

Sect. 623.

CAR si terre soit done a un home & a ses heires males de son corps engendres, le quel ad issue deux fits, & leigne fits ad issue fille & devie, & le tenant en taile fait un leas pur terme des ans, & devie, ore le reversion descendist a le fits puisne, pur ceo que le Reversion fuit forsque en le taile, & le fits puisne est heire male, &c. Mes si le Tenant ust fait un leas pur terme de vie, &c. & puis morust, ore le Reversion descendist a le fille de leigne fits, pur ceo que le reversion est en Fee simple, & la fille est heire general, &c.

FOR if Land be given to a Man and to his Heirs Males of his Body engendred, who hath Issue two Sons, and the eldest Son hath Issue a Daughter and dieth, and the Tenant in Tail maketh a Lease for Years, and die; now the Reversion descendeth to the younger Son, for that the Reversion was but in the Tail, and the youngest Son is Heir Male, &c. But if the Tenant had made a Lease for Life, &c. and after died, now the Reversion descendeth to the Daughter of the elder Brother, for that the Reversion is in the Fee-simple, and the Daughter is Heir general, &c.

This is evident also, and needeth no Explanation.

Sect. 624.

ITem si home soit seisie en taile de terres devisables per testament, &c. & il ceo devisa a un autre en fee, & morust, & l'auter enter, &c. ceo nest pas discontinuance, pur ceo q nul discontinuance fuit fait en la vie del tenant en le taile, &c.

Also if a Man be seised in Tail of Lands devisable by Testament, &c. and he deviseth this to another in Fee, and dieth, and the other enter, &c. this is no Discontinuance, for that no Discontinuance was made in the Life of the Tenant in Tail, &c.

9 E. 4. 22. 20 H. 6. 14.
Vide 18 E. 3. 8.
Cro. Car. 405.
Post 356. a.

This is manifest, and needeth no Explanation: Only this is to be obserbed, That no Discontinuance can be made by Tenant in Tail, but such as is made, and taketh Effect in his Life-time, which is here implied in the [&c.]

Sect. 625.

AD of this Opinion is Littleton [a] in our Books, and saith that so it was adjudged.

[a] 9 E. 4. 24. b.

Lib. r. fol. 140. in
Chudley's Case.

Enfeoffa le donor, &c. This must be understood where the Reversion of the Donor is immediately ex-

ITem si terre soit done en taile, savant le Reversion al Donor, & puis le tenant en taile per son fait enfeoffa le Donor

Also if Land be given in Tail, saving the Reversion to the Donor, and after the Tenant in Tail by his Deed enfeoff the Donor
a aver