as they then held, or her after should hold as iointenants or tenan in common, as more plainly at large appe reth by the saide estatute. And for asmu as the said estatute doth not extend to ioi tenants and tenants in common for terr of lyfe or yeres, neyther to iointenants a tenaunts in common, where one or some them haue but a particuler estate for terr of life or yeres, and the other haue estate

estat

lates of inheritance, of and in any manors, lands, tenements, and hereditaments. Be it herfore enacted by the king our soueraigne lord, & by thassent of the Lordes spirituall and temporal, and the commons in this present parliament assembled, and by the auctoritie of the same, that al iointenants and tenants in common, & euery of them which now hold, or hereafter shall hold, iointly or in common for terme of lyfe, yere or yeares, or iointenants or tenants in cõmon, where one or some of them haue or shal haue estate or estates for terme of life or yeares, with ye other, that haue or shal haue estate or estates of inheritance or freeholde, in any manors, lands, tenemẽts, or hereditaments, shal and may be compellable from hẽceforth by writ of Particion to be pursued out of the kinges Court of Chancery vpon his or their case or cases, to make seuerance & particion of al such manors, lands, tenemẽts, and hereditaments, which they holde iointly or in common, for terme of life or liues, yere or yeres, where one or some of them hold iointly or in cõmon for terme of life or yeres, with other, or that haue an estate or estates of inheryitance or freeholde.

Prouided alway, & be it enacted that no such particion nor seuerance hereafter to be made, by force of this act be, nor shalbe prejudicial or hurtful to any person or persons their heires or successors, or other then such which bee parties vnto the said particion,

their executors or assignes.

¶ That the dying seised of a wrongfull disseisour is no discent in the law. 32.H.8.cap.33.

¶ Entre lawfull 2.

Where dyuers persons, of they insaciable mindes, haue hereto fore by strength, and withou title, entered into manors, lāds tenements, and other heredita mentes, and wrongfully disseised the right full owners and possessors thereof, and bee being seised by disseisin, haue thereof die seised, by reason of which dying seised, the disseisie, or such other personnes as befo such discent might haue lawfully entred to the sayde manors, landes, and tenement were and bee thereby clerely excluded their entrie into the sayde manors, lande and tenementes, and put to their action f their remedy and recouery therein, to the great costes and charges.

¶ For reformation whereof, be it enact by the authoritie of thys present parly ment, that the dying seised hereafter of a such disseisor, of, or in any manours, lande tenementes, or other hereditaments, haui no right or title therein, shall not bee tak or deemed from henceforth any such disce in the lawe, for to tolle or take away t entre of any such person or persons, or the

heire

heires, which at the time of the same discēt had good and lawfull title of entre, into the said manours, lands, tenements, or heredytamentes, except that such disseisour, hath had the peaceable possession of such manors, lands, tenements, or hereditaments, where of he shal so dye seised, by the space of tyue eres next after the disseisin therein by hym committed, without entrie or contynuall claime, by or of such person or persons as haue lawfull title thereunto.

¶ An acte concerning grauntees of reuersions to take auantage of the condicions to be perfourmed by the lessee.
Anno 32.H.8.cap.34.

¶ Condicion 1.

Where before thys tyme, diuers aswel temporall as ecclesiastical and relygious persons, haue made sundry sales, demises, and grauntes to dyuers other persons of sundry mannours, lordships, fermes, meases, landes, tenementes, meadowes, pastures, or other hereditaments, for terme of life or liues, or for terme of yeares, by writing vnder theyr seale or sales, concerning, alias conteyning, certein condicions, couenants & agreements, to bee performed aswel on the part & behalfe of the said lessees & grauntees, their executors and assignes, as one the behalfe of the saide

Si vn abator monstre sise dond lib.5. and, rest distout tollera lentre restiu q̃ droit ad, regr il est hors de p̃ olb de estat nti, & equitie ne stur ex tout ent dul q̃ l'estat est penale, & lib. polb next and for q̃ bord vn Ass.n.6. le disseisor. M.4 E.6. Fleinden. 4 f. 5.

lessours and grauntours, their heires & successors. And forasmuch as by the common law of this realme, no straunger, to any couenant, action, or condiction, shall take any aduauntage or benefite of the same, by any meanes or waies in the law, but onely such as be parties or priuies thereunto, by the reason whereof, aswel all grauntees of reuersions, as also al grauntees & patentees of the king our soueraigne lord, of sundry manors, lordships, graunges, ferines, meases, lands, tenements, meadowes, pastures, or other hereditaments, late belonging to monasteries, & other religious & ecclesiastical houses, dissolued, suppressed, renounced, relinquished, forfaited, geeuen vp, or by other meanes come to the handes & possession of the kings Maiestie, since the fourth day of February, the xxviij. yeare of his most noble raigne, be excluded to haue any entre or action against the said lessees & grauntees, their executors or assignes, which the lessors before the time, mought by ye law haue had against ye same lessees, for ye breach of any condiction, couenāt, or agreement, cōprised in the indentures of their said leases, demyses and graūts. Be it further enacted by ye king our soueraigne lord, ye lords spiritual & tēporal & the commons in this present parliament assembled, & by authority of the same, that aswel all & euery person & persons, & bodies politique, their heires, successors & assignes which haue or shal haue, any gift or grāt

ou

ir said soueraigne Lord, by his letters pa-
ents, of any lordships, manors, lands, tene-
ents, rents, parsonages, tithes, porcions, or
ny other hereditaments, or of any reuersion
reuersions of the same, which did belong
appertain to any of the said monasteries, &
her religious & ecclesiasticall houses, dis-
lued, suppressed, relinquished, forfaited, or
anye other meanes come to the kinges
ndes, since the said iiij. day of Februarie,
e xxviij. yere of his most noble Reigne, or
hich at any time heretofore did belonge or
pertaine to any other person or persons,
after came to the handes of our said soue-
aigne Lord, as also al other persons being
rauntees or assignees, to or by our said so-
eraigne lord the king, or to or by any other
erson or persons, then the kings highnes,
the heires, executors, successors, & assignes
f euery of the, shal & may haue & enioy like
duantage against the lessees, their executors
dministrators, & assignes, by entre for non
ayment of the rent, or for doing of wast, or
ther forfaiture. And also shall & may haue
enioy all & euery such like, & the same ad-
antage, benefite & remedies, by action only
or not performing other condicions, coue-
ants or agreements, conteyned & expressed
n the indentures of their said leases, dimi-
es, or graunts, against al & euery the sayd
essees & fermors, and grauntees, their exe-
utors, administrators, and assignes, as
he said lessors or grauntours them seiues
or

p that ye lond al surrepsorys le Roy, et ryben al terres
de reuersis du com pson, cor ferrers le Roy, mais
rend dont depend for tout, p ordonance nony lur
estate taile: Dy: 309: a: assignee de ret de lestat
de reu & demise part, autrement de assignee de ret
de reu, sino in ras le Roy, ter dony codir rem
tout forts in le Roy, et ne pad estroy: 5 Rep 56:
in ras de rom pson part in lay codir et ercoppe ro
4 Rep. 120: b. arte p tant du reu ne pnder ad-
uantage du codir sans attornement: 5 Rep. 112 b.
hor q ad power de reborar et retenir estate p
p ret, autrement de rodir: bargainee ou al q ble
pri & fait q demise part, rer als fonts assignes
a luy, conti ne p luy; autrement de cuo q deignont
autrement q ast in ldy, tor sugr du tellen, p estat
ou q entr p mortgaine: si lessor demise
reu, ou entr et fait fesant, et lessee reentr,
bendes ou fesee nuu aduantage de codir
sans donant notice al lessee 5 Rep. 113: b.
darrainment grauntes ne endront aduantage de
thing fort. & tore du codir, mais fo lessee de
lidy codirs q font incident al reu, ou q font
p b indent de estate: Instit: 215: a et b.

or their heires or successors, ought, should
or might haue had and enioyed, at any tim
or times, in like maner and forme, as if t
reuersion of such landes, tenementes, or h
reditaments, had not come to the handes
our said soueraigne Lord, or as our said s
ueraigne lord, his heires & successors shou
or might haue had & enioyed, in certeine c
ses, by vertue of the acte made at the fir
session of this present parliament if no su
graunt by letters patents had ben made
his highnes. ‡ See Anno 31.H.8.ca.13.

¶ Moreouer be it enacted by auctorit
aforesaid, that all fermors, lessees, & graun
tees of lordships, manors, lands, tenement
rentes, parsonages, tythes, porcions, or a
other hereditaments, for terme of yeres, li
or lyues, their executors, administratour
& assignes, shall & may haue like action, a
uantage & remedy, against all & euery pe
son & persons, & bodies politike, their heir
successors, and assignes, which haue or sha
haue any gift or graunt of the king our s
ueraigne Lord, or of any other person or pe
sons of the reuersion of the same manour
lands, tenements, and other hereditament
so letten, or any parcel thereof, for any co
dicion, couenant, or agreement, conteined
expressed in the indentures of their lease
leases, as the same lessees or any of the
might, or should haue had agaynst the sai
lessors and graunters, their heires or su
cessours: all benefites and aduauntages

ecouerie in value, by reason of any war=
antie in deede or law, by voucher, or other=
oise onely excepted.

¶ Prouided alwayes that this act nor a=
ie thing or things therein conteyned, shall
ctende to hynder or charge any person or
ersons, for the breach of any couenant or
ndicion, comprised in any such writing as
s aforesaid, but for such couenants & con=
icions as shalbe broken or not performed,
fter the first day of September next com=
ing, and not before: any thing before in
his acte conteyned to the contrary thereof
otwithstanding.

¶ Fines.

¶ An act for the exposicion of the Statute of Fines, Anno 32. H. 8. cap. 36.

¶ Fines 9.

For as much as in the fowerth yeare of the Raigne of the late kinge of famous memorie kinge Henry the vij. father of our most dreade souerayngne Lord the kinge that now is, ‡ videlicet .H.7.cap.24.‡ it was among many good & ndry statutes & ordinãces then made for ỳ ōmõ wealth, enacted, ordeined & established forme & maner how fines should be leuied oith proclamations, in the kings court, be=re his Justices of his common place, and

that

that such fines with proclamacions, so ha
& made, to the intent to void al strifes an
debates, should be a final end, & conclude a
wel priuies as straungers to the same, cer
taine persons excepted & saued, as in ꝑ sam
estatute more plainely appeareth. Sythe
which time by diuersitie of interpretacion
expounding of the same estatute, it hath be
& yet is by some maner of persõs doubted
called in question, whether fines w̃ procl
macions, leuied or to be leuied before ꝑ sa
iustices, by any persõ or persons, hauing
claymng to haue, in any manors, lands, t
nements, or hereditamẽts, comprised in t
same fine, in possession, reuersion, remainde
or in vse, any manner of estate taile, shou
immediatly after ꝑ said fine leuied, engross
& proclamatiõ made, binde the right heir
heires of such tenant in taile, & euery oth
person & persons seised, or claiming to th
vse or vses ‡See P. 19. H. 8. case 5. ‡ by occa
on whereof dyuers debates, controuersie
suites, & troubles haue ben begon, moued
had w̃in this realme, & mo be like to ensu
remedie for ꝑ same be not prouided. For t
establishment & reformation whereof, & t
the sure & sincere interpretacion of the sa
estatute, in auoyding al dãgers, contentio
controuersies, ambiguities & doubtes th
hereafter may ensurge, growe, and happ
Our soueraigne Lord the kinge, with t
assent of the Lordes spiritual and tempor
and the commons in this present parliam
assembl

ssembled, & by auctholitie of the same, hath
nacted and ordeyned, that all and singuler
nes, as well heretofore leuied, as hereafter
o bee leuied, before the said Iustices with
proclamations, according to ỳ said estatute,
y any person or persons, of full age of xxj.
eares, of any manors, lands, tenements, or
ereditamentes, before the time of the same
ne leuied, in any wise entailed to the per=
on or persons so leuying the same fine, or
any the auncestor or auncestors of ỳ same
erson or persons, in possession, reuersion,
emainder, or in vse, shalbe immediatly af=
er the same fine leuied, engrossed, & proclis=
ations made, adiudged, accepted, deemed,
nd taken, to all intentes and purposes, a
ufficient barre & discharge for euer, against
he said personne and personnes, and theyr
eires, clayming the same landes, tenemẽts,
nd hereditamentes, or any parcel thereof,
nely by force of any suche tayle, and a=
ainst all other personnes, clayminge the
ame, or any parcel therof, only to their vse,
to the vse of any manner of heire of the
odies of them: any ambiguitie, doubt, or
ontrariositie of opinion, rysen or growen
pon the said estatute, to the contrary not=
ithstanding.

¶ Prouided alway, that this act, nor any
ing therein contained, shal extend to barre
exclude, the lawful entre, title, or interest
any heire or heires, person or persons, here
fore gene, or hereafter to be gene, growen
or

Si estraunge leuer fine al tenant intayle
come ceo gist ad de son done et il rend a luy
rent gist for et proclamations sur le fine in courte
et le tenant in tayle morust lisue auoit a
le rent car est remitt al tenant et le fine ne lie
eux pur le rent, plov: 435 Vide bone case de cest
matter Ca.

romant ~~qz~~ rest ostat. dist qz le fine apres les pro=
clamations faite ~~fuit~~ barr al tayle ~~durant le rent~~ ~~pour~~
~~ont tue~~ ~~fine~~ ~~qz~~ le fine rend en court ~~tenant~~ les ~~pro~~=
mesons ~~sont fait~~ qz adong apres les proclam fuit il
~~barr~~ barr al tayle. vide Co 434. b.

or accrued to them, or any of them, in or t
any manors, lands, tenements, or heredita
mēts, by reason of any fine or fines hereto
fore leuied, or hereafter to be leuied by an
woman, after the death of her husband, con
trarie to the fourme, intent, and effect of th
estatute made in the xj. yere of the said lat
king Henry the viij. ca. 20. of any manors
landes, tenements, & hereditaments, of th
inheritance or purchase of the said husbāt
or of any his auncesters, gæuen or assigne
to any such woman in dower, for terme o
life, or in taile, in vse or in possession, but
the same act made in the said xj. yeare of th
said late king Henry the viij. shall stand, re
maine, & be in full strength & vertue, in eue
ry article, sentence, and clause therein con
teyned, in lyke manner and fourme, a
though this present acte had neuer ben ha
ne made.

¶ Prouided also, that this act ne any thin
therein conteined, do extende to any fine o
fines, in any time heretofore leuied, or here
after to be leuied, of any lordships, manors
landes, tenements, or other heredytaments
whatsouer they bee, the possessioners an
owners whereof, by reason of any express
wordes contained in any special act or act
of parliament, made, or ordeyned, ¶ then th
said iiij. yeare of the raigne of the saide lat
king Henry the viij. stande, be bounden, o
restrained from making any alienatiōs, dis
continuances, or other alterations, of an

the same lordships, manors, landes, tene=
ments, or hereditaments, conteyned in the
said fine or fines, but that all & euery suche
fine & fines, at any time heretofore leuied or
hereafter to be leuied, by any such person,
or persons, or their heires, of any such
lordships, manors, lands, tenements, or other
hereditaments, shalbe of such like force and
strength in ye law, as of none other effect, the
same fine so leuied or to be leuied, should
haue ben, if thys present act had neuer bene
made: any thing herein conteyned
to the contrary thereof in anye wyse not=
withstanding.

Prouided also that this act, nor any thing
herein conteyned, shal extend to any fine or
fines, heretofore leuied of any manors, lands
tenements, or hereditaments, now in suyt,
slaunde, or variance, in any of the kynges
courtes, or whereof any charters, euidences
or muniments concerning the same, be now
demaund in the kings high court of chā=
cerie, nor to any fine or fines heretofore le=
uied of any manors, lands, tenements, or he=
reditaments, which before ye first day of this
present parliamēt haue ben recouered, gottē
obteined, by reasō of any iudgemēt, entre,
ouster, arbiterment, or other lawful means,
contrary to ye purport, intēt, or effect of any
such fine or fines thereof heretofore leuied,
or to any fine or fines heretofore leuied or
hereafter to be leuied by any pson or psōs, of
any manors, lāds, tenemēts, or hereditamēts

before

before the time of the leuyinge of the sam
fine gœuen, graunted, or alligned to the sai
person or persons, so leuying the same fine
or to any of hys or their auncestors in th
taile, by vertue of any letters patents of ou
said soueraigne Lord, or any of his progent
tors, or by vertue of any acte or actes of par
liament, the reuersion whereof at the tim
of the same fine or fines so leuied, beeing i
our said soueraigne Lord, his heires or suc
cessors. But that euery such fines fines sh
be of like force, strength, and effect, as the
were or should haue ben, if this act had ne
uer bene had nor made.

¶ Rentes.

¶ An act for recouerie of arrerages of rentes by executors of tenant in fee simple. 32. H. 8. cap. 37. Rentes 2.

FOr asmuch as by the order of the cõm
law, the executors or administrators
tenants in fee simple, tenants in fee tail
and tenaunts for terme of lyues, of rent
seruices, rent charges, rent seckes, and t
termes, haue no remedie to recouer su
arrerages of the saide rentes or fee ferme
as were due vnto their testators in the
liues, nor yet the heires of such testator, n
any perso hauing the reuersion of his estat
after hys decease may distrain or haue a
law fo

tenant p vnd m. p. preamble & des mlend tenu
autre vnd, ry lonq d cor rey q vnd & m bis, cur
apres mort de rey q vnd, red de ty amp vnd
phillp wist an ad de dett p rom lby: Just: 162: a.
vt. vsprid pro cous p vnd & denis ilby: Dy: 375: b

la wful actiō to leuie any such arrerages of
rēts or of fee fermes, due vnto him in his life
as is aforesaid, by reason wherof ye tenantes
of the demeane of such landes, tenementes,
or hereditamentes, out of the which suche
entes were due and payable, who of right
ought to pay their rēts and fermes, at such
day and termes as they were due, doe many
times kepe, hold, and retaine, such arrerages
in their owne handes, so that the executors
and administratours of the personnes, to
whom such rentes, or fee fermes were due
cannot haue or come by the saide arrerages
of the same, towardes ye payment of the
debts, and perfourmaunce of the will of the
said testatours. ¶ H. 19. H. 6. cap. 83. fol. 41.
Dett. 37. and Executors. 98. Anno. 4. E. 3
Itin Noting. ¶

¶ For remedie wherof be it enacted by
the authoritie of this present parliament, that
the executours, & administratours of euerie
such person or persōs, vnto whom any such
rent, or fee ferme, is or shall be due, and not
payed at the time of his death, shall & maye
haue an action of debt, for al such arrerages,
gainste the tenaunt or tenauntes, that
ought to haue paied the sayde rente or fee
fermes, so being behinde, in the life of their
testatour, or against the executours and ad-
ministratours of the saide tenauntes. And
also furthermore, it shall be lawfull to euery
such executour and administratour, of anye
such person or personnes, vnto whom such

rent or fee ferme his or shall be due, and not paid at the time of his death, as is aforesaid, to distraine for the arrerages of al such rents and fee fermes, vpon the landes, tenements, and other hereditaments, which were charged with the paiment of such rentes or fee fermes, and chargeable to the distresse of the said testatour, so long as the said lands, tenements, & hereditaments, continue remaining and be in the season and possession of the said tenant in demeane, who ought immediately to haue paied the saide rent or fee ferme, so being behind to the said testator in his life, or in the season or possession of any other person or personnes, claiming the said landes, tenementes and hereditamentes, onely by and from the same tenant, by purchase, gift, or discent, in like maner and fourme as their said testatour mought or ought to haue done in his life time, and the said executours and administratours, shal for the same distresse lawfully make anowrie, vpon their matter aforesaid.

¶ Prouided alwaie, that this act nor anything therin contained, shal not extend to any such manour, lordshippe or dominion in Wales, or in the marches of the same, whereof the inhabitauntes haue vsed time out of the mind of man, to pay vnto euerye Lord or owner of such lordship, manour, or dominion, at his or their first entry into the same any summe or summes of money, for th

re-

redemption and discharge of all duties forfaitures and penalties, wherewith the said inhabitaunts, were chargeable, to any of their saide Lordes auncestours or predecessours before his said entre,

¶ And further be it enacted by the auctoritie aforesaid, that if any man, which nowe hath, or hereafter shall haue in the right of his wife, any estate in fee simple, fee taile, or for terme of life, of, or in any rentes or fee fermes, and the same rentes or fee fermes, now bee, or hereafter shall bee due behinde and vnpaied, in the said wiues life, then the said husbande, after the death of his saied wife, his executours and administratours, shal haue an action of debt for the saied arrerages, against the tenaunt of the demesne that ought to haue paied the same, his executours or administratours And also ye said husbād, after the death of his said wife, may distrain for the said arrerages, in like maner and fourme, as he mought haue done, if his said wife had ben thē liuing, & make auowrie vpon his matter as is aforesaid.

¶ And like wise it is further enacted by ye auctoritie, aforesaid ye if any pson or psons which now hath or hereafter shal haue any rents or fee fermes, for terme of life or liues of any other pson or psōs, & ye said rēt or fee ferme, now be, or hereafter shalbe due, & behind & vnpaied, in ye life of such persō or psons, for whole life or liues, ye estate of ye said rēt or fee ferme did depend or cōtinue, &

after the saide person or personnes doth die: Then yee vnto whom the saide rent or fee ferme was due in fourme aforesaid, his executours & administratours, shal & may haue an action of debt against ỳ tenant in demesne that ought to haue paied the same, when it first was due, his executours and administratours, and also distraine for the same arrerages, vpon such landes, and tenementes, out of the which the said rents or fee fermes were issuing and paiable, in such like manner and fourme, as he ought or might haue done if such person or persons, by whose death the aforesaid estate in the said rents and fee fermes was determined and expired, had ben in full life and not dead. And the auowry for the taking of the same distresse to bee made in maner and fourme aforesaid.

¶Willes.

¶ An act for the explanation of the statute of willes. An. 34. H. 8. ca. 5.

¶VVilles. 3.

VVHere in the last Parliament begunne and holden at Westminster the xxviij. day of Aprill, in the one & thirtie yeare of the kinges most gracious Raigne, cap. primo Willes. 2. § And ther by diuers prorogations haldē and cōtinued vnto

onto the xxiiij. day of July, in the xxxij. yere of his saied reigne, It was by the kinges most gracious and liberal disposition, shewed towarde his most humble and obedient subiectes, ordeined and enacted, how and in what maner, lands, tenements, and hereditamentes, mygbt by will, or testament, in writinge, or otherwise by any act or actes lawfully executed in the life of euery persō geuen, disposed, willed or deuised, for the aduancement of the wife, preferment of children, payment of debts, of euery such person, or otherwise, at his will or pleasure, as in the same acte more plainely is declared. Sithen the makinge of which estatute, dyuers doubts, questions, and ambiguities, haue risen, bene moued & growen, by diuersitie of opinions taking, in and vpon the exposition of the letter of the same estatute.

¶ For a plaine declaration and explanation whereof, and to the intent and purpose, that the kinges, obedient and louinge subiects, shal and may take the commoditie and aduantage of the kinges saide gracious and liberall disposition, the lordes spiritual and temporall, and the commons in this present parliament assembled, most humbly beseechen the kinges maiestie, that the meaning of the letter of the same estatute, concerning such matters hereafter rehearsed, may bee by the authoritie of this present parliamt enacted, taken, expounded, iudged, declared, & explaned, in maner & fourme following.

¶ First where it is contained in the same
former statute, within diuers articles and
braunches of the same, that all and singuler
person and persons, hauing anye manours,
landes, tenementes, or hereditamentes, of
the estate of inheritance, shoulde haue full &
free libertie, power and authoritie, to geue,
will, dispose, or assigne, as well by last will
and testament in writing, or otherwise, by
any act or acts lawfully executed in his life,
his manours, landes, tenementes, or here-
ditamentes, or any of them in such manner
and fourme, as in the same former act more
at large it doth appeare, which words of es-
tate of inheritance, by the authority of this
present parliament, is and shall be declared,
expounded, taken, and iudged, of estates in
fee simple only. And also that al and singu-
ler person and persons, hauing a sole estate
or interest in fee simple, or seised in fee sim-
ple, in copercenary, or in common in fee sim-
ple, of, and in anye manours, landes, tene-
ments, rentes, or other hereditamentes, in
possession, reuersion or remainder, or of rēts
or seruices incident to anye reuersion or
remainder, and hauing no manours, landes,
tenementes, or hereditaments, holden of the
king, his heirs or successors, or of any other
person or persons, by knightes seruice, shall
haue full and free libertie, power, & autho-
ritie to geue, dispose, will, or deuise, to any
person or persons (except bodies politike or
corporate) by his last will and testament in
wr

writing, or otherwise, by any acte or actes, lawfully executed in his life, by himself solye or by himselfe and other iointly, seuerallye, or particularly, or by al those waies or ante of thē, as much as in him of right is or shal be, al his said manors, landes, tenementes, rentes, and hereditaments, or any of them, or any rents, commons, or other profites, or commodities, out of, or to be perceiued of the same, or out of any parcell therof, at his owne free will and pleasure, anye clause in the said former act notwithstanding.

¶ And further be it declared and enacted by the authoritie aforesaid, that all and singuler person & persons, hauing a sole estate or interest in fee simple, or seised in fee simple in copercenary, or in common in fee simple, of or in any manors, landes, tenements, rents, or other hereditaments, in possession, reuersion, or remainder, or of and in any rentes or seruices incidēt to any reuersion or remainder, holden of the king by knights seruice, in chiefe, or of the nature of knightes seruice in chiefe, hath & by the authority of this present parliament shal haue ful and free libertie, power and authoritie, to giue, dispose, doill, or assigne to any person or persons (except bodies politike or corporate) by his last will & testamt in writing, or otherwise by any act or acts, lawfully executed in his life, by him selfe solye, or by himselfe & other iointly, seuerally, or particularly, or by all those waies or any of thē, as much as in him

of right is or shal be, two partes aswell of all the saide manors, lands, tenements, rentes, and hereditamentes, as of al and singuler his other rentes, and hereditamentes, or of any of them, or anie rentes, commons, or other profits or commodities, out of, or to be perceiued of the same two partes, or out of any parcel therof, in thræ parts to be deuided, or as much therof, as shall amount to the full and clere yerely value of two partes therof, in thræ partes to be deuided of what person or persons so euer they be holden, at his fræ will and pleasure. And that by the authoritie aforesaid, ye said will so declared shalbe good and effectuall for two partes of the said manors, landes, tenementes, & hereditamentes, althoughe the will so declared be made of the whole, or of more the of two partes of the same. The same diuision to be made and set forth, by the deuisor or owner of the same mannors, landes, tenementes and hereditamentes, by his last will in writing or otherwise in writig. And in defaul thereof, by a commission to be graunted out of the kings court of the wardes and liueries, vpon the inquiry of ye true value therof, by the othes of xij. men, and retourne or certificat thereof had in the same court, of saide mannors, landes, tenementes, and hereditaments, diuisio to be made by the master of the wardes and liueries, if the maste of the wardes and liueries for the time being, and the parties therunto can not othe

Wil

wise agree vpon the same deuisō. And that the issues and profites of the two partes of the same manors, landes, tenementes, and hereditamentes vpon euery such deuision, to be restored to them that shall haue right, or title to the same, frō the death of the owner or deuisour thereof.

¶ And further bee it enacted and declared by thauthoritie aforesaide, that all and singuler person and persons hauing a sole estate or intrest in fee simple, or seised in fee simple, in copercenarie, or in common, in fee simple, of and in any manors, landes, tenementes, rentes, or other hereditamentes, in possession, reuersion, or remainder, or of and in any, rents or seruicez, incident to any reuersion or remainder, holden of the king his heires or successours by knights seruice, & not in chiefe, or holdē of any other pson or psonz by knighes seruice, shal haue full & free libertie, power & authority, to geue, dispose will or deuise, to any pson or persons, except bodies politike & corporate, by his last will & testament in writing, or otherwise, by any act or actz lawfully executed in his life, by himself soly, or by hiself & other, iointly seuerally or particularly, or by al those wayes, or any of them, as much as in him of right is or shal be, two parts of al the said manors, landes, tenementes, and hereditaments, or anie of them so holden by knightes seruice, or any rentes common or other profites or commodities, out of, or to be perceiued of ye

same

same two parts, or out of any parcel therof, in iij. parts to be deuided, or as much thereof, as shal amoũt to the full & clere yerelye value of two parts thereof, in three partes to be deuided, at his free wil & pleasure. And that the said wil so declared, by authoritie aforesaid, shalbe good and effectuall, for two partes of the said manors, lands, tenemẽts, or hereditamentes, although the will so declared be or shalbe made of ỳ whole lands & tenements, so holden by knightes seruice, or of more then of two partes of the same. And also for the whole of al other such manors, lands, tenements, and hereditamentes or any of them, not holden of the kinge by knightes seruice in chiefe, or otherwise by knightes seruice, nor of any other person by knightes seruice, & of any rẽts, commons, or other ꝓfits or cõmodities, out of, or to be perceiued of ỳ same, or out of any parcel thereof at his free wil & pleasure. The same diuisiõ to be made and set forth, by the owner of the said manors, landes, tenementes, and hereditamentes, by his last will & testament in writing, or otherwise in writig. And in default thereof, for asmuch of the same manors landes, tenements, and hereditamentes, as shal conterne the kings interest, by commission, to be directed out of the kings court of the wardes and liueries, in maner & fourme as is aforesaid, if the master of the wardes and liueries for the time being, and the parties thereunto, cannot otherwise agree ỳpõ

the

the same diuision. And that restitution of the issues & profits of the two partes thereof, shalbe had and made, in maner & fourme aboueseid. And for such of the same manors landes, tenementes, and hereditamentes, as shal concerne the interest of any other Lorde or Lords, by commission to be graunted out of the kinges courte of the Chauncerie, to enquire thereof, by the othes of xij. men, if ye same Lord or Lords, and the parties thereinto can not otherwise agree vpon the same diuision.

¶ And be it further enacted & declared by authoritie aforesaid, that the sauinges, reseruings, and prouisions, concerning sauing of the custodie, wardship, relieke, and primer seison to the king, of such manors, landes, tenementes, and hereditamentes, or almuch thereof, as shall appertaine vnto him, by vertue of the said former act, and by the declaration and exposition thereof, declared by this present act, during the kinges interest therin. And also of the custody & wardship to other lords, of as much of such mannors lands, tenements, and hereditamentes, holden of them, as shal amount and extende to the clere yerely value of ye third part therof ouer and aboue al charges, without any diminution or abridgement of the third part, or of the ful profits thereof, comprised and mencioned in diuers articles in the said former act contained, by ye authoritie aforesaid be & shalbe intended, expounded, & taken, as

here=

hereafter enlueth: that is to say, that ꝑ king shal haue and take for his full thirde parte, of all such manors, landes, tenementes, and hereditaments, whereunto he is or shall be intitled by the saide former act, and by this present act, such manors, landes, and tenements, as shall by any meanes discend, or come by discent, as well of estate of inheritaunce in fee tayle, as in fee simple, or in fee taile onely to the heire of any such person or that shall make ante wil, gift, disposition, or deuise by his last wil in writing, or by any act or actes lawfully executed in his lyfe, immediately after the death of the same deuisour or owner thereof. And that the will, gift & deuise of euery such deuisour or owner, of and for the two partes of the sayd manors, landes, tenements, and hereditaments residue, shal by the authoritie aforesaid, be and stand good and effectuall in the lawe, albeit the same wil, gift, or deuise be had and made of all his fee simple lands, tenements, and hereditaments, or of the more part thereof. And in case the same manours landes, tenementes, and hereditamentes, which after the death of any such owner or deuisour, which shall make anye such gifte disposition or deuise by his last wil in writing, or otherwise, by any act or actes lawfully executed in his life to his wife children or otherwise as is aforesaid, which shal immediately after his death, discend, reuert, remaine or come to his heire or heires, aswel

f estate of inheritance in fee taile, as of es=
ate in fee simple, or fee taile onely, be not, or
al not amount or extende to the full clere
erely value of the ful thirde part, with the
ll profits thereof, of al the said manours,
ndes, tenementes, or other hereditaments
the said deuisour or owner, according to
e true intent and meaning of the said for=
er act, and of this present act: that then the
ing shall and may hane and take into his
ndes and possession, to make vp his full
ird part, with the full profits thereof ac=
rding to his interest therein, as much of
e other manours, landes, tenementes, or
reditamentes, willed, geuen disposed, or
signed by any such person, to his wife, chil=
en or otherwise, as is aforesaid, as with
ch of the same manours, landes, tenemēts,
d hereditaments discended, or by anye
eanes come vnto the heire, as heire of any
ch deuisour or owner, shall make vp the
ere yerely value of the said ful thirde part
ith the full profits thereof, of all the sayd
anours, lands, tenemēts, & hereditaments
euery such owner or deuisour, so to bee
d to the kinge, in title of wardshippe or
imer season, as the case shall require. And
e denision thereof to be had and made, and
ith the restitution of the profits of ye two
rtes of the said manours, landes, tene=
ents, and hereditamentes, in such maner
d fourme as is aboue reherseed. And like
nefite and aduauntage to be geuen, had, &
taken,

taken, by the said auchoritie, to euery Lor
and Lordes of whom anye such manours
lands, tenements, or hereditaments, bene o
shalbe holden by knightes seruice, in mane
and fourme as is aforesaid, concerning onl
his or their third partes thereof, according
to their said interest therein.

¶ And be it further enacted, by the autho
ritie aforesaid, that if it happen ye same thir
parte, or any parcel therof, left, willed, or a
signed, to the king or other lord, at any tim
during their interestes therin, to be lawful
ly euicted or determined, that then the king
and the other Lord, shall haue as much
the two partes residue, as shall accomplist
and make vp a full third part, in clere yer
ly value, after the rate and portion of suc
manours, landes, tenementes, and heredit
mentes, as shall then happen to remaine
the same third part, not deuicted nor dete
mined, and of the other two partes of suc
manours, landes, tenementes, and heredit
mentes, as the king or other Lorde shoul
or ought to haue had, by vertue of the sa
former act, and this present act: and ye sar
to be deuided, in maner and fourme abo
rehearsed, any clause in the said former a
notwithstanding.

¶ And be it further enacted and declar
by thauchoritie aforesaid, that the sauing
reseruing for fines for alienatiō, by any su
laste wil and testament, of such manour

land

andes, tenements, or hereditaments, holden
of the king by knights seruice in chiefe, or of
he nature of knights seruice in chiefe, or by
ocage in chiefe, or of the nature of socage,
enure in chiefe, or for fines for alienation, of
uch manours, landes, tenementes, or here=
itamentes, whereof there shall bee any al=
ration of freeholde, or of inheritance, made
y any such laste will, comprised in diuers
nd sundry articles, mencioned in the saide
rmer acte, bee and shall bee intended, ex=
ounded, taken, deemed, and iudged, by the
uthoritie aforesaid, that all such personne
s personnes, to whom the saide manours,
ndes, tenementes, or hereditamentes, or
ny of them, bee or shall bee geuen, dispo=
d, willed, or deuised, by any such laste will,
all bee exonerated, acquited and dischar=
ed for euer, against the kinge, his heires,
nd successours, for all such fines for aliena=
ons, by any such last wyll or testament,
ithout licence, by suing forth of the kings
rdone for alienation out of the kinges
urt of Chauncery, paying to the kinge
s heires or successours, for the fine of euc=
c such alienatiō, the third part of the yere=
value of the same manors, lands, tencmts,
other hereditaments, to him or the willed
deuised, & this act from time to time shall
a sufficient warrant, to the lord chauncel=
ur of Englād, or keper of ye great seale for
e time being, for ye granting out of ye saide
rdōs or pardōs, vnder ye kinges great seale

as

as heretofore hath bene vsed for pardōs for alienations, without any further suit to bee made to the king for the same.

¶ And it is further declared & enacted, by ye authority aforesaid, that willes or testaments, made of any manours, landes, tenements, or other hereditamentes, by any woman couert, or person within the age of xxi yeres, ideot, or by any person de non sane memorie, shal not be taken to be good or effectual in the law.

¶ And be it further enacted by the authoritie aforesaid, that if any person or persō hauing estate of inheritaunce, of or in, manours, landes, tenements, or hereditament holden of the king by knightes seruice in chiefe, or otherwise of the king by knightes seruice, or of any other person or persons by knightes seruice, hath geuen at any time sithen the xx. day of ye saide moneth of July § 32. H. 8. An dñi 1540. § or hereafter shal giue, wil, deuise, or assigne, by will, or other act executed in this life, his manours, landes, tenements, or hereditamentes, or any of the by fraude or couine, to any other person or personnes, for terme of yeares, life, or liues, with one remainder ouer in fee, or with diuers remainders ouer for tme of yeares, life, or in taile, with a remainder ouer in fee simple to any person or psons, or to his or their right heires, or at any time sithen ye said xx. day of July, hath conueied or made, or hereafter shal conuey or make by fraud or couin

co

contrary to the true intent of this acte, any estates, conditions, mesnalties, tenures, or conueiãces, to the intent to defraude or disceaue the kinge of his prerogatiue, primer seisin, liuerie, relieke, wardship, mariages, or rightes: or any other Lord of their wardships, reliefes, heriots, or other pfits which should or ought to accrue, grow, or come vn to them, or any of them, by or after the death of his or their tenant, by force & accordinge to the former estatute & of this present act & declaration. And the same estates and other conueyances, being found by office to bee so made or contriued by couin, fraude, or dyseeipt, as is aboueſaid, contrarie to the true intent & meaning of the said former act, & of this acte: That then the king shall haue as well the wardship of the bodie & custodie of the landes, tenementes, and hereditaments, as liuerie, primer seisin, relieke, & other profites, which should or ought to appertayne to the king, according to the true intent and meaning of the said former act, & of this present act, as though no such estates or cõueiances by couin, had neuer bene had or made until the said office be lawfully vndone by traueerse or otherwise. And that the other Lord & Lords, of whom any such manours, lands, tenements, or hereditaments, shalbee holden by knights seruice, as is aforesaide, shal haue their remedie in such cases, for his or their wardships of bodies and landes, by writ of right of warde, & shal distraine and

make anowry or cognisance, by them selues or their bailifes, for their reyefes, heriots, and other profites, which should haue bene to them due, by or after the death of theyr tenaunt, as if no such estate or conueyance had bene had or made. Sauing and reseruing alwaies by the auctheritie aforesaide the right & title of the donees, feoffees, lessees, and deuisees thereof, against the saide deuisour and his heires, after the interest & title of the king or other Lord therein ended and determined.

¶ Prouided alwayes that this acte, explanation, & declaration, or any of them, or any thing in this said act, explanation or declaration conteyned, shal not extende to the will or deuise of Sir John Gaynsford, late of Croweherst in ꝑ couty of Surrey knight deceased: Nor to the will or deuise of Sir Peter Filpot knight deceased: nor to ꝑ will or deuise of Richard Cresswel late of Hattingley in the county of South. gentleman deceased, nor to ꝑ will or deuise of Thomas Anton late of the countie of Berk. gentleman deceased, sonne of sir Thomas Anton knight also deceased: or shalbe in any wise preiudicial or hurtfull to any person or persons, for or concerning any manors, landes, tenements, or heredytaments, conteyned or especiued in the said Willes or deuises, or in any of them, but that the said last Willes and deuises, and euery of them shal stande abide, remaine, and be, in the same case, fore

and

and effect in the law, to all intents, purposes, and constructions, as the said last wills and deuises, and euery of them, were before the making of this acte, declaration and explanation, and of none other effect or force: this act, declaration, and explanation, or any of them, or any thinge therein conteined to the contrary thereof in any wise notwythstanding.

¶ Prouided alway, & be it enacted by the auctoritie aforesaid, that al and euery person and persons from whom the kinge or other Lord or Lordes, shall take any mannors, lands, tenements, or hereditaments, for his or their ful third part, or to make vp his or their thirde part, shall and may by auctoritie of this present act, in any of the cases aforesaid, vpon his or their byll exhibited in the kings court of Chauncery, against all and euery suche person and persons, which shalbe intitled by or vnder any such will, gift, disposicion or deuise, to the other two parts, haue such contribution or recompence for the same, as by the Chaunceller of Englande, or by the Keeper of the great seale of Englande, for the time being, shalbe thought good and conuenient.

See the Statute 34. H. 8. cap. 20. of Recoueries.

¶ An acte to embarre feyned recoueries of landes wherein the kinges Maiestie is in reuersion. Anno 34.H.8.cap.20.

¶ Recoueries 4.

Where diuers of the kinges most noble progenitors, and specially the kinge our soueraigne Lorde most liberally aboue all other, hath geuen and graunted, or otherwise prouided to his & their louing and good seruants and subiectes, aswell nobles, as other, manours, meases, lands, tenements, rents, seruices, and hereditamēts to them and to their heires males of theyr bodies, or to the heires of their bodies lawfully begotten, mynding at the time of such giftes not onely to preferre and aduaunce presently the donees, but also their heyres in bloud of their bodies, according to the limitacion of the said giftes: to the intent ꝑ recompence for the seruice of such donees, should not onely be a benefit for their owne persons, but a continual profit & cōmoditie to & for their heires cōming of their bodies, whereby such heires should haue in special memorie and daily remembrance, the profite that they haue & take by the seruice of their auncestors done to the kings of this realm, and thereby be the better encouraged to do like seruice to their soueraigne Lord, as to their dueties of allegeaunce appertayneth.

And

And for almuch as sundry such donees in taile, and their heires haue suffered & daily suffer by their consentes, vntrue and feyned recoueries to be had against them, with cõmon voucher or otherwise, of manors, meases, landes, tenements, or hereditaments, so geeuen, graunted or prouided in taile by the kings Maiestie, or hys noble progenitors, as is aforesaid, to the intent by fraude, couin, and vndue meanes, not only to binde & defeat their heires inheritable by the limytacion of such gifts, but also the king of his prerogatiue, wardship, primer seisin, and other his rightes, whereby questions and diuersities of opinion haue risen, and yet be: whether such feyned and vntrue recoueries against such tenants in taile, by their owne consent, of landes, tenements, or heredytaments, whereof the reuersion or remainder is in the kinge, at the time of such recouery or recoueries had, should after the death of the tenant in taile, bind the heires in taile or not. For the plaine declaration whereof, & to auoide & extinct from henceforth diuersities of opinions in such cases. Be it ordeyned & enacted by aucthoritie of this present parliament, ý no such fayned recouery hereafter to be had, by assent of parties, against any such tenant or tenants in taile, of any lands, tenements or hereditaments, wherof ý reuersion or remainder at the time of such recouerie had, shalbe in the king, shall binde or conclude the heires in taile, whether any

1 estate taile intend dering p stat doit & treate q vn Roy ne ny q al subiect: 2, si Roy pt ouster tut reu, p ẽ hors de stat 3, si Roy fist dond in t, rem in t, ambedeux fort dering p stat: 4, si subiect fist dond in t, rem al Roy, p ẽ hors de stat: 5, ou priuite fist dond in t, rem a son pier et puis le coronne disrend al priuite, p ẽ hors de stat: 6, rem in le stat & q confision de Roy q chas de subiect: 7, fine ne pt barder, ou rem reuony ne pt: 8, ou com reuony pt doiler estate taile, la fine pt auer: 9, rem in t doit ẽ priuy al tiel arty, q fort tant vous q p stat, car si tiel tem fort d'ill. et d'ill pt bien fine, et sans passe q p l'estate taile ẽ barre: 10, p act Eslend al future d'ond.

condicion ‡ alias common ‡ boucher be had in any such feyned recouerie or not, but that after the death of euery such tenant in taile against whom any such recouery shalbe had, the heires in taile may enter, haue and enioy the lands, tenements, and hereditaments so recouered, according to the forme of the gift of entaile: the saide recouerie or any other thing or things hereafter to be had, done, or suffred, by or against any such tenāt in taile to the contrarie notwithstanding.

¶ And be it also further enacted by thauctoritie aforesaid, that the heires of euerie such tenant in taile, against whom any such feyned recouerie shalbe had, shall take none aduantage for any recompence in value against the bouchee or his heires.

¶ Prouided alway that this acte or anything therein conteined, be not in any wise preiudicial or hurtfull to the lessee or lessees of any such tenāt in taile made or to be made by writing indented, of any manors, lands tenements or hereditamentes, for terme of xxj. yeres, three lyues, or vnder, whereupon the accustomable rent and rents or more, is or shalbe reserued yearely during the same terme or termes: but the same lessee & lessees, shal and may haue & enioy his or their terme and termes therein against the heires heires of euery such tenant in taile, according to the tenour, purport, and effect of the statute made in the xxxij. yeare of the raign of our soueraigne Lord king Henry the viij.

an

any thing in this acte conteined to the contrarie thereof notwithstanding. ‡ See Anno 32.H.8.cap.28. Leases 2.

¶ An acte that fines in townes corporate, shalbee made as the same in time heretofore haue bene. Anno 34.H.8. cap.22.

¶ Inrolmentes 3.

Where in the Parliamēt holden in the xxviij. yeare of our most dread soueraigne Lord kinge Henry the eight, ‡ See the statute ment 32.H.8.ca.28. but all the printes be.27.H.8. Ideo Quære.‡ It was enacted by aucthoritie of the said parliament amongst other, that no fine, feoffement or other acte or ades hereafter to bee made, suffered or done, by the husbande onely, of manors, landes, tenements, or hereditaments, beeing the inheritance, or the freeholde of hys wife, duringe the couerture betwene them: shall in any wise be or make any discontinuance thereof, or be preiudiciall or hurtfull to the saide wife, or to her heires, or to such as shall haue right, title or interest by the same, by the death of such wife or wiues: but the same wife and her heyres, and suche other to whome suche ryghte shall appertayne, after her decease, shall and maye then lawfullye enter into all suche manours, landes,

tenements and hereditaments, according to their rightes & titles therein, any such fine, feoffement, or other act to the contrarie notwithstanding. Sithence ye making of which act, diuers doubts, questions, & ambiguities haue risen, that is to say, whether the recoueries and deedes inrolled, which be in nature of fines, & whereupon women couert haue ben vsed to be examined, taken, had, or knowledged, aswel win the city of London, as in many other cities, boroughs, & towns within the realme of England, should bind al such women couert, that should happē to be examined vpon the same recoueries and deedes inrolled. In auoyding therefore all such ambiguities & doubtes: Be it enacted by the king our soueraigne Lord, the Lords spiritual & temporal, & the commons in this present parliament assembled, & by authoritie of the same, that all recoueries, deedes enrolled, & releases heretofore knowledged & taken, or at any time hereafter to be taken & knowledged before the Maiors, aldermē, recorders, chamberlaines, or other head officer or officers, aswel of the citie of London, as of any other citie, borough or towne corporate within the realme of Englande, hauing power & authoritie to take & receiue the same, according to the laudable vsages & customes of ye said cities, boroughs & towns and euery of them, shal be, stand, & remayne of like force, strength, & effect, to all intents and purposes, as they or any of them were

before

before the making of the said acte in the said xxxij. yere of our said soueraigne Lord: any thing in the same conteined to the contrarie in any wise notwithstanding.

¶ An acte against Vsurie, Anno 37. H. 8. cap. 9.

¶ Vsurie 6.

WHere before this tyme, diuers & sundry actes, statutes, and lawes haue ben ordeyned, had and made wythin this Realme, for the auoiding & punishment of Vsurie, beeing a thing vnlawful, & of other corrupt bargaines, shifts, & chiuances, which actes, statutes and lawes, ben so obscure & darke in intents, wordes, & termes, and vpon the same so many doubtes, ambiguities, and questions haue risen & growen, and the same actes, statutes, & lawes ben of so little force or effect, that by reason thereof, litle or no punishment hath ensued to the offendors of the same, but rather hath encouraged them to vse the same. For reformation whereof, be it enacted by the kinge our soueraigne lord, by thassent of the lords spiritual and temporal, and the commons in this present parliament assembled, and by the authoritie of the same, that all & euery the sayde actes, statutes, and lawes heretofore made, of, for, or concerning Vsurie, shiftes, corrupt bargaines, and cheuisances,

and

And euery of them, and al peines, or faitures & penalties concerning the same, and euery part thereof, shall from henceforth bee vtterly voide and of none effect, to al intents, constructions and purposes.

¶ And be it further enacted by the auctharitie aforesaid, that no person nor persons, of what estate, degree, or condition soeuer he or they be, from and after the last day of Januarie next comming, shal by hym selfe, factour, attourney, seruant or deputie, sell his marchandises or wares to any personne or personnes, and within three monethes next after, by him selfe, factour, attourney, deputie, or by any other person or persons to his vse and behoofe, but the same marchandise or wares, or any part or parcel thereof, vpon a lesser price, knowing the to be the same wares or marchandises, that he before did so bargaine and sell, vpon the paines and forfaitures hereafter limitted in this estatute.

¶ And be it also enacted by the same auctharitie, that no persō nor persons, of what estate, degree, quality, or condition soeuer he or they be, at any time after the said last day of Januarie next commung, by way or meane of any corrupt bargaine, loan, exchange, chevisance, shift, interest, of any wares, marchandises, or other thing or things whatsoeuer, or by any other corrupt or deceiptfull way or mean, or by any couin, ingin, or deceiptfull way or conueyaunce, shall have receiu

receiue, accept or take in lucre or gaines, for the forbearing or geuing day of payment of one whole yere, of ꝑ for his or their money or other thing, than shalbe due for the same wares, marchādise, or other thing or things aboue the summe of x.li. in the hundred, ꝑ so after that rate ꝑ not aboue, of ꝑ for a more ꝑ lesse sūme, or for a longer or shorter time, ꝑ no more or greater gaine or summe there vpon to be had, vpon ꝟ paines ꝑ forfaytures hereafter in this act mēcioned ꝑ conteined.

¶ And be it further enacted by auctority aforesaid, that if any person or persons, at any time after the said last day of Ianuary, do bargain ꝑ sell, or lay to morgage by any way or mean, any manors, lāds, tenements, or hereditaments, to any person or persons, vpon condicion of payment or non payment of any summe or sūmes of money, to be had, paied, or made, at any day certein, or before any such day by him that shall so bargaine, sell, or lay to morgage, the same manours, landes, tenements, or hereditamentes, that the same person or persons, to whom any such manors, lands, tenements, or heredita= ments, shalbe so bargained, sold, or laied to morgage, shal not by reason thereof, haue ne take in lucre or gaines of ꝟ issues, reuenues ꝑ profits of ꝟ same manors, lāds, tenemēts, or hereditamēts, aboue the summe of x.li. in the hundreth for one whole yere, ꝑ so after ꝟ rate abouesaid, for a more or a lesser sūme, or for a longer or shorter time, and no more

nor

nor otherwise, vpon the paines, forfaitures & penalties hereafter in this present estatute limitted and expressed.

¶ And be it further enacted by the authoritie aforesaid, that if any person or persons of what estate, degree, qualitie, or condition soeuer he or they be, at any time after the saide last day of Januarie next comminge shal do any act or acts, thing or things, cõtrarie to the tenour, forme, and effect of this estatute, or any clause, article, or sentence conteined in the same: that then all & euery offender & offenders therein, or in any part thereof, shal forfait & lose for euery such offence, the treble value of ye wares, marchandises, & other thing or things, so bargained, sold, exchanged, or shifted, & the treble value of the issues & profits of the said manoures lands, tenements and hereditaments, so ha taken, or receiued, by reasõ of any such bargaine, sale, or morgage, & also shal haue an suffer imprisonment of his bodie, and make fine and raunsome at the kings will & pleasure. The moitie of which forfaiture of the said treble value shalbe to the king, & the other moitie to him or them that will sue for the same in any of the kings courts by action of debt, bill, plaint, or information, in which action, bill, plaint, or information, no wager of law, essoine, or protection shal be admitted or allowed.

¶ Prouided alway & be it enacted by the authoritie aforesaid, that this acte nor any

thin

thinge therein conteyned, shall not in any wise extend to any lawfull obligation, indorced with a condiction, nor to any statute or recognisance made and to be made, for the payment of a lesser summe, so that the same obligation, statute, or recognisance, be made for a true, iust, and perfite debt, or for the performance of any other true couenaunte made or to be made, vpon a iust and true intent had betwene the parties, other then in cases of vsurie, interest, corrupt bargaines, shift, or cheuisance: ne yet shal extend to any recouerie, fine, feoffement, releas, confirmacion, or graunt, made or to be made vpon condiction with a true intent: other then to such recoueries, fines, feoffements, releases, confirmations, and grauntes, as shall be made vpon condicion, extending to vsurie, interest, corrupt bargaines, shiftes or cheuisance: any thing in this estatute conteined, or any law, statute, or ordinance heretofore had, vsed or made, to the contrary, notwithstanding.

This acte was repealed by a statute made Anno 5. E. 6. cap. 20. and thereby was prohibited & punished the lending, geeuing, letting out, deliuering, or forbearing any summe &c. for any maner vsury, increase, lucre, gain or interest to be had, receiued or hoped for &c. which statute is also repealed and this reuiued Anno 13. Eliz. ca. 8. which followeth hereafter.

¶An acte for Tenures holden in Capite, Anno primo E.6.cap.4.

¶ Tenures 11.

Where before this tyme, ambyguities, questions, and doubtes haue bene moued and stirred in diuers and sundry the kynges courtes of record, whether such honours, castels, manors, lands, tenements and other hereditamentes are holden of the kinge in Capite, which any his louing subiectes do holde by knightes seruice, socage or other seruices of the kinge, as of hye Duchies, Earledomes, Baronies, honors castels, manours, landes, tenementes, fees and seigniouries, whiche haue come to the handes and possession of diuers of his highnesse most noble progenitors, by attainde of treason, misprision of treason, attainder of Premunire and prouision had and done by acte of parliament, by verdict, confession, conuiction, or vtlagarie, and offices or no offyces thereupon found, or by the dissolution surrender, or geuing vp to the kinge, or to any his noble progenitors, of any religious or ecclesiasticall houses or places, or of any manours, lands, tenements, and other hereditaments, to any of the same relygious or ecclesiasticall houses or places, in any wyse appertenynge or belongynge or no. Be

meane

meanes of which doubt so moued, his sayde humble and obedyent subiects and tenants haue bene heretofore much vnquyeted, molested, and greeued: wherefore the king our soueraigne Lord, mynding and entirely desiring the quyetnes of his said subiectes, and that the certaintie of his lawes in that behalfe myght be knowen and declared to his saide youynge subiectes. For a playne declaration and resolution to bee had, of, for and concerninge the premisses, at the humble peticion and suyte of the Lordes and Commons in thys present Parlyament assembled, doth ordeyne, declare, and enact, by the assent of the Lordes spiritual and temporall, and of the Commons in thys present Parlyament assembled, and by the aucthoritie of the same, that all suche Honours, Castelles, Manours, landes, tenementes, and other hereditamentes, and euery of them, which nowe bee, or at any tyme hereafter shalbee holden of the kinge, or of anye of hys heires & successours, by any of his sayde subiectes by Knightes seruice, Socage, or otherwise, as of any of his or their Dukedomes, Earledomes, Baronies, Castells, Manours, landes, tenementes, fees, or signiories, whyche bee come to the kinge, hys most noble progenitours, or hereafter shall come to the kinge, hys heires & successours, by meanes of anye suche attaynder, connyction, vtlagarie,

or

or of any such dissolution, surrender, or geeuing vp of any religious or ecclesiastical houses or places, or of any manors, landes tenements, or hereditaments, to any of the saide religious or ecclesiasticall houses or places, in any wise belonging or appertaining, shal not from henceforth be adiudged deemed, taken, or construed to any intent construction or purpose, to be holden in Capite, or as tenure in Capite: any ambiguitie question or doubt heretofore moued to the contrarie notwithstanding. ‡ See a like mate Magna charta cap. 31.

¶ Prouided alwayes, & bee it enacted by the auctoritie aforesaide, that this act or any thing therein contained, shall not in any wise bee preiudiciall ne hurtfull to the king, his heires or successors, to, for, or concerning any wardship, liuery, primer seisin fine for alienation, or to or for any other profite or aduantage which now is come, or hereafter shall or may come, fall, or growe to the king, his heires or successors, by or from any person or persons, whiche now doth, or hereafter shall holde any honours seigniories, castels, manours, landes, tenementes or other hereditamentes of the king in chiefe, as of his person, or of any other his auncyent possessions, and beeing not come to the kinge by any suche attainde confession, conuyction, vtlagarie, dissolution, geeuing vp, or surrender, as beeforesaide.

¶ Pro

¶ Prouided alwaies, and be it enacted by the auctholitie afoꝛesaid, that this pꝛesente act, oꝛ any thing therein contained, oꝛ specified, shal not in any wise, oꝛ by any meanes gene any aduantage, libertie, oꝛ pꝛofite to anie tenaunt oꝛ owner in fee simple, of anie honours, manours, landes, tenementes, oꝛ other hereditaments, which haue heretofoꝛe sued any special oꝛ general liuerie, & Ouster le maine, out of the handes of the king, oꝛ of any his noble pꝛogenitors, of any honours, manours, lands, tenementes, oꝛ other hereditamentes, by what tenure oꝛ seruice they were, oꝛ be holden: oꝛ that haue, oꝛ shal confesse, by any matter of recoꝛde, anye tenour in chiefe, of the kinge, but that they, their heires and assignes, shal haue and holde the same manours, landes, tenementes, and other hereditamentes, in like manner and fourme, as they did befoꝛe the makinge of this pꝛesent act, and as though this pꝛesent act had neuer bene had ne made, any thing aboue declared and enacted to the contrarie notwithstanding.

¶ An acte for the continuance of actions after the death of any king. an. 1. E. 6. cap. 7. Discontinuance of proces. 2.

FRom henceforth by the death, or demise of the kinges maiestie that now is (whose life almighty god long preserue, kepe and maintaine in his most royal estate) nor by the death or demise of any that hereafter shall be king of this Realme, any action, suit, bill, or plaint, now or that hereafter shall depend betwene partie and partie, in anye of the courtes aforesaid. § S. the kinges courtes, and other courtes of recordes, § shall not in anye wise be discontinued, or put wont day. But that the processe, pleas, demurres, and continuances in euery action, actions, suites, billes, or plaintes, which now or that hereafter shall depend, shall stand good and effectuall & be prosecuted & sued forth in such maner and fourme, and in the same estate, condition, and order, as if the same king had liued, or continued in full life, the death or demise hereafter of anie king of this Realme notwithstanding.

¶ And that all and all manner of iudicial processe that hereafter shall be had, or pursued in the time of the raigne of anye other kinge, then raigned at the time of the pursuite of the originall, or other former processe, shalbe made in the name of the kinge that

that for the time shall raigne, and be king of this Realme, and that variance touching ye same processe betwene the names of ye kings shall not be in any wise materiall, as concerning any default to be alleaged, or obiected therefore.

¶ And also be it further established and enacted by the authoritie aforesaid that all and euerie Assise of nouel disseisin, Assise of mortdauncestour, Iuris vtrum, and attaint which at any time hereafter shalbe arraigned, commenced or sued before anye of the kinges Justices of Assise, shall not from henceforth bee discontinued or put without day, by reason of death, new commission, association, or not comming of the same Justices of assise, or any of them, but shal stand good and effectuall in the law, to all intents, constructions and purposes, the death, new commission, association, or not comming of ye same Justices, or any of them, in any wise notwithstanding.

¶ And ouer that, be it ordeined and enacted by the authoritie aforesaide, that albeit any demaundant or plaintife in anye maner of action, bill, or suite, shall fortune to bee made, or created, Duke, Archbishop, Marques, Earle, viscount, baron, bishop, knight, Justice of the one benche or of the other, or Sergeaunt at lawe, dependinge the same action, bill, or suite, yet that notwithstanding, that no writte, action, or suite, shall for suche cause, in anye wise be

abatable or abated, but shall remaine in like force, goodnes, & strength, as the same was before: any lawe, or vsage to contrarie in any wise notwithstanding.

¶ And also be it ordeined and enacted by the authoritie aforesaide, that albeit anye person or personnes being Justice of assise, Justice of Gaole deliuerye, or Justice of peace within any of the kings dominions, or being in anye other the kinges commissions whatsoeuer, shall fortune to be made, or created Duke, Archbishop, Marques, earle, viscount, baron, bishop, knight, Justice of thone benche, or of the other, or sergeant at lawe, or shirife, yet that notwithstanding he and they shall remaine Justice and commissioner, and haue full power and authoritie to execute the same in like maner & forme as he or they might, or ought to haue done before the same.

¶ And be it ordained and enacted by the authoritie aforesaid, that in al cases, where any person or persons heretofore haue been or hereafter shalbe found guiltie, of any maner of treason, murther, manslaughter, rape or other felony what soeuer, for the which iudgement of death shoulde or maye ensue and shall be reprieued to prison without iudgement at ý time geuen against him, her, or them so found giltie, that those persōs that at any time hereafter shal by the kinges letters patentes be assigned Justices to deliuer the gaole, where any such person or per

son

sons found guiltye shal remayne, shal haue full power and authoritie to geeue iudgement of death against such person so founde guilty & reprieed, as the same Justices (before whom such person or personnes was, or were founde guilty) might haue done, if their commission of Gaole deliuery had remained and continued in full force & strength. And ouer that, that no maner of processe, or suite made, sued, or had before any Justices of assise, gaole deliuery, Oier and terminer, Justice of peace, or other of the kinges commissioners, shall, ne in any wise bee discontinued by the making & publishing of any newe commission or assotiation, or by altering of the names of the Justices of assise, Goale deliuerie, Oier and terminer, Justices of peace, or other the kinges commissioners, but that the newe Justices of assise, Gaole deliuerie, and of the peace, and other commissioners may proceede in euerye behalfe, as if the olde commissions, and Justices, and commissioners had still remained and continued not altered.

¶An acte whereby certayne Chaunteries, colledges, free chappels, and the possessions of the same, be geuen to the kinges maiestie. Anno. 1. E. 6. cap. 14.

¶Monasteries. 13.

THe kinges most loiuing subiectes, the Lordes spirituall and temporall, and the commons in this present parliament assembled, cōsidering that a great part of superstition and errours in Christian Religion, hath bene brought into the mindes and estimation of mē, by reason of the ignorance of their very true and perfit saluation, through the death of Jesus Christ, and by deuising and phantasying vaine opinions of purgatorie, and masses satisfactorie, to bee done for them which be departed. The which doctrine and vaine opinion, by nothing more is maintained and vpholden then by the abuse of Trentalles, Chauntries, and other prouisions made for the continuance of the said blindnesse and ignorauncc. And farther consideringe and vnderstandinge that the alteration, chaunge, and amendement of the same, and conuerting to good and godlye vses, as in erecting Grammer Schooles to the education of youth in vertue and godlinesse

lines, the further augmenting of the Vniuersities, and better prouision for the poore and needie, cannot in this present Parliament bee prouided, and conuenientlie done, nor can not, ne ought to anie other manner personne be committed, then to the kinges highnes, whose Maiestie, with, and by the aduise of his highnesse moste prudent counsaile, can and will moste wiselp, and beneficiallie both for the honour of God, and the weale of his Maiesties realme, order, alter, conuert, and dispose the same. And calling further to their remembraunce that in the Parliament holden at Westminster the xxxviij. yeare of the reigne of our late Soueraigne Lorde kinge Henrie the eight, father to our moste dread and naturall Soueraigne Lorde the kinge that nowe is, scapit quarto. § It was ordeined, enacted, and established amongst other thinges, that all and singuler Colleges, free chappelles, Chauntries, Hospitalles, Fraternities, Brotherheds, Guildes, and other promotions, mencioned in the saide former acte, had, or made to haue continuance in perpetuitie for euer, and then beinge, or that had, or oughte to bee contributorie or chargeable to the payment of the firste fruites and tenthes, accordynge to the lawes and statutes in that behalfe had, and made, by what name, surname, degree, or coporatiō, they or any of them were founded ordeined established, erected, named, called

or knowen, and all and singuler the mansion
houses, mannours, orchardes, gardeynes,
lands, tenements, pastures, woods, waters,
rents, reuersions, seruices, commons, tithes,
pencions, porcions, churches, chappels, ad-
uowsons, nominations, patronages, annui-
ties, rights, interestes, entries, conditions,
leetes, courtes, liberties, priuiledges, fraun-
chises, and other hereditamēts whatsoeuer
then appertaining, or belonging, or that did
appertaine, or belonge, or were assigned, or
appointed to any such colledge, free chappel,
chauntrie, hospitall, fraternitie, brotherhed,
guilde, stipendarie priest, or other the sayde
promotions, or to anie of them, or accepted,
knowen, or takē as part, parcel, or member
of them, or of any of them: to the said col-
ledges, chauntries, free chappels, hospitals,
fraternities, brotherhed, guilde, stipendarie
priestes, or other promotions, or to anie of
them vnited or annexed, which betwene the
fourth day of Februarie in the xxvij. yere of
the said late kinges raigne, and the xxv. day
of Decēber in the xxxvij. yere of his graces
raigne, by reason of any entry, expulsiō, bar-
gaine sale, or feoffemēt, fine, recouerie, lease
or other conueiance thereof made, were dis-
solued, determined, or relinquished by any of
the waies, meanes, or conueiances, mencio-
ned in the said acte, or otherwise, other then
such of them, as then were in the possession
of the said late king, or that were graunted
or assured by licence, agreement, consent

or letters patents, to any person or persons or then had bene lawfully obtayned, or recouered by any persō, by anye former right, or title without fraude or couine, or by the kinges licence: shal from henceforth by auctholitie of the same former act, be adiudged and deemed, and also bee in the verie actuall and reall possession and seyson of the sayde late king and of his heires and successours for euer, in as large and ample manner, as ye saide priestes, wardens, masters, ministers, gouernours, rulers, or other incumbents, or any of them, or the patrōs, donours, or foūders of any of them at any time sithens the said fourth day of February in ye xxbij. yere aforesaide had, occupied, or enioyed, or then had, occupied, or enioyed the same, and as though all and singuler the saide colledges, chauntries, hospitals, free chappels, fraternities, brotherheds, guildes, and other the saide promotions, and the saide manoures, landes, tenementes, hereditamentes, and other the premisses, whatsoeuer they be, and euerie of them, had beene in the saide former acte, specially, particularly, & certainely, rehearsed, named, and expressed, by expresse wordes, names, surnames, corporations, titles, and faculties, and in their naturall kinds and qualities: the said entries, expulsions, bargaines, sales, fines, feoffements, reueries, or other assurance, and conueiance whatsoeuer they were, had or made (except before in the former acte excepted) to the

contrarie notwithstanding.

¶ And where also it was enacted & graũted by the saide late king, by the sayde former acte, that the same late kinge during his natural life, might make and direct his commission and commissiõs under his great seale, to enter into al and singuler such and as manie Chauntries, free chappelles, hospitalles, colleges, and other the promotions, mentioned in the saide former acte, and into all and singuler such manors mansions, houses, meases, landes, tenements, pastures, woodes, waters, rentes, reuersions, seruices, possessions, and other hereditamentes, whatsoeuer, or into anye part or parcell thereof in the name, seaton and possession of all the hereditamentes, annexed, vnited, belonging, or appertaininge to anie Chauntrie, hospitall, free chappell, colledge, fraternitie, brotherhed, guylde or other the saide promotions, or whereof anie priestes, prouostes, gouernours, rulers, or other incumbentes, of them, or ãnie of them, by what name, surname, degree, title, or corporation they, and enery of them, or anie of them were founded, erected, ordeyned, established, named, called, or knowen, then had or enioyed, or that hereafter shoulde haue, or enioye to the sayde chauntries, hospitalles, free chappelles, colledges, fraternities, brotherheddes, guyldes, or other the said promotions, that then were chargeable to the payment of the

first

firste fruites and tenthes: and all colledges that were chargeable, or not chargeable to the sayde payment of the firste fruits, and tenthes as is aforesayde, or to anie of them, as shoulde bee named, expressed and appointed in the saide commission, or commissions, and to seale and take the same chauntries, hospitals, colledges, free chappels, fraternities, brotherheddes, guildes, and other the said promotions, manoures, landes, tenements, and other the premisses, mencioned in the said commission or commissions, and in euerye of them, and euerie parte, parcell and member of the same into the kinges possession and handes, to haue and to holde the same to the sayde late kinge, and to his heires and successours for euer, as by the sayde former acte amongst other thinges more at large appeareth. It is nowe ordained and enacted by the kinge our Soueraigne Lord with the assent of the lordes and commons in this present Parliament assembled, and by the authoritie of the same, that all maner of Colledges, free Chappelles, and chauntries, hauing, being or in Esse within fiue yeres nexte before the firste daye of this present Parliament, which were not in actuall and reall possession of the sayde late king, nor in the actuall and reall possession of the king our soueraigne lord that now is, not excepted in y said former acte in forme aboueaide, other then suche as

by

by the kinges commissions in fourme here-
after mentioned shall be altered, transposed,
or chaunged, and all manours, landes, te-
nementes, rentes, tithes, pensions, porcions,
and other hereditamentes, and thinges a-
boue mentioned, belonging to them or any
of them, and also all manours, landes, tene-
mentes, rentes, and other hereditamentes,
and thinges aboue mentioned by any maner
of assurance, conueiance, wil, deuise, or other
wise, had made, suffered, knowledged, or de-
clared, geuē, assigned, limitted, or appointed
to the finding of any priest, to haue continu-
ance for euer, and wherwith, or whereby a-
ny priest was sustayned, mayntayned, or
fōund wīn fiue yeres next before ꝑ firste day
of this present parliamēt which were not in
ꝑ actual and real possession of ꝑ said late king
nor in ꝑ actual & real possession of our soue-
raigne Lord the king that now is, and also
all annual rentes, profites, and emoluments
at any time within fiue yeares next before
the beginning of this present Parliamen
employed, payed or bestowed, toward, or fo
the maintenance, supportation, or finding
of any stipendarie priest, intending by any
act or writing to haue continuance for euer
shal by the authoritie of this present Par
liamēt, immediately after the feast of Easte
next comming, be adiudged and deemed, an
also be in the very actual and real possessio
and season of the king our soueraigne Lor
and his heires, & successours for euer, wou
an

any office or other inquisition thereof to be had or found, and in as large and ample maner and fourme as the priestes, wardens, masters, ministers, gouernours, rulers, or other incumbentes of them, or any of them, at any time within fiue yeres next before ye beginning of this present parliament, had, occupied, or inioyed, or now hath, occupieth, or enioyeth the same, and as though all and singuler the said Colledges, free Chappels, chaunteries, stipendes, salaries of priestes, & the said manours, landes, tenements, hereditaments, and other the premisses whatsoeuer they be, and euery of them, were in this present acte specially particularly, and certainly rehearsed, named and expressed by expresse words, names, surnames, corporations, titles and faculties, & in their natures, kindes and qualities.

¶ And ouer that be it ordained & enacted, by the authoritie of this present parliamēt that where any manours, landes, tenemēts, tithes, pensions, portions, rentes, profites, or other hereditamentes, by any manner of assurance, conueiance, will, deuise, or otherwise at any time heretofore had, made, suffered, knowledged or declared, were geuen, assigned, or appointed, to, or for ye maintenāce, ostentation, or finding of one priest, or of fiuers priests for terme of certaine yeares yet continuing, and that any priest hath ben maintained, sustained or found with ye same or with the reuenues or profits therof with

in

in fiue yeres last past that the kinge, from the saide feaste of Easter nexte comminge shall haue and enioy in euery behalfe, for and during all suche time to come, euery such and like thinges, tenements, hereditamentes, profites, and emolumentes, as the priest or priestes ought, or should haue had for or toward, his, or their maintenaunce sustenaunce, or finding, and for no longer, or further time, nor for anye other profite, aduantage or commoditie, thereof to be taken.

¶ Prouided alwaye and it is ordayned and enacted by the authoritie of this present Parliament, that when and assoone as the time assigned, for the maintenaunce, sustentation, or finding of the priest or priestes shall be expired and runne, that then it shall be lawfull to euery person and persons, to whom any manours, landes, tenements, tithes, portions, pensions, rentes, and other hereditamentes, or any of them should haue belonged, or appertained, if the said former acte, and this acte had neuer bene had or made: to enter into, take, perceiue, haue, and enioy ꝑ same without any maner of liuerie Duster le maine, petitiõ, or other suite to be made to the king, in like maner, forme and condition, to all intentes, constructions and purposes, as though the saide former acte and this acte had neuer bene had, or made and as thoughe the kinge had neuer had any season, or possession thereof: any thing

in the saide former acte, or in this acte, to the contrarie in anie wise notwithstanding.

¶ And be it ordeined and enacted by the authoritie of this present Parliament that the kinge our soueraigne Lorde, his heires, and successours, from the saide feaste of Easter next comming, shal haue, holde, perceiue, and enioy for euer, all landes, tenementes, rentes, and other hereditamentes, which by any maner of assurance, conueiaunce, wilies, will, deuise or otherwise at any time heretofore had, made suffered, knowledged, or declared, were geuen, assigned, or appointed, to go or be employed wholly to the finding or maintenaunce of any anniuersarie, or obite, or other like thinge, intent or purpose, or of any light or lampe, in anie church or chappell, to haue continuaunce for euer, which hath bene kept or maintained within fiue yeres next before the saide first day of this present parliament.

¶ And also that where but parte of the rentes or reuenues of any manours, landes, tenementes, rentes, or other hereditaments, which by any of the waies & meanes aboueside, bene geuen, assigned, or appointed to be bestowed or employed to the findinge or maintenaunce of anie anniuersarie or obite, or other like thinge, intente, or purpose, or of anie lighte or lampe in anye church or chappel, and to haue continuaunce for euer, that then our Soueraigne lord

the

the king shal from the said feast of Easte
next comming, for euer haue, perceiue, an
enioy such summes of money, that in a
ny one yere with in fiue yere next before th
first day of this present parliamt hath ben
expended and bestowed about the findin
or maintenance of any such anniuersary, o
obit, or other like thing, intēt, or purpose c
any light or lampe, to him, his heires, & suc
cessors for euer, as a rent charge to be paie
yerely at the feastes of saint Michaell th
Archangell, and the annunciation of ou
Lady Saynte Marie the virgin, by euer
portions in the kinges courte, of Augeme
tations, and reuenues of his crowne, or in
ny other courte or contes, as the king
hereafter shal appointe. And that it shal
lawfull to our saide soueraigne Lorde th
king, his heires and successors, for non pa
ment of any such summe or summes, of m
ney, to distraine in the said manours, land
and tenements of the issues and reuenue
whereof the saide annyuersary, or obite,
other like thing, or any such light or lam
was found, sustained, or maintained. A
that for lacke of sufficient distresse, in or b
on any of the premisses, whereof any of t
said yerely rentes, or summes of mon
should be paied by the space of on mone
next after that any of the saide rents shou
be paied, & be not paid within the said m
neth: that then it shalbe lawfull to and f
our soueraigne Lord the king, his heire
a

and successors, by vertue of this present act, to enter into, and to haue and possesse as much of the landes, tenements, and heredytamentes, whereof the saide rent or rentes should bee leuied or paied, as the rent or rents that should be leuied or payed out of the same, doth or shall amount or come to in yearely value, and the same landes, tenementes, and hereditamentes, to holde and keepe, and to haue ‡ to ‡ our said soueraigne Lord the king, his heires, and assignes for euer, or for such estate as our soueraigne Lord the kinge, his heires or successours, had, or ought to haue had, of, or in the saide rent or rents.

¶ And it is also ordeined & enacted by the authoritie of this present parliament, that our soueraigne Lord the king, shal from the said feast of Easter next comminge, haue, perceiue, and enioy all and singuler suche summes of money, profites, commodities, & emoluments, which by vertue of any manner of assurance, conueyaunce, composicion, will, deuise, or otherwise, heretofore haue been geuen, assigned, limitted, or appointed to haue continuance for euer, which in any one yere, within fiue yeres next before the beginning of this present parliament, haue been paied, bestowed, or employed, by any manner of corporations, gyldes, fraternities, companies, or felowships of misteries, or crafts or any of them, being in England, Wales, and other the kinges dominions, or

by the Maisters, Wardeins, gouernours, or other officers or ministers, or by the maister, wardein, gouernour, or other officer or minister of them or any of them, toward or about the finding, maintenance, or sustentacion of any priest or priestes, of any anniuersarie or obyte, lampe, light, or lightes, or other like thing, as is aforesaid, to our saide soueraigne Lord the kinge, his heires and successours for euer, to be payed yerely as a rent charge, at the feastes of Saint Michaell the Archangell, aud the Annunciation of our Ladie, by euen porcions, in the kings Court of Augmentations, and reuenues of his Crowne, or in any other court, or courtes, as the kinge hereafter shall appoint. And that it shalbee lawfull to our saide soueraigne Lord the kinge, his heires and successours, for non payment of any such summes or summe of money, profite commoditie, or emolument, or for non payment of any of them, to distreine in all the manors, landes, and tenements of euery such crafte, corporations, guildes, fraternities, companies, or fellowships of misteries or craftes, or anye of them, by whom or by the maisters, wardens, gouernours or other officers, or ministers, or master, wardein, gouernour or minister, of the which any such summes or summe of money, profit commodytie or emolument, haue or hath beene paied, bestowed or employed. And that all and euery of the saide summes of

money

money, profites, commodities, and emolu-
mentes, shall from the feast of Easter next
comming, without any maner of inquisition
or office to bee had or found, be iudged and
deemed to be in the actuall & reall possession
of our said soueraigne Lord the kinge, in
like maner and fourme to all intentes, con-
ductions, and purposes, as if the same had
bene particularly and specially mencioned
in this present acte.

¶ And furthermore be it ordeyned & enac-
ted by auctoritie aforesaid, that the kinge
our soueraigne Lorde, shall from the saide
feast of Easter next comminge, haue and
enioy to him, his heires and successors for
euer, all fraternities, brotherheds, & guildes,
being within the Realme of Englande and
Wales, and other the kings dominions, and
all manors, lands, tenements, and other he-
ditaments belonginge to them or any of
them (other then such corporations, guilds,
fraternities, companies and fellowshipps
of misteries or crafte, and the manours,
landes, tenementes, and other heredita-
mentes, pertayning to the saide corpora-
cons, guyldes, fraternities, companies,
and fellowshippes of misteries or crafte,
above mencioned,) and shall by vertue of
this acte bee iudged and deemed in actuall &
reall possession of our saide Soueraygne
Lord the kinge, his heires and successours,
from the said feast of Easter next comming
forever, without any inquisicions or office

thereof to be had or found &c. diuers things touching commissions, for the survey and disposicion of the premisses.

¶And also be it ordeined and enacted by thauthoritie of this present Parliament, that our soueraigne lord the king shal haue and enioy, all such goodes, cattells, iewels plate, ornaments, and other moueables, as were or be the common goodes of euery such colledge, chauntrie, free chappell, or stipendarie priest, belonging or annexed to ye furniture or seruices of their seueral foundacions, or abused of any of the said corporatiõs in the abuses aforesaid, the propertie wherof was not altered nor chaunged before the eyght day of December, in the yeare of our Lord God M.D.xlviij.

¶And it is also ordeyned and enacted by thauthority of this present parliamẽt, that all such debts & summes of money, as ought or should without fraud or couin hereafter be paied of the money or goods of any of the said colleges, due or payable by reason of any contract, specialtie, or promise, had or made before the same eyght day, shal truely and fully be payed by the Treasourer of the kinges Court of thaugmentacions and reuenues of his crowne, or by the treasorer or receyuer of any other Court, to which any of the premisses shalbe appointed, of the kinges treasure, beeing in hys or theyr handes, with as conuenient spede as the same may be paied.

¶Prouide

Prouided alwayes, and be it ordeyned and enacted by the auctthority aforesaid, that this act or any article, clause, or matter conteined in the same, shal not in any wise extende to any colledge, hostell, or hall, bæing within either of the Vniuersities of Cambridge and Oxforde, nor to any chauntrie founded in any of the colledges, hostelles or halles, being in the same vniuersities, nor to the fræ Chappell of Saint George the Martir, scituat in the Castel of Wyndsor, nor to the Colledge called saint Mary colledge of Wynchester, besides Wynchester, of the foundation of Bishop Wykham, nor to the colledge of Eaton, nor to the parysshe church, commonly called the Chappel in the sea in Newton, within the Ile of Ely, in the Countie of Cambridge, nor to any mannors, landes, tenementes, or hereditamentes, to them or to any of them pertayning or belonginge, nor to any Chappell made or ordeyned for the ease of the people, dwelling distant from the Parish churche or such lyke Chappel, whereunto no more landes or tenements, then the churchyard, or a litle house or close, doth belong or pertaine, nor to any Cathedrall church or colledge, where a Bishops sea is within thys Realme of England, or in Wales, nor to the manors, landes, tenements, or other heredytamentes, of any of them (other then to such chauntries, obytes, lightes, & lampes, or any of them, as at any time within fyue

peres next before the beginning of this present parliamēt, haue ben had, vsed, or mainteyned within the said Cathedral churches, or within any of them, or the issues, reuenues, or profites of any of the said cathedral churches, to which chauntries, obites, lights & lampes, it is enacted by the authority aforesaid, that this act shall extend.

¶ And it is ordeyned and enacted by the authoritie aforesaide, that our soueraigne Lord the king at any time during his lyfe, (which God long preserue) may at his wil and pleasure, alter and chaunge the name or names, of all and singuler chauntries, and the foundations of the same, being in any of the colledges, hostelles, or halles, of any of the saide Vniuersities, according as to his Godly wysedome shalbe thought meete and conuenient.

Sauing to all and euery person and persons, bodies politike and corporate, their heires and successors, and the heires & successours of euery of them, (other then the Maisters, Wardeins, Ministers, gouernors rulers, priestes, incumbents, fellowes, and brethren of the saide colledges, chauntries free chappells, or other the premisses, geuen, limited, or appointed to the kinge by this acte, and the successours of them, and euery of them, and other then such as bee or pretende to bee foundours, patrons, or donours of the premisses, or any of them, or of any part or parcell thereof, & the heires

suc

successours and assignes of euery, or any of them: and other then such as bee, or were feoffees, recouerees, conisees, graunteeS, or deuisees, of any of the premisses, to, or for any of the vses, purposes, or intents aboue mencioned, or to the vse of any of the sayde colleges, free chappels, chauntries, or other the premisses, geuen, limitted, or appointed by this acte to the king, or to the intent to employ the rentes or profites thereof, to the vse of Masters, rulers, incumbents, or mynisters of them, or any of them: and other then such person and persons, and bodyes politike and corporate, their heires, successors and assignes, as claime or pretend to haue estate, right, title, interest, vse, possession or condicion, of, in, or to the premisses, or any part or parcel thereof, by reason of any feoffement, fine, bargaine and sale, or by any other wayes, meanes, or conueighance, to them made, of any estate of inheritance, without the said late kinges licence, assent, consent, or agreement, and without the lycence, assent or agreement of the kinges Maiestie that now is, by anye of the sayde deanes, masters, wardeins, mynisters, gouernors, rulers, priestes, or incumbentes, or by the foundours, donours, or patrons of them, or of any of them, all such right, title, clayme, possession, interest, rentes, annuities, commodityes, commons, offices, fees, leases, lyueries, lyuinges, pencions, porcions, debtes, duities, and other profites,

which they or any of them lawfully haue, or of right ought to haue, or might haue had in, of, or to any of the premisses, or in, of, or to any part or parcel thereof, in such lyke maner, forme, & condicion, to all intentes, respectes, constructions, and purposes, as if this acte had neuer bene had nor made, and as though the saide chauntries, colledges, and other the said promocions had still continued & remayned in their full being. And sauinge to all and euery patron, donour, foundour, or gouernour, of any suche colledge, chauntrie, free chappell, stipendarye priestes, and other the premisses, geuen, limitted, or appointed to the king by this act, and the donour, feoffor, and geuer of the aforesaide landes, tenementes, or hereditaments, to them or any of them, or to anye vses or purposes before mencioned, all such rentes seruices, rentes secke, rentes charge, fees, annuities, profites, and offices: and also leases for terme of lyfe, lyues, and yeares, whereupon the accustomed rent or more is reserued: as they or any of them lawfully had, perceyued, and enioyed, in, out, or of, any the said promocions, or out of any of the said lands, tenements or hereditamentes, before the first day of this present parliament.

And ouer that it is ordeined &c. that those then lyuing which had receiued any money for any of the premisses, should repay it, & of one clause ỳ the premisses shalbe in the surueyand order of the court of Augmẽtation.

And

¶ And it is further enacted by auctholity aforesaide, that if any of the said Wardens, wardeins, Ministers, rulers, gouernours, priestes, incumbents, or owners of any such college, chauntrie, free chappel, or of any the premisses, geuen, limited, or appointed to the king by this act, or of any of them, sithes the xxiij. day of Nouember, in the xxxvij. yeare of the Raigne of the said late kynge, haue made any lease vnder his or their common seale or otherwise, for terme of yeares, life, or liues, of their said colledges, chauntries, free chappels, or of other the same premisses, or of any part thereof, or of any manors, lands, tenements, possessions, or hereditaments, whatsoeuer they be, to them, or to any of them, vnited or annexed, belōging or appertayning, vpon the which leases, the vsuall and olde rentes and fermes accustomed to bee yelden and reserued, or more, by the space of twentie yeares, next before the said xxiij. day of Nouember, not reserued & yelden, shalbe vtterly voide and of none effect. And that all other leases and graunts heretofore made of any the premisses, geuen limitted, or appointed to the kinge by thys late, shalbe as good, auaylable, and effectuall in the law, to all intentes, constructions & purposes, as if this act had neuer ben had or made: any thing in this act, or any other act heretofore had or made to ye contrary thereof in any wise notwythstanding.

¶ Prouided alwayes, & be it further ordeyned

beyned and enacted by the auctholtie afoze
said, that this act oz any thinge therein con
teined, shall not extende to any manozs
landes, tenements, possessions, oz heredita
ments, which the saide masters, wardeins
ministers, chauntrie priestes, incumbentes
oz other the said gouernozs, officers, minis
ters oz rulers of the premisses, oz of any o
them, hath oz is, oz hereafter shal haue oz b
possessed oz seised of, in fee simple, fee tayl
general oz special, foz terme of lyfe, term
of yeres, oz otherwise, to his oz their own
pzoyze vses, by inheritance oz purchase: an
not being at any time vnited oz annexed t
his oz their saide colledges, free chapelles
chauntries, oz other the pzemisses, geuen
limitted, oz appointed to the king by thi
acte, noz shall extend to any manozs, lands
tenements, possessions, rentes, annuities
and yearely pension oz pozcions, oz to an
yearely summe oz summes of money, beein
not vnited, oz parcel of any of the saide col
ledges, and other the pzemisses afozesaid
oz of anye of them heretofoze geuen
graunted by the saide late kinge, oz geue
oz graunted, oz hereafter to bee geuen
graunted by the king our soueraigne Kozd
to any of the said Deanes, Masters, Wa
deins, Ministers, Chauntrie priestes, In
cumbentes, Gouernozs, oz Rulers of th
pzemisses, oz of any of them foz terme
lyfe onely, vnder his great Seale of Eng
lande, oz vnder the seale of the Court of th

Aug

Augmentacions and reuenues of the kings crowne, or any other of the kinges seales of any of his courts: any thing cōteined in this act to the cōtrary in any wise notwithstanding

¶ Prouided alway, and bee it enacted by auctoritie aforesaid, that aswel all & euery patron, donour, foundour, and gæuer of any of the said promocions or premisses, or gæuer, donour, or feoffor of any their lāds, tenements, possessions, or other hereditamēts, as all and euery person and persons, bodies politike or corporate, which before the makinge of this acte, lawfully without fraud or couine, had or enioyed any manner of rent, or other yearely profites to bee taken, perceyued or had, of any chauntries, colledges, free chappels, or other the premisses, gæuen, limitted or appointed to the kinge by this acte, or out of any manours, landes, tenementes, or other possessions of them, or any of them, shal haue and enioy the same, in lyke manner and fourme, as they should and ought to haue done, if the sayde colledges, chauntries, freechappels, & other the premisses, gæuen, limitted, or appointed to the king by this acte, had still remayned and continued in Esse, and full being: any thing in this act mencioned to the contrary in any wise notwithstanding.

¶ Prouided also, & be it enacted &c. a dyscharge of those first fruites, which after the first day of thys parliament should growe due for the premisses,

¶ Prouided

¶ Prouided alwaies, & be it enacted by ye auctholitie aforesaid, ye al such rents, seruices, issues, profits & other summes of money payable out of, or for any of the premisses, or any of them, in the kings court of his Exchequer, shal continue, & be continually and yerely leuied, charged, or paied in the same court, in such maner & forme, as heretofore hath bene vsed: any law, custome, vnitie of possession in the kinges highnes, or other thing to the contrary notwithstanding: and as though the saide promotions, manors, landes, tenements, and other the premisses had not come to the kinges handes or possession.

¶ And be it further enacted by the auctholtie aforesaid, that al & euery letters patents made by the said late king Henry the eyght, or by the kings Maiestie that now is, or hereafter to be made by his highnes to any person or persons, or to any Archbishop or Bishop, of any of the said colleges, chaūtries, free chappells, or other the premisses, or any part or parcel of them, or of any lāds tenements, or hereditaments, belonging or apperteyning, or that did belong or appertaine to them, or to any of them. And al fines, giftes, grauntes, feoffements, recoueries, & al other assurances and conueyances thereof had or made, by the assent, consent or licence vnder the great seale of England of the said late king Henry the eight, or of the kings Maiestie ye now is, to any person

or per-

or persons, bodies politike or corporate, by any chauntrie priest, master, wardein, myniller, ruler, gouernor, or other hauing any of the said promotions, of any of the saide colledges, chauntries, frée chapels, or other the premisses, or of any of them, or of any part, parcel, or member of the same, shall stand and be in their forces and effectes, and shalbe good and effectuall in the lawe, for such estates and interestes, gœuen, graunted, limited, or appointed, in any of the gifts graunts, assurances, or conueyances thereof had or made, according to their purports, forme, and maner, and according to the true intent and meaning of the same assurances, and shalbe by authoritie of this acte good, perfite, and auaylable aswell agaynst the kinge, his heires and successours, as against the said chauntrie priestes, wardeins, masters, rulers, gouernors, and other hauinge any of the saide promocions and their successors, and the successors of euery of them: also against the foundours, donours, and patrons of the same, and the ordinarie of them, and euery of them, and the heires and successors of euery of them: any lawe, statute, ordinaunce, or other thing to the contrarie thereof notwithstanding.

¶ And where diuers and sundry bishops, deanes, archdeacons, treasourers, prebendaries, chauntrie priestes, masters, prouostes, rulers, gouernors of any deanries, archdeanries, treasorershippes, prebendes, frée-

chappels,

chappelles, chauntries, or colledges, within this Realme of Englande, and other the kinges Maiesties dominions, or any of the Patrons, foundours, or donours, of any of the Bishoprickes, Treasorerships, Deanries, chauntries, free chappells, or other the saide spirituall promotions, of their voluntarie willes or mindes, for dyuers good and reasonable causes and considerations, by deede or deedes inrolled, or by other wrytinges or conueyaunces heretofore geuen and graunted to the late kinge of famous memorie Henry the eyght, late kinge of Englande, and to his heires, or to our soueraigne Lord the kinge that nowe is, and to his heires, diuers of the deanries, archdeanries, Treasorerships, Prebendes, chappells, chauntries, and colleges, or any other ecclesiasticall or spirituall promocyons, last before remembred, and all or some part of the mannours, landes, tenementes, tythes, pencions, annuyties, rentes, reuersions, and other reuenues, heredytamentes, possessions, emolumentes and profites to the same Bishoprickes, Deanries, colledges, and other like promotions, benefices, offices, and dignities, or to anye of them belonging, appertayninge, vnited or annexed, or which the saide Bishops, Deanes, Archdeacons, Treasorers, chauntrie priestes, maisters, prouostes, rulers, gouernours, and other ecclesiasticall or spiritual officers or ministers, or any of the said patrons,

patrons, donours, or foundours, or any of them, had or enioyed, in the right, or by reason of any of the same promotions, offyces, or dignities.

¶ Be it enacted by the auctholitie aforesaide, that all and euery giftes and graunts heretofore made to the said late kinge, and to his heires, or to our soueraigne Lord the kinge that now is, and to his heires, by any Archbishop, Bishop, Deane, Archdeacon, Treasorer, Prebendarie, maister, Prouost, Gouernour, or other the saide ecclesiastical or spirituall person or persons, or by any patron, donour, or foundour, of any of the saide deanries, chauntries, or other of the saide spiritual or ecclesiastical promocions, or of all or any of the manours, landes, tenementes, tythes, rentes, reuersions, pensions, porcions, annuities, or other hereditaments, reuenues, emolumentes, profites, or commodities to any of the said benefices, offices, prebendes, promocions, or dignyties belonging, appertepninge, bnited or annexed, or which any of the same Archbishoppes, Bishops, Deanes, Archdeacons, treasorers, maisters, prouostes, prebendaries, rulers, gouernours, officers, or myniisters, patrons, foundours, or donours, had or enioyed, or haue or enioy, or ought to haue or enioy, in the right or by reason or meanes of any of the same promotions, offices, or dignities, shalbe good and effectual in the law to all intentes & purposes.

Sauing

Sauing to all & euery person and persons, and bodies politike & corporat, their heires, successors and assignes, & to the heires, successors, and assignes of euery of them (other then the archbishops, bishops, deanes, archdeacons, treasorers, prebendaries, rulers, gouernors, wardeins, prouostes, geeuors, & grauntors of any of the premisses, & their heires, successors, and assignes, & other ther such ecclesiasticall or spiritual persons, bodies politike or corporate, as are or pretent to be foundours, donors, patrons, or ordynaries of the premisses, or any of them) all such, rightes, titles, interestes, claimes, entries, rentes, reuersions, remainders, fees offices, annuities, landes, tenements, hereditaments, profites, commodities, and emolumentes, as they or any of them haue, or should, or ought to haue had, of, in, or to the premisses next aboue mencioned, or any part thereof, as if this Acte had neuer bene hadde or made: any thinge in thys acte to the contrarie in any wise notwithstandinge.

Prouided alwayes, that thys acte or any thinge therein conteined, shall not in any wise extende to make good or effectual, any gift, graũt, bargain, sale, or alienation made by any parson, or vicar, of their parsonages or vicarages, or of any part or parcel thereof, or of any thinge to them or any of them belonging or apperteining.

¶ Prouided also, that this act or any thinge therein

therin contained, shall not in any wise extēd to hider or preiudice George Brooke knight lord Cobham, his heires or assignes for, or concerning the late colledge of Cobham, in ye coūtie of Kent, or the manours, lands, tenements or possessions therof, any thing aboue mentioned to the contrarie in any wise notwithstanding.

¶ Prouided also, and be it enacted by the authoritie aforesaide, that this present acte or any thīg thereī contained shal not in any wise extende, or be preiudiciall or hurtful to the generall corporation of any Citie, Boroughe, or Towne, within this Realme, or any other the kinges dominions, ne shal extende to any the lands, or hereditamentes, of thē, or anye of them, anye thing herein contained to the contrary in anye wise notwithstanding.

Prouided also, and be it enacted by the authoritie aforesaide, that all such of the saide colledges, free chappels, chauntries, and other the premisses, being appointed & geuen to the kings highnes, by ye authoritie of this act, as be within the Duchie of Lancaster, and all manours, landes, tenementes, and hereditamentes, pertayning or belonging to the same colledges, free chappelles, and chauntries, shall after the said feast of Easter next comming, be within the surueyand order of the court of the Duchy, of Lancaster, in such maner and fourme, as other the premisses bee assigned or appointed by

authority of this acte, to bee in the survey and order of the courte of Augmentations and reuenues of the kings crowne, or other courte by the kinge to be assigned: and that all cōmissiones, that hereafter shalbe awarded by vertue and force of this acte, concerning such colledges, free chappelles, chauntries, and other the premisses, as be within the saide Duchie of Lancaster, shall bee awarded vnder the great seale of Englande, and shall bee certified into the same court of the Duchye of Lancaster, anye thing aboue said to the contrarie in anye wise notwithstanding.

¶ Prouided alwaies, and be it enacted by the auctoritie aforesaide, that this acte, ne any thing therein contained, shall extend to the colledge, or chauntrie of Attilborough in the countie of Norfolke, which the saide late king Henry the eight, gaue to Robert, Earle of Sussex, and to his heires, but that Henry now Earle of Sussex, sonne & heire to the said late Earle, his heires and assignes, shall and may by thauctoritie of this acte, haue and enioy the saide Colledge, and chauntrie, and al manours, lands, tenemēts, aduowsons, tithes, pensions portions, and other hereditamentes, thereunto belonging or appertaining, any thing in this acte to the contrarie in anie wyse notwithstanding.

¶ Prouided alwaies, and by the auctoritie aforesaide, be it enacted, that the king

Maiesti

Maiestie, at any time when it shal seeme to him good, may giue authoritie to certaine his graces commissioners, to alter the nature and condition of all manner of Obites, alswel within the vniuersities of Cãbridge and Oxford, as in any other place within this his graces Realme of England, and Wales, being not suppressed ne adnichilate by vertue of this present acte, and the same Obites so altered, to dispose to a better vse, as to the reliefe of some poore mẽ being students, or otherwise.

¶ Prouided also, and be it enacted by authoritie aforesaid, that it shal not be lawful to any person or persons, bodies politike or corporate, by reason of any remainder, vse, or conditione, to enter into, claime, or challẽge any lands, tenements, or hereditamẽts, for the non doing, not naming, or non finding of any such priest, or priestes, or poore folkes, as is aforesaid, Obite, anniuersarie, light, or lampe, from henceforth to be founden or done: any thing herein contained to ye cõtrarie in any wise notwithstanding.

¶ Prouided alwaies that this acte, nor anything therein contayned, shal not in any wise extende to anye landes tenementes, possessions or hereditamentes, whatsoeuer, that anie Master, Deane, Prebendary, Wardeine or chauntrie, or anye stipendary, priest of anie colledge, chauntrie, prebend, fraternity, guilde, or any other corporations

haue, or held of any person or personnes, by copie of court rolle, or at wil, accordinge to the custome of any manour or manours, nor geue or graunt any copihold landes to the kinges highnes.

¶ And also prouided that the kinges highnes, his heires or successours, shal not in any wise haue, hold, enioy or take by vertue of this act, or any article therein contayned, any maner of copyhold landes, tenements, possessions, or hereditamentes whatsoeuer they be, but that all and euerie of the said persons and incumbentes shall haue, holde, and enioy the same duringe their liues, towardes their pension and yerely liuing, paying the rentes, and doing their customes, and seruices thereof due and accustomed, any thing in this acte to the contrarie notwithstanding.

¶ Prouided that this acte shall not extend to any landes, tenementes, or heredi tamēts, assigned, appoynted, or intended for the findinge or maintenaunce of anye chauntrie priest, or stipendarie priest, which by any former right, and good title without fraud or couine, were lawfully recouered from the possession of any such chauntrie priest, or stipendarie priest, before the first day of October, the said xxxviij. yere of the raigne of the said late king Henry the eight, which landes, tenementes, and hereditamentes were not charged, nor chargeable to the paiement of the perpetuall tenthe: any thing in

this

this acte to the contrarie hereof notwithstanding.

¶ Prouided alwaies, and be it enacted by the authoritie aforesaid, that all and singuler grauntes, licences, confirmations, and letters patentes, which our late soueraigne Lord king Henrie the eight, or our soueraigne Lord ꝯ king that now is, haue made vnder the great seale of Englande to anye person or personnes bodies politike, or corporate, of any colledge, chappel, or chauntrie now being in esse, or standing, or nowe not being in esse, or not standing, or of any lordshippes, manours, landes tenementes, and hereditaments, annexed, vnited, belonging, or appertaining to any colledge, chappel, or chauntrie now being in esse, or standing, or now not being in esse, or not standing, or of any other thing or things, mētioned, expressed, or contained in any such graunt, licence, confirmation or letters patentes, shall from henceforth be deemed, taken, expounded, and adiudged good and effectall in the lawe, according to the wordes, sentences, meanings, ententes, fourme, and effectes of the same grauntes, licences, confirmatiōs, and letters patentes, to all intentes, constructions, and purposes, as if this acte, and the saide act made in the said xxxviij. yere of the saide late king Henry the eight, had neuer bene had nor made: And that this acte, or the said act made in the said xxxviij. yere of the raigne of our said late soueraign lord king Henry the

eight, or any clause, article, sentence or other thing therein contained, shall not extend to any Colledges, chappelles, chauntries, or other thing or thinges mentioned in this acte, now being in esse, or standing, or nowe not being in esse, or not standing, or to anye manours, landes, tenements, possessions, reuenues, or hereditaments, annexed, united, belonging or appertayning to any colledge, chappell, chantrie, or other thinge mentioned in this acte now being in esse, or standinge, or now not being in esse, or not standinge, or to any other thing or things, mentioned or expressed in this acte, which anye person or personnes, bodies, politike or corporate, haue had, or obtained by the assente, licence, confirmation, graunt, or letters patentes of the said late king, or of the kinges Maiestie that now is, nor shall extende to any manours, landes, tenements, reuenues, possessions, hereditamentes, or other thinge or thinges, mentioned, expressed, or contained in anye suche licence, confirmation, graunt, or letters patentes, but that euery such person and personnes, bodies, polytike and corporate, their heires and successours and assignes, and the heires, successoures and assignes of euery of them, shall haue, holde, and enioy, all and euery the same colledges, chappels, chauntries, manours, landes, tenementes, reuenues, possessions, and hereditamentes, and all and euery other thinge and thinges whatsoeuer, so by them

had

had or obtained, by the assent, licence, confirmation. graunt, or letters patentes of th saide late kinge, or of the kinges Maiesty that now is, according to the wordes, sentences, fourme, effect, meaning, and intent, of the same licences, confirmations, graunts, and letters patentes: this acte, or the sayd act made in the said xxbij. yere of the raigne of the said late kinge Henrie the eight, or anie clause, article, sentence, matter, or thing mencioned, expressed, or contained in anie of the same actes, to the contrarie thereof in anie wise notwithstanding.

Offices.

¶ An acte touching the finding of offices before the Escheatour. Anno secundo Edwardi 6. Cap., 8.

¶ Escheatours. 15

VVhere many and diuers persons, holdinge, or that haue holden, lāds, tenements, or hereditaments, some for term of yeres, and some by copie of court rolle, haue bene expulsed & put out of their tenes & holdes, by reason of Inquisitions, or offices, founden before Escheatours, commissioners, and other, cōteining tenures

Vide Statut Bn exposund Inst: 77:6.

of the kinge in capite, entitling the king to the wardshippe or custodie of suche landes or tenementes, and sometime entitling the king to the same, vpon attaindours of treason, felonie, or otherwise, by reason that such leases for terme of yeares, or interest by copie of court rolle, of such persons haue not bene found in such inquisitions or offices; after which expulsion or putting out, the said persons haue bene without remedy, for the obtaining of the said fermes and holdes during the kings possession therein, and can haue no Trauerse, Monstrance de droit, nor other remedie for the same, because their said interest, is but a chatel in the law or customarie hold, and no state of free hold. And also where anye person or persons hath anye rent, common office, fee, or other profite Apprender, of any state of free hold, or for yeres or otherwise out of such lands, or tenemēts specified in such offices, or inquisitions the said rent, commen office, fee, or profite Apprender, not found in the same office or offices, such persons are in like maner without remedie, to obtaine or haue the said rent, common, office, fee, or profite Apprender, by anye trauerse, or other speedy meane, wout great & excesse charges, during the kinges interest therein, by force of such inquisition or office.

¶ For remedie wherof, be it enacted by authoritie of this present parliament, that where any such office or inquisitions, is or

shall

shalbe founden, omitting such titles, interestes, or matters as is aforesaid, that in all such cases, euery lessee, tenant for terme of yeres, or copiholder, and euerye such person & persōes, that haue, or shal haue, any interestt o any rent, common or profit Apprender for terme of yeres, life, or otherwise, out of any the landes, tenementes, or hereditamentes, contayned in such office or inquisitiō, where the king his heires or successours is or shalbe intitled, as is aforesaide, to any such landes, tenementes, or hereditaments, shall haue, holde, enioye, and perceiue, all and euerie their leases, and interestes, for terme of yeres, or by copie of court rolle, rents, cōmons, offices, fees, and profite Apprender, in such maner, forme, state and condition, as they and euery of them, shoulde or mighte, haue done, in case there had bene no such office, or inquisition found, and as they should or lawfully might, or ought to haue done, in case sucy lease, interest by copy of court rolle rent, common, office, fee, or profite Apprender had bene founden in such office, or inquisition: any la we, custome, or vsage to the cōtrarie heretofore vsed, in such cases, in anye wise notwithstanding.

¶ And also, where it is or shal bee founden for the king, his heires or successours, that the heire or heires of his tenant, or tenants is or shall be within age, where in deede such heire or heires is, or shalbe at the same time of full age, or of a more or greater age,

then

then is or shalbe contained within suche office.

¶ Be it further enacted by the authoritie aforesaid, that in euerie such case, such heire and heires, shal and may at his or their very ful age, or after, psecute § alias prosecute § a writ of Etate probanda, and sue his or their liuerie, or Duster le maine, as his or their cases shall lye, and haue the profits of his or their lands, tenementes, or hereditamentes, from the time of his or their verye full age, any such vntrue office or inquisition, or any lawe or custome to the contrarye in any wise notwithstanding.

¶ Also where one person or moe, is or shall be founden heire to the kinges tenant by office or inquisitiō, wher any other person is, or shalbe heire, or if one personne or moe, be or shalbe founden heire by office, or inquisition in one countie, and an other person or persons is or shalbe founden heire to the same persō in an other countie, or if any person be, or shalbe vntruely founden lunatique, ideot, or dead. Be it enacted by ye authoritie aforesaide, that euery person & persōs, greued, or to be greued by any such office or inquisition, shal and may haue his or their trauers to the same, immediatly, or after, at his or their pleasure, and proceede to trial therein, and haue like remedie and auantage, as in other cases of trauers vpon vntrue inquisitions or offices founden, any law, vsage, or custome to the cōtrarie in any

wise

wise notwithstanding.

¶ Also where it is or shall be hereafter untruley founden by office or inquisitions, that any person or persōs atteinted, or that shal be atteinted of treason, felony, or premunire, is or shalbe seised of any lands, tenementes or hereditaments, at any time of such treasō felony, or offence, committed or done, or ante time after, whereunto ante other person or persons hath, or shal haue ante iust title or interest of any estate of freeholde: that then in euery such case, euery plō & persōs greeued therby, shal haue his or their trauers, or Monstrans de droit to ye same, wout being driuen to any peticiō of right, & like remedy & restitution, vpon his or their title, founde or iudged for him or thē therin, as hath ben accustomed & vsed, in other cases of trauerse although the kinges maiestie, his heires, or successours, be or shal be, in such case entyled to any such lands, tenements, or hereditaments, by double matter of record: any law, custome or vsage to the contrary in ante, wise notwithstanding.

¶ And further be it enacted by the auctho-ritie aforesaid, that where any inquisiciō or office, is or shalbe founden, by these words or like. Quod de quo vel de quibus tenementa redicta tenēt iurat̄ præd. ignorant, or els founden holdē of ye kinge Per que seruic. ignorāt, or such like, ye in such case, such tenure so vnertainely foūdē. De quo vel de quibus tenta p-ict' tenenē ignorant, shall not be taken for any

immedi-

immediately tenure of the king, nor such tenure so founden of the king. Per quē seruic. ignorant, shal not be taken anye tenure in capite, but in such cases, a melius inquirendū, to be awarded as hath bene accustomed in olde time, any vsage of latter time to the contrarie notwithstanding.

¶ And be it further enacted by authoritie aforesaid, that where it is or shalbe founden by any office, or inquisition, that any lands tenements, or hereditamentes, are, or shalbe discended, remained, or common to any heire within age, and in the kinges ward, or that ought to be in the kings ward, & that such lands, tenements, or hereditaments, are holdē of ỳ king immediatly, where in deede the sāe are or shalbe holden of some other common person, and not of the king immediatly: that in such case, such heire or heires, shall may haue their trauerse to the same within age, and like remedy and restitution vpon his or their title founden or iudged for him or them therein, as hath bene accustomed vsed in other cases of trauerses: anye lawe vsage, or custome to the contrarie in anye wise notwithstanding.

¶ Also where the kinges Maiestie by his Prerogatiue, ought to haue as well such landes, and tenementes, as bee holden of other ỳsons, as holden of him selfe immediatly, whereof his tenant holding of himself in chiefe, dieth seised his heire being within age, vntil such time as liuery be sued by such

heir

heire, and that the meane lordes, of whom the said other lands and tenements, of such heire be holden, vsed to spare the rentes due to them for the same landes or tenementes, holden of them, during the kings possession. And when such heire hath sued his or their liuery they vse by distresse, or otherwise to compell the said heire to pay to them the arrerages of such rentes, for such time as the saide landes or tenementes, were in ye kings possession by such minoritye, where they should haue sued by petition to the kinges maiestie, to haue obtained the same out of ye kings handes, if they would haue the same, which is to the great detriment, losse, and hinderance of such heire and heires. For redresse whereof be it enacted by the authority of this present parliament, that from henceforth, such meane lordes, during such minoritie, shall haue, receiue, and take the saide rentes by the handes of such the kings officers, as shalbe appointed to haue, receiue, & take the issues, reuenues, and profites of the same lands, and tenements, so holden of such meane Lordes, during the minority and nonage of such heire and heires, and vntil such heire and heires sue his or their liuerie, and that such heire and heires vntill such tyme as he or they shall haue sued their liuery, or might conuenientlyhaue sued their liuery, shalbe thereof clerely discharged. And that such officer or officers shall vppon request made, pay, the same to such meane Lordes

(they

(they giuing to such officer and officers, a
sufficient acquitance, or acquitances, for the
receipt of the same. And that such payment
thereof made with acquitance, or acquitan-
ces thereof shewed, shal be to such officers a
sufficient discharge, against the kinges ma-
iestie, and his heires vpon his or their ac-
compt in that behalfe: any lawe, vsage or
custome heretofore had, or vsed to the con-
trarie hereof in any wise notwithstanding.
¶ Prouided alwayes, and it is enacted by
the authoritie aforesaide, that this acte, or
anye thing therein contayned, shal not in
any wise extende to any inquisition or offic
taken or founden, at any time before the xx
daye of March next comming, nor to hinde
preiudice, or take away, the title, interest
or possession of our Soueraigne Lorde th
kinge, or of any other person or personne
growen, or commen by vertue, meane or oc
casion of any inquisition or office taken, o
found before the same day, but that as we
our said Soueraigne Lord the kinge, as a
other person or personnes, hauinge any ti
tle, interest, or possession, by vertue, mean
or occasion of any inquisition or office foun
before the same daye, shall, and maye hau
holde, and enioy the same in like maner an
forme, as though this acte had neuer bee
had or made, any thinge in the same acte
the contrarie in any wise notwithstandin
¶ Prouided also, and it is enacted by th

authoritie aforesaide, that in all such cases as any person or personnes shall bee enhabled by this acte to haue anye trauerse, and shall pursue his or their trauers, that then he or they that shall pursue suche trauerse, shall sue one writ, or seueral writes of Scire facias (as the case shal require) against all & singuler such person & persons as shal haue interest by the king, or by his patent or patents, in like maner and fourme as is requisite, vpon trauerses, or petitions heretofore pursued. And that in euery such Scire facias, ye patentees, or other defendauntes shal haue like plees, and aduauntages, as they had in any Scire facias, before this time awarded against any patentee in any case of petition. And also, that vpon euerie trauers that shall bee pursued by vertue or meane of this act, in such case as the partie or parties that shall pursue any such trauerse, shoulde by the order of the common lawes of this Realme, haue bene put to sue by petition to the kinge, there shalbe two writes of search graunted in maner & fourme, as like writes haue bene graunted vpon petitions made to the king.

Provided also, and it is enacted by the authoritie aboueseid, that if after any iudgement shalbe geuen vppon any trauers, that shalbe tended, or sued by vertue or meane of this acte, it shall appeare by any matter of record, that the king hath anye other former title, right, or interest to the manours,

landes

landes, tenementes, or other hereditaments, mentioned in the same trauers, that the the same title, right, and interest, shalbe saued to the kinge, the sayde trauers and iudgement thereupon geuen, in any wise notwithstanding.

¶Tithes.

¶An act for payment of Tithes.
An. 2. E. 6. cap. 13.

¶Tithes. 10.

Where in the Parliament holden at Westminster the iiij. daye of Februarie in the xxviij. yeare of the raign of the late king of moste famous memory king Henry the eight. §cap. 20. Tithes. §. there was an acte made, concerninge payment of tithes predial and personall. And also in an other parliament holden at Westminster the xxiiij. daye of July, in the xxxi yeare of the raigne of the said late king Henry the eight, §cap. 7. Tithes. 8. § An other acte was made concerning true payment of tithes and offeringes, in which seueral actes many and diuers thinges be omitted and left out, which were conuenient and very necessarie to be added to the same: In consideration whereof, and to the intēt the said tithes may bee hereafter truely payde, according to the minde of the makers of the said acte: Be it ordeined and enacted by the kinge our souereigne Lorde, with the assent of the

Lord

Lordes spiritual and temporall, & the commons in this present parliament assembled, & by thauthoritie of the same, that not onely the said actes made in the said xxviij. and xxxij. yeres of the raigne of ye said late king Henry the eight, concerning true payment of tythes, & euery article & braunch therein conteyned, shal abide and stande in their full strength and vertue. But also be it further enacted by the authoritie of this present parliament, that euery of the kings subiects shal from henceforth truely and iustly without fraude or guile, deuide, set out, yeld and pay, al maner of their predial tithes, in their proper kind, as they run and happen, in such maner & forme, as hath bene of right yelded and paied, within fortie yeres next before the makinge of this acte, or of right or custome ought to haue bene paied. And that no person shall from henceforth take or carie away any such or lyke tithes, which haue bene yelded or paied within the said fortie yeares, or of right ought to haue ben paied, in the place or places tithable of the same, before he haue iustly deuided or set foorth for the tithe thereof, the tenth part of the same, or otherwise agreed for ye same tithes, with the Parson, vicare, or other owner, proprietorie, or fermor of the same tithes, vnder the paine of forfaiture of treble value of the tithes so taken or caried away.

¶ And be it also enacted by the authority aforesaid, that at all times whensoeuer, and

as often as the saide predtall tithes shalbee
due, at the tithing time of the same, it to be
lawfull to euery partie to whom any of the
said tithes ought to be paied, or his deputie
or seruant, to view and see their said tithes
to be iustly and truely set forth and seuered
from the ix. partes, and the same quietly to
take and carie away. And if any person ca-
rie away his corne or hay, or his other pre-
diall tithes, before the tithe thereof bee set
forth, or willingly withdraw his tithes of
the same, or of such other thinges, whereof
predial tithes ought to be paied, or do stoppe
or let the Parson, vicar, proprietory, owner
or other their deputies or fermors, to view,
take, or carie away their tithes, as is aboue
saide, by reason whereof the sayd tythe or
tenthe is lost, impaired, or hurt: that then
vpon due proofe therof made, before the spi-
ritual Judge, or any other iudge, to whom
heretofore he might haue made complaint,
the partie so carying away, withdrawing,
letting or stopping, shal pay the double va-
lue of the tenth or tithe, so taken, lost, with-
drawen, or caried away, ouer & besides the
costes, charges, and expences of the suyt in
the same, the same to be recouered before the
ecclesiasticall Judge, according to the kings
ecclesiastical lawes.

¶ And be it further enacted by thauctho-
ritie aforesaide, that all and euery personne
which hath or shal haue any beasts or other
catel tithable, going, feeding, or depasturing
in

in any waſt or common grounde, whereof the pariſh is not certeinly knowen, ſhal pay their tithes for the increaſe of the ſaid cattel ſo going in the ſaid waſt or common, to the parſon, vicar, proprietorie, porcionarie, owner, or other their fermors or deputies of the pariſh, hamlet, town, or other place, where ye owner of ye ſaid cattel inhabiteth or dwelleth

¶ Prouided alwaies, & be it enacted by the auctoritie aforeſaid, that no perſon ſhalbe ſued, or otherwiſe compelled to yeld, geue, or pay any maner of tithes, for any manors, lands, tenements, or hereditaments, whych by the lawes & ſtatutes of this Realme, or by any priuiledge, or preſcription, are not chargeable with the payment of any ſuch tithes, or that be diſcharged by any compoſicion reall. ‡ See before 31. H. 8. cap. 13. ‡

¶ Prouided alwaies, and be it enacted by thauctoritie aforeſaid, that all ſuch barren heath, or waſt ground (other then ſuch as be diſcharged for the paimēt of tithes by act of parliament) which before this time haue lien barren & paied no tithes, by reaſon of ye ſame barrenneſs, & now be, or hereafter ſhal be improued & conuerted into arrable groūd or meadow, ſhal from henceforth, after the ende and terme of vij. yeares, next after ſuch improuement, fully ended & determined, pay tithe for the corne & hay growing vpon the ſame: any thing in this acte to the contrarie in any wiſe notwithſtanding.

¶ Prouided alwaies and be it enacted by

by authoritie aforesaide, that if any such barren, wast, or heath grounde, hath before this time ben charged with the payment of any tithes, and that the same bee hereafter improued & conuerted into arrable grounde or meadow: that then the owner or owners thereof, shall during vij. yeres next following, from & after the same improuement pay such kind of tithe as was paied for the same before the said improuement: any thinge in this acte to the contrarie in any wise notwithstanding.

¶ And bee it also further enacted by authoritie aforesaid, that euery person exercising merchandises, bargaining and sellinge clothing, handycraft, or other art or faculty, being such kind of persons, & in such places, as heretofore within these xl. yeres haue accustomably vsed to pay such personable tythes, or of right ought to pay, other thē such as ben common day laborers, shall yearely at or before the feast of Easter, pay for hys parsonal tithes, ỳ x. part of his clere gaines, his charges & expences, according to hys estate, condicion, or degree, to be therein abated, allowed, and deducted.

¶ Prouided alwaies, & be it enacted, that in all such places where handy crafftes men haue vsed to pay their tithes within these xl. yeares, the same custome of payment of tithes to be obserued & to cōtinue: any thing in this act to the contrarie notwithstanding.

¶ And be it also enacted by the authority

aforesaide

forezaid, that if any person refuse to pay his parsonall tithes in forme aforezaid: that then it shalbe lawfull to the Ordinarie of ye same dioces, where the partie (that so ought to pay the said tithes) is dwelling, to call the same partie before him, & by his discretion to examin him by all lawful and reasonable meanes, other then by the parties owne corporate othe, concerninge the true payment of the said parsonall tithes.

¶ Prouided alwaies, and be it enacted by the auctoritie aforezaide, that all and euery person & persons, which by the lawes or customes of this realme, ought to make or pay their offringes, shal yerely from henceforth, well & truely content & pay, his or their offrings to the Parson, vicar, proprietorie, or their deputies or fermers of ye parish or parishes where it shal fortune or happen hym or them, to dwel or abide: & that at such iij. offring dayes, as at any time heretofore wtin the space of iij. yeres last past, hath ben vsed & accustomed for the payment of the same, & in default thereof, to pay for their saide offrings at Easter then next following.

¶ Prouided also, and be it enacted by the auctoritie aforezaide, that this acte or any thing therein cōtained, shal not extēd to any parish, which stands vpon, & towards ye sea coasts, the comodities & occupiyng whereof consisteth chiefly in fishing, & haue by reasō thereof, vsed to satisfie their tythes by fish, but ye al & euery such parish & parishes shall

hereafter pay their tithes, accordinge to the lawdable customes, as they haue heretofore of auncient time, within these xl. yeres, vsed and accustomed, and shal pay their offrings as is aforesaid.

¶ Prouided alwaies, and be it enacted by the auctherity aforesaid, that this act or any thing therein conteyned, shall not extend in any wise to the inhabitants of the citie of London and Canterbury, & the suburbes of the same, ne to any other towne or place, that hath vsed to pay their tithes by theyr houses, otherwise thē they ought or should haue done before the making of this act: any thing conteined in this act, to the contrarie in any wise notwistanding. ‡ See 27. H. 8. cap. 21. & 37. H. 8. cap. 12. and the decree thereupon in the Collection of Statutes, Tithes 6. & 9.

¶ And bee it further enacted by the auctherity aforesaid, that if any person do subtract or withdrawe any maner of tithes, obuentions, profites, commodities, or other duities before mencioned, or any part of thē contrarie to the true meaning of this act, or of any other act heretofore made: that then the party so subtracting, or withdrawinge the same, may or shalbe conuented and sued in the kings ecclesiastical Court, by the partie from whom the same shalbe subtracted or withdrawen, to thintent the kings iudge ecclesiastical shall and may then and there heare & determin the same, according to the kings ecclesiastical lawes. And that it shall

not

not be lawful vnto the Parson, vicare, proprietorie, owner, or other their fermors or deputies, contrarie to this acte, to conuent or sue such withholder of tithes, obuentiõs or other duities aforesaide, before any other Iudge then ecclesiastical. And if any Archbishops, bishops, chauncelor, or other iudge ecclesiastical, geeue any sentence in the foresaid causes of tithes, obuentions, profites, emoluments, and other duties aforesaid, or in any of them & (no appeale ne prohibicion hanging) the party cõdempned do not obey the said sentence: that then it shalbe lawful to euery such iudge ecclesiastical, to excõmunicate the said party, so as afore condẽpned, & disobeying, in the which sentence of excõmunication, if the said partie excõmunicate wilfully stand and endure still excommunicate, by the space of fortie dayes next after, vpon denunciation & publication thereof, in the parish Church, or the place or parysshe, where the party so excommunicate is dwelling or most abyding, the said Iudge ecclesiastiall, may then at his pleasure signifie vnto the king into his court of Chauncery, of the state and condicion of the said partie so excommunicate, and thereupon to require proces De excommunicato capiendo to bee awarded against euery such person as hath bene so excommunicate.

¶ Be it further enacted by the auctoritie aforesaid, that if any party at any time here after, for any matter or cause before reherised

limitted or appointed by this act, to be sued or determined in the kinges ecclesiasticall court, or before the ecclesiastical Iudge, do sue for any prohibicion in any of the kinges courts, where prohibicions before this time haue ben vsed to be graunted: that then in euery such case, the same partie before any prohibicion shalbe graunted to him or them shal bring & deliuer to the handes of some of the Iustices or Iudges of the same Court where such partie demaunded prohibicion, the verie true copie of the libell dependinge in the ecclesiasticall Court, concerning the matter wherefore the partie demaundeth prohibicion, subscribed or marked with the hand of the same party: & vnder the copy of the said libel, shalbe writen the suggestion, wherefore the partie so demaūdeth the said prohibicion: and in case the said suggestion, by two honest & sufficient witnesses at the least, be not proued true in the court where the said prohibicion shalbe so graūted, with in vj. monethes next following after ye said prohibicion shalbe so graūted and awarded: that then the partie that is letted or hindered, of his or their suit in the ecclesiasticall court by such prohibicion, shall vpon his or their request & suite, without delay haue a consultacion graunted in the same case in ye court, where the said prohibion was grātet and shall also recouer double costes & damages against the party that so pursued the said prohibicion, the said costes and dāma

ge;

ges to be assigned or assessed by the Court, where the said consultation shalbe so graũted, for which costes and damages, the partie to whom they shalbe awarded, may haue an action of debt, by bill, plaint, or information in any of the kinges Courts of record, wherein the defendant shall not wage hys or their law, nor haue any essoine, or protection allowed or admitted.

Provided alwaies, and be it enacted by the auctority aforesaid, that this act or any thing therein conteyned, shall not extend to geeue any Minister or Judge ecclesiasticall any iurisdiction to hold plee of any matter, cause, or thing, being contrarie or repugnãt to, or against the effect, intent, or meaninge of the statute of Westminster ij. the v. cap. the statutes of Articuli cleri, Circumspectè agatis, Silua cedua, the Treatise de Regia prohibicione, ne against the statute of Anno primo Edwardi tercij the x. chapiter, or any of them, ne yet hold plea in any matter whereof the kinges Court of right ought to haue iurisdiction: any thinge herein conteined to the contrarie in any wise notwithstanding.

Provided neuertheleſſe, where heretofore such a custome hath ben in many partes of wales, that of sach cattel and other goods as hath ben geeuen with the mariage of any person, their tiths haue ben exacted & leuied by the parsons and curates in those partes, which custome beeing dissonaunt from any part of this Realme, as it seemed when the

said

said countrey of Wales, was through ciuill discention vnculted, for want of other sufficient profites, that might otherwise growe to the Curates and ministers there, to haue ben for that time tollerable, so now ꝑ countrey being well manured and husbanded, & that tithe is duely paied there of corne, hay, wooll and cheese, and of other increase of all maner of cattell, as it is commonly in all other partes of this Realme, the same custome seemes to be greuous and vnreasonable, specially where the benefices are ell sufficient for the finding of the saide Ministers and Curates: That it bee therefore enacted by the authoritye aforesaide, that from and after the first day of May next comming, no such tithes of mariage goodes be exacted or required of any person within the said dominion of Wales, or Marches of the same: any thing in this acte conteined or any other acte, custome, prescription, had or made to the contrarie hereof, notwithstanding.

¶ An acte for the limitacion of prescripcion in certaine cases made in the second Session of the first Parliament. 1. M. cap. 5.

¶ Limitacion. 2.

THe said former act made in the said xxx yere of the Raigne of the said late kin Henry ‡ which is before 32. H. 8. cap. 2

Limitacion 3

Limitacion 3. ‡ or any article, clause, sentence, or matter therein conteined, shal not extend to any Writ of right of aduowson, Quare impedit, or assise of Darrein presentment, or Iure patronatus, nor to any Writ of right of ward, Writ of Rauishment of Ward, for the wardship of the body, or for the wardship of any castels, honors, manors, landes, tenenentes, or hereditamēts holden by knights seruice, nor to the seiser of the wardship of the bodie of any warde or wardes, or to the seiser or wardship of any castels, honours, manors, landes, tenements, or hereditamēts holden by knights seruice, but that all and euery person and persons, bodies politike and corporate, their heires and successours, the heires and successors of euery of them shall and may haue, mainteine, and pursue, all and singuler the said Writtes of right of aduowson, Quare impedit, assise of Darreine presentment, Iure patronatus, Writtes of right of warde, Rauishment of warde, and also seise the wardshippe both of the body, and of the castels, honors, manors, landes, tenements, & hereditaments holden by knights seruice, in like maner & forme, to al intents, constructions & purposes, as they or any of them should or might haue done, made, or pursued before the making of the saide acte, made in ye said xxxij. yere ‡ cap. 2. ‡ as though the same acte had neuer beene had or made: any thing in the said former act to the contrarie notwithstanding.

¶ An

¶ An acte against Fraudulent deedes, gifes, grauntes, alienations &c. Anno 13. Eliz. cap. 5.

¶ Fraudulent deedes. 1.

For the auoydinge and abolishing of feyned, couenous and fraudulent feoffements giftes, grauntes, alienations, conueyaunces, bondes, suites, iudgementes, and executions, aswel of landes and tenements as of goodes and cattels, more commonly vsed and practised in these dayes, then hath bene seene and heard of heretofore: wherby feoffements, giftes, grauntes, alienations, conueyaunces, bondes, suites, iudgementes, and executions, haue beene and are deuised and contriued of malyce, fraud couine, collusion, or guyle, to the ende purpose, and intent, to delay, hynder or defraude creditours, and others of their iust and lawfull actions, suites, debtes, accomptes, dammages, penalties, forfaitures heriots, mortuaries, and reliefes, not onely to the let or hinderance of the due course & execution of law and iustice, but also to the ouerthrow of all true and plaine dealynge bargaynyng and cheuisance, betwene man and

and man, without the whiche no common wealth or ciuyll societie can be mainteined or continued. Be it therefore declared, ordeyned & enacted by auctoritie of this present parliament, that all and euery feoffement, gift, graunt, alienation, bargaine, and conueiance of landes, tenements, heredytanents, goodes, and cattelles, or of any of them, or of any lease, rent, common, or other profite or charge out of the same lãds, tenementes, hereditamentes, goodes, and cattels, or any of them, by writing or other wise: And all and euery bonde, suit, iudgement & execution, at any time had or made hithence the begining of the Mueenes Maiesties raygne that now is, or at any tyme hereafter to be had or made, to or for any intent or purpose, before declared and expressed, shalbe from henceforth deemed & taken onely as against that person or persons, his or their heires, successors, executours, administrators, and assignes, and euery of them, whose actions, suits, debtes, accõpts, dammages, penalties, forfaitures, heriotes, mortuaries, and reliefes, by such guyleful, ouenous, or fraudulent deuises & practises, as is aforesaide, are, shall, or mought be in any wise disturbed, hindered, delayed, or defrauded) to be clearely and vtterly voyde, frustrate, and of none effect: any pretence, colour, fayned consideration, expressing of vse, or any other matter or thing to the contrary

notwith-

notwithstanding.

¶ And be it further enacted by thauthoritie aforesaide, that all and euery the parties to such fayned, couenous, or fraudulent feoffement, gift, graunt, alienation, bargaine, conueyaunce, bondes, suites, iudgementes, executions, & other thinges before expressed, or being priuie & knowing of the same, or any of them, which at any time after the tenth day of June next commyng shall wittingly and willingly put in vre auow, maintein, iustifie or defend the same or any of them, as true, simple, and donne had or made, bona fide, and vpon good consideration, or shall alyen or assigne any the landes, tenements, goodes, leases, or other thinges before mencioned, to him or them conueyed, as is aforesaid, or any part thereof, shall incurre the penaltie & forfaiture of one yeres value of the said lands, tenemēts and hereditaments, leases, rents, commons or other profits, of, or out of the same, & the whole value of the said goodes and cattell and also so much money, as are or shalbe conteyned in any such couenous and fayned bonde: the one moitie whereof to be to the Quenes Maiestie, her heires & successor and thother moitie to the partie or parties greued by such fained and fraudulent feffement, gifte, graunt, alienation, bargaine, conueyance, bondes, suites, iudgementes, executions, leases, rentes, commons, profite

ftes, charges, and other thinges aforesaid, to bee recouered in any of the Queenes Courtes of record, by action of debt, bill, plaint, or information, wherein none essoine, protection, or wager of law shalbee admitted for the defendant or defendaunts, and also being thereof lawfully conuicted, shall suffer imprisonment for one halfe yere without baile or mainprise.

Prouided alwaies, and be it further enacted by the aucthoritie aforesaide, that whereas sundry common recoueries of lāds tenements, and hereditaments haue heretofore ben had, and hereafter may bee had against tenant in taile, or other tenant of the freehold, the reuersion or remainder, or the right of reuersion or remainder then beeing in any other person or persons, that euery such common recouerie heretofore had, and hereafter to be had of any lands, tenements, or hereditaments, shall as touching suche person and persons, whiche then had any remainder or reuersion, or right of remainder or reuersion, and against the heires of euery of them: stand, remaine, and be of such like force and effect, and of none other, as the same should haue bene, if this acte had neuer bene had ne made.

Prouided alwayes, & be it further enacted by thaucthority aforesaid, that this act or any thing therein conteined, shal not extend to make void any estate or conueiance,

by

by reason whereof any person or persons shal vse any voucher in any writ of Formedō now depending, or hereafter to be depēding, but that all & euery such vouchers in any writ of Formedon, shall stand and be in lyke force and effect, as if this act had neuer bene had ne made: any thinge before in this acte conteyned, to the contrarie notwithstanding.

¶ Prouided also, and be it enacted by the authoritie aforesaide, that this acte, or any thing therein contained shal not extende to any estate or interest in landes, tenements, hereditaments, leases, rents, commons, profites, goods, or cattels, had, made, conueyed, or assured, or hereafter to be had, made, conueyed, or assured, which estate or interest, is or shalbe vpon good cōsideration, & bona fide lawfully conueyed or assured to any person or persons, or bodies politike or corporate, not hauing at the time of such conueyance or assurance to them made, any maner of notice or knowledge of such couine, fraude, or collusion, as is aforesaid: any thing before mencioned to the contrarie hereof notwithstanding. This act to endure vnto the ende of the first session of the next parliament, & An. 14. Eliz. ca. 4. continued vnto the ende of the next parliament, and 27. Eliz. cap. 11. continued vnto the ende of the next parliament.

¶ An

¶ An Acte that the exemplification or constat of letters patents, shal be as good and auailea-ble as the letters patents them selues

Aū 13. Eliz. cap. 6. Graunts 3.

FOr the auoiding of al such doubts, questions, and ambiguities, as heretofore haue risen and bene moued, and of such as hereafter might rise and be moued, in and vpon the statute made in the parliament begunne and holdē at Westminster the iiij. day of Nouember, in the third yere of the raigne of our late soueraigne lord king Edwarde the sixt, entituled an act concerning graunts and gifts, made by patentees out of letters patents, ¶ which is 3. E. 6. cap. 4. Graunteē 2. ¶ and for a due and full supply of all such wantes as may bee thought to be therein: Be it enacted and declared by the authority of this present parliament, that al and euery patentee and patentees, their heires, successours, executors, and assignes, and all and euery other person and persons, hauing by, or from them or any of them, or vnder their title: any estate or interest, of, in, or to any landes, tenements, or hereditaments, or any other thing whatsoeuer, to such patentee or patentees heretofore graūted by any letters patents, either of the most famous princes king Henry the eight, king Edwarde the sixt, Queene Mary, king phillip & Queene Mary, or by any of them, or by the Queens most excellent Maiestie that now is, at any

time ſithence the tiij. day of Febrzuary. in the xxviij. yere of the raigne of the ſaid late king Hēry the eight. oz els by the Mucenes maieſtie that now is, her heires oz ſucceſſours, at any time hereafter to be graunted, ſhall and may at al times hereafter, in any of the Mucenes highnes courts, her heires, oz ſucceſſozs, and els where, by the authozitie of this pzeſent act, make and conuey, & bee alowed and ſuffered to make and conuey, to & foz him, thē, & euery of them ſelues, ſuch claime, oz title, by way of declaratiō, plaint, auowrie, barre, replication, oz other pleading whatſoeuer, aſwel againſt ỳ Mucenes highnes her heires, & ſucceſſours, & euery of them, as againſt al & euery other pſon & pſons whatſoeuer, foz oz concerning ỳ lands, tenements, hereditaments, oz other things whatſoeuer ſpecyfied oz conteined in any ſuch letters patents, oz of, foz, oz concerning any part oz parcel thereof, by ſhewing fozth an exemplification oz conſtat, vnder ỳ great ſeale of Engiād, of the inrolment of ỳ ſame letters patēts, oz of ſo much thereof, as ſhal and may ſerue to, oz foz ſuch title, claime, oz matter, the ſame letters patents then being and remaining in fozce, not lawfully surrēdzed noz cancelled, foz oz concerning ſo much & ſuch part and parcell of ſuch lands, tenements, hereditamts, oz other thing, where unto ſuch title oz claime ſhalbe made, as if the ſame letters patents ſelfe were pleaded and ſhewed fozth: any lawe, vſage, oz other thing

[illegible] alfouts hoth [illegible], hered: [illegible] ſauoure [illegible] advantement ſi [illegible] deſubiect: Inſt: 225: b

thinge, whatsoeuer to the contrarye notwithstanding.

¶ An Acte against Vsury Añ 13. Eliz. Cap. 8.

¶ Vsurie. 6

Where as in the Parliament holden the xxxvij. yere of the Raigne of our late soueraigne Lorde king Henrye the eight of famous memory §cap. 6. Vsurie 6. § there was then made & established one good acte for the reformation of vsurye, by which act ỳ vice of vsury was wel repressed & especially the corrupt cheuisance & bargaining by way of sale of wares, & shifts of interest. And where since ỳ time by one other act made in the v. & vi. yeres of the raigne of our late soueraigne lord king Edwarde the 6. §ca. 20. § the said former act was repealed, and new prouisoes for repressing of vsurye deuised and enacted, which said latter acte hath not done so much good as was hoped it shoulde, but rather the said vice of vsury, and specially by way of sale of wares and shiftes of interest, hath much more exceedingly abounded, to the vtter vndoing of many gentlemen, marchants, occupiers & other, & to the importable hurt of the cõmon wealth, as wel for ỳ in ỳ said later acte there is no prouision against such corrupt shiftes and sales of wares, as also for ỳ there is no difference of paine, forfaiture, or punishement, vpon the greater or lesser exactions &

oppressions, by reason of lones vpon vsury: Be it therefore enacted, that the said later statute made in the v. and vij. yeares of the raigne of king Edward ye 6. ca. 20 & euery branch and article of the same, from & after the xxv. day of June next comming, shalbe vtterly abrogated, repelled, & made voide, & that the said acte made in the said xxxvij. yere of king Henry the eighth ca. 6. from & after the saide xxv. day of June next commynge shalbe reuiued, & stand in full force, strength and effect.

¶ And be it further enacted, that al bondes, contracts, & assurances, collaterall or other, to be made for payment of any principall, or money to be lent, or couenant to be performed vpō or for any vsury, in lending or doing of any thing against the said act nowe reuiued, vpō or by which lone or doing, there shalbe reserued or taken aboue the rate of x. poundes for the hundred for one yere, shall be vtterly voide.

¶ And be it further enacted, that all Brokers, solicitors, & driuers of bargaines, for contracts or other doings against the sayde statute now reuiued, wherupō shalbe reserued or taken more then after the rate of x. li. for the lone of C. li. for a yere, shalbe to al intēts & purposes, iudged, punished, & vsed as Counsellours, attourneis, or aduocates, in anie case of premunire.

¶ And forasmuch as all vsury being forbidden by the law of God, is sinne & detesta-

ble: Be

ble: Be it enacted that al vsury, lone, & forbearing of mony, or geuing daies for forbearing of money by way of lone, cheuisaunce, shifte, sale of wares, cōtract, or other doings whatsoeuer for gaine, mentioned in the said statute which is now reuiued, whereupō is not reserued, or taken, or couenanted to be reserued, paide, or geuen to ye lender, cōtracter, shifter, forbearer, or deliuerer, aboue the summe of x.li. for the lone or forbearing of a C.li. for one yere, or after ye rate for a more or lesser sūme or time, shalbe frō the xxb. day of June next cumming, punished in fourme folowing, that is to say, that euery such offēdor against this brauch of this presēt statute, shal forfait so much as shalbe reserued by way of vsury, aboue the principall, for any money so to be lent or forborne. All such forfaitures to be recouered & imploied as is limitted for forfaitures by the saide former statute now reuiued.

And be it further enacted that Justices of Oier & Terminer, & Justices of assise in their circuits, Justices of peace in their sessions, maires, sherifes, & bailifes of Cities, shal also haue ful power & authority to enquire, heare, & determine, of all and singuler offences committed against the said statute now reuiued.

And be it further enacted, ye the said statute now reuiued, shalbe most largelie and strongly cōstrued for the repressing of vsury & against al persōs that shall offend against

the true meaning of the said statute by any way or denise, directly or indirectly.

¶ Prouided alway, that this statute doth not extend, nor shalbe expounded to extende vnto any allowances or payments for the finding of Orphanes, according to the auncient rates, or customes of the citie of London, or any other Citie where like order is for the custodye of Orphanes & their goods as in the said city of London.

¶ Prouided alwaies, and bee it further enacted by the authority aforesaid, that if any person or persons, shall from & after the said xxv. day of June, offende contrarye to the saied statute reuiued by this present act made in the xxxviij. yere of the raygne of the said late king Henry the eyghth ca. 6. that then al and euery such offendour and offendours, shal and may also be punished & corrected, according to the Ecclesiastical lawes heretofore made against vsurie. And that all and euery person and persons offendinge in vsurie, shiftes, or cheuisance against this present act, and not taking or receiuing but onely after the rate of x. pounds in the hundred, or vnder, for a yere, shalbe onely punished by the paines & forfaitures prouided and appointed by this acte against such as shall not take or receiue ouer and aboue the rate of x. poundes in the hundred for a yere, and not otherwise. This act to continue and endure for and during the space of fiue yeres, next after the end of this present

Parlia-

Parliament, and from thence onto the ende of the first Session of the Parliament then next ensuing.

¶ And be it further enacted by the authoritie aforesaide, that if this present act shall not be continued in the first Session of the Parliament next ensuing the said terme of v. yeres, and then in the same Session no other statute or prouision made against vsury or corrupt chewisance, ỳ then all & euery the lawes & statutes repelled by this act, shal remaine and be of such like force & effect, as if this present act had neuer bene had ne made §Vide 5. E. 6. ca. 20. 9. § This statute of 13 Eliz. is cõtinued by 27. El. ca. 11. to thende of the next Parliament.

¶ An Acte against fraudes, defeating remedies for dilapidations of Ecclesiastical liuings, & for Leases to be graunted by collegiate churches 13. El. cap. 10.

Leases 4.

FOr that long & vnreasonable leases made by colleges, Deane & chapters, parsons, vicars, & other hauing spiritual promotions, be the chiefest causes of dilapidations & the decay of al spirituall liuings & hospitalitie, & ỳ vtter impouerishing of al successors incumbents in the same. Be it enacted by the authoritie aforesaid, that from henceforth al leases, giftes, graunts, feoffements,

conueyāces, or estates, to be made, had, done, or suffered, by any master & fellowes of any colledge. Deane & chapter of any Cathedral or collegiat church, master or gardien of any hospital, parson, vicar, or any other hauing any spiritual or ecclesiastical liuing, or any houses, lāds, tithes tenemēts, or other hereditamēts being any parcell of the possessions of any such college, Cathedrall church chapter, hospitall, personage, vicarage, or other spiritual promotion, or any waies appertaining or belonging to the same, or to any of thē, to any persō or persons, bodies politike or corporate (other then for the terme of xxi. yeres, or three liues, frō the time as any such lease or graūt shalbe made or graūted, wherupō the accustomed yerely rent or more shal be reserued & payable yerely during the said terme) shalbe vtterly voide & of none effecte to al intents, constructions, & purposes: any law, custome, or vsage, to the contrary any waies notwithstanding.

¶ Prouided neuertheleſſe, and be it enacted by thauthority aforesaid, ỳ this act nor any thing therein contained, shalbe taken or cōstrued, to make good any lease, or other grāt to be made by any such colledge, or collegiate church, within either of both the Vniuersities of Oxforde & Cambridge, or els where within the Realme of Englande, for more yeres then are limitted by ỳ priuate statute of the same Colledge.

¶ Prouided alwaies, that this act shal not extende

extende to any lease hereafter to be made vpon surrender of any lease heretofore made, or by reason of any couenãt or cõdition, cõtained in any lease heretofore made, & nowe cõtinuing, so ꝑ the lease to bee made dow not conteine more yeares then the residue of the yeres of the former lease nowe continuinge shalbe, at the time of such lease hereafter to be made, nor any lesse rent then is reserued in the said former lease ¶ See a statute made 1. Eliz, which is vnprinted concerninge exchaunges to be had betwene the Queenes Maiestie & Bishops, what leases & assurãces bishops may make. Leases 4. See also one other statute made the sayd 13. yere ca. 20. Leases 5. and certaine braunches of the statute made 14. Eliz. ca. 11. touchinge leases, & charges by such incumbents, & the other matters of this statute which are omitted, because they are not yet perpetuall.

¶ Recoueries.

¶ An Acte for the auoidinge of recoueries suffred by collusion by tenants for terme of life, and such others. An. 14. Eliz. cap. 8.

¶ Recoueries. 5.

Where diuers persons being seised, or that had bene seised of landes, tenementes, and hereditamentes, as tenauntes by the curtesie of England. tenãts in taile after possibilitie of issue extincte, or otherwise, onely for terme of life or liues, or

of estates determinable vppon lyfe or liues, haue heretofore permitted & suffered, other persons, by agrement or couine betwene thē had, to recouer the same landes, & tenementes & other hereditamētes against the same particuler tenants, in the Queenes Maiesties court, or haue permitted & suffered themselues to be vouched by other persōs, by agrement or couin betwene them had in recoueries suffered of the same lands, tenementes, & other hereditamēts, in the Queenes Maiesties court, to the great preiudice of those to whom the reuersion or remainder thereof hath appertained, or ought to appertaine.

¶ For remedy whereof, be it enacted by the Queenes most excellent Maiestie, with the assent of the Lordes spirituall and temporal, & the commons in this present parliament assembled, & by auchority of the same that al such recoueries, hereafter to be had or prosecuted, by agreement of the parties, or by couin, as is aforesaide, against anie such particuler tenaunt of any landes, tenements, or hereditaments, whereof the same particuler tenant is, or hereafter shalbe seised of any such particuler estate as is aforesaid, or against any other, with voucher ouer of any such particuler tenaunt, or of anie hauing, or that had right or title to anie such particuler estate or tenaunce, as is aforesaide: shall from henceforth, as against such person or personnes to whom anie reuersion or remainder thereof, by force of any con=

Cf act expend a nul verow fmō fort ꝑ agrement; 2, Independal verow out in Bouche Just: 362: a.

conueiance or deuise before that time had or made, shall, ought, or lawfully may appertaine, & against their heires & successours, be clerely & vtterly voide & of none effect; anie law or vsage heretofore had to the contrary thereof, in any wise notwithstanding.

¶ Prouided alway, that this act nor any thing therein contained, shal not exted, or be preiudiciall to any person or persons, that shal hereafter by good title, recouer any lands tenementes, or hereditamentes, wythout fraud or coun, by reaso of any former right, or title, but that al & euery such recouery, & recoueries so to be had or prosecuted vppon former rights or titles, shal stand and be in lyke force, strōgth & effect, as they were before the making of this act: any thing herein contained to the contrary in any wise notwithstanding.

¶ Prouided also, that al & euery such recouery & recoueries, to be had or prosecuted, of any lands, tenements, or hereditaments, as aforesaid, by the assent & agreement of any person or persons, to whom any reuersio or remainder thereof then shal or ought to appertaine (so ỏ the same assent & agreement doe appeare of record in any court of our soueraigne Lady the Queenes Maiestye, her heires or successors) shal stande & be in like force strength, & of like effect, against such p son & persōs that shal so assent & agre, their heires and successours, as they were before the making of this acte, any thinge herein

contained

Cā appear de record dont ēr ze Bouthar, restit, eide priv ou [illegible]. et ndmy ze cler exhaundir entre ou manūoranda: Inst: 362

contained to the contrary, in any wise notwithstanding.

¶ Be it further enacted by the authoritie aforesaid, that one act made in the xxxij. yere of our late soueraigne Lorde kinge Henry the eight, entituled. An act for the auoiding of recoueries by collusions by tenauntes for terme of life. § An. 32. H. 8. cap. 31. shall be from the first day of July next ensuing repealed: and shal no longer stand in force.

¶ Iurours.

¶ An Acte declaring that the tenant & defendant may haue a tales de circumstantibus, as well as the demaundant or pleintife 14. Eliz. cap. 9. Iurours 20.

FOr the auoidinge of great & chargeable delayes oftentymes happening vnto tenaunts and defendaunts: Be it enacted that in al cases whereas the partie plaintife or demãdant by any statute heretofore made may haue vpõ his or their request made vnto the Justices of Nisi prius, within thys Realme of Englande, or to the Justices of Oier, or of assises, of ye xij. shires of Wales, & the countie palãtines of Lãcaster, Chester, & Durham, a tales de circumstantibus, that in al and euery such case & cases, the party & parties, tenaunts, actours, auowants, & defendants (if the plaintifes or demaundants shal vpon the calling of the principal panell

or

or Iury forbeare or refuse to pray the same) shal & may vppon his or their request or desire, haue vpon the same recorde, & by ꝑ same Iustices, the tales or talesles vnto thē grāted, in lik, maner, fourme, & degree, to al respectes & purposes, as the plaintife or demādant in any suit or action may haue the same by any statute, or ordinance heretofore made or sets forth, and the rather for the speedy triall of the issue and issues ioyned, or hereafter to be ioyned in any plee, suit or action: any lawe, custome, or vsage heretofore vsed to the cōtrary thereof in any wise notwithstanding.

¶ Prouided also, & be it further enacted by the authoritie aforesaid, that al populer actions, informations, billes, or suites, cōmenced or had, or hereafter to be commenced or had in any the Quenes Maiesties courtes of record, vpon any penal lawes or statutes wherein any person doth, or shal sue, or prosecute, or informe, as wel for the Quenes Maiestie, her heires, and successours: as for him selfe, whereupon issue is or shalbe ioyned to be tryed by the countrey, that therein the partie defendaunt or defendauntes shalbee admitted to pray and haue a tales de circumstantibus, as in other cases aforesaid.

§ Hee touching Iurours de circumstantibus 35. H. 8. cap. 6. Iurours 17. made perpetuall 2. Ed. 6. cap. 32. et 4. & 5. P. & M. cap. 7. Iurours 18. et 5. Eliz cap. 25. Iurours 19.

¶ An

¶An Acte against couenous and Fradulent conueiances 27. Elizabeth Cap. 4.

FOr remedye of which inconueniences, and for the auoiding of fradulent, fayned, & couenous conueiaunces, gifters, graunts, charges, vses and estates, and for the maintenaunce of vpright and iust dealing in the purchasing of lands, tenements & hereditaments: Be it ordeined & enacted by the authoritie of this present parliament, that & euery conueiance, graunt, charge, lease, estate, incumbrance and limitation of vse or vses, of, in, or out of any lands, tenementes, or other hereditaments whatsoeuer, had or made any time heretofore within the beginning of the Queenes maiesties raigne that now is, or at any time hereafter to be had or made, for the intent & of purpose to defraud and deceaue such person or persons, bodies politike or corporate, as haue purchased, or shal afterwardes purchase in fee simple, fee taile, for life, liues or yeres, the same lands, tenements & hereditaments, or any part or parcel thereof, so formerly conueied, graunted, leased, charged, incumbred or limitted in vse, or to defraude & deceiue such as haue, or shal purchase any rent, profite or commoditie, in, or out of the same, or any part thereof shalbe deemed & taken onely as against that person & persons, bodies politike & corporate

his

his and their heires, successors, executors, administrators & assignes, & against all and euery other person & persons lawfully hauing or claiming by, from or vnder them, or any of them which haue purchased, or shall hereafter so purchase for mony or other good consideration the same lands, tenements, or hereditaments, or any part or parcel thereof or any rent, profite or cõmoditie, in, or out of the same: to bee vtterly voide, frustrate and of none effect, any pretence, colour, fained cõsideration or expressing of any vse or vses, to the contrary notwithstanding.

And bee it further enacted by the auctheritie aforesaid, that al and euery the parties to such fained couenous and fradulent gifts, graunts, leases, charges, or conueiances before expressed, or being priuy & knowing of the same, or any of them which after the xx. day of Aprill next comming, shall wittingly and willingly put in vse, auowe maintayne, iustifie or defende the same, or any of them, as true, simple, and done, had, or made bona fide, or vpon good consideration to the disturbance or hinderaunce of the saide purchaser or purchasers, leassees, or graunteés, or, of, or to the disturbaunce or hinderance of their heires, successors, executors, administrators, or assignes, or such as haue, or shall lawfully claime any thing, by, from or vnder them, or any of them: shall incurre the penaltie & forfaiture of one yeres value of the said lands, tenements, and

hereditaments

hereditamēts so purchased or charged. The one moitie whereof to bee to the Quænes Maiestie, her heires and successors, and the other moitie to the partie or parties grieued by such fayned and fradulent gift, graunt, lease, conueyance, incumbraunce, or limitation of vse, to bee recouered in any of the Quænes courtes of Record, by action of debt, bill, plaint, or information, wherein no essoyne, protection or wager of law, shal be admitted for the defendāt or defendants: and also being thereof lawfully conuicted, shall suffer imprisonment for one halfe yere without baile or mainprise.

Prouided also and be it enacted by the authoritie aforesaid, that this acte or any thing therein contained, shall not extend or be construed to impeach, defeate, make void, or frustrate any conueyaunce, assygnement of lease, assuraunce, graunt, charge, lease, estate, interest or limitation of vse or vses, of, in, to, or out of, any landes, tenements or hereditaments heretofore at any tyme had or made, or hereafter to be had or made, vppon or for good consideration and bona fide, to any person or persons, bodies politique or corporate, any thing before mencioned, to the contrary hereof notwithstanding.

¶ And be it further enacted by the authoritie aforesaid, that if any person or persōs, haue heretofore sithens the beginning of ye Quænes Maiesties raigne that nowe is, made, or hereafter shal make, any conueiāce,

gift,

Page 101