nitio rerum, et, Nomina si perdas certe distinctio rerum perditur. Therefoze the Mames of Things (as Littleton here teacheth) are, for aboiding of Confusion, diligently to be observed.

Sect. 120.

cuage certaine, s. é tiel fozm quant lescuage cur= ge, & est assesse per Parlia= ment a greinder summe ou meinder summe, que le tenant paiera a son Seignior forsque demy marke pur escuage, & nient pluis ne meins, a quel graund summe, ou a quel petite summe que l'scuage curge &c. tiel tenure est tenure en Socage, & nemp service de chivalrie. Pes lou le summe que le tenant paiera pur lescuage est non certain, s. lou il poit estre q l' summe q le tenant paiera pur lescuage a son Seignioz poit estre a un foits le greinder & a auter foits le meinder, solonque ceo que est assesse, &c. donques tiel te= nure est tenure per service de Chivaler.

Tem si home tient d'A Lso if a Man holdeth T Scuage cer- 6 Co. 6. 1 son Seignioz per el- II of his Lord by Escuage certain, i. e. in this Manner, when the Escuage runneth, and is affefsed by Parliament to a greater or lesser Sum, that the Tenant shall pay to his Lord but Half a Mark for Escuage, and no more nor less, to how great a Sum, or to how little the Escuage runneth, &c. Such Tenure is Tenure in Socage, and not Knight's Service; but where the Sum which the Tenant shall pay for Escuage is uncertain, i.e. where it may be that the Sum that the Tenant shall pay for Escuage to his Lord, may be at one Time more, and at another Time less, according as it is assessed, &c. such Tenure is Tenure by Knight's Service.

L' teine, Is not in rei veritate servitium Scuti, which is to be done by the Body of a Man; but it is servitium Crumenæ, of Money, which is to be drawn out of the Purse, and that is in Effekt a Tenure in Socage; where= in it is to be obser= bed, that the Dervice of Payment of Mo= ney is the more base, and less profitable foz the Common= wealth in this Case, and hereof some= what hath been said before in the Chapter of Escuage, Sect. 98,

If a Man hold 15 E. 2. tit. Avow. 215. by Homage, Fealty and Escuage, i. e. by an Half-penny, when Escuage runs at forty Shillings, this is a Cenure in Socage, and no knight's Der= vice, foz two Cau=

first, It is So= 5 E. 4. 128. Vid. Rot. cage Tenure, because Par. 4 E. 3. nu. 19. Clair vering's Case excellent of the Tertainty, foz ly resolved in Parliato the Tenure in So= ment. Hill. 3 E. 2. cocage certa servitia do ever belong, so as the Husbandman may the rather live in Quiet. ram Rege, Rot. 34. Ag-

Secondly, Escuage is to be paid at every Time when it is assessed, and here it is not to nes Frowick's Case.

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be paid, but when it amounteth to forty Shillings.

Tem si home tient sa taine rent a son Seignioz pur Castle-garde, tiel tenure est tenure é socage:

A Lso if a Man holdeth l ter pur paier cer= [] his Land to pay a certain Rent to his Lord for Castle-guard, this Tenure is Tenure in Socage; but

Grein the Vid. Sect. 88, 89, Difference **Clandeth** thus: If a Bent be paid foz Castle= guard, it is clear a Pocage Cenure, as it