

if the Time be devolved to the King; for the first Step or Beginning faileth: And in humane Things, Quod non habet principium, non habet finem. And all these Points were resolved \* in a Writ of Error brought by Richard, Bishop of London, and John Lancaster \* Mich. 3 Jacobi. Common Pleas for the Church of Winbishe. But now let us hear what our Author will say unto us.

Sect. 649.

**I**tem si Tenant en taile ad issue & soit disseise, & puis il releffa p son fait tout son droit a le disseisor, en cest case nul droit de taile poit estre en le Tenant en taile, pur ceo que il avoit releas tout son droit. Et nul droit poit estre en l'issue en le taile durant le vie son pere. Et tiel droit del enheritance en le taile nest pas tout ousterment expire p force de tiel releas, &c. Ergo, il convient q tiel droit demurt en abeyance, ut supra, durant la vie le tenant en taile, q releffa, &c. & apres s decease donqz est tiel droit maintenant en son issue en fait, &c.

**A**lso if Tenant in Tail hath Issue and is disseised, and after he releaseth by his Deed all his Right to the Disseisor. In this Case no Right of Tail can be in the Tenant in Tail, because he hath released all his Right. And no Right can be in the Issue in Tail during the Life of his Father. And such Right of the Inheritance in the Tail is not altogether expired by Force of such Release, &c. Ergo, it must needs be that such Right remain in Abeyance, ut supra, during the Life of Tenant in Tail that releaseth, &c. and after his Decease such Right presently is in his Issue in Deed, &c.

Sect. 650.

**E**n mesme le manner est, lou Tenant en taile granta tout son Estate a un autre, en cest cas le Grantee nad estate forsque pur terme de

**I**n the same Manner it is where Tenant in Tail grants all his Estate to another; in this Case the Grantee hath no Estate but for Term of Life of the Te-

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**L**ittleton having declared Plowd. 556, 562. where a Fee is in Abeyance, and where a Freehold and Fee is in Abeyance by Act in Law; and where a Fee that is in Abeyance may be charged; here he putteth two Cases where a Right of an Estate-tail may be in Abeyance by the Act of the Party; which are so clear and evident, as there needs no further Proof or Argument than Littleton hath justly and artificially made, albeit some Objections of no Weight have been made against it. If Tenant in Tail of Lands holden of the King be attainted of Felony, and the King after Office seileth the same, the Estate-tail is in Abeyance, there said to be in Suspence. Ante 217. a. Dyer 71. a. Ante 263. b. 299. b. 331. a. 342. b.

**Grant son estate, concedit statum suum.** Vide Sect. 65, 524, 525, 526. 44 E. 3. 10. 43 Aff. 8. 5 H. 7. 30. State or Estate signifieth such Inheritance, Freehold, Term for Years, Tenancy by Statute-Merchant, Staple, Elegit, or the like, as any Man hath in Lands or Tenements, &c. And by the Grant of his Estate, &c. as much as he can grant shall pass, as here by Littleton's Case appeareth. Tenant for Life, the Remainder in Tail, the Remainder to the right Heirs of Tenant for Life; Tenant for Life grants totum statum suum to a Man and his Heirs; both Estates do pass. 44 Aff. 28. 44 E. 3. 10.

**Right.** Jus five reatum Plowd. 484. (which Littleton often useth) signifieth properly, and specially in Writs and Pleadings, when an Estate is turned to a Right, as by Discontinuance, Disseisin, &c. where it shall be said, Quod jus descendit & non terra. But (Right) doth also include the Estate