Lib. III. Cap. IX. Of Confirmation. Sect. 544, 545, 546.

SeEt. 544.

The melm le manner est, lou de certain terre, & il granta al tenant de la terr le Rent-charge, &c. & la cause est, pur ceo que appiert, per les parols del grant, que le volunt le donoz est, que le tenant avera le rent, &c. & entant que il ne puit aver ne perceiver ascun rent hozs de son terre demesne, pur ceo le fait serra intendue & pzis pur l' pluis advantage & availe pur le Cenant que puit este pzis, & ceo est per voy de extinguishment.

In the same Manner it is, where one hath a Rent-charge out of certain Land, and he grant to the Tenant of the Land the Rent-charge, &c. And the Reason is, for that it appeareth by the Words of the Grant, That the Will of the Donor is, That the Tenant shall have the Rent, &c. and inasimuch as he cannot have or perceive any Rent out of his own Land, therefore the Deed shall be intended and taken for the most Advantage and Avail for the Tenant, that it may be taken, and this is by Way of Extinguishment.

34 H. 6. fo. 42. Ante 280. a. But if the Grantee of the Rent-charge granteth it to the Tenant of the Land and a Stranger, it shall be extinguished but for the Moiety: And so it is of a Seigniory.

Sect. 545.

TTem, si jeo lessa Terre a un home per terme vans, & puis jeo confirma sõ estate sans pluis parolr mitter en le fait, per cel il nad pluis greinder estate q y term dans, sicome il avoit adevant.

A Lso, if I let Land to a Man for Term of Years, and after I confirm his Estate, without putting more Words in the Deed, by this he hath no greater Estate than for Term of Years, as he had before.

Sect. 546.

In I so relessa a luy mon droit que jes aye en le terre sans pluis parols mitter en le fait, il ad estate de franktenement. Isint poyes entend, mó sits, divers grands diversities penter Releases & Cónsirmations.

BUT if I release to him all my Right which I have in the Land, without putting more Words in the Deed, he hath an Estate of Freehold. So thou mayst understand (my Son) divers great Diversities between Releases and Confirmations.

In these two Sestions is the seventh Case, wherein a Release and Confirmation do dister-

Sett.

DO

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