

quant le donoz & les heires nabe-  
ront aucun rent ne service de eux,  
sinon que soit fealty, tanque le  
quart degree soit passe, &c. Et pur  
ciel cause la ley est que el adera  
riens de les auters terres ou tene-  
ments descendus a l'auter parce-  
ner, &c. sinon que el voile mitter  
les terres donees en frankmarriage  
en Hotchpot, come est dit. Et si  
el ne voile mitter les terres donees  
en Frankmarriage en Hotchpot,  
donque el navera riens del rem-  
nant, pur ceo que sera entendu  
per la ley que el est sufficientment  
avance, a que advancement el soy  
agree & luy tient content.

the Donor and his Heirs shall have  
no Rent or Service of them, but  
Fealty until the fourth Degree be  
past. And for this Cause the Law  
is, that she shall have nothing of  
the other Lands or Tenements de-  
scended to the other Parcener, &c.  
unless she will put the Lands given  
in Frankmarriage in Hotchpot, as  
is said. And if she will put the  
Lands given in Frankmarriage in  
Hotchpot, then she shall have no-  
thing of the Remnant, because it  
shall be intended by the Law, that  
she is sufficiently advanced, to  
which Advancement she agreeth and  
holds her self content.

**D**E ceo ensueroit inconvenience & chose encounter reason que la ley  
ne voet suffer. Quod est inconveniens aut contra rationem non permissum est  
in lege. Hereby it appeareth, as it hath been often noted, [a] that an Argument ab incon-  
nienti aut ab eo quod est contra rationem, is forcible in Law. [b] Nihil enim quod est incon-  
veniens est licitum.

Regula.  
[a] Vide Sect. 132, 139,  
231, 440, 478, 488, 722.  
[b] 40 Aff. 27.

**T**anque le 4. degree soit passe, &c. Here by [&c.] is implied how the Degrees  
shall be accounted, whereof sufficient hath been said before.

Sect. 270.

**M**ême la ley  
est penter les  
heires de les donees en  
Frankmarriage, & les  
auters parceners, &c.  
si les donees en frank-  
marriage deviont de-  
vant leur auncestor,  
ou devant tiel parti-  
tion, &c. quant a mit-  
ter en Hotchpot, &c.

**T**HE same Law  
is between the  
Heirs of the Donees in  
Frankmarriage, and the  
other Parceners, &c.  
if the Donees in Frank-  
marriage die before  
their Ancestor, or be-  
fore such Partition, &c.  
as to put in Hotchpot,  
&c.

**B**y these three [&c.] in  
this Section is im-  
plied, that if either  
the Donees die before the An-  
cestor, or survive the Ance-  
stor, and die before such a Par-  
tition, or if the Donees and  
all the Parceners die before  
such Partition upon the put-  
ting into Hotchpot, their Is-  
sues shall have the same Be-  
nefit to put the Lands into  
Hotchpot, and that Benefit is  
heritable and descendible to the  
Issues.

Sect. 271.

**E**t nota que do-  
nes en Frank-  
marriage fueront per

**A**ND note, that Gifts  
in Frankmarriage  
were by the Common

Y y 2

**C**ontinue, &c. By  
this [&c.] is to be un-  
derstood that before the Sta-  
ture it was a Fee-simple, and  
Ance