

Affize of *Darrein Presentment* lies where my Ancestor presented to a Church, and upon the next Avoidance a Stranger presents to the same Church, and so disturbs me in my Right of Presentation.

These Actions are now disused, and Ejectments and *Quare impeditis*, substituted in their Room: Those Affizes were instituted by *H. 2.* in the place of Duels, which were formerly used in doubtful Cases to decide Titles.

C H A P. XIV.

How Men of all sorts shall be amerced, and by whom.

A Freeman shall not be amerced for a small Fault, but after the Manner of the Fault. And for a great Fault, after the Greatness thereof, saving to him his Contenement. (2.) And a Merchant likewise, saving to him his Merchandize. (3.) And any others Villain than ours shall be likewise amerced, saving his *Wainage*, if he fall into our Mercy. (4.) And none of the said Amerciaments shall be assessed, but by the Oath of honest and lawful Men of the Vicinage. (5.) Earls and Barons shall not be amerced, but by their Peers, after the Manner of their Offence. (6.) No Man of the Church shall be amerced after the Quantity of his Spiritual Benefice, but after his Lay Tenement, and after the Quantity of his Offence.

Notes on the Fourteenth C H A P.

An *Amerciament* is a Penalty assessed by those in equal Degree with the Offender, (*i. e.*) *per pares*, for which he puts himself upon the Mercy of the King, or Chief Lord; and 'tis usually for a small Fault: But if 'tis for a great Crime, the Penalty must be the greater, but yet with a saving of the *Contenement* of the Criminal, by which Word some are of Opinion, that the Credit or Reputation which the Man hath, by reason of his Freehold is intended; but that