

Vide 41 E. 3. tit. Audita querela 18.
12 H. 4. tit. Execution 28.
1 H. 7. 15. b.

the Lord may lawfully come to the Land to make his Claim to the Seigniorie, Rent, or other Profit out of the Land. But if the Villein purchase a Seigniorie, or a Rent, Common, or other Inheritance, issuing out of the Land of the Lord himself, it is said that the Seigniorie, Rent, Common or such other Inheritance, is extinguished in the Lord's Possession without any Claim.

Grant. Here must be intended an Attornment: For after the Grant and before Attornment, the Lord may not claim the Reversion.

En la vie del tenant pur vie, &c. Here by (&c.) is included Tenant in Tail, Tenant pur autre vie, Tenant by Statute-Merchant, Staple, Elegit, and for Years; for during all these Estates the Lord may claim the Reversion, as well as in Case of the Tenant for Life.

à vie, donques per cas il viendra trop tard. Car peradventure le vilaine voila granter ou alien le reversion a un autre en la vie le tenant a term de vie, &c.

Life, then perchance he should come too late. For peradventure the Villein will grant or alien the Reversion to another in the Life of the Tenant for Life, &c.

Seet. 180.

Advowson. Advocatio, so called, because the Right of Presenting to the Church was first gained by such as were Founders, Benefactors, or Maintainers of the Church: viz. ratione foundationis, as where the Ancestor was Founder of the Church; or ratione donationis, where he endowed the Church; or ratione fundi, as where he gave the Soil whereupon the Church was built: And therefore they were called Advocati. They were also called Patroni, and thereupon the Advowson is called Jus Patronatus. And in one Word, Advowson of a Church is the Right of Presentation or Collation to the Church. Advocatus est ad quem pertinet Jus advocacy alicujus Ecclesie, ut ad Ecclesiam nomine proprio, non alieno, possit presentare. Every Church is either Presentative, Collative, Donative, or Elective. Vide Sect. 645, 648.

Fleta, lib. 5. cap. 14.

Post 344. a.
24 E. 3. 30. 25 E. 3. 47.
38 E. 3. 9. 44 E. 3. 3.
9 H. 6. 31. 22 H. 6. 27.
21 E. 4. 34. b. Vide Sect.
648.
6 Co. 14.

Plein dun Incumbent. If the Church be Presentative, the Church is full by Admission and Institution against any common Person, but against the King it is not full until Induction.

Incumbent cometh of the Verb Incumbo, that is, to be diligently resident, id est, obnixie operam dare: And when it is written Incumbent, it is falsely written, for it ought to be Incumbent, as Littleton doth here. And therefore the Law doth intend him to be resident on his Benefice.

En mesme le maner est, l'un vilain pchase un Advowson dun Esglise plein dun Incumbent, le Sire del Vilaine poit venir al dit Esglise, & claime le dit Advowson, & per cel claime ladvowson est en luy. Car sil doit attendre tanque apres le mort Incumbent, & adonque a presenter son clerke a le dit Esglise, donque en le meane temps le vilaine poit aliener le Advowson, & ainsi ouste le Seignior de son presentment.

In the same Manner it is, where a Villein purchases an Advowson of a Church full of an Incumbent, the Lord of the Villein may come to the said Church, and claim the said Advowson, and by this Claim the Advowson is in him. For if he will attend till after the Death of the Incumbent, and then to present his Clerk to the said Church, then in the mean Time the Villein may alien the Advowson, and so oust the Lord of his Presentment.