A

Law Glossary

OF THE

Latin, Greek, Norman, French, and other Languages;

INTERSPERSED IN

THE COMMENTARIES BY SIR W. BLACKSTONE, KNT.
AND VARIOUS LAW TREATISES
UPON EACH BRANCH OF THE PROFESSION:

TRANSLATED INTO ENGLISH, AND ALPHABETICALLY ARRANGED.

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THOMAS DAVISON, WHITEFRIARS.

PREFACE.

IN the present age, as science and learning advance apace, the laws and customs of our ancestors, upon which our civil and municipal rights are founded, should be seriously considered and well understood. Any production, it is presumed, will be acceptable, which tends to facilitate so essential a study.

The celebrated Commentaries of Sir William Blackstone abound in Latin, Greek, French, Norman, and other sentences, illustrating his opinions in the language of the writers from whom he derived them. The reputation which that grand digest of our laws has acquired, proves its superiority and general estimation. The other works from whence I have taken the extracts are treatises upon each branch of the law, together

with the justice of the peace. In the whole of them are interspersed numerous sentences, the very essence of which is enveloped in foreign languages, difficult to translate, and the literal meaning of which appears unconnected with the subject, unless the many idioms of each language are observed with the strictest scrutiny.

I have adhered as closely as possible to a literal translation, that the matter of the original extracts might be faithfully interpreted: in a few cases the obscurity of the ancient law phrases has obliged me to insert an explanation; in others, to add a second translation. The alphabetical arrangement will afford immediate reference and information.

I take this opportunity of acknowledging the assistance I have derived from the abilities of my friends, Mr. Henry Young and Mr. J. T. Gogerly, in the preparation of this Glossary.

LAW GLOSSARY.

A.

Ab antiquo. Of an ancient date; of old.

Ab ardendo. From burning; whence *arson.*

Abavus. A grandfather's grandfather.

Abigei. Stealers of cattle.

Ab ingressu ecclesiæ. From the entrance of the church.

Ab initio. At (or from) the begirning.

Ab intestato. From (or by) an intestate.

Ab olim consensu regis et magnatum regni Angliæ. Formerly by consent of the king, and the great men of the kingdom of England.

Ab olim ordinatum. Formerly ordained.

Absolutum et directum dominium. An absolute and direct lordship.

Absque generali senatus, et populi conventu et edicto. Without the general convention and edict of the senate and the people.

Absque hoc. Without this.

Absque impetitione vasti. Without impeachment of waste.

Absque purgatione facienda. Without purgation being made.

Absurdum etenim clericis est, immo etiam opprobriosum, si peritos se velint ostendere disceptationum esse forensium. For it is absurd, nay even disgraceful, that the clergy should make a boast of their skill in forensic debates.

Accedas ad curiam. That you go to the court.

Accessorium non ducit, sed sequitur, suum principale. An accessory does not lead, but follows, his principal.

Accessorius sequitur naturam sui principalis. An accessory follows the disposition of his principal.

Ac etiam. And also.

Actiones compositæ sunt, quibus inter se homines disceptarent; quas actiones, ne populus prout vellet institueret, certas solennesque esse voluerunt. Actions are disposed, by which men dispute amongst themselves; which actions are made definite and solemn, lest the people proceed as they think proper.

Actiones in personam, quæ adversus eum intenduntur, qui ex contractu vel delicto obligatus est aliquid dare vel concedere. Personal actions, which are brought against him, who, from a contract or fault, is obliged to give or allow something.

Actio non accrevit. An action has not accrued.

Actio non habere debet. An action cannot hold.

Actio personalis moritur cum persona. A personal action ceases with the death of the party.

Actor. A plaintiff.

Actores fabulæ. Agents of a fiction: players.

Actum agere. To labour in vain.

Actus Dei nemini facit injuriam. The act of God causes injury to no man.

Actus non reum facit nisi mens sit rea. An act does not make a man guilty, unless the mind be guilty.

Ad computandum et rehabendam terram. To account and to repossess the land.

Ad admittendum clericum. To admit a clerk in orders.

Ad aliud examen. To another trial (or jurisdiction.)

Ad annum vigesimum primum, et eo usque juvenes sub tutelam reponunt. To the twenty-first year, and so far, they reserve youths under protection.

Ad assisas capiendas. To take assizes.

Ad audiendum errores. To hear errors.

Ad audiendum et determinandum. To hear and determine.

Ad colligendum bona defuncti. To collect the goods of the deceased.

Ad communem legem. At common law.

Ad consentiendum. To consent; to agree.

Ad consulendum,—ad defendendum regem. To advise with,—to defend the king.

Ad damnum. To the loss, (or) damage.

Ad damnum ipsorum. To the damage of them.

Addenda. Additions.

Ad executionem decretorum judicii, ad æstimationem pretii, damni, lucri, &c. To the execution of the decrees of judgment, to the valuation of the sum, the damage, profit, &c.

Ad exhæredationem episcopi vel ecclesiæ. To the disinheriting of the bishop, or the church.

Ad exhæredationem ecclesiæ. To the disinheriting of the church.

Ad faciendum attornatum. To appoint an attorney; to appear by attorney.

Ad hoc autem creatus est et electus, ut justitiam faciat universis. For he was created and chosen for this office, that he dispense justice alike to all.

Adhuc existit. It still exists.

Ad infinitum. To eternity.

Ad informandam conscientiam. To inform the conscience, (or remembrance.)

Ad inquirendum. To inquire into.

Ad instructiones reparationesque itinerum et pontium, nullum genus hominum, nulliusque dignitatis ac venerationis meritis, cessare oportet. That no description of persons, however deficient in dignity and consequence they be, should refuse their aid in the building and repairing of roads and bridges.

Adjudicabitur reus ad legem suam duodecima manu. A defendant shall be adjudged to wage his law by twelve compurgators.

Ad libitum. At will, (or pleasure.)

Ad nocumentum liberi tenementi sui. To the injury of his free holding.

Ad ostium ecclesiæ. At the door of the church.

Ad patriam. To the country.

Ad quod dammum. To what damage.

Ad rationem ponere. To put (or call) to account.

Ad reson. To call to account, (or answer.)

Ad studendum et orandum. To study and pray.

Ad synodos venientibus, sive summoniti sint, sive per se quid agendum habuerint, sit summa pax. That the strictest respect be observed towards the members coming to the general councils, whether they be summoned to attend, or come of their own accord, for the despatch of business.

Ad terminum qui præteriit. For a term which has passed by.

Ad tractandum et consilium impendendum. To exercise and deliver advice.

Ad valorem. To the value.

Ad veniendum coram justiciariis ad compotum suum reddendum. To come before the judges to render his account.

Advocati fisci. Advocates of the revenue.

Advocatio. Advowson.

Æque bonis adnumerabitur etiam, si quid est in actionibus, petitionibus, persecutionibus. Nam et hæc in bonis esse videntur. It will be accounted alike for goods also, if there be any thing in deeds, petitions or process. For those things also seem to be in goods.

Æquitas sequitur legem. Equity follows law.

Ætas infantiæ proxima. The age next to infancy.

Ætas pubertati proxima. The age next to puberty.

Affeere. To assess an amercement.

Affeerment. An amercement assessed.

Affeerors. Assessors of amercements.

Affraier. To terrify.

A fortiori. By so much stronger; on the stronger side.

Agentes et consentientes pari pœna plectantur. That the doers and abettors be subject to a like punishment.

Agere actum. To labour in vain.

Agnati. Kindred, by the father's side.

Agri ab universis per vices occupantur: arva per annos mutant. Fields are held by all occupiers in turns: tilled lands change by years.

Agnus Dei. The lamb of God.

Aiel. A grandfather.

A latere. By the side; in attendance.

Al common ley, avant le statute de West. 1. c. 12. *Si ascun ust estre appeal, et ust estre mute, ill serra. convict de felony.* At common law,

before the statute of Westminster, 1. chap. 12. if any person was charged with an offence, and that he remained mute, he was convicted of felony.

A lege suæ dignitatis. By right of his dignity.

Alia enormia. Other great wrongs.

Alias dictus. Called (or named) in another manner.

Alibi natus. Born in another place.

Alieno solo. In another's soil.

Aliquo modo destruatur. That he be in any manner destroyed.

Aliter. Otherwise.

Aliter quam ad virum, ex causa regiminis, et castigationis uxoris suæ, licite et rationabiliter pertinet. Otherwise than lawfully and reasonably belongs to a husband, from a cause of governing and chastising his wife.

Aliudve quid simile si admisserint. Or if they have admitted (or committed) any thing of a like sort.

Allocatur. He allows.

Allodium. Alodium. A free manor; a freehold.

Alta proditio. High treason.

Alterum non lædere. Not to injure another.

Ambiguitas latens. Latent ambiguity.

Ambiguitas patens. Plain ambiguity.

A mensa et toro. From table and bed.

Amicus curiæ. A friend of the court.

Amittere liberam legem. To lose the benefit of the law.

Amoveas manus. That you remove your hands.

A nativitate. From the birth.

Anglicè. In English.

Animalia feræ naturæ. Animals of a wild nature.

Animo furandi. With a felonious intent; with an intent of stealing.

Animo possidendi. With an intent of possessing.

Animo revertendi. With an intent of returning.

Animum furandi. An intent of stealing.

Animum revertendi. An intention of returning.

Animum testandi. An intent of making a will.

Animus furandi. An intent of stealing.

Animus quo. The intent with which.

Animus revertendi. An intent of returning.

Annates. First fruits.

Annotatione principis. By the signature of the prince.

Annus luctus. A year of mourning.

Ante. Before.

Ante litem contestatam. Before the action is proved; vid. before the plaintiff has declared.

Antiquam. Ancient, old.

A palatio. From a palace.

A patre. By (or from) the father.

Apices juris non sunt jus. The extremity of the law is injustice.

Appeller. To appeal; an appeal.

Apprendere. To learn.

Apprenticii ad legem. Apprentices to the law; barristers.

Apres ce, est tend le querelle a respondre; et aura congie de soy conseiller, s'il le demande; et quand il sera conseille, il peut nyer le faict dont il est accuse. After that, the Defendant is held to reply; and he shall have leave to imparl, if he require it; and when he has imparled, he may deny the act of which he is accused.

A priori. From the former; originally.

Apud. At.

A qua non deliberentur sine speciali præcepto domini regis. From which they be not delivered, without the special precept of our lord the king.

Aquatiles. Living in water.

Aquatilium alia sunt regalia, alia communia. Of water fowl, some are of royal right, others of common right.

Aqua vitæ. Water of life; brandy; spirits of wine.

Arbitrio boni viri. To (or by) the judgment of a good man.

Arcana imperii. The secrets of the empire.

Arcta et salva custodia. Close and safe custody.

A resn. To call to account (or answer).

Arrester. To arrest; to stay.

Arguendo. In arguing; in argument.

Argumentum ad hominem. Argument to the man; a personal application.

Armigeri natalitii. Esquires by birth.

Arrha. A proof of a purchase and sale being contracted.

Articuli cleri. The articles relating to the clergy.

Articuli super cartas. Articles upon the charters.

A societate nomen sumpserunt, regis enim tales sibi associant. They have derived their title from fellowship, for kings associate with them.

Asportavit. He has carried away.

Averia elongata. Cattle eloigned.

Assez. Enough.

Assignetura utem ei pro dote sua, tertia pars totius terræ meriti sui, quæ sua fuit in vita sua nisi de minori dotata fuerit ad ostium ecclesiæ. That the third part of the whole of the land which belonged to her husband, in his life-time, be assigned to her for her dower, unless a smaller dower was secured to her at the door of the church.

Assisa vertitur in juratam. The assize is changed to an inquest, (or jury.)

Assumpsit. He has promised.

Assumpserunt super se. They took upon themselves.

Astuti. Cunning; ingenious.

As usurarius. A pound, lent upon usury, (or at interest.)

Attacar, Attacare, Attacher. To tie; to make fast.

Attinctus. Attainted; stained; tainted.

Auditâ querelâ. The complaint being heard.

Augusta legibus soluta non est. The queen is not exempt from the laws.

Augusta regina conjux divi imperatoris. The august queen consort of the sacred emperor.

Aula regia. The royal palace; the king's court.

Aula regis. The palace (or court) of the king.

Aurum reginæ. The queen's gold.

Auter action pendant. Another action pending.

Auter droit. The right of another.

Auterfitz acquit. Formerly acquitted.

Autrefoits acquit. Formerly acquitted.

Autrefoits attaint. Formerly attainted.

Autrefoits convict. Formerly convicted.

Auxilia fiunt de gratia et non de jure,—cum dependeant ex gratia tenentium, et non ad voluntatem dominorum. Aids are granted of favour and not of right,—as those aids depend upon the kindness of the tenants, and not upon the will of the lords.

Averia carucæ. Beasts of the plough.

Averia elongata. Cattle eloigned.

A vinculo matrimonii. From the bond of marriage.

Avunculus. An uncle by the mother's side.
Avus. A grandfather.
Ayle. De avo. Of a grandfather.

B.

Baculus nunciatorius. The proclaiming staff.
Bagatelles. Trifles.
Bailler. To deliver.
Balneari fures. Rogues who frequented the baths: their object was to steal the clothes of those who washed there.
Banco. In bench.
Bancus ruptus. A bank broken.
Baret. A quarrel; contention.
Baron et feme. Husband and wife.
Barratta. A quarrel; contention.
Basileus. A king; a governor.
Bastard eignè. The eldest child born in concubinage, its mother being afterwards married to the father.
Bastart. One who is born in concubinage; a bastard.
Bedefordscire maner. Lestone redd' per annum xxii lib' &c. ad opus reginæ ii uncias auri. Bedfordshire manor. That Leighton pay every year twenty two pounds, &c. and two ounces of gold for the queen's use.
Beluinas, atque ferinas, immanesque Longobardorum legis accepit. Italy accepted the monstrous, wild, and savage laws of the Lombards.

Beneficia. Benefices: estates in fee.

Benigne interpretamur chartas propter simplicitatem laicorum. We explain deeds liberally, on account of the simple plainness of the laity.

Bereafodon. They bereaved.

Besaiel. A great grandfather.

Bestes. Beasts; denominated "Game."

Billa vera. A true bill.

Billæ nundinales. Fair (or market) bills.

Binos, trinos, vel etiam senos, ex singulis territorii quadrantibus. They were summoned by two, three, and even by six, from every quarter of the kingdom.

Birauban. To rob.

Biraubodedun. They robbed.

Blackmail. A sum of money extorted by vagrant marauders from persons residing on the northern borders, whose property would otherwise have been destroyed or carried away.

Bona Dea. The good (or propitious) Goddess.

Bona fide. With good faith, vid. without fraud.

Bona fide asportavit. He carried away his goods without fraud.

Bona fide; et clausulæ inconsuet' semper inducunt suspicionem. In good faith; as uncommon clauses always cause suspicion.

Bonæ fidei venditorem, nec commodorum spem augere, nec incommodorum conditionem obscurare oportet. It behoves a vendor, possessed of integrity, neither to increase the expectation of

benefits, nor to conceal the condition of disadvantages.

Bona forisfacta. Goods forfeited.

Bona notabilia. Noted goods: as bonds, specialties, bills of exchange, &c.

Bona vacantia. Stray goods; free goods.

Bona wairiata. Goods stolen and thrown away, (or dropped.)

Boni homines. Good men.

Borge; Borve. A pledge.

Bote. Amends; recompense.

Botes. Wood cut off a farm, by the tenant, for the uses thereof, and for other necessaries.

Brevia domini regis non currant. That the writs of our lord the king do not run.

Brevia formata. Formed writs.

Brevia magistralia. Magisterial (or official) writs.

Brevia testata. Attested writs.

Briefe de recto clauso. Writ of close right.

Brutum fulmen. Noise and nonsense.

Burgi latrocinium. The robbing of a castle; burglary.

Burglariter. Burglariously.

C.

Camera Stellata. The Star-chamber.

Campestres. Belonging to a field.

Campi partitio. Champerty (or) a division of soil: the act of purchasing another's right,

provisionally, that one half of the property sued for, when obtained, go to the champertor.

Campum partire. To divide a plain, (or field).

Cancellaria. The Court of Chancery.

Cancellarius. A Chancellor; the Lord Chancellor.

Cancelli. A chancel; the bar in a court of law.

Capias ad computandum de novo. That you take to account anew.

Capias ad satisfaciendum. That you take to satisfy.

Capias in withernam. That you take in lieu of reprisal.

Capias pro fine. That you take for the fine.

Capias, si laicus. That you take, if a layman.

Capias utlagatum. That you take the outlaw.

Capiat qui capere potest. Let him take who can take.

Capiatur. That he be taken.

Capitales, generales, perpetui, et majores; a latere regis residentes, qui omnium aliorum corrigere tenentur injurias et errores. They are principal, universal, perpetual, and superior; who sitting by the king's side are held to correct the wrongs and errors of all others.

Capitalis justiciarius in itinere. The chief Judge on circuit.

Capitalis justiciarius totius Angliæ. The Chief Justice of all England.

Capitalis plegius. Chief pledge.

Capitula de Judæis. The heads (or chapters) of a book concerning the Jews.

Capturam avium per totam Angliam interdixit. He interdicted the catching of birds throughout all England.

Caput, principium, et finis. The principal, the beginning, and the end.

Carta de Foresta. The Charter of the Forest.

Carte blanche. A white card, (or free permission.)

Cassetur billa vel breve. That the bill or writ be quashed.

Casus omissi. Cases unnoticed, (or omitted.)

Casus omissus. An opportunity neglected; a case omitted.

Catalla. Chattels; cattle.

Catalla otiosa. Dead goods; chattels.

Cateux sont meubles et immeubles: si comme vrais meubles sont qui transporter se peuvent, et ensuiver le corps; immeubles sont choses qui ne peuvent ensuivir le corps, niestre transportees, et tout ce qui n'est point en heritage. Chattels are moveable and immoveable: real moveable chattels are those which may be carried away, and follow the body; immoveable chattels are things which cannot follow the body, nor be carried away, and all that which is not in heritage.

Causa causans. An efficient cause.

Causa coadunandi lanam reginæ. For the purpose of collecting wool for the queen.

Causa jactitationis matrimonii. By reason of a vain boasting of marriage.

Causa matrimonii prælocuti. By reason of a marriage before mentioned.

Causa mortis. In prospect of death.

Causa venationis. For the purpose of hunting.

Cause de remover plea. Cause of removing a plea.

Caveat. That he take heed.

Caveat emptor. That the purchaser take heed.

Celeberrimo huic conventui episcopus aldermannus inter sunto; quorum alter jura divina, alter humana populum edoceto. At this most august session let a bishop and an alderman preside; let the one instruct the people in divine laws, the other in human laws.

Celles que trusts. Those trusts entitled to the purchase money, after payment of debts.

Census regalis. The annual revenue (or income) of the crown.

Centenarius (pl. Centenarii.) A petty judge, (under the "Vicecomes," sheriff, and deputy to the "Comes," chief governor of a county,) who had rule of a hundred, and judged smaller matters amongst them.

Centeni ex singulis pagis, sunt, idque ipsum inter suos vocantur; et, quod primo numerus fuit, jam nomen et honor est. The hundredors are chosen from all the counties, and are called so among themselves; and that which was at first a number, is now a name and honour.

Centesimæ. Interest paid at one per cent per month, (or) at twelve per cent per annum.

Ceo est le serement que le roy jurre a soun coronement: que il gardera et meintenera lez droitez et lez franchisez de seynt esglise grauntez auncienment dez droitez roys christiens d'Engletere, et quil gardera toutez sez terrez, honoures et dignites droiturelx et franks del coron du roialme d'Engletere en tout maner dentier le santz null maner damenusement, et lez droitez dispergez dilapidez ou perduz de la corone a soun poiair reappeller en launcien estate, et quil gardera le peas de seynt esglise et al clergie et al people be bon accorde, et quil face faire en toutez sez jugementez owel et droit justice oue discretion et misericorde, et quil grauntera a tenure lez leyes et custumez du roialme, et a soun poiair les face garder et affirmer, que lez gentez du people avont faitez et estiez, et les malveys leyz et custumes de tout oustera, et ferme peas et establie al people de soun roialme en cea garde esgardera a son poiair; come Dieu luy aide. *Sacramentum regis.* This is the oath which the King swears at his coronation: that he will keep and maintain the rights and franchises of the holy church, formerly granted by the rightful christian kings of England, and that he will keep all his lands, honours, and dignities, of royal and free right, pertaining to the crown of the kingdom of England, in all manner without diminution, and that the rights of the crown scattered, dilapidated, or lost, he shall recall to the best of

his power to their ancient estate, and that he will keep the peace of the holy church both to the clergy and the people, with good accord, and that he will dispense in all his judgments equal and impartial justice with discretion and mercy, and that he will adhere to the laws and customs of the kingdom, and to the best of his power, cause them to be kept and maintained, which the people have made and agreed to, and that he will abolish the bad laws and customs altogether, and firm and established peace to the subjects of his kingdom, in this regard he will keep to the utmost of his power; so help him God. The king's oath.

Ceo n'est que un restitution en leur ley, pur que a ceo, n'avemus regard, &c. This is but a restitution in their law, to which we pay no attention, &c.

Cepi Corpus. I have taken the body.

Cepi Corpus et paratum habeo. I have taken the body, and have it ready.

Cepit et asportavit. He took and carried away.

Cepit et asportavit centum cuniculos. He took and carried away an hundred rabbits, (or conies.)

Cepit in alio loco. He has taken in another place.

Certe altero huic sæculo nominatissimus in patriâ juris consultus, ætate provectior, etiam munere gaudens publico et prædiis amplissimis generosi titulo bene se habuit; fortè, quod togatæ genti

magis tunc conveniret civilis illa appellatio quam castrensis altera. Truly in the last age the most eminent counsellor, in the country, advanced in years, who enjoyed a public pension and most extensive estates, was well satisfied with the title of a gentleman; perhaps, in those times, that civil term suited the gentry of the gown better than the military title.

Certiorari. To be certified of; to be informed of.

Certiorari ad informandam conscientiam. To certify, to inform the conscience (or) memory.

Certiorari quare executionem non. To certify why he hath not execution.

Cessante ratione, cessat et ipsa lex. Upon the cause ceasing, the law also ceases.

Cesset executio. That the execution stand aside (or cease).

Cesset processus. That the proceeding cease.

Cestui que trust. A person to whose use or benefit another is invested or seized of lands or tenements.

Cestui que vie. A person for whose life, lands or tenements are granted.

Cestui que vives. Persons for whose lives, lands or tenements are granted.

Cestuy, que doit inheriter al pere, doit inheriter al fits. He who ought to inherit to the father, should inherit to the son.

Champart. Field rent; champerty.

Chaud-medley. Chance-medley.

Chirographa, cirographum, cyrographum. A writing under one's hand.

Chose. A thing.

Christiani Judaizantes. Jewish Christians.

Chronicon pretiosum. The valuable chronicle.

Circa ardua regni. About the important affairs of the kingdom.

Circumspecte agatis. To be cautious in deciding: the title of a statute 13 Ed. I. prescribing certain cases to the judges, wherein the king's prohibition lies not.

Civiliter mortuus. Dead in law.

Civitas Lund. Cordubanario reginæ, XXs. City of London. A sash for the queen, 20 shillings.

Civitas Lundon. Pro oleo ad lamp' ad reginæ. City of London. For lamp oil to the use of the queen.

Clandestino copulati fuerunt. They were united clandestinely.

Clausum fregit. He broke the close.

Codicillus. A codicil; a little book.

Cœlum. Heaven; air; sky; weather.

Cognati. Maternal kindred; kindred by the father's and mother's side.

Cognoscit. He acknowledges; he confesses.

Cognovit actionem relicta verificatione. He has confessed the action, having abandoned his plea.

Collatio bonorum. A contribution of goods.

Collectum ex senibus desperatis, ex agresti luxuriâ ex rusticis decoctoribus, ex iis, qui vadimonia deserere quam illum exercitum maluerunt. A mob

of desperate old men, rustic spendthrifts, in clownish luxury, of those who would sooner desert their securities than that army.

Collegia. Corporations; societies; colleges.

Collegium si nullo speciali privilegio subnixum sit hæreditatem capere non posse, dubium non est. If a corporation be supported by no special grant, there is no doubt that it cannot purchase an inheritance.

Collistrigium. A pillory.

Colloquium. Discourse; conference.

Color. Colour; probability; doubt.

Colus discreti et diversi; ut fons, ut campus, ut nemus placuit. Their place of habitation was varied and different; as a fountain, a field, or a grove pleased them.

Combustio domorum. The burning of houses; arson.

Come ceo. As well for this.

Comes. An earl; a chief governor of a county.

Comes stabuli. A constable.

Comitatus. A county; a train of followers.

Commenda. A commendam.

Commendam recipere. To take (or possess) a commendam.

Commendam retinere. To retain a commendam.

Common pur cause de vicinage. Common by reason of vicinage.

Commune concilium regni, magnum concilium regis, curia magna, conventus magnatum vel pro-

cerum, assisa generalis, communitas regni Angliæ. The general council of the realm, the king's great council, the great court, the convention of the great men, or nobles, the general assize, the community of the kingdom of England.

Commune consilium. A general counsel.

Commune vinculum. The common chain (or stock.)

Communia pasturæ, "jus pascendi." Common of pasture, right of grazing.

Communia placita non sequantur curiam regis, sed teneantur in aliquo loco certo. That the common pleas follow not the king's court, but that they be held in some certain place.

Communibus annis. Taking one year with another.

Communis error facit jus. A common mistake causes law.

Communis rixatrix. A common (female) brawler; a scold.

Compensatio. Recompense.

Comperuit ad diem. He appeared at the day.

Compositio mensurarum. The composition of measures.

Compositio ulnarum et perticarum. The composition of ells and perches.

Compos mentis. Sound in mind.

Concessiones. Grants.

Concessit et dimisit. He has granted and discharged.

Concilium. A council (or) assembly of counsellors met to consult.

Concordia discordantium canonum. The agreement of church laws which heretofore were undigested.

Concubina. An unchaste woman.

Concubitu prohibere vago. To forbid illicit connexion.

Conditiones scripti obligatorii prædicti. The conditions of the aforesaid obligatory writing.

Conductio. A hire.

Confirmatio cartarum. The confirmation of the charters.

Conflictus legum. A contradiction of statutes.

Conge d'eslire. Leave to elect.

Conjunctim aut separatim. Conjointly or separately.

Conquæstus; Conquisitio. An acquirement by research.

Conquereur; Conquæstor; Conquisitor. An acquirer by research.

Consanguineos. Kindred.

Consensus, non concubitus, facit nuptias. Consent, not consummation, makes a marriage good.

Conservatores pacis. Preservers of the peace.

Consideratum est per curiam. It is considered by the court.

Consilium. Counsel; advice given.

Constabularius. A constable.

Constat de persona. The person is ascertained.

Consuetudines. Customs; usages.

Consuetudo loci observanda est. The custom of the place must be observed.

Consules, a consulendo; regis enim tales sibi associant ad consulendum. Consuls, derived from consulting; for kings associate with such persons, to take their advice.

Contestatio litis. The disputing of a suit.

Continuando. In continuing.

Contra. Against; on the contrary; otherwise.

Contra bonos mores. Against good manners (or morals.)

Contra formam statuti. Against the form of the statute.

Contra formam statutorum. Against the form of the statutes.

Contra fictionem non admittitur probatio: quid enim efficeret probatio veritatis, ubi fictio adversus veritatem fingit? Nam fictio nihil aliud est, quam legis adversus veritatem in re possibili ex justa causa dispositio. Against fiction proof is not admitted: for what could the evidence of truth effect, when fiction supposes against truth? because fiction is no other than a just policy of the law, in a possible matter, against truth.

Contra inhibitionem novi operis. Against the prohibition of the new work.

Contra omnes homines fidelitatem fecit. He made a vow of loyalty above every obligation of fealty.

Contra pacem. Against the peace.

Contra pacem balivorum. Against the peace of the bailiffs of a corporation.

Contra pacem domini regis. Against the peace of our lord the king.

Contra pacem vice-comitis. Against the peace of the sheriff.

Contraxisse unusquisque in eo loco intelligitur in quo ut solveret se obligavit. Every person is understood to have contracted in that place, where he has obliged himself to pay.

Coram ipso rege. Before the king himself.

Coram nobis. Before us; in our presence.

Coram non judice. Not in presence of a judge.

Coram paribus. Before his peers.

Coram paribus de viceneto. Before his equals, resident in the neighbourhood.

Coram rege. Before the king; in the king's presence.

Coram vobis. Before you.

Coronator. A coroner.

Corpora corporata. Bodies corporate.

Corpus Christi. The body of Christ.

Corpus juris civilis. The body of the civil law.

Corpus juris canonici. The body of the canon law.

Corruptivè. Corruptly.

Corsned. A mouthful of execration.

Cosinage, de consanguineo. Relationship, of kindred.

Cotemporanea consuetudo optimus interpres est.

Cotemporary custom is the best guide (or interpreter.)

Coustumier. Book of customs.

Coutumes de la mer. Customs of the sea; maritime laws.

Covert. Protected.

Crastinum animarum. The morrow of All Souls.

Crassa negligentia. Gross neglect.

Creamus. We create.

Creamus, erigimus, fundamus, incorporamus. We create, we erect, we found, we incorporate.

Crepusculum. Twilight.

Crimen animo felleo perpetratum. A crime committed with an evil intent.

Crimen falsi. The crime of forgery.

Crimen læsæ majestatis. The crime of offending majesty; high treason.

Cui ante divortium. To whom, before a divorce.

Cui bono. To what good.

Cui de jure pertinuit. To whom it pertained by right.

Cui in vita sua, vel cui ante divortium, ipsa contradicere non potuit. What in his life, or previous to divorce, she could not contradict.

Cuilibet in sua arte credendum est. Every man should be believed in his trade.

Cuique enim in proprio fundo quamlibet feram quoquo modo venari permissum. For every man is allowed to hunt any wild beast on his own ground, in whatever manner he thinks proper.

Cujus est divisio, alterius est electio. When a division is made by one, the choice is left to the other.

Cujus est solum, ejus est usque ad cælum. Whosoever is owner of the ground, it is his even to the firmament.

Cujus est solum, ejus est usque ad cælum, et ad inferos. Of whom the soil is, to him doth it belong even to the sky, and to the lowest depth.

Cujus regis temporibus hoc ordinatum sit, non reperio. In the time of what king this was ordained, I cannot discover.

Cul. (Abb. of *Culpabilis.*) Guilty.

Culpæ adnumerantur, veluti si medicus curationem dereliquerit, male quempiam secuerit, aut perperam ei medicamentum dederit. They are considered offences, if a physician has neglected a cure, has performed an operation badly on any one, or has given him improper medicine.

Cum. When; as; whereas.

Cum autem emptio et venditio contracta sit, periculum rei venditæ statim ad emptorem pertinet, tametsi adhuc ea res emptori tradita non sit. Itaque si—aut ædes totæ vel aliqua ex parte incendio consumptæ fuerint—emptoris damnum est, cui necesse est, licet rem non fuerit nactus, pretium solvere. For when a purchase and sale is contracted, the risk of the thing sold immediately pertains to the purchaser, although that thing be not as yet delivered to the purchaser. Therefore, if either an entire house, or some part of it, be consumed by fire—the loss is the purchaser's, who must

pay the price, although he has not obtained the property.

Cum in tali casu possit eadem res pluribus aliis creditoribus tum prius tum posterius invadiari. As in such case, the same property may be pledged to many other creditors, as well before as after the first pledge.

Cum lex abrogatur, illud ipsum abrogatur, quo non eam abrogari oporteat. When a law is repealed, that very clause is at the same time repealed, which specifies that it ought not to be repealed.

Cum olim in usu fuisset, alterius nomine agi non posse, sed, quia hoc non minimam incommoditatem habebat, cœperunt homines per procuratores litigare. When it was formerly the custom, that nothing could be done in the name of another, but, since it did not possess the smallest inconvenience, men began to sue by their proctors.

Cum sit contra præceptum Domini, non tentabis Dominum Deum tuum. As it is against the commandment of our Lord, thou shalt not tempt the Lord thy God.

Cum testamento annexo. With the will annexed.

Cunctas nationes et urbes populus aut primores, aut singuli regunt: delecta ex his et constituta reipublicæ forma laudari facilius quam evenire, vel, si evenit, haud diuturna esse potest. The people, or chiefs, or individuals, govern all nations and cities: the form of a government chosen from them,

and so constituted, may be more easily praised for its theory than practice, or if it be so constituted, it cannot long exist.

Curatores viarum. The inspectors of roads.

Curia advisare vult. The court will advise.

Curia advisare vult, post. The court will advise, after.

Curialitas. A holding of land by courtesy.

Curia palatii. The palace court.

Curiæ christianitatis. Courts of christianity; ecclesiastical courts.

Currente calamo. In the hurry of writing.

Currere consuevit. He was accustomed to run (or hurry).

Curtis. Of the court; courtesy.

Custodes. Keepers.

Custodes panam sibi commissorum non augeant, nec eos torqueant; sed omni sævitia remota, pietateque adhibita, judicia debite exequantur. That the keepers do not increase the sufferings of those prisoners committed to their custody, nor torture them; but all cruelty being removed, and mercy adhered to, that they duly execute the judgments.

Custodia. Custody; keeping.

Custodia legis. In the custody of the law.

Custodia mareschalli. In the custody of the marshal.

Custodiam comitatus. The charge of the county.

Custos brevium. The keeper of the writs.

Custos horrei regii. The keeper of the royal granary.

Custos morum. The guardian of manners (or morals.)

Custos rotulorum. The keeper of the rolls (or records.)

Custuma. Customs; duties.

Custuma antiqua et magna. Ancient and great duties.

Custuma antiqua sive magna. Ancient or great duties.

Custuma parva et nova. Small and new duties.

Cyrce. A church.

D.

Damage feazant. Doing damage.

Damas suas. His deer.

Damnum absque injuria. Damage without wrong.

Damnosa hæreditas. A disadvantageous inheritance.

Dane lage. Danish customs, (or laws.)

Dare aliquam evidentiam. To give some evidence.

Darrien presentment. The last presentation.

Datum. A first principle; a thing given.

De ambitu. Of obtaining a place by bribery.

De apibus. Apium quoque fera natura est; itaque apes, quæ in arbore tua constituerint, antequam a te alveo includantur, non magis tuæ intelli-

guntur esse, quam volucres quæ in arbore tua nidum fecerint: adeoque si alius eas incluserit is earum dominum erit. Of bees. The nature of bees is also wild; therefore bees which have swarmed in your tree before they are shut up by you in a hive, are not understood to be yours, more than birds which may have built their nest in your tree: and so, if another person has enclosed them, he shall be the owner of them.

De bene esse. Conditionally.

Debet. He owes; he ought.

Debet et detinet. He owes and detains.

Debitum et contractus sunt nullius loci. A debt and contract are of no place.

Debitum in præsenti. A debt at the present time.

Debitum in præsenti solvendum in futuro. A debt contracted at present, to be paid at a future limited time.

Debitum recuperatum. A debt recovered.

De bonis asportatis. Of goods carried away.

De bonis defuncti primo deducenda sunt ea quæ sunt necessitatis et postea quæ sunt utilitatis, et ultimo quæ sunt voluntatis. Of the goods of a deceased person those are first to be deducted which are of necessity, and afterwards those of utility, and lastly, those which are of will.

De bonis non. Of goods not administered.

De bonis propriis. Of his own goods.

De bonis testatoris. Of the testator's goods.

De bonis testatoris si &c. et si non, tunc de

bonis propriis. Of the goods of the testator if, &c. and if there are none, then, of his own goods.

De bono et malo. Of good and evil.

Debuit reparare. He ought to repair.

De Capitalibus dominis feodi. Of the head lords of a fee.

De cætero. From henceforth.

De cætero non recedant querentes a curia domini regis, pro eo quod tenementum transfertur de uno in alium. From henceforth that the plaintiffs do not withdraw from the court of our lord the king, because the tenement is transferred from one to another.

De causis criminalibus vel capitalibus nemo quærat consilium; quin implacitatus statim perneget, sine omni petitione consilii. In aliis omnibus potest et debet uti consilio. In criminal or capital prosecutions, that no man have leave to traverse, but if arraigned, that he plead on the instant, without any petition of traverse. In all other cases he may and can traverse.

Decem tales, octo tales. Ten such persons, eight such persons.

Decemviri. Ten men: they were chosen and appointed to write the twelve tables of the law for the Romans, which they collected from the works of Solon; they also governed the republic for a short period with the same authority as consuls.

Decet tamen principem servare leges, quibus

ipse salutis est. For it behoves the prince to keep the laws, by which he is himself preserved.

Decimæ. Tenths (or tithes.)

De clauso facto. Of a close made.

Decoctor. A bankrupt; a spendthrift.

De communi consilio super negotiis quibusdam arduis et urgentibus, regem, statum, et defensionem regni Angliæ et ecclesiæ Anglicanæ concernentibus. Of the general counsel upon certain arduous and urgent matters, relating to the king, the state, and the defence of the kingdom of England, and of the English church.

De compoto. Of accounting.

De computo. Of accounting.

De consuetudine Angliæ, et super consensu regio et suorum procerum in talibus ab antiquo concesso. According to the custom of England, and with the consent of the king and his nobles, in such cases anciently granted.

De consuetudinibus et servitiis. Of customs and services.

De coquina. Of a kitchen.

De coronatore eligendo. Of electing a coroner.

De coronatore exonerando. Of discharging a coroner.

De corpore comitatus. From the body of the county.

De corpore delicti constare oportebat; id est, non tam fuisse aliquem in territorio isto mortuum inventum quam vulneratum et cæsum. Potest

enim homo etiam ex alia causa subito mori. The fact of the offence should appear manifest; that is, not that any person was found dead in that district, but whether he was wounded or slain. For a man may die suddenly from another cause.

De credulitate. Of (or from) credulity.

Decretalia Gregorii noni. The decretals of Gregory the 9th.

Decretum Gratiani. The decree of Gratian.

De custodia terræ et hæredis. Of the charge of the land and the heir.

De damnis. Of damages (or losses.)

De debitore in partes secando. Of cutting the debtor in pieces.

Dedi. I have given.

Dedicatio corporis juris civilis. The dedication of the body of the civil law.

Dedi et concessi. I have given and granted.

Dedimus potestatem. We have given the power.

De donis. Of gifts.

De donis conditionalibus. Of conditional gifts.

De eo, quod quis post mortem suam fieri velit. Of that which any man wishes to be done after his death.

De estoveriis habendis. Of having estovers, (or allowances.)

De excommunicato capiendo. Of taking an excommunicated person.

De excommunicato deliberando. Of releasing an excommunicated person.

De executione judicii. Of execution of judgment.

De facto. Of a deed; in fact.

De fidelitate. Of fidelity.

De frangentibus prisonam. Of those breaking a prison.

De hæretico comburendo. Of burning a heretic.

De homine replegiando. Of replevying a man out of prison.

De hors. Out of; abroad.

De idiota inquirendo. Of inquiring as to an idiot.

De incremento. Of increase.

De injuria sua propria absque residua causa. Of his own wrong without a remaining cause.

De injuriâ suâ propriâ absque tali causa. Of his proper wrong without such cause.

De injuriis. Of wrongs.

De injuriis suis propriis absque tali causa. Of his proper wrongs without such cause.

De jure. Of right.

De jure naturæ cogitare per nos atque dicere debemus; de jure populi Romani, quæ relicta sunt et tradita. By the law of nature we ought to reflect and reason of ourselves; by the law of the Roman people we should follow the rules which have been left and handed down to us.

De jure sueonum. Of the Swedish law.

De la plus belle. Of the most beautiful (or excellent;) of the best part.

Del credere. Of belief (or trust.)

Delegatus non potest delegare. A deputy cannot transfer his trust to another.

Delictis, pro modo pœnarum, equorum pecorumque numero convicti mulctantur. Pars mulctæ regi vel civitati; pars ipsi qui vindicatur, vel propinquis ejus, exsolvitur. By way of expiation for their crimes, the persons convicted are fined in a number of horses and horned cattle. A part of the fine is paid to the king, or to the state; a part to him who is injured, or to his relatives.

De magna assisa eligenda. Of electing persons for the grand assise.

De medietate. Of a moiety.

De medietate linguæ. Of a moiety of tongue.

De mercatoribus. Relating to merchants.

De minimis non curat lex. The law pays no regard to trifles.

De minoribus rebus principes consultant, de majoribus omnes. On minor matters the chiefs consult, on important subjects all debate.

Demissio regis, vel coronæ. The demission (or demise) of the king or of the crown.

De modo decimandi. Of a manner of tithing.

De monticolis Walliæ. Of the Welch mountaineers.

Demorari. To abide; to demur.

Demoratur. He abides; he demurs.

De nautico fœnore. Of nautical interest (or usury;) bottomry.

Denarii. Roman pence, each of the value of seven pence halfpenny, or eight pence of our money.

Denique, cum lex Mosaica, quanquam inclemens et aspera, tamen pecunia furtum, haud morte, mulctavit; ne putemus Deum, in nova lege clementiæ qua pater imperat filiis, majorem induisse nobis invicem sæviendi licentiam. Hæc sunt cur non licere putem; quam vero sit absurdum, atque etiam perniciosum reipublicæ, furem atque homicidam ex æquo puniri, nemo est (opinor) qui nesciat. Finally, as the Mosaic law, although unmerciful and severe, punished theft only by a pecuniary penalty, not by death; we cannot suppose that God, in the new law, by which as the Father of mercy he governs his children, has given to us a greater privilege of acting cruelly to each other. These are the reasons why I do not consider it to be lawful; no man exists (I think) who does not know how truly absurd, and even injurious to the republic, it must be, that a thief and a murderer should be liable to the same punishment.

De non decimando. Of not being subject to tithes.

De non ponendis in assisis et juratis. Of being exempted from attending in assizes and juries.

De novi operis nuntiatione. Of the declaration of the new work.

De novo. Afresh; anew.

Dent operam consules, ne quid respublica detrimenti capiat. Let the consuls use their endeavour, lest the republic should be exposed to danger.

Dentur omnes decimæ primariæ ecclesiæ ad quam parochia pertinet. That all tenths be given to the head church to which the parish pertains.

De occupatione ferarum. Feræ igitur bestiæ, et volucres, et pisces, et omnia animalia, quæ mari, cælo, et terra nascuntur, simul atque ab alioque capta fuerint, jure gentium statim illius esse incipiunt; quod enim ante nullius est, id naturali ratione occupanti conceditur: nec interest, feras bestias et volucres utrum in suo fundo quis capiat, an in alieno. Plane qui alienum fundum ingreditur venandi aut aucupandi gratiâ, potest a domino, si is prævideritt, prohiberi ne ingrediatur. On the possession of wild animals.—Therefore wild beasts and birds, and fish, and all animals, that live in sea, in air, or upon land, when they are caught by any person, immediately become his property by the law of nations; for that which was not the property of any person, by natural reason, is allowed to be his who first obtains it: nor does it matter, whether a man takes wild beasts and birds on his own land or on that of another. He who enters upon another's ground, with the intent of hunting or fowling, can evi-

dently be prevented from entering by the owner, if he has foreseen his purpose.

Deo-dandum. To be given to God.

De odio et atia. From hatred and ill will.

De officio coronatoris. Of the duty of a coroner.

De pace et legalitate, tuenda. For keeping the peace and good behaviour.

De pannagio. Of food for swine; mast (or the sum paid for the mast of a forest.)

De parco fracto. Of pound breach, (or park broke into.)

De parendo mandatis ecclesiæ in forma juris. Of obeying the mandates of the church in form of law.

De partitione facienda. Of making partition.

De placito transgressionis et contemptus contra formam statuti. Of a plea of trespass and contempt against the form of the statute.

Depopulatio agrorum. The pillaging (or laying waste) of lands.

De prærogativa regis. Of the king's prerogative.

De probioribus et potentioribus comitatus sui in custodes pacis. That the most upright and capable persons of the county be elected keepers of the peace.

De proprietate probanda. Of proving to whom the property belonged.

De questu suo. Of his own gain.

De quodam ignoto. Of some person unknown.

De rationabili parte. Of a reasonable part.

De rationabili parte bonorum. Of a reasonable part of the goods.

De religiosis. Of religious matters.

De retorno habendo. Of having a return.

Dernier resort. The last shift.

De scandalis magnatum. Of the defamation of great men.

Descendit itaque jus, quasi ponderosum quid cadens deorsum recta linea, et nunquam reascendit. Therefore a right descends, like to any thing of heavy weight falling downward in a direct line, and never reascending.

Descriptio personæ. Description of person.

Desduit des gentils. Gentlemen's sport, game.

De se. Of himself.

De secta ad furnum, ad torrale, et ad omnia alia hujusmodi. Of suit to his bake-house, to his malt-house, and to all other matters of this kind.

De secta ad molendinum, quam ad illud facere debet, et solet. To do his suit at that mill, which he ought, and is wont to do there.

De secunda superoneratione. Of a second surcharge.

Desiderata. Requisites; things desired.

Desideratum. Any thing wished for; a requisite.

Designatio unius personæ est exclusio alterius. An appointment of one person is an exclusion of the other.

Desiit esse miles seculi, qui factus est miles Christi, nec beneficium pertinet ad eum qui non debet gerere officium. He has ceased to be a knight of this world, who is made a knight of Christ, nor does any benefit belong to him who should not do any worldly office.

De son done. Of his gift.

De son tort. Of his wrong.

De son tort demesne sans tiel cause. Of his own wrong without such cause.

De societate. Of a company (or society.)

De sturgione observetur, quod rex illum habebit integrum: de balæna vero sufficit, si rex habeat caput, et regina caudam. Of the sturgeon be it observed, that the king shall have it whole; but of the whale, it is sufficient if the king have the head, and the queen the tail.

De super-oneratione forestariorum, et aliorum ministrorum foresta; et de eorum oppressionibus populo regis illatis. From the overburthening of the foresters, and other attendants of the forest; and from the oppressions practised upon the king's subjects.

De talliagio non concedendo. Of not granting a tallage.

De terris acquisitis et acquirendis. Of lands acquired and to be acquired.

De terris mensurandis. Of lands to be measured.

Detinet. He detains.

Detinuit. He hath detained.

De ulterioribus damnis. Of further damages.

De una medietate. Of one moiety.

De uxore abducta, cum bonis viri. Of the wife carried away, with the goods of the husband.

Devastavit. He hath wasted.

Devenio vester homo. I become your man.

Devenit decoctor Anglicè. He became a spendthrift; (in English) "a bankrupt."

De ventre inspiciendo. Of inspecting the belly.

De vicineto. Of the neighbourhood.

De viridi et venatione. Of vert and venison.

Dicebatur fregisse juramentum regis juratum. He was said to have broken the attested oath of the king.

Dicta. Sayings; orders; commands.

Dictum. A saying; order; command.

Die intromissionis de collectione et levatione. On the day of entry of collection and levying.

Dicuntur liberi. They are called free.

Diem clausit extremum. He closed (or concluded) the last day.

Dies amoris. A day of kindness; appearance day.

Dies consilii. Counsel day. A speedy day appointed to argue a demurrer.

Dies datus. A day given.

Dies datus prece partium. A day given at the request of the parties.

Dies fasti et nefasti. Days of fast and of business.

Dies fasti in quibus licebat prætori fari tria verba, do, dico, addico. Days of fast on which it was lawful for the Prætor to speak three words—I give judgment—I expound the law—I execute the law.

Dies in banco. Days of sitting in the Court of King's Bench.

Dies juridicus. A court-day.

Dies non juridicus. Not a court-day.

Dignitatem istam nacta sunt, et villis, sylvis, et ædibus, aliisque prædiis comparentur; quod solidiora mobilia ipsis ædibus ex destinatione patrisfamilias cohærere videantur, et pro parte ipsarum ædium æstimentur. That term may be applied also to villages, woods, and houses, and to other estates; but the more solid moveables seem to belong to the house itself, according to the determination of the householder, and are considered as part of the house.

Dimisi, concessi, et ad firmam tradidi. I have demised, granted, and to farm let.

Discontinuance nihil aliud quam intermittere, desenescere, interrumpere. Discontinuance is no other than to intermit, to abate, to interrupt.

Disputare de principali judicio non oportet; sacrilegii enim instar est, dubitare an is dignus sit, quem elegerit imperator. We ought not to dispute the judgment of the prince; for it is like profanation, to doubt his worth, whom the emperor has chosen.

Disrationare. To disprove.

Disseizin. An illegal expulsion of a tenant from his possession.

Districtio. A distress; a distraint.

Distringas. That you distrain.

Distringas ad infinitum. That you distrain without bounds.

Distringas juratorum corpora. That you distrain the bodies of the jurors.

Distringas tenere curiam. That you distrain to hold the court.

Diu amissimus vera vocabula rerum. We have a long time lost the true names of things.

Diversité des Courtes. Difference of the courts.

Divisibilis in semper divisibilia. A thing dividable may be for ever divided.

Divus Hadrianus rescripsit eum qui stuprum sibi vel suis inferentem occidit dimittendum. The divine Adrian ordered him to be discharged, who killed a person, attempting to violate the chastity of himself or any one of his family.

Do. I give.

Doctor legum mox a doctoratu dabit operam legibus Angliæ, ut non sit imperitus earum legum quas habet sua patria, et differentias exteri patriique juris noscat. A doctor of laws, having obtained his degree, shall apply himself to the study of the laws of England, that he may not be unskilled in those laws which appertain to his country, and that he may define the marked distinction between the foreign and national laws.

Doli capaces. Capable of mischief (or guile).

Doli capax. Capable of guile (or mischief).

Doli incapax. Incapable of mischief.

Dominium directum. A direct (or absolute) lordship.

Dominium utile. An useful lordship.

Dominus capitalis feodi loco hæredis habetur, quoties per defectum vel delictum extinguitur sanguis tenentis. The head lord of a fee is accounted heir when the blood of the tenant becomes extinct, either by death or offence.

Dominus Hiberniæ. The lord of Ireland.

Dominus ligius. A liege lord.

Dominus manerii. The lord of the manor.

Dominus rex misit breve suum clausum in hæc verba, &c. Our lord the king sent his close writ in these words, &c.

Domitæ. Tame.

Domitæ naturæ. Of a tame nature.

Domus mansionalis Dei. The mansion house of God.

Donatio. A donation.

Donatio feudi. The donation of a fee.

Donatio mortis causa. A donation in prospect of death.

Donationes sint stricti juris ne quis plus donasse, præsumatur quam in donatione expresserit. That donations be of exact right, lest any one be presumed to have bestowed more than is expressed in the donation.

Donatio stricta et coarctata; sicut certis hæredibus, quibusdam a successione exclusis. A dona-

tion is exact and straitened; as to certain heirs, some are excluded from the succession.

Dos rationabilis. A reasonable dower.

Dotalitii et trientis ex bonis mobilibus viri. Of a dower and a third part of her husband's effects.

Dotalitium. A dower.

Dotem non uxor marito, sed uxori maritus effert: intersunt parentes et propinqui, et munera probant. A wife brings not a dower to her husband, but the husband to the wife: the parents and relations are present, and prove gifts.

Do, ut des. I give, that you give.

Do, ut facias. I give, that you perform.

Dower unde nihil habet. A dower, whereof she has nothing.

Droit D'Aubaine. The king's right of escheat of an alien's property.

Droit. A right.

Droit, droit. A twofold (or double) right.

Droit patent. A patent right.

Duas uxores eodem tempore habere non licet. It is not lawful to have two wives at the same time.

Duces. Dukes; leaders.

Duces tecum. You shall bring with you.

Dulcia defectâ modulatur carmina linguâ
Cantator cygnus, funeris ipse sui, &c.
The swan, himself the chanter of his own death, warbles melodious strains as his tongue fails him.

Dum bene se gesserit. As long as he conducted himself well.

Dum fuit infra ætatem. While he was under age.

Dum fuit non compos mentis. While he was insane.

Dum fuit non compos mentis suæ, ut dicit, &c. While he was insane, as he says, &c.

Dum recens fuerit maleficium. While the mischief was fresh.

Dum sola. While single.

Dum sola et casta. While single and chaste.

Dum tamen. Until however; nevertheless.

Duodeni legales homines, quorum sex Walli et sex Angli erunt, Anglis et Wallis, jus dicunto. Let twelve lawful men, of whom six shall be Welch and six English, declare the law to the English and Welch.

Duplex querela. A double plaint.

Duplicem valorem maritagii. Double the value of a marriage.

Durante absentia. During absence.

Durante bene placito. During pleasure.

Durante minore ætate. During lesser age; during minority.

Durante minoritate. During minority.

Durante viduitate. During widowhood.

Duress per minas. Cruelty (or compulsion) by threats.

E.

Ealder. An elder (or chief).

Ealdorman. An elder (or alderman).

Ealdormen quasi. As if elder-men.

Ea est in re parva pervicacia, ipsi fidem vocant. That which is obstinacy in depravity, they call honour.

Eat consultatio. That the consultation go.

Eat inde sine die. That he go from thence without a day.

Ecclesia commendata. A commendam.

Ecclesia decimas non solvit ecclesiæ. The church does not pay tithes to the church.

Ecclesiæ de feudo domini regis non possunt in perpetuum dari, absque assensu et consensione ipsius. Churches in the fee of our lord the king cannot be given in perpetuity, without his assent and permission.

E converso. On the contrary; on the other hand.

Edmundus autem latusferreum, rex naturalis de stirpe regum, genuit Edwardum: et Edwardus genuit Edgarum, cui de jure debebatur regnum Anglorum. For Edmund Ironside, the lawful king descended from a race of kings, begot Edward: and Edward begot Edgar, who of right was entitled to the crown of England.

Ego Stephanus Dei gratia assensu cleri et populi in regem Anglorum electus, &c. I Stephen,

by the grace of God, with the assent of the clergy and the people, chosen king of the English, &c.

Ei incumbit probatio, qui dicit, non qui negat: cum per rerum naturam factumnegantis probatio nulla sit. The proof lays upon him who accuses, not upon him who denies: as in the nature of things, the act of the denial is no proof.

Ei legitur in hæc verba, &c. It is read to him in these words, &c.

Ejectione firmæ. Ejection of a farm; trespass in ejectment.

Ejectione firmæ n'est que un action de trespass en son nature, et le plaintiff ne recovera son terme que est a venir, nient plus que en trespass home recovera damages pur trespass nient fait, mes a feser; mes il convient a suer par action de covenant ad comen law a recoverer son terme: quod toto curia concessit. Et per Belknap, *la comen ley est, lou home est ouste de son terme par estranger, il avera ejectione firmæ versus cesty que luy ouste; et sil soit ouste par son lessor, briefe de covenant; et sil par lessée ou grantee de reversion briefe de covenant versus son lessor, et countera especial count, &c.* Ejection of a farm is in its nature only an action of trespass, and the plaintiff shall not recover his term which is to come, any more than, in trespass, a man shall recover damages for a trespass not done, but to be done; then he must sue by action of covenant at common law to recover his term: which the whole

court granted. And according to Belknap, the common law is, that where a man is ousted of his term by a stranger, he shall have an action of trespass against him who ousted him; and if he be ousted by his lessor, writ of covenant; and if by the lessee or grantee in reversion, writ of covenant against his lessor, and he shall count special count, &c.

Ejusdem generis. Of the same kind.

Elegit. He has chosen.

Elementa juris privati Germanici. The elements of the German common law.

Eliguntur in conciliis et principes, qui jura per pagos vicosque reddunt: centeni singulis, ex plebe comites, consilium simul et auctoritas, adsunt. The chiefs who expound the laws in counties and towns are chosen in the councils; the hundredors are present at all to advise and authorize as counts from the people.

Elisors (or) *Esliors.* Chosen persons—(appointed by the court to try a challenge).

Elongatus. Eloigned.

Elongavit. He hath eloigned.

Emisit me mater Londinum, juris nostri capessendi gratia, cujus cum vestibulum salutassem, reperissemque linguam peregrinam, dialectum barbaram methodum inconcinnam, molem non ingentem solum sed perpetuis humeris sustinendam, excidit mihi, fateor, animus, &c. My mother sent me to London, for the purpose of entering upon the study of our law; when I hailed my initia-

tion, and discovered a foreign language, a barbarous dialect, an improper system, a heap not only huge but to be supported by unwearied shoulders, I confess, my mind recoiled at the undertaking, &c.

Emptiones vel acquisitiones suas det cui magis velit. Terram autem quam ei parentes dederunt, non mittat extra cognationem suam. A man may give his purchases or acquired property to whom he pleases. But he cannot transfer, in exclusion of his kindred, the land which his parents have left to him.

Emptionis-venditionis contractæ argumentum. A proof of a purchase and sale being contracted.

Emptor emit quam minimo potest, venditor vendit quam maximo potest. A purchaser buys for the least he can, a vendor sells for the most he can.

En auter droit. In right of another.

En ce cas le ley entend le propreté de bestes en moy. In this case the law considers the property of game to be in me.

En cest court de Chancerie, home ne serra prejudice par son mispleadging ou pur defaut de forme, mes solonque le veryte del mater, car il doit agarder solonque consciens, et nemi ex rigore juris. In this court of Chancery a man shall not be prejudiced by his mispledging, or for default of form, but according to the truth of the matter, for the court decides by conscience, and not by the rigour of the law.

En especes au cours de ce jour. In coin of the present currency.

Enditer. To indict.

Englescherie. An Englishman found slain: report of an inquest in Canute's reign.

En la chambre des esteilles pres la resceipt al Westminster. In the chamber of the stars (or star-chamber) near the receipt at Westminster.

En la defence sont iij choses entendantz: pertant quil defende tort et force, home doyt entendre quil se excuse de tort a luy surmys per counte, et fait se partie al ple; et per tant quil defende les damages, il affirm le parte able destre respondu; et per tant quil defende ou et quant il devera, il accepte la poiar de court de counustre ou trier lour ple. In a defence these things are understood; if he defend the injury and force, a man ought to understand, that he excuses himself of the wrong imputed to him by the count, and makes himself a party to the plea; if he defends the damages, he admits the plaintiff able; if he defends where and when he ought, he admits the power of the court to acknowledge or try the plea.

Enlarger l'estate. To increase the estate.

Eo instanti. At that instant.

Eo intuitu. With that view.

Eo ligamine, quo ligatur. By that tie, by which he (or it) is bound.

Eo maxime præstandum est, ne dubium reddatur jus domini et vetustate temporis obscuretur.

That is chiefly to appear, lest the right of the lord be rendered doubtful, and obscure by the antiquity of time.

Eo nomine. In (or by) that name.

Eo nomine et numero. Of that name and amount.

Eo quod desiit esse miles seculi qui factus est miles Christi; nec beneficium pertinet ad eum qui non debet gerere officium. So that he ceased to be a knight of this world who became a knight of Christ; nor does any benefit belong to him, who ought not to bear any office.

Eo quod tenens in faciendis servitiis per biennium jam cessavit. So that the tenant has ceased performing service for two years.

Eos, qui negligenter ignis apud se habuerint, fustibus vel flagellis cædi. That those, who through negligence set a house on fire, be beaten with clubs and sticks.

Eo sunt animadvertenda peccata maxime, quæ difficillime præcaventur. Offences should be most severely punished, which are most difficult to provide against.

Eoth. An oath.

Episcopi, sicut cæteri barones, debent interesse judiciis cum baronibus, quousque preveniatur ad diminutionem membrorum, vel ad mortem. The bishops, as well as the other lords, should be present at judgments with the lords, unless they concern loss of limb, or life and death.

Equitas sequitur legem. Equity follows law.

Equites aurati. Knights with gilt spurs.

Erant in Anglia quodammodo tot reges vel potius tyranni, quot domini castellorum. There were in England, in a manner, as many kings, or rather tyrants, as lords of castles.

Erant omnia communia et indivisa omnibus, veluti unum cunctis patrimonium esset. All things were common and entire to all, as if it were one general inheritance for all.

Erat autem hæc inter utrosque officiorum vicissitudo ut clientes ad colocandas senatorum filias de suo conferrent; in æris alieni dissolutionem gratuitam pecuniam erogarent; et ab hostibus in bello captos redimerent. For this interchange of good offices existed between both—that the clients should contribute from their property, to portion the daughters of the senators; that they would give a gratuitous sum of money for the payment of their debts; and obtain their ransom when taken by the enemy in war.

Erigimus. We erect.

Escuage. Scutage.

Esse. To be; in being.

Esse optime constitutam rempublicam, quæ ex tribus generibus illis, regali, optimo, et populari, sit modice confusa. That a republic in which the monarchical, aristocratical, and democratical powers are moderately blended, is the best constituted.

Est autem magna assisa regale quoddam beneficium, clementia principis, de consilio procerum,

populis indultum; quo vitæ hominum, et status integritati tam salubriter consulitur, ut, retinendo quod quis possidet in libero tenemento soli, duelli casum declinare possint homines ambiguum. Ac per hoc contingit, insperatæ et prematuræ mortis ultimum evadere supplicium, vel saltem perennis infamiæ opprobrium illius infesti et inverecundi verbi, quod in ore victi turpiter sonat, consecutivum. Ex æquitate item maxima prodita est legalis ista institutio. Jus enim, quod post multas et longas dilationes vix evincitur per duellum, per beneficium istius constitutionis commodius et acceleratius expeditur. For a great assize is a certain royal benefit, granted to the people, through the mercy of the prince, with the advice of his nobles; by which the lives of men and the integrity of their state are so wholesomely consulted, that they may decline the doubtful chance of battle, by retaining that which each possesses in the freehold of his ground. And by those means, they are enabled to avoid the last punishment of a despairing and sudden death, or at least the consequent disgrace and eternal infamy of that odious and reproachful word which basely sounds in the mouth of the vanquished. Therefore from the strictest equity was that legal institution framed. For the right which after many long delays could scarcely be evinced by battle, by the benefit of this institution, it is more safely and speedily decided.

Est enim ad vindicanda furta nimis atrox, nec tamen ad refrænanda sufficiens; quippe neque furtum simplex tam ingens facinus est, ut capite debeat plecti; neque ulla pœna est tanta, ut ab latrociniis cohibeat eos; qui nullam aliam artem quærendi victus habent. Truly the law is too severe in punishing thefts, and at the same time unequal to curb them; for a simple theft is not so heinous a crime, that it should merit a capital punishment; nor is any punishment so great, that it can prevent those from committing robberies, who have no other means of seeking subsistence.

Esto perpetua. Be (or live) perpetual.

Estoppel. To stop: a plea to prevent.

Estouviers. Estovers. Wood cut from a farm by the tenant for the uses thereof, and for other necessaries.

Est quidem alia præstatio quæ nominatur heriettum; ubi tenens, liber vel servus, in morte sua dominum suum, de quo tenuerit, respicit de meliori averio suo, vel de secundo meliori, secundum diversam locorum consuetudinem. Magis fit de gratia quam de jure. There is indeed another performing, which is called heriot; where the tenant, whether free-man or vassal, upon his death considers his lord, of whom he holds the soil, entitled to the best beast or next best chattel, according to the custom of different places. It is done more out of favour than of right.

Est senatori necessarium nosse rempublicam; idque late patet: genus hoc omne scientiæ, diligentiæ, memoriæ est: sine quo paratus esse senator nullo pacto potest. It is incumbent on a senator to be acquainted with the laws of the republic; and that lies open to a wide extent: in this knowledge every kind of science, diligence and memory is centered; without which a senator can by no means be capable of supporting his functions.

Et dona claud' sunt semp' suspiciosa. And private gifts are always suspicious.

Et fuit dit, que le contraire avait estre fait devant ces heurs. And it was said, that the contrary had been done in former times.

Et gist touts temps deins l'an et jour. And it lies always within a year and a day.

Et hoc paratus est verificare. And this he is prepared to verify.

Etiam judicium tunc primarius, nisi illud faceremus, rescripti illius forensis, qui libertatis personalis omnimodæ vindex legitimus est fere solus, usum omnimodum palam pronuntiavit (sui semper similis) nobis perpetuo in posterum denegandum. Quod ut odiosissimum juris prodigium, scientoribus hic universis censitum. At that time an extraordinary opinion of that lawyer, who should be considered the chief protector of all personal liberty publicly expressed (always like him) that if we were remanded on the king's rescript, our application to be brought up to court would be

ever after denied to us. Which judgment was recorded by all enlightened men as an abominable abuse of justice.

Etiamsi ad illa personæ consueverint et debuerint per electionem aut quemvis alium modum assumi. Although those personal benefices should by custom be assumed by election or some other way.

Et ideo. And therefore.

Et ideo dicuntur liberi. And therefore they are called free.

Et non. And not.

Et omnes comites et barones una voce responderunt, quod nolunt leges Angliæ mutare, quæ hucusque usitatæ sunt et approbatæ. And all the earls and barons with one voice replied, that they would not change the laws of England which heretofore have been used and approved.

Et predict' quærens in propria persona sua venit et dicit quod ipse placitum suum pred' versus pred' defenden' ulterius prosequi non vult sed abinde omnino se retraxit. And the said plaintiff, in his proper person, comes and says that he will not prosecute his suit further against the said defendant, but from thence altogether hath withdrawn himself.

Et quod non habet principium, non habet finem. And what hath not a beginning, hath not an end.

Et sequitur. And it follows.

Et sequitur aliquando pœna capitalis, aliquando perpetuum exilium, cum omnium bonorum ademp-

tione. And sometimes a capital punishment follows, sometimes perpetual exile, with the confiscation of all his goods.

Et sic de similibus. And so of similar cases.

Et si super totum, &c. And if upon the whole, &c.

Et stet nomen universitatis. And the name of the corporation may stand.

Eundo. In going.

Eundo, morando et redeundo. In going, delaying and returning.

Eundo, redeundo et morando. In going, returning and delaying.

Eum qui nocentem infamat, non est æquum et bonum ob eam rem condemnari; delicta enim nocentium nota esse oportet et expedit. It is not just or proper to condemn him who decries a bad man; for it is useful and beneficial that the misdeeds of bad men should be exposed.

Ex abundanti cautela. From unnecessary (or abundant) caution.

Ex arbitrio judicis. At the will of the judge.

Ex assensu patris. By the assent of his father.

Ex assensu suo. By his own assent.

Ex æquo et bono. In justice and honour.

Excepta dignitate regali. The royal dignity excepted.

Exceptio ejusdem rei, cujus petitur dissolutio. An exception of the same thing which is sought to be dissolved.

Excommunicato capiendo. Taking an excommunicated person.

Excommunicatum. Excommunicated.

Ex contractu. Of (or from) a contract.

Ex contractu vel ex delicto. From a contract, or from a fault.

Excubias et explorationes quas wactas vocant. Constant watches and searches, which they call night watches.

Ex debito justitiæ. From a debt of justice.

Ex delicto. By fault (or) offence.

Ex donatione regis. Of the king's free gift.

Ex donationibus, servitia militaria vel magnæ serjantiæ non continentibus, oritur nobis quoddam nomen generale, quod est socagium. From donations not containing knight's services, or grand serjeanties, a certain general name arises to us, which is socage.

Exeant seniores duodecim thani, et præfectus cum eis, et jurent super sanctuarium quod eis in manus datur, quod nolint ullam innocentem accusare, nec aliquem noxium celare. That twelve of the oldest freeholders, accompanied by the sheriff, go and swear upon the holy testament, which is placed in their hands, that they will not accuse the innocent nor screen the guilty.

Execrabile illud statutum. That abominable statute.

Executio est fructus, finis et effectus legis. Execution is the benefit, end, and effect of the law.

Ex facto oritur jus. The law arises from the fact.

Ex gratiâ. Of (or by) favour.

Ex gratiâ curiæ. By favour of the court.

Exigi facias. That you cause to be exacted (or demanded.)

Exitus. The end; issue.

Ex lex. An outlaw.

Ex maleficio. From mischief; wrong.

Ex mensa et toro. From board and bed.

Ex merito justitiæ. As he deserves in justice.

Ex necessitate. Of necessity.

Ex necessitate legis. By necessity of law.

Ex necessitate rei. From the urgency of the case.

Ex nudo pacto non oritur actio. An action does not commence from a bare agreement.

Ex officio. Officially.

Exoneretur. That he (or it) be discharged.

Ex parte. Partly.

Exparte paterna. On the father's side.

Expeditio contra hostem, arcium constructio, et pontium reparatio. An expedition against an enemy, the building of forts, and the repairing of bridges.

Ex post facto. From an after-act; after a deed is done.

Expressio eorum quæ tacite insunt. The expression of those things which are silently in it.

Ex provisione mariti. Of the provision of her husband.

Ex quibus rex unum confirmabat. One of whom the king confirmed.

Ex rigore. In strictness; in severity.

Ex speciali gratia, certa scientia, et mero motu regis. By the special favour, certain knowledge, and mere motion of the king.

Extendi facias. That you cause to be extended.

Extenditur hæc pax et securitas ad quatuordecim dies, convocato regni senatu. This privilege and security is extended to fourteen days, the parliament of the kingdom being assembled.

Extractum. An estreat; copy of a record or fine enrolled in court.

Extra quatuor maria. Beyond the four seas.

Extravagantes communes. The general edicts.

Extravagantes Joannis. The edicts of John.

Extra viam. Beyond (or out of) the way.

Ex visitatione Dei. By the visitation of God.

Ex vi termini. From the meaning (or force) of the term.

F.

Facio, ut des. I perform, that you give.

Facio, ut facias. I do, that you perform.

Factum. A deed.

Facultas ejus, quod cuique facere libet, nisi quid vi, aut jure prohibetur. The power of doing that which each person pleases, except it be any thing forbidden by force or by law.

Fœmina viro co-operta. A feme covert—a married woman.

Fallo. To deceive; to betray.

Fallonia. Felony: a trespass whereby a tenant forfeits to the lord of the soil that which he holds.

Falsa sit pœnitentia [laici] cum penitus ab officia curiali vel negotiali non recedit, quæ sine peccatis agi ulla ratione non prævalet. The repentance of a layman is vain, if he remove not far from a professional and mercantile pursuit, which cannot possibly be followed without sinning.

Famosos latrones, in his locis, ubi grassati sunt, furca figendos placuit; ut, et conspectu deterreantur alii, et solatio sit cognatis interremptorum eodem loco pœna reddita, in quo latrones homicidia fecissent. It was their will that infamous robbers should be fixed on a gibbet, in those places where they committed the robbery; that others might be deterred by the spectacle, and that the punishment being expiated in the same place where the robbers committed the murders, may be a consolation to the relatives of those who were killed.

Fas. Right; justice.

Fefellit. He has betrayed (or destroyed).

Felo de se. Felon of himself; a self-murderer.

Felonia. Felony; a capital crime.

Felonia, per quas vasallus amiteret feudum. Felonies by which a vassal lost his fee.

Felonice. Feloniously.

Felonice cepit et asportavit. He feloniously took and carried away.

Feme covert. A married woman.

Feme sole. A single woman.

Feoda propria et impropria. Proper and improper feuds.

Feodum. A fee; an estate in fee.

Feodum est quod quis tenet sibi et hæredibus suis, sive sit tenementum, sive reditus, &c. A fee is that which any person holds for himself, and for his heirs, whether it be a tenement or a rent, &c.

Feodum militare. A knight's fee.

Feodum talliatum. An entail (or fee tail).

Feoffamentum. The donation of a fee.

Feoffare. To give (or grant) a fee; to enfeoff.

Feorme. Provisions, rent.

Feræ. Wild; wild beasts.

Feræ igitur bestiæ, et volucres, et omnia animalia quæ mari, cælo, et terra nascuntur, simul atque ab aliquo capta fuerint, jure gentium statim illius esse incipiunt. Quod enim nullius est, id naturali ratione occupanti conceditur. Therefore wild beasts and birds and all living things which are created in sea, air, or earth, as soon as they are taken by any person, they commence immediately to be his property, by the law of nations. For that which is not the property of any one, by natural reason, is granted to the first person who takes possession of it.

Feræ naturæ. Of a wild nature.

Feræ naturæ, et nullius in bonis. Of a wild nature, and in the goods of no man.

Feræ naturæ per industriam hominis. Animals of a wild nature tamed by the industry of a man.

Feræ naturæ propter privilegium. Animals of a wild nature by reason of privilege.

Feræ naturæ ratione impotentiæ. Animals of a wild nature, for want of power.

Feras. Wild (or wild beasts).

Festinum remedium. A speedy remedy.

Ferra election destre whipt ou de paier costs. He shall make choice to be whipped, or to pay his costs.

Festinum remedium. A speedy remedy.

Feuda individua. Individual (or inseparable) fees.

Feudis antiquis. Fees ancient (or of ancestry.)

Feudum antiquum. An ancient fee; a fee of ancestry.

Feudum apertum. An open (or plain) fee.

Feudum avitum. A fee (or inheritance) from a grandfather.

Feudum ligium. A liege fee.

Feudum maternum. A fee descended from the mother.

Feudum novum. A newly acquired fee.

Feudum paternum. A fee (or) inheritance from the father.

Fiat. Let it be done.

Fidei commissa. Feoffments of trust.

Fidei commissum. A feoffment of trust.

Fide jussores. Persons who appear as sureties for others.

Fidelitas. Fealty.

Fidem nuptialis contractus. A promise (or obligation) of a marriage contract.

Fief d'haubert. A tenure by knight's service.

Fieri. To be made (or done).

Fieri facias. That you cause to be made (or done).

Fieri facias de bonis ecclesiasticis, &c. That you cause to be made of the ecclesiastical goods, &c.

Fieri facias de bonis propriis. That you cause to be made of the proper goods.

Fieri feci. I have caused to be made.

Fieri feci sequestrari. I have caused sequestration to be made.

Filii nobilium. Sons of noblemen (or gentlemen.)

Filius mulieratus. The eldest legitimate son of a woman, who was illicitly connected with his father before marriage.

Filius populi. A son of the people; a bastard.

Filum forestæ. The line (or bound) of the forest.

Finalis concordia. The final agreement.

Firmarius. A farmer.

Fit juris et seisinæ conjunctio. It becomes a conjunction of right and possession.

Fiunt. They are made; they become.

Flagellis et fustibus acriter verberare uxorem. To punish his wife severely with lashes and sticks.

Flagrante delicto. While the offence was glaring.

Flotsam. Goods floating on the surface of the sea.

Fædus Edwardi et Guthruni. The treaty of Edward and Guthrun.

Fœnus nauticum. Nautical usury; bottomry.

Forestællan. Forestalling.

Forma et figura judicii. The form and manner of trial.

Formedon. The form of a gift: a writ issued to recover lands or property in gift.

Formedon in descender. Formedon in descent.

Formedon in reverter. Formedon in reversion.

Forum plebeiæ justitiæ et theatrum comitivæ potestatis. The court of justice for the common people, and the public place of meeting of the power of the county.

Frankalmoign. Free gift.

Frater consanguineus. A paternal (or half) brother.

Frater fratri, sine legitimo hærede defuncto, in beneficio quod eorum patris fuit succedat: sed autem unus e fratribus a domino feudum acceperit, eo defuncto sine legitimo hærede, frater ejus in feudum non succedit. One brother may succeed to the other's estate derived from their father, if

the lawful heir of his body be dead: but if one brother receives his fee from the lord, he having died without a lawful heir, his brother does not succeed to the fee.

Frater fratri uterino non succedet in hæreditate paterna. A brother shall not succeed a maternal brother in a paternal inheritance.

Frater uterinus. A maternal (or half) brother.

Fraudem facere legi. To commit a fraud in (or upon) law.

Fraunke ferme. Free farm.

Fructus industriales. Fruits of industry.

Functus officio. Being discharged from the duty; having discharged the duty.

Fundamus. We found.

Fundatio incipiens. The original foundation.

Fundatio perficiens. The concluding foundation.

Fundi patrimoniales. Lands of inheritance.

Furem, si aliter capi non posset, occidere permittunt. It is admissible to kill a robber if he cannot be otherwise secured.

Furiosus furore solum punitur. A lunatic is punished only by his lunacy.

Furiosus solo furore punitur. A madman is punished only by his madness.

Furtum lege naturali prohibitum est admittere. It is forbidden by the law of nature to allow theft.

G.

Gallia causidicos docuit facunda Britannos. Gaul, famous for its eloquence, afforded instruction to the British lawyers.

Generalia comitatuum placita certis locis et vicibus teneantur. Intersint autem episcopi, comites, &c.; et agantur primo debita veræ christianitatis jura, secundo, regis placita, postremo causæ singulorum dignis satisfactionibus expleantur. That the general pleas of the counties be held in certain places and courses. And that the bishops, counts, &c. be present; and determine in the first place the just rights of the true religion; secondly, the pleas of the king; finally, that the causes of all be determined with due satisfaction.

Gildam mercatorium. A guild of merchants.

Git. The ground; the foundation.

Graef; grave. A governor (or count).

Grand cape. A writ whereby the king takes possession of land by default of the tenant.

Grand coustumier. The great book of customs.

Grand serjeanty per magnum servitium. A grand serjeanty for a superior service.

Gratis. For nothing; free.

Gratis dictum. A free saying.

H.

Habeas corpora juratorum. That you have the bodies of the jurors.

Habeas corpora quatuor militum. That you have the bodies of four knights.

Habeas corpus ad respondendum. That you have the body to answer.

Habeas corpus ad satisfaciendum. That you have the body to satisfy.

Habeas corpus ad satisfaciendum, ad recipiendum. That you have the body to satisfy, to receive.

Habeas corpus ad testificandum. That you have the body to testify.

Habeas corpus ad subjiciendum. That you have the body to submit (or answer.)

Habeas corpus cum causa. That you have the body with the cause.

Habeas corpus cum causis. That you have the body with the causes.

Habendum. To have.

Habent legibus sancitum, si quis quid de republica a sinistimis rumore aut fama acceperit, uti ad magistratum deferat, neve cum alio communicet: quod sæpe homines temerarios atque imperitos falsis rumoribus terreri, et ad facimus impelli, et de summis rebus consilium capere cognitum est. It is established by the laws, if any person hears of a matter concerning the republic, by omens, rumours, or report, that he convey it to the magistrate, and that he do not communicate with any other person: because it is known, that rash and unskilful men are terrified by false rumours, and are driven to crime, and take their own advice on the most important subjects.

Habitum et tonsuram clericalem. A clerical gown and shaving of the head.

Habuit. He had; he possessed.

Habere cognitionem placitorum. To have cognizance of pleas.

Habere facias possessionem. That you cause to have possession.

Habere facias seisinam. That you cause to have the possession.

Habiles ad matrimonium. Fit for marriage.

Hæc est finalis concordia. This is the final agreement.

Hæc quæ nullius in bonis sunt, et olim fuerunt inventoris de jure naturali, jam efficiuntur principis de jure gentium. Those things which are not the property of any person, and heretofore were by the law of nature the finder's, are now made the right of the sovereign by the law of nations.

Hæc sunt instituta quæ Edgarus rex consilio sapientum suorum instituit. These are the institutes which king Edgar, with the advice of his wise counsellors, enacted.

Hæc sunt institutiones, quas rex Edmundus et episcopi sui cum sapientibus suis instituerunt. These are the laws which king Edmund and his bishops, together with his counsellors, ordained.

Hæc sunt judicia, quæ sapientes consilio regis Ethelstani instituerunt. These are the rules which the wise counsellors, by advice of king Ethelstan, instituted.

Hæc verba. These words.

Hæreda de omnibus quidem cognoscit, non tamen de omnibus judicat. The court leet takes cognizance of all matters, but it does not give judgment in all.

Hæredes. Heirs; heiresses.

Hæredes maritentur absque disparagatione. That heirs (or heiresses) be married without disparagement.

Hæredes successoresque, sui cuique liberi, et nullum testamentum: si liberi non sunt, proximus gradus in possessione, fratres, patrui avunculi. The children of every man are his heirs and successors, without testament: if there be no children, the next of kin, as brothers, paternal or maternal uncles, succeed in the possession.

Hæreditas jacens. An estate in abeyance.

Hæreditas nunquam ascendit. An inheritance never ascends.

Hæres factus. An heir made (or appointed.)

Hæres natus. An heir born.

Hæres non redimet terram suam sicut faciebat tempore fratris mei, sed legitima, et justa relevatione relevabo eam. An heir shall not redeem his land as he did in my brother's reign, but, by a lawful and just relief, I will relieve it.

Hæreticus est qui dubitat de fide catholica, et qui negligit servare ea, quæ Romana ecclesia statuit, seu servare decreverat. A heretic is one who doubts the catholic faith, and neglects to observe those rules, which the Roman church ordains, or had decreed him to keep.

Hamesecken. Burglary; the robbery of a castle.

Herbagii pasturæ. Of the herbage of a pasture.

Herefordscire. In Lene, &c. consuet' ut præpositus manerii veniente domina sua (regina) in maner: præsentaret ei xviii *oras* * *denar' ut esset ipsa læto animo.* Herefordshire. In Lene, &c. by custom, that the provost of the manor, on his mistress (the queen) coming into the manor, present her with eighteen pieces of money that she may be well pleased.

Heretochii. Dukes.

Heriettum. Heriot. The giving of the best beast, or other best good, to the lord of the soil, upon the death of the tenant.

Herus dat, ut servus faciat. The master pays, that the servant may perform his work.

Hic est, qui leges regni cancellat iniquas,
Et mandata pii principis æqua facit.

It is he who expunges the unjust laws of the kingdom, and performs the just commands of a pious king.

Hijs testibus. These being witnesses.

Hijs testibus Johanne Moore, Jacobo Smith, et aliis ad hanc rem convocatis. These witnesses John Moore, James Smith, and others being called together, to witness the execution of this deed.

Hoc audi, homo, quem per manum teneo, &c. Hear this, O man! whom I hold by the hand, &c.

* "Ora," a Saxon coin, valued at 1*s.* 4*d.*

Hoc est. That is.

Hoc paratus est verificare. This he is ready to verify.

Hoc paratus est verificare per recordum. This he is prepared to verify by the record.

Hoc quidem per quam durum est, sed ita lex scripta est. This is indeed very severe, but thus the law is written.

Hoc te uno, quo possum, modo, filia, in libertatem vindico. My daughter, I set you at liberty by this only method which now remains in my power.

Homage auncestral. Homage by ancestry.

Homagium. Homage.

Homicidia vulgaria; quæ aut casu, aut etiam sponte committuntur, sed in subitaneo quodam iracundiæ calore et impetu. Common homicides; those which are committed either by chance, or even of one's own accord, but in some sudden heat and violence of passion.

Homicidium quod nullo videnie, nullo sciente clam perpetratur. Homicide which is secretly perpetrated, no person seeing or knowing it.

Homine replegiando. In replevying (or redeeming) a man.

Homines ligii. Liege men.

Homo mercator vix aut nunquam potest Deo placere; et ideo nullus christianus debet esse mercator; aut si voluerit esse, projiciatur de ecclesia Dei. A man, as a merchant, can seldom or never please God; and therefore no christian ought

to be a merchant; or if he will be such, let him be expelled the church of God.

Honoris causa. For the sake of honour.

Hostes hi sunt qui nobis, aut quibus nos, publice bellum decrevimus: cæteri latrones aut prædones sunt. They are enemies against whom we have publicly declared war: others are looked upon as robbers or spoilers.

Hostis humani generis. An enemy of the human race.

Hotchpot. Property distributive by co-parceny.

Hutchet. A postboy's (or huntsman's) horn.

Hutesium et clamor. A horn and shouting; hue and cry.

Hypotheca. A gage (or mortgage).

I.

Ibidem. In the same place.

Ibi esse pœnam, ubi et noxa est. That punishment be inflicted, where the offence exists.

Id certum est, quod certum reddi potest. That is certain, which can be made (or rendered) certain.

Idem per idem. The same by the same; like by like.

Ideo consideratum est quod computet et defendens in miseracordiâ. Therefore it is considered that he account, and the defendant be in mercy

Ideo mihi restat dubitandum. Therefore I must remain in doubt.

Id est. That is.

Idiota a casu et infirmitate. An idiot from chance and infirmity.

Id tenementum dici potest socagium. That holding may be called a socage.

Ignoramus. We are ignorant of it; we know not.

Ignorantia juris, quod quisque tenetur scire, neminem excusat. Ignorance of the law, which every man is held to know, excuses no person.

Ignoscitur ei qui sanguinem suum qualiter redemptum voluit. He who in defence of his life commits violence, is pardoned for the act.

Il conviendroit quil fust non mouuable et de duree a tousiours. It was proper that it should be immoveable and of constant duration.

Il covint aver' oue luy xi *maynz de jurer oue luy, sc' que ilz entendre en lour consciens que il disoyt voier.* It was necessary to have with him eleven compurgators to swear with him, that they conscientiously believed that he spoke the truth.

Ille qui tenet in villenagio faciet quicquid ei præceptum fuerit, nec scire debet sero quid facere debet in crastino, et semper tenebitur ad incerta. He who holds in villenage shall do whatsoever he is commanded to perform, nor is it necessary that he should know in the evening what he is to do on the morrow, and he shall always be held to uncertain services.

Illicitum collegium. An unlawful assembly.

Illis autem qui communiam tantùm habent in fundo alicujus, aliud remedium non competet nisi

admensuratio. For no other remedy is proper but admensuration to those who have only a common in the estate of another.

Illud dici poterit feodum militare. That may be called a knight's fee.

Illud enim nimiæ libertatis indicium, concessa toties impunitas non parendi; nec enim trinis judicii concessibus pœnam perditæ causæ contumax meruit. That is truly a sign of excessive liberty, when disobedience is so often pardoned, nor even was the party ordered for contempt to pay the penalty of a lost cause, three days of judgment being granted.

Illud ex libertate vitium, quod non simul nec jussi conveniunt; sed et alter et tertius dies cunctatione coeuntium absumitur. That vice, arising from liberty, because they do not meet when commanded; for both the second and the third day is wasted by the delay of their meeting.

Il peut cependant être laissé à l'árbitrage d'un tiers: si le tiers ne veut ou ne peut fair l'estimation il n'y à point de vente. It may however be left to the arbitration of a third person: but if the third person neither will nor can make the valuation, there is no sale.

Immediatè. Immediately; forthwith.

Immoderate suo jure utatur tunc reus homicidii sit. He who may immoderately use his own right is guilty of homicide.

Imparlance est quando ipse defendens petit licentiam interloquendi, scilicet, quant le defendant

desire le cour de douer a luy temps de pleader al suit ou action que est commence vers luy. Imparlance is when the defendant asks leave for interlocution, that is to say, when the defendant requests the court to grant him time to plead to the suit or action which is commenced against him.

Imperator. An emperor; a commander.

Imperator solus et conditor et interpres legis existimatur. The emperor is considered the only founder and expounder of the law.

Imperium in imperio. Empire in empire.

Impetere. To attack; to sue; to impeach.

Implacitasset quendum, &c. He should have impleaded a certain, &c.

Impositio manuum. The laying of hands on any one.

Impotentia excusat legem. Want of power excuses the law.

Imprimis. In the first place; chiefly; especially.

Imprimis autem debet quilibet, qui testamentum fecerit, dominum suum de meliori re quam habuerit recognoscere; et postea ecclesiam de alia meliori. For each person, in making his will, should, in the first place, acknowledge his lord entitled to the best chattel in his possession; and the church to the next best chattel.

Improvidè. Incautiously.

In arcta et salva custodia. In close and safe custody.

In æquali jure potior est conditio possidentis. In equal right, the condition of a possessor is preferable.

In æquali jure vel injuriâ potior est conditio defendentis. In equal right or wrong the condition of the person defending is preferable.

In Britannia tertia pars bonorum decedentium ab intestato in opus ecclesiæ et pauperum dispensanda est. In Britain a third part of the goods of persons dying intestate shall be distributed for the use of the church and the poor.

In capita propter honoris respectum, defectum; propter affectum; vel propter delictum. Challenges to the polls of a jury, either on account of respect to a nobleman; or from a defect of birth, or from suspicion of partiality; or for a crime.

In capite. In chief.

In casu proviso. In the case provided.

Incendit et combussit. He set fire to, and burned.

Incertam et caducam hæreditatem relevabat. He relieved a doubtful and frail inheritance.

In ceux parolx "contra inhibitionem novi operis" iny ad pas entendment. In those words, "against the prohibition of the new work," it is not intelligible.

Incipientibus nobis exponere jura populi Romani, ita videntur tradi posse commodissime, si primo levi ac simplici via singula tradantur: alioqui si statim ab initio rudem ad huc et infir-

mum animum studiosi multitudine ac varietate rerum oneravimus, duorum alterum, aut desertorem studiorum efficiemus, aut cum magno labore, sæpe etiam cum diffidentia, qua plerumque juvenes avertit, serius ad id perducemus, ad quod, leviore via ductus, sine magno labore, et sine ulla diffidentia maturius perduci potuisset. In order to expound the laws of the Roman people to us beginners, so that they may thus seem to be most easily delivered, if they be taught at first in a light and simple way: or else, if directly from the beginning, we students have loaded our mind, as yet unskilled and weak, with a great store and variety of subjects, we do one of those two things, either desert our studies, or with great labour, oftentimes even with mistrust, which mostly impedes young students, we arrive at that knowledge later, which if conducted by a more simple method it could have been acquired in less time without any great labour, and without diffidence.

Incipitur. It is begun; the beginning.

In clientelam recipere. To receive under protection (or patronage).

Incolæ territorii. The inhabitants of a district (or territory).

In consimili casu. In a very like case.

In contractibus veniunt ea quæ sunt moris et consuetudinis in regione in quâ contrahitur. In contracts those things occur, which are of law

and custom in the place, in which the contract is made.

Incorporamus. We incorporate.

In crastino animarum. On the morrow of All Souls.

In curia wardorum. In the court of wards (or liveries).

In curia domini regis ipse in propria persona jura discernit. In the court of our lord the king, he determines the laws in his own person.

Indebitatus. Indebted; a debtor.

Indebitatus assumpsit. The debtor has promised.

Inde producit sectam, &c. Thereof he brings his suit, &c.

Indicavit. He hath proclaimed.

In dominicis terris. On the lord's lands.

In dominio suo. In his demesne; his lordship.

Indorso. On the back.

In ejus unius persona veteris reipublicæ vis atque majestas per cumulatas magistratuum potestates exprimebatur. The power and dignity of the ancient republic was represented in his person alone, above the authorities of the magistrates collected altogether.

In esse. In being.

In eventu. In the event; in the end.

In extenso. In the extent; at length.

In extremis. In the last moments; in extremity.

In facie ecclesiæ. In the face of the church.

In facie ecclesiæ et ad ostium ecclesiæ; non enim valent facta in lecto mortali, nec in camera, aut alibi ubi clandestina fuere conjugia. In the face of the church, and at the door of the church; for marriages do not avail performed in a man's bed, or in his chamber, or in any other place where they were clandestine.

Infangthief. A thief taken within a lord's fee.

Infantia. Infancy: to seven years of age.

Infantiæ proxima. Next to infancy.

In favorem prolis. In favour of the offspring.

In favorem vitæ. In favour of life.

In feudare. To grant a fee.

In feudis antiquis. In fees ancient.

In feudis novis. In fees newly acquired.

In feudis stricte novis. In fees strictly new.

In feudis vere antiquis. In fees truly ancient.

In fictione juris semper subsistit æquitas. In the fiction of law, equity always holds (or subsists).

In forma pauperis. In the character of a pauper.

In foro conscientiæ. In the court of conscience; conscientiously.

In foro contentioso. In a contentious court.

In foro seculari. In a secular (or lay) court.

Infra. Below; beneath; within.

Infra annum luctus. Within the year of mourning.

In fraudem legis. To an imposition against law.

In futuro. In future; for a limited time to come.

Ingenium. Invention; capacity; an engine (in law).

In hanaperio. In a hamper; in the hanaper.

In iisdem terminis. In the same terms.

In infinitum. To no end; without limit.

In ipso concilio vel principum aliquis, vel pater, vel propinquus scuto framcaque juvenem ornant. Hæc apud illos toga, hic primus juventæ honos: ante hoc domus pare videntur; mox reipublicæ. In the council, either some one of the chiefs, or the father, or a relation, furnishes the youth with a shield and a short spear. This is as much esteemed among them as the robe, it being the first honour conferred on youth: before this, they are considered among the family; after that, of the republic.

In judicio non creditur nisi juratis. In law none are believed but those who are sworn.

In jus vocando. In calling to court; to sue.

In libera eleemosyna. In free gift.

In libero maritagio. In free marriage.

In limine. In (or on) his entrance; at the beginning.

In loco parentis. In the place of a parent.

In misericordia domini regis pro falso clamore suo. In mercy of our lord the king, for his false claim.

In modum juratæ et non in modum assisæ.

After the manner of a common jury, and not after the manner of an assize.

In mortua manu. In a dead hand (or mortmain).

In naufragorum miseria et calamitate tanquam vultures ad prædam currere. In the distress and wretchedness of those who suffer shipwreck, they run like vultures to their prey.

In nostra lege unum comma evertit totum placitum. In our law one comma overturns a whole plea.

In notis. In the notes: in marked characters of writing.

In nullo est erratum. It is erroneous in no part.

In numero impiorum ac sceleratorum habentur: ab iis omnes decedunt, aditum eorum sermonemque defugiunt, ne quid ex contagione incommodi accipiant: neque iis pretentibus jus redditur, neque honos ullus communicatur. They are considered in the number of impious and wicked men: all depart from them, and avoid their approach and discourse, lest they receive any injury from the contagion: neither is any law afforded them when seeking it, nor is any honour allowed them.

In obsequio domini regis, vel alicujus episcopi. In the service of our lord the king, or of some bishop.

In omnibus contractibus, sive nominatis sive innominatis, permutatio continetur. In all contracts, whether named or not named, an exchange is comprised.

In omnibus, imperatoris excipitur fortuna; cui ipsas leges Deus subjecit. In all things the state of the emperor is excepted; to whom God has made those laws subject.

In omnibus placitis de felonia solet accusatus per plegios dimitti, præter quam in placito de homicidio, ubi ad terrorem aliter statutum est. In all charges of felony the accused party is usually discharged upon his giving sureties, except in a charge of homicide where it is otherwise assigned to fear.

In omni scibili, et de quolibet ente. In every science, and of any being.

Inops consilii. Wanting advice; in need of counsel.

In pais. In the country; on the spot.

In pari materia. In a like matter.

In pari delicto. In a like offence.

In parva baga. In a small bag.

In perpetuum rei testimonium. In lasting testimony of the fact.

In personam. To the person; against the person.

In pios usus. To pious uses.

In pleno comitatu. In full county court.

In potestate parentis. In the power of the parent.

In præsenti. At the present time.

In principio. In the beginning.

In propriâ personâ sedente curia. In his own person, when the court is sitting.

In quibusdam locis habet ecclesia melius animal de consuetudine: in quibusdam secundum, vel tertium melius: et in quibusdam nihil: et ideo consideranda est consuetudo loci. In some places the church has the best beast by custom: in some, the second or third best: and in other places, nothing: and so it is regulated by the custom of the place.

Inquisitio post mortem. Inquest after death.

In rem. To (or against) the property; to the point.

In salvâ et arctâ custodia. In safe and close custody.

Insidiatio viarum. Lying in wait on the highways.

In specie. In the appearance; in quality.

In solido. In substance.

Insimul computassent. They cast up their accounts together; they accounted together.

Instanter. Immediately; on the instant.

Instar dentium. Like teeth (of a saw).

Instar omnium. Like all such things.

In statu quo. The condition in which he was before.

In stirpes. To the race; according to lineage.

Instrumenta domestica, seu adnotatio, si non aliis quoque adminiculis adjuventur, ad probationem sola non sufficiunt. Private instruments in writing, or a remark, if they be not also supported by other evidence, are not alone sufficient proof.

In subsidium. In aid.

Insultus. An assault.

In summo jure. In the rigour of the law.

Inter alia. Amongst other things.

Inter alia promisit. Amongst other things he promised.

Interesse damni. Interest of (or in) a loss.

Interesse lucri. Interest of (or in) profit.

Interesse termini. An interest in a term.

Interest reipublicæ ut sit finis litium. It is beneficial to the state that there should be an end to litigation.

Inter minora crimina. Amongst lesser crimes; misdemeanours.

Inter pares non est potestas. Amongst equals one has not authority over another.

Inter partes. Between parties (or parts).

Interregnum. A space between two reigns.

Inter veteres satis abundeque hoc dubitatur, constaretne venditio an non. This is more than amply doubted among the ancients whether the sale should stand good or not.

In testimonium. In testimony; in evidence; in witness.

In totidem verbis. In so many words.

In toto. Altogether; on the whole.

In toto regno, ante ducis adventum, frequens et usitata fuit: postea cæteris adempta, sed privatis quorundam locorum consuetudinibus alibi postea regerminans: Cantianis solum integra et inviolata remansit. Throughout the whole kingdom, be-

fore the arrival of the duke, it was frequent and customary: afterwards it was abolished among other customs, but among the private customs of some other places it was rising again: it remained whole and uncorrupted only among the Kentish people.

Intra mænia. Within walls.

In transitu. In passing from one to another; in changing.

Intra præsidia. Within safe shelter.

In vadio. In gage; in pledge.

In ventre sa mere. In its mother's womb.

In via, rem uti pacent orato. Try, on the way, to adjust the matter amicably.

In vita testatoris. In (or during) the life of the testator.

Ipsi regali institutioni eleganter inserta. Finely introduced for that royal institution.

Ipsius patris bene placito. By the goodwill of his father.

Ipso facto. By the deed itself.

Ipso facto ab initio. By the deed itself, at (or from) the beginning.

Is cui cognoscitur. He to whom it is acknowledged: a cognizee.

Is qui cognoscit. He who acknowledges: a cognizor.

Isti vero viri eliguntur per commune consilium, pro communi utilitate regni, per provincias et patrias universas, et per singulos comitatus, in pleno folkmote, sicut et vice comites, provinciarum et co-

mitatuum eligi debent. Those men are elected by the general counsel, for the common benefit of the kingdom, by the provinces, and the whole country, and by all the counties in a full assembly of the people, just as the sheriffs of provinces and counties should be elected.

Istud homicidium, si fit ex livore, vel delectatione effundendi humanum sanguinem, licet juste occidatur iste, tamen occisor peccat mortaliter propter intentionem corruptam. That is homicide, if it be done from malice, or from a delight in shedding human blood, although that man be killed justly, yet, the person who killed him sins mortally on account of his corrupt intention.

Ita lex scripta est. Thus the law is written.

Ita maritentur ne disparagentur, et per consilium propinquorum de consanguinitate sua. So that they be married without any improper influence, and by the advice of their nearest relations.

Ita quod, proinde. So that, wherefore.

Ite et inter vos causas vestras discutite, quia dignum non est ut nos judicemus Deos. Go and discuss your causes among yourselves, because it is not meet that we judge the Gods.

Item poterit quis communiam cum alio et jus fodiendi, sicut jus pascendi et jus venandi, piscandi, potandi, hauriendi, et alia plura, quæ infinita sunt faciendi cum libero accessu et recessu et secundùm quod ad dictam communiam pasturæ pertinet.

Also any one may enjoy common with another, and the right of digging, just as the right of grazing, and the right of hunting, fishing, drinking, drawing water, and many other privileges, which are unbounded, of doing with free access and recess, and according to that which belongs to the said common of pasture.

J.

Jam illis promissis non esse standum, quis non videt, quæ coactus quis metu et deceptus dolo promiserit? Quæ quidem plerumque jure prætorio liberantur, nonnulla legibus. Now these promises cannot hold good, for who is there that sees not how a man might have made promises, when forced by fear and deceived by stratagem? Which matters are provided against, for the most part, by the prætorian law, some by the standing laws.

Jeofail. I have failed (or erred); an error in proceeding.

Jeo vous dirai un fable. En ascun temps fuit un pape, et avoit fait un grand offence, et le cardinals vindrent a luy et disoyent a luy, "peccasti;" et il dit, "judica me:" et ils disoyent, "non possumus, quia caput es ecclesiæ; judica teipsum:" et l'apostol' dit, "judico me cremari;" et fuit combustus; et apres fuit un sainct. Et in ceo cas il fuit son juge demene, et issint n'est pas inconvenient que un home soit juge demene. I will tell you a story.

Some time ago a pope had committed a great offence, and the cardinals came and said to him, "thou hast sinned;" and he replied, "judge me:" and they answered, "we cannot, because you are the head of the church; judge yourself:" and the apostle said, "I adjudge myself to be burnt;" and he was burnt; and afterwards he was a saint. And in this case he was his own judge, therefore on such occasions it is not improper that a man should be his own judge.

Je riens ne celerai, ne sufferai estre celé ne murdré. I will not conceal any thing, nor suffer it to be concealed nor stifled.

Jetsam. Goods cast into the sea.

Judex. A judge.

Judex de ea re cognoscet. The judge will take cognizance of that matter.

Judicatum solvere. To pay what is adjudged.

Judices delegati. The chosen judges; a court of delegates.

Judicandum est legibus non exemplis. We must judge by the laws, not by examples (or precedents).

Judicia perverterunt, et in aliis erraverunt. They have perverted judgments in some cases, and have erred in others.

Judicium Dei. The judgment of God: ordeal.

Judicium ferri, aquæ, et ignis. The ordeal of iron, fire, and water.

Jurabit duodecima manu. He will swear by twelve compurgators.

Jura enim nostra dolum præsumunt, si unà non pereant. For our laws deem it a fraud if the goods of both perish not together.

Jura fiscalia. The revenue (or exchequer) rights.

Juramentum fidelitatis. The oath of fealty.

Jura personarum. The rights of persons.

Jura regalia. Royal rights; the rights of the crown.

Jura rerum. Rights of things.

Jurata. A jury.

Jure civili. Of the civil law (or right).

Jure divino. Of divine right.

Jure ecclesiæ. Of church right.

Jure emphyteutico. By the law of rents and services.

Jure gentium. By the law of nations.

Jure naturæ. By the law of nature.

Jure representationis. By a right of representation.

Jure uxoris. In right of his wife.

Jure vetusto obtinuit, quievisse omnia inferiora judicia, dicente jus rege. By the ancient law it was held, that all inferior judgments should cease, when the king declared the law.

Juris et seisinæ conjunctio. The conjunction of right and possession.

Juris naturalis aut divini. Of natural or divine law, (or right).

Juris positivi. Of positive law; absolute right.

Juris præcepta sunt hæc, honeste vivere, alterum non lædere, suum cuique tribuere. The rules

of law are these, to live uprightly, not to injure another, to give to each that which is his.

Juris utrum. Whether of right.

Jus accrescendi. The right of accruing (or) survivorship.

Jus accrescendi præfertur ultimæ voluntati. The right of survivorship is preferred to the last will and testament.

Jus ad rem. A right to property.

Jus albinatus. Right of escheat of an alien's property.

Jus civile est quod quisque sibi populus constituit. Civil law is that which each nation has established for itself.

Jus commune, et quasi gentium. The common law, and as it were, the law of nations.

Jus fodiendi. A right of digging.

Jus fiduciarium. Right of (or in) trust.

Jus gladii. The right of the sword; the executory power of a king.

Jus legitimum. A legal right.

Jus imaginum. The right of nobility (or of images).

Jus in re. A right in property.

Jus non scriptum tacito et illiterato hominum consensu et moribus expressum. The unwritten law was declared by the tacit and unlettered consent and customs of the people.

Jus merum. Pure (or mere) right.

Jus pascendi. The right of grazing.

Jus patronatus. The right of patronage.

Jus possessionis. The right of possession.

Jus postliminii. The right of return, reprisal, (or) recovery.

Jus prædicti S et seisinam ipsius. The right of the aforesaid S and his seisin.

Jus precarium. A right by courtesy—granted upon request.

Jus proprietatis. The right of property.

Jus prosequendi in judicio quod alicui debetur. The right of proceeding to judgment for what is due to any one.

Jus suum. His own right.

Justiciarii ad omnia placita. Judges of all pleas.

Justiciarii domini regis faciant fieri recognitionem de dissaisinis factis super assisam, a tempore quo dominus rex venit in Angliam proxime post pacem factam inter ipsum et regem filium suum. That the judges of our lord the king cause recognition to be made of the disseisins, made upon assize from the time that our lord the king arrived in England, until the peace made between him and the king his son.

Justiciarii in itinere. Judges in eyre.

Justiciarii itinerantes venerunt apud Vigorniam in octavis Sancti Johannis Baptistæ;—et totus comitatus eos admittere recusavit, quod septem *anni nondum erant elapsi, postquam justiciarii ibidem ultimo sederunt.* The judges in eyre came to Worcester on the octave of Saint John the Baptist;—and the whole county refused to admit them, because *seven* years had not elapsed since the judges last sat in the same place.

Jus trium liberorum. The right of three children.

Jus venandi, et piscandi. The right of hunting and fishing.

Juxta formam statuti. According to the form of the statute.

K.

Κατ' εξοχην. Excellent; most choice.

Kercke; Kircke; Kirkia; Kurk. A church.

Κοινος. Common; public.

Κομπρομισσον. A bond; an engagement.

Koning; Kyninge. A count; a constable; a king.

Κυβεκλειον. A bed-chamber.

Κυριυ οικος. The house of the Lord.

L.

Laches. Neglect; indolence.

Laga. Law.

Laicos privilegio universitatis gaudentis. Laymen enjoying the privilege of the university.

La loi de Mahomet confonde l'usance avec le prêt à intérêt. L'usure augmente dans les pais Mahométans à proportion de la séverité de la defence: le prêteur s'indemnise du peril de la contravention. The law of Mahomet confounds usance with the loan at interest. Usury increases in the Mahomedan countries, in proportion to the

severity of the prohibition: the lender indemnifies himself against the danger of obstruction.

Languidus, vel mortuus est. He is sick or dead.

Las partidas. The partitions.

Latitat. He lies hid.

Latitat et discurrit. He lurks and runs here and there.

Latrocinium. Larceny.

Latroni eum similem habuit, qui furtum celare vellet, et occulte sine judice compositionem ejus admittere. The law held him as bad as a thief, who was willing to conceal the theft, and privately to accept a composition without bringing the thief to justice.

Leges non scriptæ. The unwritten (or traditional) laws.

Leges posteriores priores contrarias abrogant. The laws last enacted repeal the laws before enacted to the contrary.

Leges sola memoria et usu retinebant. They retained their laws solely by memory and custom.

Leges sub graviori lege. Laws subject to a superior law.

Legibus patriæ optime instituti. They who were best instructed in the laws of the country.

Legitimo matrimonio copulati. Joined in lawful matrimony.

Le grand Coustumier. The great book of Customs.

Legum Anglicanarum conditor. The founder of the English law.

Legum Anglicanarum restitutor. The restorer of the English laws.

Le reason est, quia le keeping del cheval est un charge, quia il mange: mes le keeping del apparel n'est ascun charge. Quod tota curia concessit. The reason is that the keeping of a horse is an expense, because he eats: but the keeping of clothes is of no expense. Which the whole court granted.

Le roy le veut. The king wills it.

Le roy remercie ses loyal subjects, accepte leur benevolence, et aussi le veut. The king thanks his loyal subjects, accepts their benevolence, and wills it to be so.

Le roy s'avisera. The king will advise upon it.

Les juges sont sages personnes et autentiques,—sicome les archevesques, evesques, les chanoines des eglises cathedraulx, et les autres personnes qui ont dignitez in saincte eglise; les abbez, les prieurs conventaulx, et les gouverneurs des eglises, &c. The judges are wise and approved characters, such as the archbishops, bishops, the monks of the cathedral churches and the other persons who hold dignities in the holy church; abbots, priors of convents, and the governors of churches, &c.

Les loix extrêmes dans le bien font naitre le mal extrême; il falut payer pour le prêt de l'ar-

gent et pour le danger des peines de la loi. Laws extreme in good produce the greatest evil; we must pay for the loan of money, and for the danger of the penalties of the law.

Les prelats, seigneurs, et commons, ence present parliament assemblées, au nom de touts vous autres subjects, remercient tres humblement votre majesté, et prient a Dieu vous donner en sante bone vie et longue. The prelates, lords and commons in this parliament assembled, in the name of all your other subjects, most humbly thank your majesty, and pray to God to grant you good health and long life.

Le subpœna, ne serroit my cy soventement use come il est ore, si nous attendomus tiels actions sur les cases, et mainteinomus le jurisdiction de ceo court, et d'auter courts. The subpœna would not be so often used as it is, if we bring such actions upon the cases, and maintain the jurisdiction of this court and of the other courts.

Lettres de cachet. Sealed-letters; secret-letters.

Levantes et cubantes. Rising up and lying down.

Levari facias. That you cause to be levied.

Levari facias de bonis ecclesiasticis. That you cause to be levied of the ecclesiastical goods.

Lex Cornelia de sicariis. The Cornelian law, relating to assassins.

Lex et consuetudo parliamenti; ab omnibus quærenda, a multis ignorata, a paucis cognita. The

law and custom of parliament, sought after by all, unknown to many, and understood by few.

Lex Hostilia de furtis. The Hostilian law concerning thefts.

Lex Julia majestatis. The Julian law relating to treason.

Lex mercatoria. The law (or custom) of merchants.

Lex neminem cogit ad vana, seu impossibilia. The law obliges no man to do vain or infeasible things.

Lex non exacte definit, sed arbitrio boni viri permittit. That which the law does not exactly define, but leaves to the judgment of an honest man.

Lex non scripta. The unwritten (or common) law.

Lex pure pœnalis obligat tantam ad pœnam, non item ad culpam: lex pœnalis mixta et ad culpam obligat, et ad pœnam. The law purely penal binds only as to penalty, not as to fault: the mixed penal law compels both to fault and penalty.

Lex scripta. The written law.

Lex talionis. The law of retaliation.

Lex terræ. The law of the land.

Libelli famosi. Infamous writings, printings, pictures, or signs: libels.

Libera e persona. That the person be at liberty.

Liberam legem. Free law.

Liberati. At liberty, without constraint.

Liber et legalis homo. A free and lawful subject.

Liber homo non amercietur pro parvo delicto, nisi secundum modum ipsius delicti; et pro magno delicto, secundum magnitudinem delicti, salvo contenemento suo; et mercator eodem modo, salvo mercandisa sua: et villanus eodem modo amercietur, salvo wainagio suo. That a free man be not heavily fined for a trifling offence, but according to the extent of his offence; and for a great offence, according to the magnitude of that offence, saving his freehold; and the merchant, in the same manner, his merchandize being preserved; and the farmer in the same manner, his wainage being preserved.

Liberi Sokemanni. Tenants in free socage.

Liber judicialis. The "*Dom bec*" (or) Dome book.

Liberos et legales homines de vicineto. Free and lawful men of the neighbourhood.

Liberum animum testandi. A free intention of making a will.

Liberum et commune socagium. Free and common socage.

Liberum socagium. Free socage.

Liberum tenementum. Frank tenement (or) free holding.

Licebat palam excipere, et semper ex probabili causa tres repudiari; etiam plures ex causa prægnanti et manifesta. It was lawful openly to except, and three were always rejected for a pro-

bable cause; and even a greater number for a manifest and glaring reason.

Licentia concordandi. Leave of agreeing; liberty to consent.

Licentia loquendi. The liberty of speaking.

Licet apud consilium accusare quoque, et discrimen capitis intendere. It is likewise lawful to impeach at the general counsel, and to try capital offences.

Licet meretrix fuerit antea, certe tunc temporis non fuit, cum reclamando nequitiæ ejus consentire noluit. Although she was a prostitute before, certainly she was not so at that time, when crying out aloud, she would not consent to his debauchery.

Licet sæpius requisitus. Although frequently required so to do.

Ligamen. A band; a tie.

Ligan; Lagan. Goods sunk under water, but fastened to a buoy to save them from being lost.

Linguetta. An ingot.

Lis pendens. A suit pending.

Literæ clausæ. Closed (or private) letters;—close writs.

Literæ patentes. Open (or public) letters; letters patent.

Locatio. A letting (or setting) to hire.

Locatio vel conductio. A salary or hire.

Locus in quo. The place in which.

Locus pœnitentiæ. A place of repentance; room for repentance.

Locus vastatus. A place spoiled (or made waste).

Lucri causa. For the sake of gain; by reason of profit.

Luitur homicidium certo armentorum ac pecorum numero: recipitque satisfactionem universa domus. Homicide is atoned for by a certain number of herds and flocks: and the family in general accept it as a satisfaction.

M.

Magna charta. The great charter.

Magna est veritas et prævalet. Truth is powerful and prevails.

Maile. A piece of money; a silver half-penny.

Manour—Manœuvre—a Manu. The act of doing with the hand.

Majora regalia. The greater rights of the crown.

Majora regalia imperii præeminentiam spectant; minora vero ad commodum pecuniarum immediate attinent; et hæc proprie fiscalia sunt, et ad jus fisci pertinent. The greater rights of the crown regard the king's pre-eminence; but the lesser directly appertain to pecuniary benefit; and these are properly of the exchequer, and pertain to revenue right.

Mala fides. Bad faith.

Mala grammatica non vitiat chartam. Ungrammatical language does not vitiate a charter.

Mala in se. Mischiefs (or evils) in themselves.

Malam cerevisiam faciens, in cathedra ponebatur stercoris. He who made bad ale, was placed in a dung cart.

Mala praxis. A bad practice.

Mala prohibita. Mischiefs (or evils) forbidden, by the law of the land.

Mal feazance. Bad acting; doing what is wrong.

Malitia. Malice.

Malitia præcogitata. Malice aforethought.

Malitia supplet ætatem. Mischief makes up for age.

Malo animo. With an evil intent.

Malum in se. Mischief (or evil) in itself.

Malus usus abolendus est. A bad custom should be abolished.

Malum prohibitum. A mischief (or evil) prohibited.

Mancipia, quasi manu capti. Slaves, as if caught by the hand.

Mandavi balivo. I have commanded the bailiff.

Mandavi balivo, qui nullum dedit responsum. I have commanded the bailiff, who has given no answer.

Mandamus. We command.

Manerium (a manendo.) A manor (from the word "remaining").

Mansueta, quasi manui assueta. Tamed, as if accustomed (or used) to the hand.

Mansuetæ naturæ. Of a tame nature.

Manucaptio. Mainprize.

Manu forti. With strong hand.

Manu tenere. To hold in hand.

Marchio. A marquis.

Maritagium. Marriage.

Maritare. To marry; to provide a husband.

Materia prima. The first matter; the origin of matter.

Materia prima non est corpus, neque per formam corporalitatis, neque per simplicem essentiam: est tamen ens, et quidem substantia, licet incompleta; habetque actum ex se entitativum, et simul est potentia subjectiva. A body is not the origin of matter, neither by the mould of its bulk, nor by its simple essence: yet it is a being, and indeed substance, altho' incomplete; and it has a living action of itself, altho' at the same time it is a subjective power.

Mayhem. The act of maiming.

Mayhemium. Maiming.

Mærda. Murder.

Media. Middle.

Melior est conditio possidentis. The condition of the possessor is the better.

Melius inquirendum. To inquire better; to make a better search.

Membrum pro membro. Limb for limb.

Memento. Remember.

Mendacium sibi ipsi imponere. To give the lie to himself.

Mensura domini regis. The measure (or gauge) of our lord the king.

Mepris. Neglect; contempt.

Mercen lage. The Mercian law.

Mesne. Middle.

Mes, si la playnte soit faite de femme qu' avera tolle a home ses membres, en tiel case perdra le feme la une meyn par jugement, come le membre dount ele avera trespasse. But if the plaint be made of a woman who has deprived a man of his limbs, in such case the woman shall be adjudged to lose one hand, as the member with which she offended.

Meum et tuum. Mine and thine.

Michel gemote. The great meeting.

Miles. A knight.

Milites. Knights.

Minora crimina. Lesser crimes; misdemeanours.

Minora regalia. The minor rights of the crown.

Minus sufficiens in literatura. Deficient in learning.

Minutiæ. Small matters.

Mise. Cost (or expense); the issue of a writ of right.

Misericordia. Mercy.

Misera est servitus ubi jus est vagum aut incognitum. The slavery is wretched where the law is vague or unknown.

Mis-feazance. A misdeed.

Miserere mei Deus. Lord have mercy upon me.

Mitter le droit. To give over (or to convey) the right.

Mitter l'estate. To convey the estate.

Mittere in confusam cum sororibus, quantum pater aut frater ei dederit, quando ambulaverit ad maritum. To cast into a confused sum with her sisters, whatsoever property her father or brother bestowed on her when she was married.

Mittimus. We send.

Mittitur adversarius in possessionem bonorum ejus. It is sent against the goods in his possession.

Modicam castigationem adhibere. To use moderate chastisement.

Modo et forma. In manner and form.

Modus. A measure; bound; manner; custom.

Modus decimandi. The manner of tything.

Modus de non decimando non valet. The custom of paying no tythes is not prevalent.

Modus et conventio vincunt legem. Custom and agreement overcome the law.

Modus legem dat donationi. Custom gives a condition to the donation.

Modus levandi fines. The manner of levying fines.

Molliter manus imposuit. He laid hands on him gently.

Molossus. A mastiff dog.

Mons sacer. The sacred mount.

Monstrans de droit. Shewing of right.

Monstravit de compoto. He has shewn of account.

Mort d'ancestor. Death of an ancestor.

Mortis causa. In prospect of death.

Mortuum. Dead.

Mortuum vadium. A dead pledge.

Mulier. A married woman; (or an unchaste woman afterwards married to her seducer).

Mulier puisne. The eldest legitimate son of a woman, who, before marriage, was illicitly connected with his father.

Municipium. A free city (or town).

Murdravit. He murdered.

Murdre. Murder; concealment.

Murdrum. Murder. Also a fine levied upon the hundred where the crime was committed.

Muta canum. A kennel; a pack of hounds.

Mutatis mutandis. Changing what should be changed.

Mutuatus. Borrowed; the act of borrowing.

Michel-synoth. The great council.

N.

Nam adipiscimur possessionem corpore et animo; neque per se corpore, neque per se animo. Non autem ita accipiendum est, ut qui fundum possidere velet, omnes glebas circumambulet; sed sufficit quamlibet partem ejus fundi introire. For we obtain possession by body and intent; not

by body alone, nor mind alone. For it is not so to be taken, that he who is about to take possession of a farm, should walk over the whole of the ground; but it is sufficient, that he enter upon any part of his farm he pleases.

Nam de minimis non curat lex. For the law does not attend to trifles.

Nam et commodum ejus esse debet cujus periculum est. For the advantage should be his, who is also liable to the risk.

Nam ex antecedentibus et consequentibus fit optima interpretatio. For the best meaning is discovered by the matter which precedes, and by that which follows.

Nam exemplo perniciosum est, ut ei scripturæ credatur qua unusquisque sibi adnotatione propria debitorem constituit. For it is a mischievous rule, that implicit trust is to be placed upon that writing, in which any man may make another, by his own remark, a debtor.

Nam feudum sine investitura nulla modo constitui potuit. For a fee without possession could by no means be confirmed.

Nam leges vigilantibus, non dormientibus, subveniunt. For the laws relieve the watchful, not the slothful.

Nam nemo est hæres viventis. For no one is the heir of a living person.

Nam omne crimen ebrietas, et incendit, et detegit. For drunkenness both enkindles and discovers every crime.

Nam omne testamentum morte consummatum est: et voluntas testatoris est ambulatoria usque ad mortem. For every testament is accomplished by death: and the will of the testator is changeable unto death.

Nam qui facit per alium facit per se. For he who acts by another, acts by himself.

Nam qui hæret in litera, hæret in cortice. For he who doubts in a letter, depends in cork.

Nam quilibet potest renunciare jure pro se introducto. For any person may renounce a right introduced for himself.

Nam, qui non prohibet, cum prohibere possit, jubet. For he who forbids not, when he may, consents.

Nam quod remedio destituitur ipsa re valet, si culpa absit. For that which is without a remedy strengthens the thing itself, if no fault exists.

Nam quod semel meum est, amplius meum esse non potest. For what is once mine, cannot be more fully mine.

Nam silent leges inter arma. For the laws are silent during wars.

Nam verba debent intelligi cum effectu, ut res magis valeat quam pereat. For words should be understood by their full meaning, so that the matter stand rather than fail.

Narratio. A declaration; a count.

Natura brevium. The nature (or force) of writs.

Ne admittatis. That you do not admit (or commit).

Ne aliquis scholas regens de legibus in eadem civitate de cætero ibidem leges doceat. That no person directing schools for the study of the laws, in the same city, from henceforth lecture on laws, in the same place.

Necessitas culpabilis. A blameable necessity; a culpable extremity.

Nec lusisse pudet, sed non incidere ludum. Nor am I ashamed occasionally to have amused myself with trifles without making them a pursuit.

Nec magis est contra naturam morbus, egestas, aut aliquid hujusmodi quam appetitio vel detractio alieni. Nor is disease, penury, or any thing of this kind more against nature than avarice, or eagerness after the property of another.

Nec regibus infinita aut libera potestas. The power given to kings, neither unbounded nor at will.

Nec vero me fugit quam sit acerbum, parentum scelera filiorum pœnis lui : sed hoc præclare legibus comparatum est, ut caritas liberorum amiciores parentes reipublicæ redderet. Nor indeed has it escaped me, how severe it must be, that the crimes of parents should be expiated by the punishment of their children: but this has been excellently ordained by the laws, that affection for their children might render the parents more friendly to the state.

Nec videtur incongruum mulieres habere peritiam juris. Legitur enim de uxore Joannis Andreae glossatoris, quod tantam peritiam in utroque jure habuit, ut publice in scholis legere ausa fit. Nor does it seem inconsistent, that women should be skilled in the law. For it is said, that the wife of John Andrea, the interpreter, was so fully conversant in the civil and common law, that she was bold enough to lecture publicly in the schools.

Ne deficiat justitia. Lest justice fail.

Ne episcopi sæcularium placitorum officium suscipiant. That the bishops do not usurp the office of secular pleas.

Ne exeat. That he depart not.

Ne exeat regnum. That he leave not the kingdom.

Ne faciat vastum vel estrepementum pendente placito dicto indiscusso. That he commit not waste or destruction pending the said suit.

Nefas. Injustice; wrong.

Neife. A bond-woman.

Ne injuste vexes. That you do not unjustly harass (or distrain).

Ne jeo poy trover ascun president en tout mes livres d'entries, forsque trois, &c. I cannot find any precedent in all my books of entries, but three, &c.

Nembda. A jury.

Neminem voluerunt majores nostri, non modo de existimatione cujusquam sed ne pecuniaria quidem de re minima, esse judicem; nisi qui inter ad-

versarios convenisset. Our ancestors wished that no person, not only from an opinion of any one, but influenced even by the most trifling sum of money, should be a judge; unless one who would impartially decide between the parties in dispute.

Nemo ad regem appellet pro aliqua lite, nisi jus domi consequi non possit. Si jus nimis severum fit, allevatio deinde quæratur apud regem. That no person appeal to the king in any suit, unless he cannot obtain his right at home. If the law enacted be too severe, then the king may be applied to for relief.

Nemo beneficium suum perdat, nisi secundum consuetudinem antecessorum nostrorum et per judicium parium suorum. That no man lose his benefit, unless according to the custom of our ancestors, and by the judgment of his peers.

Nemo bis punitur pro eodem delicto. No person is twice punished for the same offence.

Nemo debet bis vexari. No person should be twice disturbed.

Nemo debet bis vexari, pro eadem causâ. No person should be twice disturbed for the same cause.

Nemo est hæres viventis. No one is the heir of a living person.

Nemo in propria causa testis esse debet. No man should be a witness in his own cause.

Nemo invitus compellitur ad communionem. No person is forced against his will into a partnership.

Nemo miles adimatur de possessione sui beneficii, nisi convicta culpa, quæ sit laudanda, per judicium parium suorum. That no knight be dispossessed of his benefit, unless he be convicted of a crime which has been determined by the judgment of his equals.

Nemo tenebatur prodere seipsum. No man is bound to betray himself.

Nemo tenetur seipsum accusare. No man is obliged to criminate himself.

Nemo testis esse debet in propria causa. No man should be a witness in his own cause.

Ne nulles autres engynnes pur prendre ou destruire savagine leveres ne conilles, nautre desduit des gentils sur peine demprisonment dun an. No other engines to take or destroy deer, hares, or rabbits, nor any other sport of gentlemen, upon pain of a year's imprisonment.

Ne per scripturam aliqua fiat in posterum dubitatio, jubemus non per siglorum captiones et compendiosa enigmata ejusdem codicis textum conscribi, sed per literarum consequentiam explanari concedimus. That no doubt may hereafter be caused as to writings, we command that the composition of any book be not written down by the deceits and condensed enigmas of notes, but we allow them to be explained by the meaning of the letters.

Νηπιος οὐκ θελων· Weak and unwilling.

Neque quid, neque quantum, neque quale, neque aliquid eorum quibus ens determinatur. Neither

what, nor how much, nor what like, nor any of those things by which being is defined.

Neque quisquam agri modum certum, aut fines proprios habet; sed magistratus et principes, in annos singulos, gentibus et cognationibus hominum qui una coierunt, quantum eis et quo loco visum est attribuunt agri, atque anno post alio transire cogunt. Nor has any person a certain quantity of land, or fixed limits; but the magistrates and chiefs apportion every year, whatever quantity of land, and in whatever place they think fit, to the people and kindred of those men who have assembled together, and they oblige them to pass from that place the year following.

Neque societas, neque collegium, neque hujusmodi corpus passim omnibus habere conceditur; nam et legibus, et senatus consultis et principalibus constitutionibus ea res coërcetur. Nor is a society, or convention, or a body of this kind allowed every where to meet on all occasions; for that liberty is restrained both by the laws and the decrees of the senate, and the ordinances of the prince.

Ne quis plus donasse presumatur, quam in donatione expresserit. Lest any person be presumed to have given more than he expressed in the donation.

Ne recipiatur. That it be not received; lest it be taken.

Ne relessa pas. He has not released.

Ne unques accouple. Never married.

Ne unques accouple in loyal matrimonie. Never joined in lawful wedlock.

Ne unques executor. He is not an executor.

Ne unques seisie que dower. Nothing as to what dower.

Nient culpable. Not guilty.

Nient dedire. To dissent from (or disown) nothing.

Nihil. Nothing.

Nihil de re accrescit ei, qui nihil in re quando jus accresceret habet. No property accrues to him who has no property in the survivorship.

Nihil dicit. He says nothing.

Nihil enim aliud potest rex, nisi id solum quod de jure potest. For the king can do no other thing, but what he can do of right.

Nihil operantur quæ tacite insunt. Those contracts which are tacitly agreed to, do not operate.

Nihil sanctius, nihil antiquius fuit; perinde ac si in ipso hoc numero secreta quædam esset religio. Nothing was considered more sacred, nothing more venerable; just as if some secret religion was contained in this number.

Nihil simul inventum est, et perfectum. Nothing is at the same time invented and made perfect.

Nihil tam conveniens est naturali æquitati unumquodque dissolvi eo ligamine quo ligatum est. Nothing is so agreeable to natural justice, as that every thing should be loosed by means of that tie by which it is bound.

Nil capiat per breve. That he take nothing by his writ.

Nil debet. He owes nothing.

Nil dicit. He says nothing.

Nil habuit in tenementis. He had nothing in the tenements.

Nisi. Unless; but.

Nisi captus est per speciale præceptum nostrum, vel capitalis justiciarii nostri, vel pro morte hominis, vel pro foresta nostra, vel pro aliquo alio retto, quare secundum consuetudinem Angliæ non sit replegiabilis. Unless he be taken by our special command, or by that of our chief justice, or for a murder, or for an invasion of our forests, or for any other crime, which according to the custom of England is not repleviable.

Nisi causa. Unless cause.

Nisi convenissent in manum viri. Unless they agreed to marry.

Nisi per legale judicium parium suorum vel per legem terræ. Unless by the lawful judgment of his equals, or by the law of the land.

Nisi prius. Unless before (or sooner).

Nisi sub scriptura aut specificatione trium testium, quod actionem vellet persequi. Unless by the writing or specific assurance of three witnesses, that he is willing to proceed in his action.

Nobiliores natalibus, et honorum luce conspicuos, et patrimonio ditiores, perniciosum urbibus mercimonium exercere prohibemus. We prohibit

those more noble by birth, or conspicuous by the lustre of their honours, or richer in estate, to exercise base traffic in cities.

Nocturna diruptio alicujus habitaculi, vel ecclesiæ, etiam murorum portarumve burgi, ad feloniam perpetrandum. The nightly bursting of any dwelling, or church, likewise of the walls or gates of a castle, for the purpose of committing a felony.

Noli prosequi. That he is unwilling to prosecute.

Nomen generalissimum. The most universal name (or term).

Nomen hæredis, in prima investitura expressum, tantum ad descendentes ex corpore primi vasalli extenditur; et non ad collaterales nisi ex corpore primi vasalli sive stipitis descendant. The meaning of an heir is explained in the first investiture, it is continued only to the descendants from the body of the first vassal, and does not descend to collateral kindred, unless they be lineal from the body of the first vassal or stock.

Nomine pœnæ. In the name of a penalty.

Non assumpsit. He hath not promised.

Non assumpsit infra sex annos. He has not promised within six years.

Non cepit. He has not taken.

Non cepit modo et forma. He has not taken in manner and form.

Non compos. Insane; incompetent.

Non compos mentis. Deprived of reason; mad.

Non compotes. Idiots; madmen.

Non constat. It does not appear; it does not consist.

Non constitit. It has not appeared.

Non culpabilis. Not guilty.

Non culpavit. He has not offended (or) is not guilty.

Non damnificatus. Not damnified; not endamaged.

Non debet. He owes not; he ought not.

Non debet fieri sed factum valet. It should not be done, but the act is valid.

Non demisit. He has not demised.

Non defuit illis opera et laboris et pretium; semper enim ab ejusmodi judicio aliquid lucri sacerdotibus obveniebat. A recompense for their trouble and labour was not wanting; as some emolument was always allowed to the priests at an ordeal of this kind.

Non est factum. It is not his deed.

Non est inventus. He is not found.

Non feazance. Not having done his duty; non-performance.

Non fecit vastum contra prohibitionem. He has not committed waste, against a prohibition.

Non habuit ingressum, nisi per Guilielmum, qui se in illud intrusit, et illud tenenti dimisit. He had not entry but through William, who forced himself into it, and delivered it up to him now holding it.

Non habuit ingressum nisi per intrusionem quam ipse fecit. He had not entry but by the intrusion which he made.

Non habuit ingressum, nisi per Ricardum, cui Guilielmus illud dimisit, qui se in illud intrusit. He had not entry but by Richard, to whom William, who intruded himself upon it, delivered it up.

Non habuit ingressum nisi post *intrusionem quam Guilielmus in illud facit.* He had not entry, but *after* the intrusion, which William made upon it.

Non infregit conventionem. He has not infringed (or broken) upon his agreement.

Non in regno Angliæ providetur, vel est, aliqua securitas major vel solennior, per quam aliquis statum certiorem habere possit, neque ad statum suum verificandum aliquod solennius testimonium producere, quam finem in curia domini regis levatum: qui quidem finis sic vocatur, eo quod finis et consummatio omnium placitorum esse debet, et hoc de causa providebatur. There is not in the kingdom of England a greater or more solemn security provided, by which any person can have a more certain condition, nor can he produce any evidence more solemn to verify his case, than a fine levied in the court of our lord the king; which is so called a fine, because it should be the end and completion of all suits, and for that purpose it was provided.

Non inveni aliquod warrant. I have not found any warrant.

Non jus sed seisina facit stipitem. It is not right, but possession of right, that makes a stock.

Non licet alicui de cætero dare terram suam alicui domui religiosæ, ita quod illam resumat tenendam de eadem domo; nec liceat alicui domui religiosæ terram alicujus sic accipere, quod tradat illum ei a quo ipsam recepit tenendum: si quis autem de cætero terram suam domui religiosæ sic dederit, ut super hoc convincatur, donum suum penitus cassetur, ut terra illa domino suo illius feodi incurratur. It is not lawful for any person from henceforth to give his land to any religious house, so that he may take it again to be holder of the same house; nor is it lawful for any religious house so to take the land of any person, as to deliver it to be holden of that house, by him from whom it was received; and if any person from henceforth give his land for such purpose to a religious house and that he be convicted upon it, his gift shall for ever be made void, and the land be restored to the lord of the fee.

Non misit breve. He has not returned the writ.

Non obstante. Notwithstanding.

Non obstante aliquo statuto in contrarium. Any other statute to the contrary, notwithstanding.

Non obstante veredicto. Notwithstanding the verdict.

Non omittas. That you omit not.

Non omnium, quæ a majoribus nostris constituta

sunt, ratio reddi potest. Et ideo rationes eorum, quæ constituuntur, inquiri non oportet: alioquin multa ex his, quæ certa sunt, subvertuntur. A reason cannot be given for all those laws which have been established by our ancestors, and therefore the reasons of those laws which remain established ought not to be demanded: otherwise many of them, which are determined, would be overthrown.

Non potest rex gratiam facere cum injuria et damno aliorum. The king cannot grant a favour to the wrong and damage of others.

Non pros; non prosequitur. He does not prosecute.

Non prosequitur breve vel sectam. He does not prosecute his writ (or *suit*).

Non sequitur. It does not follow; he does not pursue.

Non sequitur clamorem suum. He does not pursue his claim.

Non sine magna juris consultorum perturbatione. Not without a great disturbance of the lawyers.

Non sum informatus. I am not informed (or instructed).

Non suspicio cujus libet vani et meticulosi hominis, sed talis qui possit cadere in virum constantem; talis enim debet esse metus, qui in se contineat vitæ periculum, aut corporis cruciatum. Not the suspicion of any weak and timorous person, but such as may attack a resolute man; for the

fear must be such as a man feels in danger of life or maim of body.

Non tenent insimul. They do not hold jointly (or together).

Non ullam habebant episcopi authoritatem, præter eam quam a rege acceptam referebant. Jus testamenta probandi non habebant: administrationis potestatem cuique delegare non poterant. The bishops had no authority except that which they derived from the king. They did not possess the right of proving a will; they could not delegate the power of administration to any one.

Normanni chirographorum confectionem, cum crucibus aureis, aliisque signaculis sacris, in Anglia firmari solitam, in ceram impressam mutant; modumque scribendi Anglicum rejiciunt. The Normans change the making up of deeds, with golden crosses and other sacred marks, which was an established custom in England, into a wax impression, and they reject the English method of writing.

Nos divini juris rigorem moderantes, &c. We, moderating the rigour of divine right, &c.

Nota bene. Mark well.

Nota est sponsio judicialis: "spondesne quingentos si meus sit? Spondeo, si tuus sit. Et tu quoque spondesne quingentos, ni tuus sit? Spondeo, ni meus sit." A judicial agreement is noted: Do not you agree to five hundred if it be mine? I agree, if it be yours. And do not you also

agree to five hundred unless it be yours? I agree, unless it be mine.

Novæ narrationes. New counts.

Novel assignment. A new assignment of trespass.

Novel disseisin. Novel ejectment.

Novis injuriis emersis nova constituere remedia. To enact fresh remedies for offences newly risen.

Novitas incognitæ disciplinæ, ut solita armis decerni jure terminarentur. It was considered a novelty of an unknown order, that disputes which were usually decided by arms should now be decided by law.

Nudum pactum. A void (or bare) agreement.

Nul agard. No award.

Nulla bona habet. He has no goods.

Nulla bona testatoris nec propria. That he has no goods or chattels of the testator.

Nulla bona vel catalla ad valorem. No goods or chattels to the value.

Nullam veritatem celabo, nec celari permittam nec murdrari. I will not conceal the truth, neither will I permit it to be concealed or stifled.

Nulla electio prælatorum sunt verbi Ingulphi, erat mere libera et canonica; sed omnes dignitates tam episcoporum, quam abbatum, per annulum et baculum regis curia pro sua complacentia conferebat. Penes clericos et monachos fuit electio, sed electum a rege postulabant. No election of prelates was purely free and canonical, are the

words of Ingulphus; but the court of the king in its pleasure conferred all dignities as well of bishops as abbots by the ring and crosier. The election was in the power of the clerks and the monks, but they required the person elected to be approved of by the king.

Nul leverer ne lerce nautre chien per chacer. No hare-hound, nor lurcher, nor any other dog for hunting.

Nulli vendemus, nulli negabimus, aut differemus rectum vel justitiam. We will sell, deny, or delay right and justice to no one.

Nullius filius. The son of no person;—a bastard.

Nullius in bonis. In the goods of no person.

Nullium scutagium ponatur in regno nostro, nisi per commune consilium regni nostri. That no scutage be levied in our kingdom, unless by the general counsel of our kingdom.

Nullum simile est idem. Nothing alike is the same.

Nullum tempus occurrit regi. No time prevents the king.

Nullus balivus de cætero ponat aliquem ad legem manifestam, nec ad juramentum, simplici loquela sua, sine testibus fidelibus ad hoc inductis. That no bailiff from henceforth put any person to wager of battle, nor to wager of law, by his simple declaration, without credible witnesses being brought forward for this purpose.

Nullus clericus nisi causidicus. No clergy-

man is considered as such without a knowledge of the law.

Nullus de cætero vitam vel membra amittat pro venatione nostra. That no person from henceforth lose his life or limbs for our venison.

Nullus episcopus vel archidiaconus de legibus episcopalibus amplius in hundred placita teneant, nec causam quæ ad regimen animarum pertinet ad judicium secularium hominum adducant: sed quicunque secundum episcopales leges, de quacunque causa vel culpa interpellatus fuerit, ad locum, quem ad hoc episcopus elegerit et nominaverit, veniat; ibique de causa sua respondeat; et non secundum hundret, sed secundum canones et episcopales leges, rectum Deo et episcopo suo faciat. That no bishop or archdeacon hold pleas in the hundred, by the episcopal laws, nor bring forward a cause which relates to the government of souls, before the judgment of laymen: but whosoever, according to the episcopal laws, is accused of any cause or offence, let him come to the place, which the bishop has chosen for this purpose; and there of his cause let him speak, and not according to the hundred, but according to the canons and episcopal laws, let him do right to God and his bishop.

Nullus liber homo aliquo modo destruatur, nisi per legale judicium parium suorum aut per legem terræ. That no free man be destroyed in any manner, unless by the legal judgment of his equals, or by the law of the land.

Nullus liber homo capiatur, vel imprisonetur, aut exulet, aut aliquo alio modo destruatur, nisi per legale judicium parium suorum, vel per legem terræ. That no free man be taken, or imprisoned, or banished, or destroyed in any other manner, than by the lawful judgment of his equals, or by the law of the land.

Nul tiel record. No such record.

Nul tort. No wrong.

Nunc pro tunc. Now for then.

Nunquam custodia alicujus de jure alicui remanet, de quo habeatur suspicio, quod possit vel velit aliquod jus in ipsa hæreditate clamare. The charge of a ward is never entrusted, by law, to a person of whom there is any suspicion, that he could or would claim any right in his inheritance.

Nuper de facto, et non de jure, reges Angliæ. Kings of England lately of deed and not of right.

Nuper obiit. He died lately.

O.

Obiter. Incidentally.

Obiter dictum. An incidental opinion.

Occasione detentionis debiti ore tenus. On an occasion of withholding a debt by word of mouth.

Oculis episcopi. Under the inspection of the bishop.

Officina gentium. The shop (or mint) of nations.

Officina justitiæ. The shop (or mint) of justice.

Olim a prælatis cum approbatione regis et baronum dicitur emanasse. It is said to have issued formerly from the prelates, with the approbation of the king and the barons.

Omissis omnibus aliis negotiis. All other matters being omitted; all other pleadings being laid aside.

Omne æs alienum, quod manente societate contractum est, de communi solvendum est, licet posteaquam societas distracta, solutum sit. Sed nec æs alienum, nisi quod ex quæstu pendebit, veniet in rationem societatis. Jure societatis, per socium ære alieno, socius non obligatur: nisi in communem arcum pecuniæ versæ sunt. Every debt which has been contracted during the continuance of a partnership must be paid by the firm generally, notwithstanding the partnership be afterwards dissolved. But no debt, except that which depends upon profit, shall come to the account of the firm. One partner is not bound by the law of the partnership to pay a debt contracted by the other, unless the monies have been appropriated to the common stock.

Omnes comites, et barones, et milites, et servientes et universi liberi homines totius regni nostri prædicti, habeant et teneant se semper bene in

armis et in equis, ut decet et oportet: et sint semper prompti et bene parati, ad servitium suum integrum, nobis explendum et paragendum, cum opus fuerit; secundum quod nobis debent de feodis et tenementis suis de jure facere, et sicut illis statuimus per commune concilium totius regni nostri prædicti. That all earls and barons, and knights and bond-men, and all free men of the whole of our aforesaid kingdom, have and hold themselves always well equipped in arms and horses, as it becomes and behoves them: and that they be always ready and well prepared to fulfil and perform to us their full service, when it may be necessary; according to what they should do of right for us, from their fees and holdings, as we have decreed at the general council of the whole of our aforesaid kingdom.

Omnes prædia tenentes, quotquot essent notæ melioris per totam Angliam, ejus homines facti sunt, et omnes se illi subdidere; ejusque facti sunt vasalli ac ei fidelitatis juramenta præstiterant, se contra alios quoscunque illi fidos futuros. All those holding estates, who were of the better order, throughout all England, became his subjects, and all submitted themselves to him, and became his vassals and took an oath of allegiance, that they would be faithful to him above all others besides.

Omnes res suas liberas et quietas haberet. That he should hold all his property free and undisturbed.

Omnia catalla cedant defuncto; salvis uxori ipsius et pueris suis rationabilibus partibus suis. That all chattels of the deceased pertain to him, saving to his wife and his children their just and reasonable proportions.

Omnia, quæ movent ad mortem, sunt Deo danda. All things which are instrumental to death, are deodands.

Omnibus qui reipublicæ præsunt etiam atque etiam mando, ut omnibus æquos se præbeant judices, per inde ac in judiciali libro (Saxonice dombec) scriptum habetur; nec quicquam formident, quin jus commune (Saxonice folcright) audacter libereque dicant. All those who hold authority in the state, again and again I command, that they shew themselves upright judges to all, like as it is written in the dome-book (in Saxon dombec): nor shall they fear any thing, but boldly and freely declare the common law (in Saxon folcright).

Omni exceptione majores. Above all exception.

Omni privilegio clericali nudati, et coercioni fori secularis addicti. Stripped of all benefit of clergy, and condemned to the restraint of a lay jurisdiction.

Omni quoque corporali cruciatu semoto. Inhumanum erat spoliatum fortunis suis in solidum damnari. All corporal torture being likewise removed. For it was an inhuman act, to imprison a man who had been deprived of the whole of his property.

Omnium gravissima censetur vis facta ab incolis in patriam, subditis in regem, liberis in parentes, maritis in uxores, (et vice versa) servis in dominos, aut etiam ab homine in semet ipsum. It is considered the most grievous violence of all others, committed by inhabitants against a country, by subjects against a king, by children against their parents, by husbands against their wives (and so, on the contrary) by vassals against their lord, or even by man against himself.

Omnium rerum immunitatem. An immunity of all things.

Omnis ratihabitio retro trahitur, et mandato æquiparatur. Every confirmation is returned back and is equalled to the command.

Onerari non debet. He ought not to be charged.

Onus. Burden; obligation; weight.

Onus probandi. The obligation (or burden) of proving.

Optimus ille, qui minimis urgetur. He is the best, who is charged with the least errors.

Ordo curiæ. The order of the court.

Ore tenus. By word of mouth.

Otium cum dignitate. Ease with dignity.

Ousterlemain. To remove the hand: liberty for an adult to demand his property from a guardian.

Outfang thief. A thief taken beyond the bounds of the manor where he dwelt, and brought to trial in the court of his lord.

Overt. Open.

Oyer et terminer. To hear and determine.

Oyez. Hear ye: pronounced by the criers of the courts, "O yes."

P.

Παιδα-φαμίλίας. The son of a family.

Paix. Peace.

Palladium. National strength and security.

Pancratium. Gymnastic sport; a sea onion.

Paraphernalia. All those things which a woman brings her husband, besides her portion.

Paratus sum verificare. I am ready to verify.

Parcus. An inclosure; a close.

Parens patriæ. The father (or guardian) of the country.

Pares. Equals; freeholders.

Pares curiæ. Equals (or freeholders) of the court.

Pares debent interesse investituræ feudi et non alii. Freeholders should be present at the investiture of a fee, and no others.

Pari materia. In a like matter (or argument).

Pari passu. In a like pace; in an equal portion.

Parliamentum indoctum. The unlearned parliament.

Parol. By word (or speech).

Parquer. To inclose.

Pars illa communis accrescit superstitibus, de persona in personam, usque ad ultimam superstitem. That general part accrues to the survivors, from person to person, even to the last in remainder.

Pars mulctæ regi, vel civitati, pars ipsi, qui vindicatur vel propinquis ejus, exsolvitur. Part of the fine is paid to the king, or to the state, part to him who is wronged, or to his relations.

Pars rationabilis. A reasonable part.

Partem pro toto. A part for the whole.

Partes finis nihil habuerint. The parties to the fine had nothing in the lands.

Participes criminis. Partners in offence.

Particula. A small portion; a particle.

Partus sequitur ventrem. The brood follows the dam;—the progeny belongs to the owner of the dam;—the issue follows the mother.

Parum cavisse videtur. He seems to have had little caution.

Parva proditio. Petit treason.

Passim. Every where; on every side.

Parvum servitium regis. A king's small service, (or) petit serjeanty.

Pater. A father; an elder; a senator.

Pater aut mater, defuncti, filio non filiæ hæreditatem relinquent.—Qui defunctus non filios sed filias reliquerit, ad eas omnis hæreditas pertineat. That on the demise of the father and mother, the estate descend to the son, not to the daughter.—A deceased person who has not left sons

but daughters, that the whole estate pertain to them.

Pater cunctos filios adultos a se pellebat, præter unum quem hæredem sui juris relinquebat. The father sent all his adult sons away, except one whom he left heir of his right.

Pater est quem nuptiæ demonstrant. He is the father whom the marriage declares so.

Pater familias. The master of a house; a householder.

Pater familias ob alterius culpam tenetur, sive servi, sive liberi. The master of a house is held responsible for the offence of another, whether it be his servant or his child.

Patria potestas in pietate debet, non in atrocitate, consistere. The authority of a parent should consist in affection, not in barbarity.

Peccata suos teneant auctores, nec ulterius progrediatur metus, quam reperiatur delictum. Let offences bind only the transgressors, nor let the dread proceed farther than the offence be discovered.

Peccatum illud horribile, inter Christianos non nominandum. That horrible crime, not to be named amongst Christians.

Peculatus. The embezzling of public money.

Peculiari pœna judicem puniunt; peculiari testes, quorum fides judicem seduxit; peculiari denique et maxima auctorem, ut homicidam. They punish the judge by a particular punishment, the witnesses whose credit seduced the judge;

finally the author, as a murderer, by a particular and the greatest punishment.

Peculium. Stock; estate; property.

Pecus vagans, quod nullus petit, sequitur vel advocat. Cattle straying, which no person seeks after, follows, or claims.

Peine. Penance; penalty.

Peine forte et dure. Hard and severe penance (or) penalty.

Pendente lite. Pending the cause.

Pendente placito. While the plea is pending.

Pendentes lites. Suits pending.

Penes auctorem. In the possession of the author.

Penes me. In my power; in my possession.

Per annulum et baculum. By a ring and a staff.

Per attornatum. By attorney.

Per attornatum suum venit hic in curia et fatetur se nolle ulterius prosequi, ideo consideratum est quod defendens eat inde sine die. By his attorney he comes here into court and confesses, that he will not prosecute further; therefore it is considered that the defendant go thenceforth without a day.

Per breve de privato sigillo. By writ of privy seal.

Per buccellam deglutiendam abjuravit. He abjured it, by the ordeal of swallowing a mouthful.

Per capita. By the heads (or polls).

Per centum, per annum. By the hundred, by the year.

Per clerum et populum. By the clergy and the people.

Per curiam. By the court.

Per curiam non allocatur. It is not allowed by the court.

Per corruptam accommodationem. By a corrupt accommodation.

Per diem. By the day.

Per formam doni. By the form of the gift.

Per fraudem. By fraud.

Per guardionem. By guardian.

Per industriam. By industry; by set purpose.

Per infortuniam. By ill chance; by misfortune.

Per ipsum regem. By the king himself.

Perjurii pœna divina, exitium; humana, dedecus. The divine punishment for perjury is destruction; the human punishment is disgrace.

Per laudamentum parium suorum. By the award of his equals.

Per laudamentum sive judicium parium suorum. By the award or judgment of his equals.

Per mensem. By the month.

Per my et per tout. In part and entirely.

Per pais. By the country; by the county.

Perquisitor. An acquirer.

Perquisitio. A purchase; a self acquirement.

Per quod. By which; whereby.

Per quod actio accrevit. Whereby an action hath accrued.

Per quod consortium amisit. Whereby he lost her society.

Per quod consortium vel servitium amisit. By which he lost her society or service.

Per quod proficium cummuniæ suæ habere non potuit. By which he could not have the benefit of his common.

Per quod servitium amisit. By which he lost his (or her) service.

Per rationabile pretium et extentum. By (or at) a reasonable price and extent.

Per rationabile pretium et extentum habendum. To have at a reasonable value and extent.

Per saltum. By leap; directly.

Per sceptrum. By the sceptre.

Per servitium militare. By knight's service.

Persona ecclesiæ. A parson (or rector) of a church.

Persona impersonata. A rector.—A parson imparsonee.

Per statutum tricessimo primo Caroli secundi regis. By the statute of the thirty-first of king Charles the second.

Per stirpes. By stock.

Per testes. By witnesses.

Per tot. By so many.

Per totam curiam. By the whole court.

Per totum triennium. For three whole years.

Per tout, et non per my. In all, and not in part.

Per verba de futuro. By words in the future time (or tense).

Per verba de præsenti. By words in the present time (or tense).

Per vinum delapsis capitalis pœna remittitur. A capital punishment is remitted to those, overcome by wine.

Per visum ecclesiæ. Under the inspection of the church.

Petit cape. Small cape: a writ issued in a plea of lands or tenements against a tenant to answer for a default.

Petitio consilii. Craving leave to imparl.

Petition de droit. Petition of right.

Petitio principii. A begging the question.

Petit judicium. He seeks judgment.

Φηλος. An impostor; a deceiver.

Φίδεί-κομμίσσαρίας. A feoffee of trust.

Pillerie, Pilleurie. Plunder; extortion.

Pilleur. A plunderer.

Pilori. A pillory.

Placita. Pleas.

Placita de debitis, quæ fide interposita debentur, vel absque interpositione fidei, sint in justitia regis. That pleas of debts which are due by the interposition of the faith, or without the interposition of the faith, be in the justice of the king.

Plagiarii. Men stealers.

πλαγίος, δολίος. Awry; deceitful.

Plagium. Man stealing: the stealing and spiriting away men, women, or children.

Plegios ad prosequendum. Pledges to prosecute.

Plegios de retorno habendo. Pledges to have a return.

Plena curia illud recordari facias. That you cause it to be recorded in full court.

Plena probatio. Full proof.

Plené administravit. He has fully administered.

Plene administravit præter. He has fully administered except.

Plenum dominium. Full ownership.

Pluries. Oftentimes.

Pluries quod averia elongata sunt. As oftentimes the cattle are eloigned.

Pia fraus. A friendly stratagem.

Piepoudre, curia pedis pulverizati. The court of dustyfoot: an inferior court of justice held during fairs and markets to try civil causes.

Pignoris appellatione eam proprie rem contineri dicimus, quæ simul etiam traditur creditori. At eam, quæ sine traditione nuda conventione tenetur, proprie hypothecæ appellatione contineri dicimus. We properly name by the term of pledge that property which is at the same delivered to the creditor. But we properly name by the term of mortgage that property which is held by bare covenant without a delivery.

Pignus. A pledge.

Piissima regina conjux divi imperatoris. The most pious queen, consort of the sacred emperor.

Pios usus. Pious uses.

Pœna viginti aureorum statuitur adversus eum, qui contra annonam fecerit, societatemve cöiérit quo annona carior fiat. A penalty of twenty pieces of gold is decreed against him who en-

deavours to raise the market rate of corn, or who joins a company, by which means the market rate may be raised.

Pomoeria. Precincts.

Ponatur. That it be put (or) set.

Pondus regis. The king's weight.

Pone. Put.

Pone per vadios. Put by pledges.

Posse comitatus. The power of the county; an assemblage of persons.

Possessio fratris facit sororem esse hæredem. The possession of the brother makes the sister an heiress.

Possessiones in jurisdictionalibus non aliter apprehendi posse, quam per attournances et avirances, ut loqui solent; cum vassallus, ejurato prioris domini obsequio et fide, novo se sacramento novo item domino acquirenti abstringebat; idque jussu auctoris. Possessions cannot be taken, according to law, otherwise than by attornments, and averments, as they are used to say; as the vassal having renounced homage and fealty to his former lord, also bound himself by a new oath to the lord who purchased the seigniory; and that was done by the direction of the first lord.

Post diem. After the day.

Postea. Afterwards; hereafter.

Postea scilicet. Afterwards to wit.

Post fine. The after fine.

Postliminium. A recovery; a return; a reprisal:—a law to recover what was lost.

Post obit. After death and interment.

Post terminum. After the term.

Post ultimam continuationem. After the last continuance.

Potentia propinqua. A probable possibility.

Potentia remotissima. A most improbable possibility.

Præcipe. Command.

Præcipe, quia dominus remisit curiam. Command, as the lord hath waived his right.

Præcipe quod reddat. Command that he give up.

Præcipe quod reddat locum tenens. Command that the deputy restore.

Præcludi non. Not to be stopped (or debarred).

Prædia volantia. Quickly passing (or volatile) estates.

Prædium domini regis est directum dominium, cujus nullus est author nisi Deus. The manor of our lord the king is an absolute lordship, subject to none but God.

Præfectus prætorio. Prefect to the prætor.

Præmunire. To be forewarned; to be advised before-hand.

Præmunire (execrabile illud statutum). That odious statute 'Præmunire.'

Præpositus ad quartam circiter septimanam frequentem populi concionem celebrato: cuique jus dicito; litesque singulas dirimito. Let the sheriff every fourth week hold a full assembly of the people: let him expound the law to each; and determine their separate suits.

Prærogativa regis. The king's authority (or prerogative).

Præscriptio annalis, quæ currit adversus actorem, si de homicida ei non constet intra annum a cæde facta, nec quenquam interea arguat et accuset. The annual prescription which passes against a prosecutor, if he do not know of the murderer, within a year after the murder is committed, nor in the meantime blame or accuse any person.

Præsens parliamentum. The present parliament.

Præsumitur pro legitimatione. It is presumed for legitimacy; presumption is in favour of legitimacy.

Præterea autem concedo ut in propriis quisque tam in agris et in sylvis excitet agitetque feras. But moreover I grant that in his own grounds, and woods, every person may start and chase wild animals.

Præteritorum memoria eventorum. The remembrance of past events.

Prætor. A consul; a judge; a magistrate.

Prætor fidei commissarius. The judge who compels the performance of deeds of trust.

Prava consuetudo. A depraved custom.

Prece partium. At the request of the parties.

Precludi non. Not to be debarred.

Premium. A reward; present.

Prendre. To take.

Prima facie. On the first appearance.

Primariæ ecclesiæ. To the head church.

Primariæ preces. The chief requests.

Prima tonsura. The first crop.

Prima seisina. The first possession of right.

Primer fine. The first fine.

Primer seisin. The first possession of right.

Primtiæ. First fruits.

Primum coram comitibus et viatoribus obviis, deinde in proxima villa vel pago, postremo coram ecclesia vel judicio. First to be proclaimed in the presence of the officers and travellers passing, then in the next village or street, and lastly in the church or court.

Primum patris feudum. The eldest son is entitled to the estate of his father.

Principes regionum atque pagorum, inter suos jus dicunt, controversiasque minuunt. The lords of the provinces and counties expound the law among the people and allay disputes.

Prisal in auter lieu. He has taken in another place.

Prisone forte et dure. Strong and close confinement.

Prît. Ready.

Prît, præsto sum. Ready, I am ready.

Privilegium clericale. The benefit of clergy.

Proavus. The great grandfather.

Probator. An approver.

Pro bono et malo. For good and evil.

Probus et legalis homo. An honest and loyal man.

Pro capella. For a chapel; also, a cabinet of valuable antiques.

Procedendo. In proceeding.

Procedendo ad judicium. In proceeding to judgment.

Prochein ami. The next friend.

Pro confesso. As confessed.

Pro corpore comitatus. For the body of the county.

Pro correctione et salute animæ. For the amendment and safety of his soul.

Procul dubio quod alterum libertas, alterum necessitas impelleret. Without doubt it was liberty instigated the one, necessity impelled the other.

Procurator. A proctor.

Procuratoribus, qui in aliquibus partibus atornati nuncupantur. Proctors, who are called attornies in some parts.

Pro defectu tenentis. For the defect of a tenant; in default of a tenant.

Pro dignitate regali. For the dignity of the crown.

Proditio. Treason; treachery.

Προδοσία. Treason; treachery.

Proditorie et contra ligeantiæ suæ debitum. Treasonably and against the bond of his allegiance.

Pro eo quod leges quibus utuntur Hybernici Deo detestabiles existunt, et omni juri dissonant, adeo quod leges censeri non debeant;—nobis et consilio nostra satis videtur expediens, eisdem utendas concedere leges Anglicanas. Inasmuch as the laws which the Irish people use are odious

in the sight of God, and dissent from all law, so that they ought not to be accounted laws; it seems proper to us and to our counsel, that they should alike be governed by the English laws.

Pro falso clamore. For his false claim.

Pro feodo militari reputatur. It is reputed for a knight's fee.

Profert in curia. He produces in court.

Profert in curiam. He produces (or shews) to the court.

Pro forma. Formally.

Progressum est ut ad filios deveniret, in quem scilicet dominus hoc vellet beneficium confirmare. It was settled that it should descend to the sons, that is to say, on him to whom the lord wished to confer this benefit.

Pro hac vice. For this turn.

Pro herbagio. For the herbage.

Pro instanti. For the instant.

Pro interesse suo. For his interest.

Pro jure alicujus murdriendo. For the concealment of any person's right.

Pro læsione fidei. For an injury to the faith.

Pro opera et labore. For service and labour.

Pro pastura centum ovium. For the pasture of one hundred sheep.

Prope soli barbarorum singulis uxoribus contenti sunt. Of the barbarians, they, almost alone, are content with one wife at a time.

Pro præmio. For a recompense (or reward).

Propositus. Proposed; exposed.

Propria manu. With his own hand.

Propria manu pro ignorantia literarum signum sanctæ crucis expressi et subscripsi. By reason of my ignorance of letters, the sign of the holy cross I have marked and subscribed with my own hand.

Pro prima tonsura. For the spring grass (or first crop).

Propter defectum sanguinis. On failure (or extinction) of kindred.

Propter delictum. For an offence.

Propter delictum tenentis. For the offence of the tenant.

Propter impotentiam. By reason of impotence.

Propter odium delicti. On account of the hatred of the offence.

Propter privilegium. By reason of privilege.

Pro quodam volario. For some valuable consideration.

Pro rata. According to allowance (or rate.)

Pro rata itineris. At the rate of the voyage (or journey).

Pro rectorio. For a rectory.

Pro re nata. For the existing occasion.

Pro retorno habendo. For the return being (or to be) had.

Pro roba ad opus reginæ, quater xxl. *et* vi *s.* viii *d.* For a robe for the use of the queen eighty pounds six shillings and eight pence.

Pro salute animæ. For the safety of the soul.

Pro salute animæ ejus, ecclesiæ consilio. For the good of his soul, by the advice of the church.

Pro scursum scaccarii. By the exchange of the exchequer.

Pro tanto. For so much.

Pro tempore, pro spe, pro commodo minuitur eorum pretium atque augescit. Their value is lessened or increased according to time, expectation, or profit.

Protestando. In protesting.

Pro turpi causa. For a dishonest purpose.

Prout. According as; even as.

Prout eis visum fuerit, ad honorem coronæ et utilitatem regni. According as it shall appear to them, for the honour of the crown, and for the prosperity of the kingdom.

Prout lex postulat. As the law requires.

Prout patet per recordum. According as it appears by the record.

Pro vero et justo debito. For a true and just debt.

Proviso. Provided.

Pubertas. Ripe age (or puberty): commences at fourteen years in males, twelve years in females.

Publici juris. Of public right.

Pueritia. Childhood; boyhood: from the seventh to the fourteenth year.

Puis darrien continuance. Since the last adjournment (or continuance).

Puisse porter bref de novele disseisine, auxi

sicum de franktenement. They may bring a writ of novel disseisin, as if they were tenants in freehold.

Puisne. Younger; subordinate.

———*Pupillum o utinam, quem proximus hæres*
Impello, expungam.

I devoutly wish, that being next heir, I could in any way rid myself of my ward.

Pur auter vie. For the life of another.

Pur le pais. In the country, (or) on the spot.

Pur murdre le droit. For the concealment of a right.

Purum villenagium. A pure villenage.

Purus idiota. An absolute idiot.

Q.

Quâ. In what; in which.

Quæ ad terram. Which to the land.

Quæ coram nobis resident. Which remain before us.

Quædam præstatio loco relevii in recognitionem domini. A certain performing (or payment) instead of a relief, in acknowledgment of the lord.

Quæ de minimis non curat. Which does not regard petty matters.

Quæ enim res in tempestate, levandæ navis causa, ejiciuntur hæ dominorum permanent. Quia palam est, eos non eo animo ejici, quod quis habere velit.

Those goods which in a storm are cast overboard, for the purpose of easing a ship, remain the property of the owners. Because it is evident, the property which every man wishes to preserve, was not wilfully cast away.

Quæ est eadem. Which is the same.

Quæ fuit uxor. Who was the wife.

Quæ in summis tribunalibus multi e legum canone decernunt judices, solus (si res exigerit) cohibet cancellarius ex arbitrio; nec aliter decretis tenetur suæ curiæ vel sui ipsius, quin, elucente nova ratione, recognoscat quæ voluerit, mutet et deleat prout suæ videbitur prudentiæ. The chancellor alone in his judgment, restrains those decisions, (should the case require it) which many judges in the highest tribunals, decree according to the rule of the laws; nor is he otherwise held to the decrees of his court or of himself, but, that a new reason appearing, he may correct, alter, or expunge those matters which require it, as it shall seem to him prudent.

Quæ ipso usu consumuntur. Which are wasted by the very use of them.

Quæ neque tangi nec videri possunt. Things which can neither be felt nor seen.

Quære. Ask; inquire.

Quæ relicta sun. et tradita. Which have been left and delivered.

Quæ secundum canones et episcopales leges ad regimen animarum pertinuit. Which pertained

to the government of souls, according to the canons and episcopal laws.

Quære tamen. Inquire however.

Quam. As; which.

Quamdiu bene se gesserint. As long as they conduct themselves well.

Quam legem exteri nobis posuere, eandem illis ponemus. The law which foreign powers have observed towards us, the same shall we observe towards them.

Quando acciderint. When they may happen; when they may fall out.

Quando hasta vel aliud corporeum quidlibet porrigitur a domino se investituram facere dicente; quæ saltem coram duobus vasallis solemniter fieri debet. When a spear, or any other corporal thing, is offered by the lord, who says at the same time, that he invests him with the possession; which should be done in the presence of at least two vassals.

Quando jus domini regis et subditi insimul concurrunt jus regis præferri debet. When the right of our lord the king and of a subject come at the same time together, the right of the king should be preferred.

Quand un Seigneur de Parlement *serra arrein de treason ou felony, le roy par ses lettres patents fera un grand et sage* Seigneur *d'estre le grand Seneschal d'Angleterre: qui doit faire un precept—pur faire venir* xx Seigneurs, *ou* xxviii,

&c. When a *Peer* of *Parliament* shall be arraigned for treason or felony, the king by his letters patent shall appoint a great and wise *Peer*, High Steward of England: who is to issue a precept—to cause twenty or eighteen *Peers* to come, &c.

Qua non deliberetur sine speciali præcepto domini regis. From which he be not delivered without the special command of our lord the king.

Quanta esse debeat per nullum assisam generalem determinatum est, sed pro consuetudine singulorum comitatuum debetur. It should not, on any occasion, be decided by the general assize how much the fine should be, but it should be regulated according to the custom of each separate county.

Quant bestes savages le roye aler hors del forrest, le property est hors del roy; silz sount hors del parke capienti conceditur. When the wild beasts of the king go out of the forest, the property is out of the king; if they be out of a park, the ownership of them is granted to the captor.

Quantum. How much; proportion.

Quantum damnificatus. How much damnified (or endamaged).

Quantum inde regi dare valeat per annum, salva sustentatione sua, et uxoris, et liberorum suorum. How much he is able to pay yearly to the king, saving his own sustenance, and that of his wife and children.

Quantum meruit. How much he has deserved.

Quantum valebat. How much it was worth; of what value.

Quare. Wherefore; why.

Quare clausum suum fregit et centum cuniculos suos ad tunc et ibidem inventos venatus fuit, occidit, cepit, et asportavit. Wherefore he broke his close and hunted, killed, took, and carried away one hundred rabbits belonging to him, then and there found.

Quare clausum querentis fregit. Wherefore he broke the close of the plaintiff.

Quare domum ipsius A apud W (in qua idem A quendam H Scotum per ipsum A in guerra captum tanquam prisonem suum, quosque sibi de centum libris, per quas idem H redemptionem suam cum præfato A pro vita sua salvanda fecerat satisfactum foret, detinuit) fregit, et ipsum H cepit et abduxit, vel quo voluit abire permisit, &c. Wherefore he broke the house of him A at W (in which the said A detained H a certain Scot whom A had taken as his prisoner of war, until the sum of one hundred pounds should be paid to him by the said H in redemption to the said A for preserving his life) and the said H took and led away, or permitted him to depart wheresoever he thought proper.

Quare ducentos cuniculos suos pretii et cepit. Wherefore he took two hundred rabbits of the value of, &c.

Quare ejecit infra terminum. Wherefore he ejected under the term.

Quare impedit. Wherefore he hinders (or disturbs).

Quare impedit infra semestre. Wherefore he disturbs within six months.

Quare incumbravit. Wherefore he hath incumbered.

Quare vi et armis. Wherefore with force of arms.

Quare vi et armis clausum ipsius A apud B fregit, et blada ipsius A ad valentiam centum solidorum ibidem nuper crescentia cum quibusdam averiis depastus fuit, conculcavit, et consumpsit, &c. Wherefore with force and arms, he broke into the close of the said A at B, and with certain cattle eat up, trod under foot, and consumed the herbage of the said A lately growing in the said place to the value of one hundred shillings.

Quarto die post. On the fourth day after.

Quasi. As if: as it were; in a manner.

Quasi agnum committere lupo, ad devorandum. As if to commit a lamb to the care of a wolf to devour him.

Quasi ex contractu. In manner of a contract.

Quatenus. As far as; to the end that.

Que estate. Whose (or which) estate.

Quemadmodum theatrum, cum commune sit, recte tamen dici potest, ejus esse cum locum quem quisque occupavit. Even as a theatre, when it is

public, yet it can justly be said that the place which each person has occupied, belongs to him.

Quendam. A certain one.

Querela inofficiosi testamenti. A complaint against an informal will.

Querelatus autem postea tenetur respondere et habebit licentiam consulendi, si requirat; habito autem consilio, debet factum negare quo accusatus est. For the defendant is afterwards held to reply; and he shall have imparlance if he require it; but after imparlance, he should deny the act of which he is accused.

Queritur. He complains.

Quia caret forma. Because it is wanting in form.

Quia delegatus non potest delegare. Because a deputy cannot depute.

Quia duplex est et caret forma. Because it is ambiguous, and is wanting in form.

Quia emptores. Because the purchasers.

Quia interest reipublicæ, ut sit finis litium. Because it concerns the republic, that this be the conclusion of law-suits.

Quia juris civilis studiosos decet haud imperitos esse juris municipalis, et differentias exteri patriique juris notas habere. Because it behoves students of the civil law, not to be unskilled in the common law, and also to understand the difference between the foreign laws and those of their own country.

Qui alienum fundum ingreditur, venandi aut

aucupandi gratiâ potest a domino prohiberi ne ingrediatur. He who enters upon another man's land, for the purpose of hunting or fowling, may be prohibited from entering by the owner.

Qui alienum fundum ingreditur, potest a domino, si is præviderit, prohiberi ne ingrediatur. He who is about to enter upon another's farm, may be prohibited from entering by the owner, if he has foreseen his purpose.

Quia non sua culpa, sed parentum, id commisisse cognoscitur. Because it is not considered that she did it by her own fault, but from the neglect of her parents.

Quia placitum, &c. materiaque in eodem contenta minus sufficiens in lege existet, &c. unde pro defectu sufficientis placiti, &c. petit judicium, &c. Because the plea, &c. and the matter contained in the same is insufficient in law, &c. wherefore from default of a sufficient plea, &c. he seeks judgment, &c.

Qui arma gerit. Who bears a coat of arms.

Quia tollit atque eximit causam e curia baronum. Because it removes and discharges a cause from the court of the barons.

Quibus major reverentia et securitas debetur, ut templa et judicia, quæ sancta habebuntur,—arces et aula regis,—denique locus quilibet præsente, aut adventante rege. Places in which the greatest respect and silence must be observed, as temples of divine worship, and courts of justice which shall be considered sacred,—the palaces and

court of the king,—finally every place in which the king is present, or in the act of approaching.

Qui cadere possit in virum constantem, non timidum et meticulosum. Which may happen to a resolute man, not to a cowardly and timorous person.

Qui contra formam humani generis converso more procreantur, ut si mulier monstrosum vel prodigiosum enixa sit inter liberos non computentur. Partus tamen, cui natura aliquantulum addiderit vel diminuerit, ut si sex vel tantum quatuor digitos habuerit, bene debet inter liberos connumerari; etsi membra sint inutilia aut tortuosa, non tamen est partus monstrosus. They who are begotten by unnatural means, different in shape from the human race, as, if a woman bring forth a monstrous or unnatural creature, such is not considered her child. But an offspring which nature has made a little deformed, either by increase or diminution of proportion, if it have six or only four fingers, it is counted among her children; although the limbs be useless or crooked, yet the offspring is not unnatural.

Qui cum aliter tueri se non possunt, damni culpam dederint, innoxii sunt. They are not guilty of homicide who kill others in their own defence.

Quiddam honorarium. A certain fee (or salary).

Quidem. Indeed; truly.

Qui de nece virorum illustrium, qui consiliis et consistorio nostro intersunt, senatorum etiam (nam

et ipsi pars corporis nostri sunt) vel cujuslibet postremo, qui militat nobiscum, cogitaverit: (eadem enim severitate voluntatem sceleris, qua effectum, puniri jura voluerint) ipse quidem, ut pote majestatis reus, gladio seriatur, bonis ejus omnibus fisco nostro addictio. He who imagines the death of the illustrious men who are present at our counsels, and place of counsel, also of the senators (for they are a part of ourself) or finally of any person who serves with us: (for the laws will punish the disposition to crime with the same severity as if it were committed) he, as guilty of high treason, shall be devoted to the sword, and all his goods confiscated to our treasury.

Quid enim sanctius, quod omni religione munitius, quam domus uniuscujusque civium. For what is held more sacred, more secured by every religious obligation, than the house of each of the citizens.

Quid pro quo. A mutual exchange; one thing for another.

Quieti reditus. Quit rents.

Quietus. At rest; undisturbed; quit; discharged.

Qui ex damnato coitu nascuntur, inter liberos non computantur. They who are the fruits of a condemned connexion, are not accounted among children lawfully begotten.

Qui facit per alium, facit per se. Who acts by another, acts by himself.

Qui font banque route. Who make bankrupt; who become bankrupt.

Qui illi de temporalibus, episcopo de spiritualibus, debeat respondere. Who should answer to him for temporal affairs, and to the bishop in spiritual offices.

Qui improbe eïeunt in alienam litem, ut quicquid ea condemnatione in rem ipsius redactum fuerit inter eos communicaretur, lege Julia de vi privata tenentur. They who dishonestly join in another's suit, that whatsoever property is obtained from the opposite party should be divided between them, such are held without force by the Julian law.

Qui in utero sunt, in jure civili intelliguntur in rerum natura esse, cum de eorum commodo agatur. They, who are in the womb, are understood by the civil law, in the nature of things to exist, when any thing is done for their advantage.

Quilibet homo dignus venationé suâ, in sylvâ, et in agris sibi propriis et in dominio suo. Every man is worthy of his hunt, in the wood, and on the lands belonging to himself and in his rule.

Quilibet totum tenet et nihil tenet; scilicet, totum in communi, et nihil separatim per se. Every one holds all and holds none; that is to say, he holds all in common, and nothing separately by himself.

——— *Quienetiam lex*
Pœnaque lata, malo quæ nollet carmine quenquam
Describi: ——— *vertere modum formidine* fustis.

Besides it is an extensive law and punishment, which will not allow any person to be described by a sorry verse:—I must change my style for fear of a *club*.

Qui non habet in crumena, luat in corpore. He who has it not in purse, shall suffer in person.

Quinto exactus. A fifth time enacted (or required).

Qui prior est tempore potior est jure. He who is first in time has the advantage of law.

Qui scit se decipi non decipiatur. Who knows that he is deceived is not deceived.

Qui sequitur tam pro pauperibus quam pro seipso. Who sues as well for the poor as for himself.

Qui sequitur tam pro rege quam pro seipso. Who sues as well for the king as for himself.

Qui statuit aliquid, parte inaudita altera,
Æquum licet statuerit, haud æquus fuit. He who has determined any matter, the other side not being heard, although he might have determined justly, he was not just.

Qui tam, &c. Who, as well (or so) &c.

Qui tam pro domino rege, quam pro se ipso in hac parte sequitur. Who sues, in this behalf, as well for our lord the king, as for himself.

Qui vi rapuit, fur improbior esse videtur. He who robs by violence, is considered the greater thief.

Quoad. As to; concerning; as long as.

Quoad hoc. As to this.

Quo animo. With what intent.

Quod. Because; that; which; what.

Quod ab ædibus non facile revellitur. What cannot easily be pulled away from the house.

Quod accedas ad curiam. That you come (or go up) to the court.

Quod ad hunc detinet. Which he detains to this.

Quod ad warrenam pertinet. What belongs to a warren.

Quod A et B levaverunt. That A and B levied.

Quod A injuste levavit tale nocumentum. That A unjustly levied such nuisance.

Quodammodo. In some manner.

Quod breve cassetur. That the writ be quashed.

Quod capiatur. That he be taken.

Quod cepit damas suas ad valentiam tantum. That he has taken his deer to the value only.

Quod computet. That he do account.

Quod conditio indebiti non datur ultra, quam locupletior factus est, qui accepit. That the condition of a sum not due, is allowed no further than the man is made richer who received it.

Quod corrupté agreatum fuit. Which was a corrupt agreement.

Quod cum per consuetudinem totius regni Angliæ hactenus usitatam et approbatam, uxores debent et solent a tempore, &c. habere suam rationabilem partem bonorum maritorum suorum: ita videlicet, quod si nullos habuerint liberos, tunc medietatem: et si

habuerint, tunc tertiam partem, &c. That whereas by the custom of the whole kingdom of England, hitherto used and approved, wives ought and are accustomed from time to time, to possess a reasonable part of their husband's property: so that if they have no children, they take half of the property: and if they have, they then receive a third part, &c.

Quod custos, &c. sustentet parcos, vivaria, &c. That the keeper, &c. maintain the parks, fish, ponds, &c.

Quod defendat se duodecima manu. That he defend himself by twelve compurgators.

Quod defend' sit in misericordia. That the defendant be in mercy.

Quod defendens eat sine die. That the defendant go without a day.

Quod distributio rerum quæ in testamento relinquuntur autoritate ecclesiæ fiet. That the distribution of things, which are left in a will, be made by the authority of the church.

Quod dolosus versatur in generalibus. That a deceitful person is versed in general matters.

Quod dotat eam de tali manerio cum pertinentiis, &c. That he endows her of such manor with the appurtenances, &c.

Quod ei deforceat. That he restore to him the possession taken from him.

Quod enim jus habet fiscus in aliena calamitate, ut de re tam luctuosa compendium sectetur. For

what right has the treasury in the calamity of another, to derive profit from so melancholy an occurrence?

Quod fuit concessum. Which was agreed to.

Quod fuit concessum per plusieurs. Which was agreed to by many.

Quod fieri faciat de bonis. That he cause to be made of the goods.

Quod fieri non debet, factum valet. What should not be done, if the deed is of force.

Quod firmarius non erit onerabilis et taxabilis ad ratas pauperum pro peculiis, et quod artifex est onerabilis et taxabilis pro peculiis in arte. That a farmer shall not be chargeable and taxable as to poor's rates for his stock, and that the tradesman is chargeable and taxable for his stock in trade.

Quod habeant et teneant se semper in armis et equis, ut decet et oportet: et quod semper sint prompti et parati ad servitium suum integrum nobis explendum et peragendum, cum opus adfuerit, secundum quod debent de feodis et tenementis suis de jure nobis facere. That they have and hold themselves always equipped in arms and horses, as it becomes and behoves them: and that they be always ready and prepared to fulfil and perform to us their whole service, when it is needful, according to what they ought of right to do for us, from their fees and tenements.

Quod habeat executionem. That he have execution.

Quod habetur tale recordum. That there is such a record.

Quod ipse et hæredes sui habeant liberam warrenam in omnibus dominicis suis in N in com' B dum tamen feræ illæ non sint infra metas forestæ nostræ, ita quod nullus intret terras illas ad fugandum in eis vel aliquod capiend' quod ad warrenam pertinet. That he and his heirs have a free warren in all his demesnes in N in the county of B, as long as those wild animals be not within the limits of our forest, so that he enter upon none of those grounds, to chase or to take any thing on them, which belongs to his warren.

Quod libera sit cujuscunque ultima voluntas. That the last will of every man may be free.

Quod licitè barganizavit. Which he lawfully bargained and sold.

Quod manus domini regis amoveantur et possessio restituatur petenti, salvo jure domini regis. That the hand of our lord the king be removed, and possession be restored to the petitioner, saving the right of our lord the king.

Quod naturalis ratio inter omnes homines constituit, vocatur jus gentium. That which natural reason has established among all men, is called the law of nations.

Quod nocumentum amoveatur. That the nuisance be removed.

Quod non corruptè agreatum fuit. What was not agreed corruptly.

Quod non ita est. That it is not so; which is not so.

Quod nullius est id ratione naturali occupanti conceditur. What is the property of no person, that by natural reason is yielded to the first occupant.

Quod obstruxit et obstiparit. That he obstructed and hindered.

Quod omnes justiciarii concesserant quoad hoc. That all the judges agreed as to this.

Quod ordinarii, hujusmodi bona nomine ecclesiæ occupantes, nullam vel saltem indebitam faciunt distributionem. The ordinaries, taking possession of goods of this sort in the name of the church, do not make any or at least not due distribution of them.

Quod partes replacitent. That the parties do replead.

Quod partitio fiat. That a partition may be made.

Quod partitio sit firma et stabilis. That the division may be firm and effectual.

Quod pœnam imprisonamenti subire non potest. That he cannot undergo the pain of confinement.

Quod permittat. That he permit.

Quod permittat prosternere. That he permit to cast down.

Quod placita de catallis, debitis, &c. quæ summam quadraginta solidorum attingunt vel eam ex-

cedunt, secundum legem et consuetudinem Angliæ sine brevi regis placitari non debent. That pleas of chattels, debts, &c. which amount to, or exceed forty shillings, according to the law and custom of England, should not be sued for without the king's writ.

Quod populus postremum jussit, id jus ratum esto. Let that be considered law which the people last decreed.

Quod præd'. quer'. solverit præd'. def'. præd'. £300. That the aforesaid plaintiff paid the aforesaid defendant the aforesaid sum of three hundred pounds.

Quod prægnantis mulieris damnatæ pœna differatur, quoad pariat. That the punishment of a pregnant woman condemned, be deferred until she be delivered.

Quod principi placuit legis habet vigorem, cum populus ei et in eum omne suum imperium et potestatem conferat. That which has received the assent of the prince, possesses the force of law, as the people yield to and bestow upon him all sovereign rule and power.

Quod quærens nil capiat. That the plaintiff take nothing.

Quod quærens nil capiat per billam. That the plaintiff take nothing by his writ.

Quod recuperet. That he recover.

Quod respondeat ouster. That he answer over.

Quod sit in misericordia. That he be in mercy.

Quod stet prohibitio. That the prohibition stand.

Quod talem eligi faciat, qui melius et sciat, et velit, et possit, officio illi intendere. That he cause such a person to be elected, who fully knows, and is willing to do, and can do that duty.

Quod vendidi, non aliter fit accipientis, quam si aut pretium nobis solutum sit, aut satis eo nomine datum, vel etiam fidem habuerimus, sine ulla satisfactione. What I have sold is not made the property of the buyer, otherwise than if either a price is paid to us, or that we have enough in that name given, or even a promise without any satisfaction.

Quo minus sufficiens existit. Whereby he is the less able.

Quorum. Of whom.

Quorum aliquem vestrum, A. B. C. D. &c. unum esse volumus. Of whom we will that some one of you, A. B. C. D. &c. be present.

Quorum unum esse volumus. One of whom we command be present.

Quos banci narratores vulgariter appellamus. Those whom we commonly call reporters of the bench.

Quota. So many as; proportion.

Quoties bella non ieunt, multum venatibus, plus per otium transigunt. When wars do not interfere, they pass much of their time in hunting, more in idleness.

Quoties dubia interpretatio libertatis, secundum libertatem respondendum est. As often as the interpretation of liberty is doubtful, let it be decided in favour of liberty.

Quoties in verbis nulla est ambiguitas, ubi nulla expositio contra verba fienda est. So as there be no ambiguity in the words, no sinister construction should be made against the words.

Quousque. As far as; as long as; until.

Quousque debitum satisfactum fuerit. Until the debt be satisfied.

Quo warranto. By what authority (or warrant).

Quum bellum civitas aut illatum, defendit aut infert, magistratus qui ei bello præsint deliguntur. When a state defends or wages war, the magistrates who preside over that state are chosen in command.

R.

Rapina. Robbery.

Raptus mulieris. A rape.

Rapuit. He ravished.

Ratio. A reckoning; consideration; reason.

Ratione contractus. By reason of contract.

Ratione inde. By reason whereof.

Ratione loci. By reason of place.

Ratione privilegii. By reason of privilege.

Ratione soli. By reason of soil.

Ratione tenuræ. By virtue of tenure.

Recordare. To remember; to record.

Recordari facias loquelam. That you cause the plaint to be recorded.

Recusatio judicis. The refusal of a judge.

Reddendo singula singulis. In paying (or restoring) each to each.

Reddendum. To pay; to restore; to render.

Reddidit se. He rendered himself.

Redditum in invitum. Rendered against his judgment (or will).

Redeundo. In returning.

Reditus. A return; a rent.

Reditus albæ firmæ. Rents of white farm.

Reditus albi. White rents.

Reditus capitales. Head (or chief) rents.

Reditus nigri. Black rents.

Reditus siccus. Dry (or seck) rent.

Regalem potestatem in omnibus. The royal power in all cases.

Regalia. Rights of the crown.

Regardant. Regarding; concerning.

Reges ex nobilitate, duces ex virtute sumunt. Kings claim their title from nobleness of birth, dukes from deeds of valour.

Regiam majestatem. The king's majesty.

Registrum omnium brevium. The register of all writs.

Regni Angliæ; quod nobis jure competit hæreditario. Of the kingdom of England, which devolves to us by hereditary right.

Regrater. To regrate; to scrape over again.

Relicta verificatione. The plea being relinquished.

Remanet. It remains.

Rem in bonis nostris habere intelligimur, quoties ad recuperandum eam actionem habeamus. We are understood to have a thing in our goods, as often as we bring an action to recover that thing.

Remisit curiam. He hath waived his right.

Remissum magis specie, quam vi: quia, cum venditor pendere juberetur, in partem pretii emptoribus accrescebat. It was abated more in appearance than in reality: because when the vendor was ordered to pay tribute, he increased the price to the buyers.

Remittit damna. He remits the damages.

Remittitur. It is remitted.

Remittitur damna. It is remitted as to damages.

Remittitur de damnis. It is remitted in damages; the punishment is remitted.

Rem tantam tam negligenter. So serious a matter, so negligently.

Reoffere. A robber.

Replegiare. To replevy.

Replegiare est rem apud alium detentum, cautione legitima interposita, redimere. To replevy is to redeem property detained by another person, legal security being given by the redeemer.

Replevium. Relief.

Replicatio. Replication.

Ρεπτιδιον. A divorce.

Reprendre. To reprieve; to take back.

Requiem. A mass (or) hymn, sung for the peace of departed souls.

Rescourer. To recover.

Rescous. A rescue.

Reseisin. Restoration of possession to a person forcibly dis possessed of it.

Residuum. Remainder.

Res integra. An entire thing; a whole agreement.

Respondeas ouster. That you answer over.

Respondeat ouster. That he answer over.

Respondentia. Things answerable (or responsible); assurance on bottomry.

Respondere non dedet. He ought not to answer.

Respondra a touts, mes nul respondra a luy. He shall answer to all, but no one shall make answer to him.

Responsa prudentum. The opinions of experienced lawyers.

Retorna brevium. The return of writs.

Retraxit, &c. He has withdrawn, &c.

Ρευερεντια και οβσεκιειον. Respect and compliance.

Reus. A defendant.

Revertendi animum videntur desinere habere tunc, cum revertendi consuetudinem deseruerint. The disposition to return seems to cease, when they leave off the custom of returning.

Rex allegavit, quod ipse omnes libertates ha-

beret in regno suo, quos imperator vendicabat in imperio. The king declared that he possessed all the privileges in his kingdom, which an emperor claimed in his empire.

Rex debet esse sub lege, quia lex facit regem. The king should be subject to the law, because the law creates the king.

Rex et vicarius et minister Dei in terra: omnis quidem sub eo est, et ipse sub nullo, nisi tantum sub Deo. The king is the deputy and minister of God on earth, for every one is under him, and he is subject to no one, God only excepted.

Rex, &c. salutem. Scribatis episcopo Karl; quod Roberto de Icard pensionem suam, quam ad preces regis prædicto Roberto concessit, de cætero solvat; et de proxima ecclesia vacatura de collatione prædicti episcopi, quam ipse Robertus acceptaverit, respiciat. The king, &c. greeting. In letters to bishop Charles; that he henceforth pay to Robert de Icard his pension, which at the king's request he granted to the aforesaid Robert; and that he be appointed to the next church vacant in the collation of the aforesaid bishop, which the said Robert may accept.

Rex tenuit magnum concilium, et graves sermones habuit cum suis proceribus de hac terra; quo modo incoleretur, et a quibus hominibus. The king held a great council, and seriously advised with his nobles relating to this land, in what

manner it should be inhabited, and by what men.

Rex versus inhabitantes de A. The king against the inhabitants of A.

Rex vicecomiti salutem. Si A fecerit te securum de clamore suo prosequendo, tunc pone per vadium et salvos plegios B quod sit coram justitiariis nostris apud Westmonasterium in octabis Sancti Michaelis, ostensurus quare cum idem B ad dextrum oculum ipsius A casualiter læsum bene et competenter curandum apud S, pro quadam pecuniæ summa præ manibus soluta assumpsisset, idem B curam suam circa oculum prædictum tam negligenter et improvide apposuit, quod idem A defectu ipsius B visum oculi prædicti totaliter amisit, ad damnum ipsus A viginti librarum, ut dicit. Et habeas ibi nomina plegiorum et hoc breve. Teste meipso apud Westmonasterium, &c. The king to the sheriff, greeting. If A has made you secure to prosecute his complaint, then put upon his pledge and safe sureties B, that he appear before our justices at Westminster in eight days of Saint Michael to shew cause, whereas the said B at S, for a certain sum of money paid into his hands, had promised well and effectually to cure the right eye of the said A which by accident was hurt, the said B so negligently and inconsiderately applied his remedy to the said eye, that the said A, through the unskilfulness of the said B, lost altogether the sight of the aforesaid eye, to the injury of the said A in

twenty pounds as he says. And have there the names of the sureties and this writ. Witness myself at Westminster, &c.

Rien in arrere. Nothing in arrear.

Riens per discent. Nothing by remainder; nothing by descent.

Roffure. A robber.

Rogaverunt omnes episcopi magnates, ut consentirent quod nati ante matrimonium essent legitimi, sicut illi qui nati sunt post matrimonium, quia ecclesia tales habet pro legitimis. Et omnes comites et barones una voce responderunt, quod nolunt leges Angliæ mutare, quæ hucusque usitatæ sunt et approbatæ. All the bishops asked the nobles to consent that those born before marriage should be considered legitimate, as those who were born after marriage, because the church held such for legitimate. And all the earls and barons unanimously replied, that they would not change the laws of England, which were hitherto used and approved.

Roover. A robber.

Romani pueri longis rationibus assem
Discunt in partes centum diducere. Dicat
Filius Albini, si de quincunce remota est
Uncia, quid superet? poterat dixisse, triens: eu,
Rem poteris servare tuam! redit uncia quid fit?

Semis.—The Roman boys learn to divide a pound by long reckonings into a hundred parts. Let the son of Albinus say, if the twelfth part of a pound be taken from the five twelfth part,

what remains? He was able to say one third: well you will be able to preserve your property! if the ounce be added how much is it? the one half.

S.

Sacerdos interroget dotem mulieris; et si terra ei in dotem detur, tunc dicatur psalmus iste, &c. That the priest ask the woman's dower; and if land be given to her as a dower, then let that psalm be sung, &c.

Sacerdotes a regibus honorandi sunt, non judicandi. Priests are to be honoured by kings, not to be judged by them.

Sacramentum decisionis. The oath of decision.

Sacramentum domini regis fregisse. To have broken the oath of our lord the king.

Sacrilegii instar est rescripto principis obviari. It is equal to profanation to oppose the order of the prince.

Sæpe quæsitum est an comitum numero et jure habendi sunt, qui legatum comitantur, non ut instructior fiat legatio, sed unice ut lucro suo consulant, institores forte et mercatores. Et, quamvis hos sæpe defenderint et comitum loco habere voluerint legati, apparet tamen satis eo non pertinere, qui in legationisve officio non sunt. Quam autem ea res nonunquam turbas dederit, optimo exemplo in quibusdam aulis olim receptum fuit, ut legatus teneretur exhibere nomenclaturam comitum suorum.

It has often been asked whether those persons who follow an ambassador are included of right in the number of his train, not that the embassy may be better appointed, but perhaps factors and merchants who only consult their private gain. And although ambassadors have often maintained them, and wished to retain them instead of assistants, nevertheless it is sufficiently evident that they who are not publicly engaged in the service of the ambassador, or of the embassy, do not belong to him. But as that circumstance sometimes has caused debates, it was received as the best rule to be from thenceforth observed in some courts, that the ambassador should be held to produce a list of his suite.

Salvo pudore. Saving modesty.

Sancta Maria de arcubus. Saint Mary le bow.

Sanctio justa, jubens honesta, et prohibens contraria. A just ordinance, commanding what is right, and prohibiting what is wrong.

Sans ceo. Without this.

Sans nombre. Without number.

Sapientes, fideles, et animosi. Wise, faithful, and courageous.

Scaccarium. The Exchequer.

Scandalum magnatum. Defamation of great men.

Schismaticus inveteratus. A confirmed schismatic.

Sciant presentes et futuri, quod ego Johannes *constabularius* Cestriæ *dedi et concessi, et hac*

præsenti charta mea confirmavi, Hugoni *de* Dutton *et hæredibus suis, magistratum omnium leccatorum et meretricum totius Cestershiræ, sicut liberius illum magistratum teneo de comite. Salvo jure meo mihi et hæredibus meis.* Know all men present and to come, that I *John,* constable of *Chester,* have given and granted, and by this my present charter have confirmed to *Hugh Dutton* and to his heirs the magistracy over all debauchees and prostitutes, throughout Cheshire, as freely as I hold that power from the earl. Saving my right to myself and my heirs.

Sciendum. To be known.

Sciendum tamen quod, in hoc placito, non solet accusatus per plegios dimitti, nisi ex regiæ potestatis beneficio. Be it known however, that on this plea, a person accused is not usually discharged upon his sureties, unless by the kindness of the royal power.

Scienter. Knowingly; wilfully.

Scientia enim utrinque per pares facit contrahentes. For an equal knowledge on the part of both renders those contracting equal.

Scilicet, &c. To wit, &c.

Scilicet, per quas feudum amittitur. Si domino deservire noluerit; si per annum et diem cessaverit in petenda investitura; si dominum ejuravit, id est, negavit se a domino feudum habere; si a domino, in jus eum vocante, ter citatus non comparuerit. That is to say, the acts by which a fee is forfeited. If the vassal be unwilling to do service to

his lord; if for a year and a day he neglects to seek after his possession; if he renounces his lord, that is, if he denies that he holds his fee from his lord; if on his lord calling upon him to court, being three times cited, he does not appear.

Scintilla juris. A spark of law.

Scire facias. That you cause to know; that you make known.

Scire facias ad audiendum errores. That you make known to hear errors.

Scire facias ad computandum et rehabendam terram. That you make known to account and to repossess the land.

Scire facias ad rehabendam terram. That you make known to repossess the land.

Scire facias quare consultatio non debet concedi post prohibitionem. That you cause to know why a consultation ought not to be granted after a prohibition.

Scire facias quare executionem non. That you cause to know why he hath not execution.

Scire feci. I have made known.

Scire fieri. To be made to know; to be informed.

Scribere est agere. To write is to perform (or act).

Scutagium. Scutage: a sum paid to avoid the duties of knight's service.

Scuto magis quam gladio opus est. It is used as a shield rather than a sword.

Scutum. A shield; a scutcheon.

Scyre. A shire.

Scyre-gerafa. A sheriff.

Scyran. To divide.

Secta. A suit: videlicet, consecution; regular order.

Secta ad furnum, secta ad torrale, et ad omnia alia hujusmodi. Suit to the bakehouse, suit to the kiln, and to all things of this kind.

Secundum allegata et probata. According to the matters alleged and proved.

Secundum æquum et bonum. According to justice and honesty.

Secundum consuetudinem manerii. According to the custom of the lordship (or manor)

Secundum discretionem boni viri. According to the discretion of a good man.

Secundum formam doni. According to the form of the gift.

Secundum legem et consuetudinem Angliæ. According to the law and custom of England.

Secundum subjectam materiam. According to the subject matter.

Securitas legatorum utilitati quæ ex pœna est preponderat. The security of ambassadors outweighs the severity of punishment.

Secùs. Otherwise.

Se defendendo. In defending himself.

Sedente curiâ. While the court is sitting.

Sed non allocatur. But, it is not allowed.

Sed per curiam. But, by the court.

Sed quære. But, ask.

Sed quære de hoc? But ask concerning this?

Sed vide. But see.

Seisina facit stipitem. Seisin makes the stock.

Selecti judices de decuria senatoria conscribuntur: in urnam sortito mittuntur, ut de pluribus necessarius numerus confici posset: post urnam permittitur accusatori, ac reo, ut ex illo numero rejiciant quos putaverint sibi, aut inimicos aut ex aliqua re incommodos fore: rejectione celebrata, in eorum locum qui rejecti fuerunt subsortiebatur prætor alios, quibus ille judicum legitimus numerus compleretur: his perfectis jurabant in leges judices, ut obstricti religione judicarent. The special judges are selected from a committee of the senate: their names are put by lot into an urn, that out of many the requisite number may be procured: then the urn is sent to the plaintiff and defendant, that they may reject from that number those whom they consider would be inimical or improper from something: the rejection being declared, the prætor chooses by lot others in the room of those who are rejected, with whom he fills up the lawful number of judges: these things being done, the judges swore to the laws, that under the obligation of their religion they would judge.

Semiplena probatio. Half proof.

Semper dabitur dies partibus a justiciariis de banco, sub tali conditione, "nisi justiciarii itine-

rantes prius venerint ad partes illas." A day shall always be granted to the parties by the judges of the King's Bench under such condition, "unless the judges in eyre come sooner to those parts."

Senatus consulta. Decrees: they related to the community at large.

Senatus consultum ultimæ necessitatis. A decree of extreme necessity.

Senatus decreta. The decrees of the senate: they related to private matters.

Sententia rerum divinarum humano sensu excogitata, palam docta, et pertinaciter defensa. An opinion of divine things devised by man's invention, openly taught, and obstinately defended.

Sequendo. In following.

Sequestrari facias. That you cause to be sequestered (or deposited in keeping).

Sequestrari feci. I have caused to be sequestered.

Servato juris ordine. The order of law being reserved.

Servi aut fiunt, aut nascuntur: fiunt jure gentium, aut jure civili; nascuntur ex ancillis nostris. Slaves are made so, or are born so; they are made slaves, by the law of nations, or by the civil law; they are born slaves from our bond-women.

Service de chivaler. Knight's service.

Servientes ad legem. Servants to a law; serjeants.

Servi nascuntur. They are born slaves.

Servitia servientium et stipendia famulorum. The services of vassals and the wages of servants.

Servitium militare. Knight's service.

Servitium scuti. Scutage (or escuage).

Servitus est jus, quo res mea alterius rei vel personæ servit. Bond-service is a right, by which my property is subject to the rule or person of another.

Servitutes. Services.

Servus facit, ut herus det. The servant performs his work that the master may pay him.

Sex juvenes goshawks. Six young goshawks.

Sextus decretalium. The sixth book of the decretals.

Seyn. A drift net for catching pilchards, herrings, &c.

Si actio, &c. If the action, &c.

Si a domino ter citatus non comparuerit. If on being three times summoned by his lord he hath not appeared.

Si aliquis mulierem pregnantem percusserit, vel ei venenum dederit, per quod fecerit abortivam: si puerperium jam formatum fuerit, et maxime si fuerit animatum, facit homicidium. If any person strikes a woman in a state of pregnancy, or gives her poison, by which she miscarries; if the embryo has already been formed, and particularly if it has quickened, he is guilty of murder.

Si aliquis per superbiam elatus ad justitiam episcopalem venire noluerit, vocetur semel, secundo, et tertio: quod si nec sic ad emendationem venerit, excommunicetur; et, si opus fuerit, ad hoc vindi-

candum fortitudo et justitia regis sive vicecomitis adhibeatur. If any person from excesssive pride is unwilling to submit to episcopal justice, let him be called once, twice, thrice: but if after this he does not submit to correction, let him be excommunicated; and if it be necessary let the power and justice of the king, or of his sheriff, be used to vindicate this act.

Si antiquitatem spectes, est vetustissima; si dignitatem, est honoratissima; si jurisdictionem, est capacissima. If you consider its antiquity, it is most venerable; if its dignity, it is most honourable; if its jurisdiction, it is most extensive.

Si constare poterit. If it shall be made to appear.

Si curia cognoscere velit. If the court wish to certify.

Sicut alias, &c. As at another time, &c.

Sic utere tuo, ut alienum non lædas. Make use of your own property, so that you injure not another's.

Sic vos non vobis fertis aratra, boves;
Sic vos non vobis vellera fertis, oves.
Oxen, thus ye do not bear the ploughs for yourselves; sheep, thus ye do not bear your fleeces for yourselves.

Si debeat responderi, quousque, &c. If it should be answered until, &c.

Si decedens plura habuerit animalia, optimo cui de jure fuerit debitum reservato, ecclesiæ suæ sine dolo, fraude seu contradictione qualibet, pro recompensatione subtractionis decimarum persona-

lium, necnon et oblationum, secundum melius animal reservetur, post obitum, pro salute animæ suæ. If a dying man has many beasts, the best being reserved for him to whom it is due by right, that the second best be reserved for the church, without any craft, fraud, or contradiction whatsoever, for a recompense of the subtraction of his personal tenths, and oblations after his death, for the good of his soul.

Si dominum cucurbitaverit, id est, cum uxore ejus concubuerit. If he hath cuckold'd his lord, that is, if he has committed adultery with his lord's wife.

Si dominum deservire noluerit. If he be unwilling to do service to his lord.

Si dominum ejuravit, id est, negavit se a domino feudum habere. If he has renounced his lord, that is, if he has denied that he held his fee from his lord.

Si dominus commisit feloniam, per quam vasallus amitteret feudum si eam commiserit in dominum, feudi proprietatem etiam dominus perdere debet. If a lord commit felony, for which a vassal would lose his fee had he committed a similar offence against his lord, the lord should also, in such case, lose his right of the fee.

Si dominus feodi negat hæredibus defuncti saisinam ejusdem feodi, justiciarii domini regis faciant inde fieri recognitionem per duodecim legales homines, qualem saisinam defunctus inde habuit, die qua fuit vivus et mortuus; et, sicut recognitum

fuerit, ita hæredibus ejus restituant. If the lord of a fee deny to the heirs of a deceased person possession of his fee, let the judges of our lord the king cause recognition to be made thereon by twelve honest men, as to what possession the deceased held therein, the day on which he died; and as it shall be recognised so shall they restore it to his heirs.

Si enim ipsi raptores metu, vel atrocitate pœnæ, ab hujusmodi facinore se temperaverint, nulli mulieri, sive volenti, sive nolenti, peccandi locus relinquetur; quia hoc ipsum velle *mulierum, ab insidiis nequissimi hominis, qui meditatur rapinam, inducitur. Nisi etenim eam solicitaverit, nisi odiosis artibus circumvenerit non faciet eam velle in tantum dedecus sese prodere.* For if these seducers through fear or the severity of punishment abstain from a crime of this kind, an opportunity of sinning will be afforded to no woman, whether she be willing or unwilling; because this same *will* of the women is induced by the crafty wiles of a base man who meditates seduction. For unless he entice her, unless by his hateful arts he beguile her, he shall not prevail upon her to give herself up to so great a disgrace.

Si equam meam equus tuus prægnantem fecerit, non est tuum sed meum quod natum est. If your horse get my mare with foal, the foal is not your property but mine.

Si fecerit feloniam, dominum forte concubitando.

If he commits a felony, as for example, by cuckolding his lord.

Si home aiant feffees a son use devant le statut de 27 H. 8. ust devise le terre al auter, and puis les feffees font feffment del terre al use del devisor and puis le statut le devisor morust, le terre passera per le devise, car aprés le feffment le devisor avoit mesme l'use que il avoit divant. If, before the statute of the 27th of Henry the 8th, a man having feoffees to his use, had devised the land to another, and then the feoffees make feoffment of the land to the use of the devisor, and after the statute the devisor died, the land shall pass by the devise, for after the feoffment the devisor had the same use which he had before.

Significavit. He has given notice.

Si home port ejectione firmæ, le plaintiff recovera son terme qui est arere, si bien come in quare ejecit infra terminum; et, si nul soit arrere, donques tout in damages. If a man bring an ejectment, the plaintiff shall recover his term which is in arrear, as well as in an action "wherefore he ejected under the term;" and if no term remain, then he shall have all in damages.

Si imperialis majestas causam cognitionaliter examinaverit, et partibus, cominus constitutis sententiam dixerit, omnes omnino judices, qui sub nostro imperio sunt, sciant hanc esse legem, non solum illi causæ pro qua producta est, sed et in omnibus similibus. If his imperial majesty has thoroughly examined a cause, and the matters

in contention being maturely weighed, he delivers his opinion, be it known to all the judges, who act under our command, that this decision is a law, not only for the cause which produced it, but also in all similar cases.

Si in chartis membranisve tuis carmen vel historiam vel orationem Titius scripserit, hujus corporis non Titius sed tu dominus esse videris. If Titius writes a poem, history, or oration on your papers or parchments, it is not Titius, but you who are considered the owner of that work.

Si jeo mist mon clothes al un taylor a faire il poet eux conserver tanque satisfaction par le fesans. Mes si jeo contract ove un taylor que il avera tant *per le fesans de mon appareil, il ne poet eux conserver tanque satisfaction pur le fesens.* If I send my clothes to a tailor to make, he may keep them until he is paid for the making of them. But if I contract with a tailor that he shall have *so much* for making my clothes, he may not keep them until he is paid for the making of them.

Si judicium redditum sit, &c. If the judgment be given, &c.

Si juratores erraverint, et justiciarii secundum eorum dictum judicium pronuntiaverint, falsam faciunt pronuntiationem; et ideo sequi non debent eorum dictum, sed illud emendare tenentur per diligentem examinationem. Si autem dijudicare nesciant, recurrendum erit ad majus judicium. If jurors err, and the judges decide according to

their verdict, they pass a false sentence; and therefore they ought not to follow their verdict, but are bound to amend it, by a diligent examination. But if they cannot reverse it, recourse must be had to a higher tribunal.

Simul cum aliis, &c. Together with others, &c.

Similiter. In like manner.

Si milites quid in clypeo literis sanguine suo rutilantibus adnotaverint, aut in pulvere inscripserint gladio suo, ipso tempore quo, in prælio, vitæ sortem derelinquunt, hujusmodi voluntatem stabilem esse oportet. If knights mark but a will upon their shields in letters made red with their own blood, or write in the dust with their sword, at the time they pay their debt of life in battle, such will should be considered valid.

Si mortuo viro uxor ejus remanserit, et sine liberis fuerit, dotem suam habebit, si vero uxor cum liberis remanserit, dotem quidem habebit dum corpus suum legitime servaverit. If, a man being dead, his wife has remained, and she be without issue, she shall have her dower; but if a wife remain with issue, she shall in that case receive her dower so long as she continues in a state of widowhood.

Simplex commendatio non obligat. A simple recommendation does not bind.

Simplex obligatio. A simple obligation; single bond.

Sine calumnia verborum, non observata illa dura consuetudine, qui cadit a syllaba cadit a tota causa.

Without a false interpretation of words, as those customary severities should not be observed, that he who errs in a syllable loses his cause altogether.

Sine die. Without a day.

Sine judicio parium vel per legem terræ. Without the judgment of his equals, or by the law of the land.

Sine qua non. Without which nothing is to be done.

Si non omnes. If not all.

Si non omnes qui rem communem habent, sed certi ex his, dividere desiderant; hoc judicium inter eos accipi potest. If all those who hold a property in common do not wish to divide it, but only some of them, that matter must be settled among themselves.

Si non sequatur ipsius vadii traditio, curia domini regis hujusmodi privatas conventiones tueri non solet. If the delivery of his pledge do not follow, the court of our lord the king is not accustomed to regard private covenants of this kind.

Si pares veritatem noverint, et dicant se nescire, cum sciant. If the jury know the truth, and say that they are ignorant of it, when they know it.

Si per annum et diem cessaverit in petenda investitura. If for a year and a day he delay in seeking for his investiture.

Si petens sectam produxerit, et concordes inveniantur, tunc reus poterit vadiare legem suam con-

tra petentem et contra sectam suam prolatam; sed si secta variabilis inveniatur, extunc non tenebitur legem vadiare contra sectam illam. If a claimant prefers a suit, and that the parties afterwards agree, then the defendant may wage his law against the claimant and his proffered suit; but if the suit be found variable, in that case he will not be held to wager law against that suit.

Si plura sint debita, vel plus legatum fuerit, ad quæ catalla defuncti non sufficiant fiat ubique defalcatio, excepto regis privilegio. If there be more debts or more legacies for which the chattels of the deceased are not sufficient, let a diminution be made of every one's part, the king's privilege excepted.

Si quando. If when.

Si questum tantum habuerit is, qui partem terræ suæ donare voluerit, tunc quidem hoc ei licet: sed non totum questum, quia non potest filium suum hæredem exhæredare. If a man who possesses so much acquired property, wishes to give away a part of his land, this he may do: but he cannot give away the whole of his acquired property, because he cannot disinherit his son and heir.

Si quid misericordiæ causa ei fuerit, relictum, puta menstruum vel annuum, alimentorum nomine, non oportet propter hoc bona ejus iterato venundari: nec enim fraudandus est alimentis cottidianis. If any thing from a motive of compassion

is left to him, for instance by the name of monthly or yearly allowance for provisions, his goods ought not on account of this to be sold a second time: for he is not to be defrauded of his daily nourishment.

Si quid universitati debetur, singulis non debetur; nec, quod debet universitas, singuli debent. If any sum of money be due to a partnership, it is not due to the individuals; nor do those individuals owe that which is due by the partnership.

Si quis ad battalia curte sua exierit. If any one relinquish his right to wager of battle.

Si quis aliquid dixerit contra testamentum placitum illud in curia christianitatis audiri debet et terminari. If any one declare against a will, that plea should be heard and determined in an ecclesiastical court.

Si quis baronum seu hominum meorum—pecuniam suam non dederet vel odare disposuerit, uxor sua, sive liberi, aut parentes et legitimi homines ejus, eam pro anima ejus *dividant, sicut eis melius visum fuerit.* If any of my barons or of my subjects should not bequeath or dispose of his money, let his wife, or his children, or his next of kin, and lawful relations, distribute it *for the peace of his soul* as may appear to them most proper.

Si quis felem, horrei regii custodem, occideret vel furto abstulerit, felis summa cauda suspendatur, capite aream attingente, et in eam grana tritici

effundatur, usquedum summitas caudæ tritico cooperiatur. If any person kill or steal the cat (the keeper of the king's granary) let the cat be suspended by the top of the tail, its head touching the floor, and grains of wheat be poured upon it until the top of the tail is completely covered by the wheat.

Si quis impatientia doloris, aut tædio, vitæ, aut morbo, aut furore, aut pudore, mori voluit non animadvertatur in eum. If any person from insufferable grief, or weariness of life, or from disease, or fury, or shame, has designed to die, it shall not be considered against him.

Si quis me nesciente, quocunque meo telo vel instrumento in perniciem suam abutatur; vel ex ædibus meis cadat, vel incidat in puteum meum, quantumvis tectum et munitum, vel in cataractum, et sub molendino meo confringatur, ipse aliqua mulcta plectar; ut in parte infelicitatis meæ numeratur, habuisse vel ædificasse aliquod quo homo periret. If any one, without my knowledge, is destroyed by my weapon or instrument; or if he falls from my house, or into my well, although covered and secured, or into my dam, and be broke to pieces under my mill, I may be punished by some fine; as it is accounted my misfortune to have possessed or erected any thing by which a fellow creature perished.

Si quis terram hæreditariam habeat, eam non vendat a cognatis hæredibus suis, si illi viro prohibitum sit, qui eam ab initio, acquisivit, ut ita

facere nequeat. If any person possess hereditary land, he cannot sell it from his kindred heirs, if that man who obtained it at the beginning was prohibited from doing so.

Si rector petat versus parochianos oblationes et decimas debitas et consuetas. If a rector seek to recover from the parishioners the offerings and tithes due and customary.

Si recuperaverit tenementa de quibus vir obiit seisitus tenens reddat damna vid^t. valorem dotis tempore mortis viri usque ad diem quo per judicium curiæ seisinam suam recuperaverit. If she recover the tenements of which her husband died seised, that the tenant pay the damages, that is to say, the value of the dower, from the time of the husband's death, to the day on which by the judgment of the court she recovered her possession.

Si tamen evidenti argumento falsum jurasse convincantur (id quod superius judicium cognoscere debet) mulctantur in bonis, de cætero perjuri et intestabiles. If however they are proved by manifest evidence to have sworn falsely (which it is the duty of a higher court to take cognizance of) a fine is levied upon their goods, and besides they are considered perjured and incapable of bearing testimony.

Si te fecerit securum. If he has made you secure.

Sit in misericordia. That he be in mercy.

Sit omnis vidua sine marito duodecim menses.

That every widow remain unmarried for twelve months.

Si universitas ad unum redit, et stet nomen universitatis. If a corporation be reduced to one, even then the name of the corporation stands.

Sit quilibet homo dignus venatione sua, in sylva, et in agris, sibi propriis, et in dominio suo: et abstineat omnis homo a venariis regiis, ubicunque pacem eis habere voluerit. That every man be entitled to his game, in the wood, and on the grounds belonging to himself, and in his ownership: and that every man abstain from the royal venary wheresoever he finds them quiet.

Si universitas ad unum redit. If the corporation is reduced to one.

Si uxor possit dotem promeri, et virum sustinere. If the wife could demand her dower, and of age to sustain a husband.

Si vasallus feudum dissipaverit, aut insigni detrimento deterius fecerit, privabitur. If a vassal has abused his estate, or has made it worse by any serious injury, he shall be deprived of it.

Sive et masculus sive fœmina. Whether they be male or female.

Sive plus, sive minus. Whether more or less.

Sive quis incuria, sive morte repentina, fuerit intestatus mortuus, dominus tamen nullum rerum suarum partem, præter eam quæ jure debetur hereoti nomine, sibi assumito. Verum possessiones uxori, liberis et cognatione proximis, pro suo cuique jure, distribuantur. If any person die

intestate from neglect or sudden death, yet the lord of the soil shall take to himself no part of his goods, except that which is due to him of right by the name of heriot. But that his possessions be distributed amongst his wife, his children, and his next of kin, to each according to their separate right.

Sive volentibus, sive nolentibus mulieribus, tale facimus fuerit perpetratum. If such an offence be committed, whether the women were willing or unwilling.

Socagium. Socage: a tenure of lands, for some small services of husbandry performed to the lord of the fee.

Sodales legem quam volent, dum ne quid ex publica lege corrumpant, sibi ferunto. That the colleges make whatsoever laws they please for themselves, provided they do not corrupt any part of the public law.

Soient mys en la prisone fort et dure. Let them be put in strong and close confinement.

Soit droit fait al partie. Let right be done to the party.

Soit fait comme il est desiré. Let it be done as it is desired.

Soit mys et demeerge. Let it be fixed and remain so.

Sokemanries. Copyhold tenures.

Sokemans. Copyhold tenants.

Sola, quæ de hostibus capta sunt limitaneis ducibus & militibus donavit; ita ut eorum ita essent, si

hæredes illorum militarent, nec unquam ad privatos pertinerent: dicens attentius illos militaturos, si etiam sua rura defenderent. Addidit sane his et animalia et servos ut possent colere quod acceperant; ne per inopiam hominum vel per senectutem desererentur rura vicina barbariæ, quod turpissimum ille ducebat. He gave those lands, which were taken from the enemy, alone to his generals of the marches and to his soldiers; so that they should remain theirs, if their heirs should serve him in war, and never desert his service: saying that they would serve more attentively if they defended their own lands. He added to those lands cattle and slaves, that they might cultivate what they had received, lest through want of men or old age, the boundaries of his kingdom should be surrendered to a barbarous people, which he considered most degrading.

Solent fœminarum ductu bellare, et sexum in imperiis non discernere. The women were accustomed to be led out to fight, and their sex did not impede their succession to empire.

Solent prætores, si talem hominem invenerint, qui neque tempus neque finem expensarum habet, sed bona sua dilacerando et dissipando profundit, curatorem ei dare, exemplo furiosi: et tandiu erunt ambo in curatione, quamdiu vel furiosus sanitatem, vel ille bonos mores, receperit. The prætors, if they discover a man, who has no time or limit to his expenses, but who profusely squanders his property in waste and dissipation, are

accustomed to appoint a guardian over him, as over a madman: and both shall so remain under the guardianship, until the madman recover his senses, or the profligate his good habits.

Solere aiunt barbaros reges Persarum ac Syrorum—uxoribus civitates attribuere, hoc modo; hæc civitas mulieri redimiculum præbeat, hæc in collum, hæc in crines, &c. They say that the barbarous kings of the Persians and Syrians were accustomed to assign provinces to their wives, in this manner; that each province provide an ornament for the woman, this for her neck, that for her hair, &c.

Solidos legales. Lawful shillings.

Solidus legalis. A lawful shilling.

Solvendum in futuro. To be paid at a future time.

Solvit ad diem. He paid on the day.

Son assault demesne. His own assault; he first assaulted me.

Sparsim. Scattered about; here and there.

Spoliatus debet, ante omnia, restitui. A person whose property is stolen, is entitled to the restitution of that property before all others.

Sponsio judicialis. A judicial agreement (or engagement).

Stabitur præsumptioni donec probetur in contrarium. It shall stand upon presumption until it be proved to the contrary.

Stare decisis. To stand by matters decided.

Starr. A rush that grows in marshes.

Statuimus, ut omnes liberi homines fœdere et sacramento affirment, quod intra et extra universum regnum Angliæ Wilhelmo regi domino suo fideles esse volunt; terras et honores illius omni fidelitate ubique servare cum eo, et contra inimicos et alienigenas defendere. We decree, that all free men bind themselves by a league and oath, that they will be faithful to king William their lord within and without the whole kingdom of England; that they will every where keep in true fealty his lands and honours with him, and defend him against his enemies abroad and at home.

Status. A principal point; the state (or issue) of a case.

Statutum de malefactoribus in parcis. The statute relating to those who commit depredations in parks.

Stet. That it stand.

Stirps. The root, stock; race (or lineage).

Sto. I stand.

Stricti juris. Of exact right; of strict law.

Sub modo. Within bound (or measure).

Sub pede sigilli. At the foot of the seal; under seal.

Sub pœna. Under a penalty.

Sub potestate parentis. Under the direction of the parent.

Sub silentio. In silence.

Successionis feudi talis est natura, quod ascendentes non succedunt. The nature of succession

to a fee is such that the ascendants do not succeed.

Suggestio falsi. A suggestion of falsehood; an inciting to falsehood.

Sulla tribunis plebis sua lege injuriæ faciendæ potestatem ademit, auxilii ferendi reliquit. Sylla took from the tribunes of the people the power of doing an injury, but left them the opportunity of affording relief.

Summa de laudibus Christiferæ Virginis (divinum magis quam humanum opus) Qu. 23. § 5. Item quod jura civilia, et leges, et decreta scivit in summo, probatur hoc modo; sapientia advocati manifestatur in tribus, unum, quod obtineat omnia contra judicem justum et sapientem; secundo, quod contra adversarium astutum et sagacem; tertio, quod in causa desperata: sed beatissima Virgo, contra judicem sapientissimum, Dominum; contra adversarium calidissimum, Dyabolum; in causa nostra desperata; sententiam obtalam obtinuit. The sum of praises of the virgin mother of Christ (a divine rather than a human work) Qu. 23. §. 5. That she knew to perfection the civil laws, and the statute laws, and the ordinances, is proved in this manner; the wisdom of an advocate is manifested in three things; first, that he obtain all points by the approbation of a just and wise judge; secondly, that he succeed against a subtle and crafty opponent; thirdly, that he succeed in a desperate cause:

but the most blessed Virgin obtained her wish; from the wisest judge, the Lord; against the most wily opponent, the Devil; in our cause which was most desperate.

"*Summa et maxima securitas, per quam omnes statu sirmissimo sustinentur*";—*quæ hoc modo fiebat, quod sub decennali* * *fidejussione debebant esse universi, &c.* The chief and greatest security by which all men are protected in the most safe condition;—which was effected in this manner, that all should be enrolled under a suretyship of ten persons.

Summa providentia. The utmost precaution.

Summoneas ad jungendum auxilium. That you summon to join relief.

Summoneas ad warritizandum. That you summon him to warranty.

Sunt jura, sunt formulæ, de omnibus rebus constitutæ, ne quis aut in genere injuriæ, aut in ratione actionis, errare possit. Expressæ enim sunt ex unius cujusque damno, dolore, incommodo, calamitate, injuria, publicæ a prætore formulæ, ad quas privata lis accommodatur. There are laws, there are forms appointed for all matters, lest any one err, either in the nature of an injury or in the cause of action. For public forms, to which a private suit is accommodated by the prætor, are expressed according to the loss, suffering, inconvenience, calamity, or injury of every person.

* "Decennali" signifies "ten years."

Sunt quædam brevia formata super certis casibus de cursu, et de communi de consilio totius regni approbata et concessa, quæ quidem nullatenus mutari poterint absque consensu et voluntate eorum. Certain writs are formed upon some particular cases, and approved of and granted by the general assembly of the whole kingdom, which in no wise can be altered without their consent and will.

Sui juris. Of his (or their) right.

Suos cuniculos. His rabbits (or conies).

Superoneravit. He hath surcharged.

Super quo. Upon which; whereupon.

Supersedeas. That you supersede.

Super visum corporis. Upon view of the body.

Supplicavit. He hath entreated.

Suppressio veri. A suppression of truth.

Supra. Above.

Supra protest. Above protest: an acceptance of a bill upon protest.

Sur cognizance de droit come ce que il ad de son done. Upon acknowledgement of right as that which he has of his gift.

Sur cognizance de droit tantum. Upon acknowledgement of right only.

Sur concessit. Upon his grant.

Sur concesserunt. Upon their grants.

Sur conusans de droit come ceo, &c. Upon acknowledgement of right, as this, &c.

Sur disseisin en le post. Upon disseisin in the post (or after).

Sur done, grant et render. Upon gift, grant and render.

Sur la pie. On the spot; in proportion; at the foot.

Sur rebut. Upon rebutter.

Sur rejoin. Upon rejoinder.

Sursumredditio. A reddition; a surrender.

Suspendatur per collum. That he be hanged by the neck.

Suum cuique incommodum ferendum est, potius quam de alterius commodis detrahendum. Every man should bear his own loss, rather than take away from the benefits of another.

Suum cuique tribuito. Give to every man his due.

Suum cuique tribuere. To give to each his due.

Sweinmote. The court for trying causes relating to the king's forests, &c.

Sylvestres. Living in woods.

Syngrapha. A writing under one's hand.

T.

Tæcan. To take.

Tales. Such persons.

Tales de circumstantibus. Such of the persons standing around.

Talis qui ita convictus fuerit, dupliciter delinquit contra regem: quia facit disseisinam et roberiam contra pacem suam; et etiam ausu temerario irrita

facit ea, quæ in curia domini regis rite acta sunt: et propter duplex delictum merito sustinere dabet pœnam duplicatam. Such person who is so convicted, doubly offends against the king: because he commits a disseizin and a robbery against his peace: and also by rash daring makes those things irritating, which in the court of our lord the king were rightly done, and for a double offence he deservedly ought to suffer a twofold punishment.

Taliter que in eadem curiâ nostrâ processum fuit quod predictus A recuperet, &c. And such process was thereupon had in our said court that the said A recover, &c.

Tam ad triandum quam ad inquirendum. As well to try, as to inquire.

Tamen illa tormenta gubernat dolor, moderatur naturâ cujusque tum animi tum corporis, regit quæsitor, flectit libido, corrumpit spes, infirmat metus, ut in tot rerum angustiis nihil veritati loci relinquatur. For as pain directs those tortures, the disposition of every man is tempered, as the judge governs the mind and body of the sufferer; desire persuades, hope corrupts, fear enfeebles, so that in such a combination of perplexities, there is no room left for truth.

Tamen quære. However inquire.

Tam immensus aliarum super alias acervatorum legum cumulus. So huge was the pile of laws heaped upon each other.

Tam in redditione judicii quam in adjudicatione

executionis. As well in rendering of judgment, as in adjudication of the execution.

Tam quam. So as; as well as.

Tanquam testamentum inofficiosum. As an inofficious will.

Τελεια μαλιστα αρετη, ὁτι της τελειας αρετης χρησις εστι. Virtue is especially choice, because the benefit arising from the practice of it is good.

Tenant per copie. Tenant by copyhold.

Tenementorum aliud liberum, aliud villenagium. Item liberorum aliud tenetur libere pro homagio et servitio militari; aliud in libero socagio cum fidelitate tantum. Of tenements, the one is free, the other villenage. Also of free tenements, the one is held freely by homage, and knight's service; the other in free socage, with fealty only.

Tenendum. To hold.

Tenendum per servitium militare, in burgagio, in libero socagio, &c. To hold by knight's service, in burgage, in free socage, &c.

Tenetur se purgare is qui accusatur, per Dei judicium; scilicet, per calidum ferrum vel per aquam pro diversitate conditionis hominum: per ferrum calidum si fuerit homo liber; per aquam, si fuerit rusticus. He who is accused of a crime, is bound to clear himself by the judgment of God, that is, by hot iron, or by water, according to the different conditions of men; if he be a freeman, by hot iron; if he be a peasant, by water.

Tenir en frank fee. To hold in frank fee.

Tenor est qui legem dat feudo. The order (or continuance) is that which gives a right to the fee.

Terme de grace, n'est terme de grace, que de nom, parce que c'est humilitatis ratione qu'elle la accorde, et pour le distinguer de celui parte par la lettre; il est reelement terme de droit, puisque c'est la loi que le donne. Time of grace, in nothing but the name, is so called as it is for the sake of humanity that it is granted, and to distinguish it from the time which a bill bears; it is truly a term of right, since it is the law which allows it.

Termini. Bounds; terms.

Terminus ad quem. The term (or time) to which.

Terminus à quo. The term (or time) from which.

Terra firma. Solid land.

Terra Walliæ cum incolis suis, prius regi jure feodali subjecta, jam in proprietatis dominium totaliter et cum integritate conversa est, et coronæ regni Angliæ tanquam pars corporis ejusdem annexa et unita. The land of Wales, with its inhabitants, before subject to the king by the feudal law, is now altogether and wholly converted into a principality, and is annexed and united to the crown of England, as part of the same body.

Terræ dominicales. Demesne lands.

Terræ dominicales regis. The king's demesne lands.

Terre-tenant. The occupying tenant of the land.

Tertia. A third part—the ancient term for a dower.

Testamenti executores esse debent ii quos testator ad hoc elegerit, et quibus curam ipse commisserit; si vero testator nullos ad hoc nominaverit, possunt proquinqui et consanguinei ipsius defuncti ad id faciendum se ingerere. The executors of a will should be those whom the testator has chosen for this purpose, and to whose care he has committed it: but if the testator has named no persons for this purpose, the relations and kindred of the deceased may take the duty upon themselves.

Testari. To be witnessed.

Testatio mentis. A testament; a will.

Testatum capias. That you take the person testified.

Testatum est quod latitat et discurrit. It is testified that he lurks and wanders.

Testatum existit. It appears (or is) attested.

Testatum fieri facias. That you cause the testified writ to be done.

Teste. In witness.

Teste comitatu, hundredo, &c. In the presence of the county, hundred, &c.

Teste meipso. Witness myself.

Theft-bote. A compromise of felony.

Θεογονια. The origin of Gods.

Thesaurus inventus. Treasure discovered; treasure trove.

Titulus est justa causa possidendi id quod nostrum est. Title is the just cause of possessing that which is ours.

Toga virilis. The manly robe.

Το ἥμισυ πλέου τοῦ παντος. The half is better than the whole.

Tolt. Removal; taking away.

Tori et mensæ participatione mutùo cohabitaverunt usque ad mortem. They lived together in the mutual participation of bed and board, even till death.

Tormentum. A pistol; a gun; a piece of ordnance.

Tort. Wrong.

Toties quoties. As often as.

Totum. The whole; all.

Tout fuit in luy, et vient de luy al commencement. All originated in him, and comes of him from the beginning.

Tout temps prist. At all times ready.

Tradet fidejussores de pace et legalitate tuenda. That he deliver his sureties for keeping the peace and for good behaviour.

Traditionibus dominia rerum, non nudis pactis, transferentur. That lordships be transferred by deliveries, not by bare agreements.

Traditio nihil aliud est quam rei corporalis de persona in personam, de manu in manum, translatio aut in possessionem inductio; sed res incorpo-

rales, quæ sunt ipsum jus rei vel corpori inhærens, traditionem non patiuntur. A delivery is no other than a transfer or induction into possession of a corporal property from person to person, from hand to hand; but incorporal properties, which are the inherent right itself to the property or body, do not suffer livery.

Trahir. To betray.

Trahison. Treachery; treason.

Transitus. A transit; the passing from one place to another.

Transgressiones. Trespasses.

Trans Tiberim. Beyond the river Tiber.

Tresayle. Of the grandfather's grandfather.

Tres faciunt collegium. Three persons form a corporation.

Trésor trouvé. Treasure found; treasure trove.

Triens. A third part; an ancient term for a dower.

Trina admonitio. The third warning.

Trinoda necessitas. The triple necessity (or obligation).

Trinoda necessitas: sc', pontis reparatio, arcis constructio, et expeditio contra hostem. The triple obligation; to wit, the repairing of a bridge, the building of a fort, and an expedition against the enemy.

Tu magis scire potes, quanta fides sit habenda testibus; qui, et cujus dignitatis, et cujus æstimationes sint; et qui simpliciter visi sint dicere; utrum

unum eundemque meditatem sermonem attulerint, an ad ea quæ interrogaveras ex tempore verisimilia responderint. You should inform yourself how much faith may be reposed in witnesses; they who make a show of their dignity and worth, or they who seem to speak sincerely; whether they have alleged one and the same studied speech; or they who have directly answered in a credible manner, to those questions which you require them to answer.

Turpe esse patricio, et nobili, et causas oranti, jus in quo versaretur ignorare. That it is shameful for a patrician and a nobleman, and one in the habit of delivering orations, to be ignorant of that law in which he is particularly employed.

Turpis contractus. A foul contract.

U.

Ubicunque fuerimus in Anglia. Wheresoever we may be in England.

Ubi nullum matrimonium, ubi nulla dos. Where there is no marriage, there is no dower.

Ubi quis uxorem suam dotaverit in generali, de omnibus terris et tenementis. When a husband has endowed his wife generally, of all his lands and tenements.

Ubi scelus est id, quod non proficit scire, jubemus insurgere leges, armari jura gladio ultore, ut exquisitis pœnis sub dantur infames, qui sunt,

vel qui futuri sunt rei. Where that depravity exists, the name of which it avails not to know, we command the laws to rise up against it, and that the executive power be armed with an avenging sword, to consign to the severest punishments those infamous wretches, who commit or are about to commit the act.

Ubi supra. Where (or as) above.

Ulterius concilium. A further meeting.

Ulterius non vult prosequi. He wishes not to prosecute further; he will not prosecute further.

Ultimum supplicium. The last punishment; death.

Ultimus hæres. The last heir.

Ultra. Further; beyond.

Ultra mare. Beyond the sea.

Undecim, decem, octo tales. Eleven, ten, eight such persons.

Unde deterioratus, est, &c. Whereof he is rendered worse, &c.

Unde nil habet. Whereof he has nothing.

Unde petit judicium. Whereof he seeks judgment.

Unde petit remedium. Whereof he seeks his remedy.

Un disposition a faire une mal chose. An inclination to do a bad thing.

Unica taxatio. An assessment made individually; a single taxation.

Unigenitus. An only son; the only begotten.

Unius responsio testis omnino non audiatur. That the testimony of one witness be not heard altogether sufficient (or admitted).

Universitates. Communities; universities; corporations.

Uncia. An ounce; the twelfth part of a pound in Roman money.

Unciæ. The duodecimal parts of a pound in Roman money.

Unum qui consilium daret, alterum qui contractaret, tertium qui receptaret et occuleret: pari pœnæ singulos esse obnoxios. That one who advises, another who aids, a third who harbours and conceals; each of them is subject to a like punishment.

Unusquisque per pares suos judicandus est, et ejusdem provinciæ; peregrina vero judicia modis omnibus submovemus. Every person shall be tried by his equals, and of the same province; but we abrogate, by all means, the removal of causes to strange places.

Usance. Use; interest; usury.

Usque ad inferos. Even to the lowest depth.

Usura contra naturam est, quia usura sua natura est sterilis nec fructum habet. Usury is hostile to nature, because usury in itself is barren and unfruitful.

Usura dicitur ab usu et ære, quia datur pro usu æris. It is called usury from use and money, because it is given for the use of money.

Usura dicitur quasi ignis urens. It is called usury as it were a fire burning.

Usuræ asses. Pounds for (or of) interest.

Usuræ centesimæ. Interest at one per cent', per month.

Usura maritima. Maritime usury; bottomry.

Usucaptio. The possession of a property by prescription.

Usu rem capere. To hold a property by custom.

Usus fructibus. Use in benefits; the temporary use (or profits) of land or money.

Ut antiquis. As ancient; as of ancestry.

Ut antiquum. As ancient; as ancestral.

Ut citra mortis periculum sententia sancta eum moderatur. As near the peril of death a holy sentiment guides him.

Ut feudum antiquum. As an ancestral fee.

Ut feudum maternum. As a maternal fee.

Ut feudum paternum. As a paternal fee.

Ut feudum stricte novum. As a fee strictly new.

Utlaghe. An outlaw.

Utile per inutile non vitiatur. That which is useful is not vitiated by that which is useless.

Utiles esse opiniones has, quis negat, cum intelligat, quam multa firmentur jure jurando; quantæ solutis sint fœderum religionis; quam multos divini supplicii metus a scelere revocarit; quamque sancta fit societas civium inter ipsos Diis immortalibus

interpositis tum judicibus tum testibus? Who can deny those sentiments to be correct, when he knows how many obligations are confirmed by a solemn oath; how much religion operates upon those who are free from any earthly bonds; how many the dread of divine punishment has withdrawn from crime, and how sacred is the intercourse of citizens rendered among each other, the immortal Gods being interposed as well to judge as to bear testimony of their actions?

Ut liberum tenementum. As a free holding.

Ut martius populus aliquid sibi terræ daret, quasi stipendium; cæterum, ut vellet, manibus atque armis suis uteretur. That the warlike nation would give them some land by way of salary: but that in return they wished to exercise their strength and arms in their service.

Ut pœna ad paucos, metus ad omnes, perveniat. That the punishment may come to few, that the dread of it may reach to all.

Ut per aspectum corporis sui constare poterit justiciariis nostris, si prædictus A sit plænæ ætatis necne. That it may appear to our judges whether the aforesaid A, by a view of his person, is of full age or not.

Ut res magis valeat, quam pereat. That the thing may be valid, rather than perish.

Utrum averia carucæ capta in vetito namio, sint irreplegibilia? Are beasts of the plough taken in withernam irrepleviable?

Ut si duos *vel* tres *testes produxerit ad proban-*

dum, oportet quod defensio fiat per quatuor *vel per* sex; *ita quod pro quolibet teste duos producat juratores, usque ad* duodecim. If he bring forward *two* or *three* witnesses to prove, it is necessary that the defence be supported by *four* or *six* persons; so that for every witness he produce *two* up to *twelve.*

Ut statuta illa, et omnes articulos in eisdem contentos, in singulis locis ubi expedire viderit, publice proclamari, et firmiter teneri et observari faciat. That he cause those statutes, and all articles contained in the same, publicly to be proclaimed, and firmly to be kept and observed, in all places where it shall seem expedient.

Ut supra. As above.

V.

Vadiatio duelli. Wager of battle.

Vadiatio legis. Wager of law.

Validiora sunt exempla quam verba; et plenius opere docetur quàm voce. Precedents are more efficacious than arguments; and instruction is conveyed more fully by work than by words.

Valor beneficiorum. The value of benefices.

Valorem maritagii. The value of a marriage.

Valor maritagii. The value of a marriage.

Vasallus, qui abnegavit feudum ejusve conditionem, exspoliabitur. A vassal who has disowned his fewd or his covenant, shall be deprived of his holding.

Vastum. Waste.

Vel causam nobis significes. Or that you shew cause to us.

Venationes, et sylvaticas vagationes cum canibus et accipitribus. Hunting and wandering in woods with dogs and hawks.

Venditioni exponas. That you expose to sale.

Venditio per mutuam manuum complexionem. A sale by mutual shaking of hands.

Veneficia. Poisonings.

Venire. To come.

Venire de novo. To come anew.

Venire facias. That you cause to come.

Venire tam. To come as well.

Venit. He comes.

Venit et defendit vim et injuriam, et dicit, &c. He comes and defends the force and injury, and says, &c.

Venit et defendit vim et injuriam quando et ubi curia consideravit. Et damna, et quicquid quod ipse defendere debet et dicit, &c. He comes and defends the force and injury when and where the court has considered. And the damages, and whatsoever he ought to defend, and says, &c.

Venue. A neighbouring place, where the jury come to try causes.

Verba fortius accipiuntur contra proferentem. Words are taken in prejudice against a grantor.

Verba intentioni debent inservire. Words should be made subject to the intention.

Verbatim. Word for word.

Verbatim et literatim. Word for word, and letter for letter.

Vere dictum. A true saying; a verdict.

Veritatem dicere. To speak the truth.

Vesturæ terræ. Of the crop (or profit) of land.

Vetant leges sacratæ, vetant duodecim tabulæ, leges privatis hominibus irrogari; et enim est privilegium. Nemo unquam tulit, nihil est crudelius, nihil perniciosius, nihil quod minus hæc civitas ferre possit. The laws enacted forbid, the twelve tables forbid, that the rights relating to private men should be infringed upon; for that is their privilege. Nobody ever suffered it, nothing is more cruel, nothing more pernicious, nothing that can be more intolerable in this city.

Vetus depositio pecuniæ. The ancient burying of money.

Via trita via tuta. The customary way is the safe way.

Vicarius non habet vicarium. A vicar dwells not in his vicarage.

Vicecomes Berkescire xvi*l. pro cappa reginæ.* The sheriff of Berkshire, sixteen pounds for a head dress for the queen.

Vicecomes non misit breve. The sheriff has not sent the writ.

Vicem seu personam ecclesiæ gerere. To do the duty as parson of the church.

Vice versa. The turn being changed; on the contrary.

Vicina. Near; neighbouring.

Vicontiel. Relating to the sheriff: as, writs vicontiel, which are triable in the sheriff's court.

Victus victori in expensis condemnandus est. The vanquished is to be condemned in costs to the conqueror.

Vidames. Vice-domini. Valsavors. Those in dignity next to barons.

Videlicet. That is to say; to wit.

Vi et armis. With force and arms.

Vi et armis, de filio, vel filia, rapto vel abducto. With force and arms, the son or daughter ravished or carried away.

Vi et armis, de uxore rapta et abducta. With force and arms his wife being ravished and carried away.

Vi et armis; vid', baculis, cultellis, arcubus et sagittis. With force and arms, to wit, with clubs, knives, bows, and arrows.

Vigilantibus et non dormientibus succurrunt jura. The laws afford succour to the watchful and not to the slothful.

Vigilantibus non dormientibus jura subveniunt. The laws relieve the watchful and not the sleepers.

Viginti annorum lucubrationes. The nocturnal studies of twenty years.

Villana faciunt servitia, sed certa et determi-

nata. They perform villein services, but certain and determined.

Villanum socagium. A base holding; a villein socage; free villeinage.

Villenagiorum aliud purum, aliud privilegiatum. Qui tenet in puro villenagio faciet quicquid ei præceptum fuerit, et semper tenebitur ad incerta. Aliud genus villenagii dicitur villanum socagium; et hujusmodi villani socmanni—villana faciunt servitia, sed certa et determinata. Of villenages the one is pure, the other privileged. He who holds in clear villenage, shall perform whatsoever he has been ordered to do, and shall always be held to uncertain services. The other kind of villenage is called villein socage; and villein holders of this description perform base services, but certain and determined.

Villenagium privilegiatum. A privileged villenage.

Vinculo matrimonii. In the bond of marriage.

Vinculum personarum ab eodem stipite descendentium. A succession of persons descended from the same stock.

Vindices injuriarum. The avengers of wrongs.

Viri magnæ dignitatis. Men of great dignity.

Viri, quantas pecunias ab uxoribus dotis nomine acceperunt, tantas ex suis bonis, æstimatione facta, cum dotibus communicant. Hujus omnis pecuniæ conjunctim ratio habetur, fructusque servantur. Uter eorum vita superavit, ad eum pars utrius-

que cum fructibus superiorum temporum pervenit. Whatsoever sums of money men receive from their wives in consideration of a marriage portion, so much of their own goods, upon a valuation being made, is tendered equivalent to the marriage portion. The whole of the property is considered to be held jointly, and the issues are preserved. Should one of them die before the other, the share of both, together with the issues accrued, devolves upon the survivor.

Virtute cujus. By virtue of whom (or what).

Virtute officii. By virtue of his office.

Vita omnis, in venationibus atque in studiis rei militaris consistit. Their whole life consists in hunting and in the exercise of feats of arms.

Viva voce. In a living voice: oral testimony publicly delivered.

Vivum vadium. A living pledge.

Vocatâ ad concionem multitudine, quæ coalescere in populum unius corporis nullâ re, præterquam legibus poterat. The multitude being called to the assembly, which could grow into a people of one body by no operation, except by the laws.

Vocatio. A calling; a vouch.

Voce. Word; discourse.

Voire dire. To say what he has seen; to speak the truth.

Volatilia (quæ sunt feræ naturæ) alia sunt regalia alia communia. Birds of flight (which are of a wild nature) some are royal, others common.

Volatus cignorum et cignettorum ferorum vocatus. Called a flight of wild swans and cygnets.

Volatus cignorum ferorum. A flight of wild swans.

Volenti non fit injuria. That man is not wronged who wilfully allows it.

Volenti non fit injuria, si dolo sit inductus ad consentiendum. If a man be induced to consent to a fraud, he receives no wrong, as he desires it.

Volo et præcipio, ut omnes de comitatu eant ad comitatus et hundreda, sicut fecerint tempore regis Edwardi. I will and command, that all persons of the county go to the counties and hundreds, as they did in the time of king Edward.

Voluit ligamenta coifiæ suæ solvere ut palam monstraret se tonsuram habere, clericalem; sed non est permissus.—Satelles vero eum arripiens, non per coifiæ ligamina sed per guttur eum apprehendens, traxit ad carcerem. He wished to loose the strings of his hood, to shew publicly that he was shorn for clerical orders; but he was not allowed to do so.—For the officer seizing him, and not holding him by the strings of his hood, but by the throat, dragged him to prison.

Voluntarius dæmon. A willing fiend; a voluntary devil.

Voluntas regis in curia, non in camera. The will of the king in his court of justice, not in his chamber.

Voluntatis nostræ justa sententia de eo, quod quis post mortem suam fieri velit. The true

meaning of a will, is that which each person desires to be performed after his death.

Voluntatis nostræ sententia. The meaning of our will.

Vulgaris purgatio. A common purgation.

W.

Wacht. Wacta. A night watch.

Warrantia chartæ. The authorities (or warranties) of the charter.

Warrantizo. To warrant.

Weregild. The price of redemption for homicide: an amercement in expiation for murder; payable to the king, the lord of the fee, and the relatives of the person slain.

Withernam. A forbidden distraint: a distress made by way of reprisal.

Wittena-gemote. The general annual council of wise men.

THE END.

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