

Deemster Parr's Abstract.

Deemster John Parr's Abstract of Manx laws is an important source of Manx law dating from the late seventeenth century. It is also of more than passing interest to scholars of the legal history of the larger jurisdictions surrounding the Isle of Man. Although available in manuscript form in the Manx Museum, this document has never been published. This typescript was prepared and checked by Peter Edge from MS 03176 C.

Dedication to Governor Heywood.

Right Worshipfull - I have not presumed to dedicate this ensuing tract unto your worship, as a succinct module of the whole Lawes and Constitutions of this Isle, but as a tithe thereof, giving only an abridgement or compendium of such Lawes and Acts as are of use, contained and entered in the Statute Book of the said Isle, with some suitable and additional enlargements of customary Practices and Precedents, abstracted out of the antient records. And because that many of the said customes and useages are held, retained and exercised only such traditionally, and no entrance made of them, but such as falls out upon the transaction of certain cases, I cannot therefore give any warrant for them, but only bare record, and the frequent and occurrent practice of them. And again, where I have presumed to enlarge and explain certain statutes in the said book, that do not in their express letter unfold themselves to your Worship's view and discovery, in respect of either those two kinds, to crave your favourable dispensation of such, since my endeavours in this nature have not been bestowed for publick use, but altogether undertaken, and designed, to serve your Worship, and as much as in them lie (in some measure), to give your Worship enlightening in the State and Government of this poor Commonwealth. That doth not a little add to the happiness thereof, to have so prudent and upright a Justicier, for the exercise and maintenance of its Lawes and Liberties, as your Worship is singularly looked upon to be, in the succession of your memorable ancestor. And out of the consideration of the encouragement your Worship was pleased to afford me, in the undertaking of this weak and slender enterprise (by a willing and free Resentment of my said endeavours therein) I cannot deny myself the hopes of your indulgence towards it, and that you would please to admit it some share of patronage. Although talk of this nature and subject would have far better become to have represented itself, in a more exquisite and plausible style and form, than by these indigested and implicate collections, which I humbly pray your Worship to receive in no other esteem, but as an acknowledgement of the devoted service of him that

will always be found, Right Worshipfull, Your Worship's most obedient and faithful servant, JOHN PARR.

A.

1. Abbot holding a temporalty under the Lord, his own and his tennants priviledges.

1.1. In the fronticepiece of the Statute Book of this Isle itt is sett down in a brief chronicle how the same Island hath been alwayes governed and how successively under that most noble and honourable family, the House of Derby, who were invested with and exercised the ius regale therein (too tedious here to bee enlarged upon) that certaine Barons houlden respective Baronies and Temporalities of them ; as namely the Bishop of Mann, the Abbot of Rushen and Prior of Douglas, the Prior of Whitehaven in Galloway, the Abbot of Furness, the Abbot of Bangor, the Abbot of Saball, and the Prior of St.Bead in Copeland. All which said Barons were in respect of their holdings to yield and doe faith and fealty unto the Lord of the Island, at and upon a general assembly of the whole island called and titled the Tynwald Court, in their own proper persons. And if any of the said Barons were out of the land they were obliged by a penal law to comme into the Island, within the space of forty days after they were called in to doe their said homage and shew how they houlden and claimed their said holdings under him (wind and weather serving) otherwise they or any of them failing, were to seize their temporaltys into his Honours hands.

1.2. But of these Barons, itt shall bee further declared what immunities they houlden under the Lord, and what priviledges the Lord claimed by his prerogative against them, as itt falls in its proper place and course to bee spoken of, only now accordinge to this alphabetical method, I shall begin with the Abbot.

1.3. The Abbot of Rushen as said before, holding a temporalty under the Lord, hath certaine peculiar tennants under him, that did yield and their rentes, customes, boones, suites and services unto him ; and hath in their due times and places, proper and peculiar courts kept, and did yield all services to that Court, which was houlden in the nature of a court leet or Court Baron. In which the Steward or Senescall of the said lands and tennements was to sitt as chief judge. The Deemster of the Southside (and sometimes both) with the [p2]Comptroller or his deputy assisting him, and the Lords Atturney (who was only to sitt there to take notice of anything that might happen that concerned the Lords Interest) with other ministerial officers, as the Sergeants and their Runners, which officers proceeded in all matters pertaining to that court, in swearing and impanelling of Grand Enquests, taking of bloodwipes, entering of actions or pleas of the comon law, in the same

respect and forme that the Lords Sheading Court is houlden, and the Deemster and Comptroller are to hath each of them the fee of 13/4 for every such day, as they sitt in that court, to bee paid out of the Abbey Revenue, by the steward or his sergeant, which forme and priviledge is still retained and observed to this present.

1.4. And if any fellow, malefactor or any other offender should comme under the limits of the law, to forfeit life and goods, or any other confiscation by fines or amercements, beinge any of the said abbey tennants, if they were neither born upon the lords land, nor served thereon a year and a day, nor paid any rente to the Lord, nor occupied any lords land, but by the sufferance of their fathers, these fines and confiscations are due to the Abbot. But if they pay but 1d. rente to the lord (although they should hath a considerable holding under the Abbot) or otherwise born and served upon Lords land, as above said : then all those forfeitures fall to the Lord and not to the Abbot. But in case the forfeitures bee in matters of felony, the Lord hath only the goods, and the Abbot the lands by his prerogative.

1.5. Also if any fellow were convicted of any capitall crime and bee by due forme of law indicted, and brought to the Lords court to arraign and hath his tryall there, if the Steward of the Abbey land comme in and make to appear that he is an Abbey Tenant, and pays noe Lords Rent, nor served upon nor occupied any Lords Land as aforesaid ; he may, notwithstanding his indictment in the Lords Court, clame and challenge him from thence and hath his tryall and confiscation in the Abbey court.

1.6. Also if a parcell of Abbey lands bee in difference betwixt two persons that live upon Lords land ; the accon is to bee tryed in the Abbey Court by a jury of Abbey Tenants; but if the accon bee for matters of debt, trespass or other damage, notwithstanding if the Parties Plaintiff or Defendant live upon the abbey land and pay but a penny rente to the Lord ; that accon is to bee stayed in the Abbey Court, and to bee tryable in the Lords where the amercement is due. [p.3]

1.7. Also if a mereditch or hedge divide the abbey or any other Barons land from the Lords ; the Lords tennant is not bound to make a proportion of the fence with the Barons tennant, as Lords tennants are accustomed to doe. But the Barons tennants are wholly to repair and maintain the said mereditch dividing both liberties, and to hath as much earth or ground on the lords side of the fence as he can eatt (joining his heele to the said hedge) and reach with his spade holding his foot thereon.

1.8. By an antient customary law itt is provided that if any abbey tennant remove from abbey land, he might, by law, take away the rooffe of his house, and all doors and windows,

as well those that hung upon iron hinges or otherwise, which the Lords tennants could not doe.

1.9. If any of the Lords tennants should want servants to work the Lords land and could find none by a Jury of Servants on their own land, the servants of the Abbey Tenants are to bee taken from them, and put to serve on the Lords Lands; unless they bee such as are mentioned before in the 2nd page; and if any stranger or allien come into the Island, he is to bee placed on the Lords Ground before the Abbots, or any other Baron, if there bee occasion for any such to bee put to service.

1.10. And, for that those particulars doe extend to other Barons as well as to the Abbot, and that there are certaine other immunities which the Lords holds against the priviledges of the Barons and their tennants ; I shall farther enlarge thereupon under that tittle in respect of the general reference itt hath to all the said Barons, as shall bee hereafter incerted. [p4]

2. Accons at the Common Law ; how they are to bee commenced and tryed, and severall remarkable proceedinges dependent on them and the limitation for the commencement of some actions.

2.1. When any person hath a personal accon against another within the Isle, bee it for matter of lands, debts, trespass, accompts, battery, defamation or any other lawfull cause or reason, and does intend to commence or sue the same by the course of the comon law of the Island ; he is first to acquaint the Defendant that he intends to hath such a commencement against him (to the end, to induce the defendant to an agreement) otherwise if he neglect to doe soe, and the defendant willing and ofering to make full restitution and satisfacon before censure (whether the plaintiff accept thereof or not) he is to bee freed from the fine and charges of the court thereby, if the plaintiff put his case to an accon.

2.2. But if the defendant shall not agree soe to doe, but the plaintiff to an accon at the comon law, the plaintiff is to repair to the Parish Church where the defendant lives, upon the Sunday next before the Sheading Court day ; when the Moare of the Parish is to stand upon the markett or church cross, without the church style, with two witnesses to attest his proceedinges, and there he is to proclaime in public audience summons unto all Persons that hath any actions to commence at the Sheading Court, particularly to every one that demands.

2.3. And then upon the court day the plaintiff comming in and craving the benefitt of law of the Deemsters, for such a cause as he complains of, the Deemsters (if there bee noe lawfull obstruction) gives way for the same to bee entered, laying down what damages

the plaintiff holds he sustains by the cause of the said accon ; and that beinge done the Moare calls the Defendant to appear and answer the said accon, which if he refuses to doe: the Deemsters take the Moare with two witnesses (one standing on each shoulder of him) sworn that such a defendant was lawfully summoned as aforesaid, and then causeth the fine of 6d to bee charged on him for the Lord.

2.4. Yet if the defendant after the said Moare and witnesses are sworn comme in and crave to answer the accon, he cannot bee admitted thereunto but the fine must notwithstanding proceed.

2.5. Also if the Moare refuse to summon any person at the suite of another in due forme as is aforesaid, and the same made evidently known unto the Court, he is to bee charged with the fine of the accon himselfe for neglecting to doe his duty.

2.6. Also if any person cause another to bee summoned and not hath him called by his or her Christian name and surname, but summoning such a person by some by-name; as calling him [p5]the Husband of such a wife, or the wife or such a mann or such like termes; he or she summoned or called in that nature needs not answer his accon, but that Party soe summoning will bee charged with the fine himselfe, if the accon bee entered.

2.7. And itt is alsoe given for law that although a person may neglect to hath the defendant summoned in forme as aforesaid, yet if he meet with jim within the jurisdiction of the court, he may take him by the arm and bring him before the Deemsters, and sett his foot on his, and take the law of him as effectually as he were lawfully summoned.

2.8. Also if the plaintiff comme into the Court, and cause his accon to bee entered in forme as aforesaid, and the Moare nor his witnesses not able to swear that the defendant was lawfully summoned, the Deemsters may cause the accon to bee raised, and the fine to bee charged on the plaintiff himselfe.

2.9. It is alsoe an antient practicall law that if the plaintiff commence accon as aforesaid, and the defendant not appearing thereunto the first court (beinge lawfully summoned or taken within the jurisdiction of the court as aforesaid) the plaintiff may commence or renew his accon againe in the same forme the seacond court; and if the defendant doe not appear at the seacond court neither (the fine at every non-appearance beinge alwayes charged for my Lord) he is againe to commence the third court in due forme and course (without omitting any court, otherwise to begin againe). And then if the defendant does not appear the third court, the law beinge fulfilled as aforesaid, the court without any course of proceedinges is to award the whole damages for the plaintiff that he alleged in his accon,

although itt bee much more than the thinge actioned for - And sometimes the Deemsters give the plaintiff execution for the thinge actioned as the damages soe forfeited and recovered in the defendants default as aforesaid, and soe that matters to bee thereby fully determined without further suite or accon.

2.10. If a person take an accon against two defendants and the one appearing and the other not, the accon is notwithstanding to go to a jury and bee tryable against the party appearing and the others to bee charged with the fine for nonappearance and the plaintiff to proceed against him as usually, untill the third court, as aforesaid.

2.11. And if in any case any mann should bee actioned against beinge lawfully summoned as aforesaid, and beinge out of the Island, and paying rente to the Lord, if none appear in his behalf, the accon must proceed and the fine for nonappearance chargeable upon him, for that as he pays rente unto the Lord, he ought to attend that court, either by himselfe or his agent, as oft as the same is houlden for the Sheading wherein his estate lyeth [p6]- or if such estate or lands were to bee sued for by accon at comon law, the same is to bee tryed in the court houlden for the Sheading wherein the land lyeth, and by a jury there although the defendant should live in another sheadinge.

2.12. If an accon bee commenced against a mann and his wife and the mann not appearing yet the woomann appearing, her appearance in that case is not sufficient in law, she beinge under coverture and subject to the husband, although the debt comme by herself, and the accon not to bee put to a jury till the husband appear.

2.13. And further, in case any matter of agrievance or any other cause bee once defined and determined in the Chancery court or by the Governor such a case, or any thinge dependent thereupon cannot bee againe revived by an accon at comon law, beinge a more inferior course of proceedinges and not competent to adjudge the acts of any superior judicature.

2.14. And all and every the actions or causes of actions aforesaid, if they bee actions of the case (other than of slander) for trespass, detinue and repleviue for goods and chattels, and of trespass, luare clausum fregit, are to bee sued and commenced within three years next after the cause of such actions or plaint. But if they bee actions of assault, battery, wounding, imprisonment, actions of the case of words and slander, such is to bee taken and commenced within two years after the cause of such plaint or actions and not after. But in case any of the said actions at comon law bee for matters of debt, without speciality, grounded upon loaning, dealing betwixt neighbours for commodities or contracts of any

nature or that of merchandise, the same is not to bee comprehended within the limitation of time last recited in the said statute of the year 1637.

2.15. Also in case the accon bee for matters of land and the plaintiff is to commence the same within the space of 21 years next after he or his ancestors hath been dispossessed thereof, or after his tittle shall first descend, accrue and fall ; otherwise that he or his successors claiming after him, shall bee utterly excluded and debarred from commencing such accon or making clame thereunto for every after. Provided alwayes if such person soe entitled, bee at the time of his right soe descending and accreting under the age of 21 years, under coverture, non composmetis; imprisoned or beyond seas, or hath any other lawfull impediment ; that then, notwithstanding the 21 years bee expired, such person may bring his plaint, and accon for the same, so that he do the same within the space of two years next after his full age, discoverture, comming of sound mind, enlargement or comming into the Island, and at noe time after the said two years bee expired. [p7]

2.16. And itt is an antient law that if any maner of person taking and commencing any such actions as is aforesaid at the comon law, for any the causes aforesaid, or any other challenge or demand, whatsoever (except itt bee for tittle of land) and the defendant die before a censure, the said accon dies with him alsoe, and the plaintiff must renew his suite and remove his accon to the spirituall court where the same is to receive censure - But if itt bee for the tittle of land notwithstanding the death of the defendant, the same continues and admits the censure in the temporal court. And the same course is to bee houlden in case the plaintiff should likewise die before his accon bee verdicted by a jury.

2.17. And itt is provided and established for law that every person that commences accon at comon law shall prosecute the same (after itt is put to a jury) the same court itt is commenced in, or els the next exchequer court at furthest ; otherwise the court may nonsuit the accon (if noe lawfull cause intervenes) and the fine to bee charged on the plaintiff himselfe and leave him only a benefit to hath a new commencement of his accon at the next court after he is nonsuited, and at noe court after ; and that he shall bee obliged to bring that commencement to an answer, at that very court itt is entered, without some speciall cause to bee known for the granting of a further limitation. [p8]

3. Alliens and their restraint, wherein are included all strangers, pedlars and chapmen that go through the countrey vending and buying of wares.

3.1. It hath been antient prerogative and as yet an established law, that any Scotsman, Irishman or any other allien residing in this Island, unless they bee sworn unto the Lord and the Isles (who are to pay a certaine sum of money for an acknowledgement of their

freedome unto the Lord) and dye without making that fealty and faith unto the Lord, his Lordship is to hath their goods, whoso tennant soever they bee ; and if any such allien make a testament, or otherwise dispose of his goods, itt shall stand in noe force in the law. And if the Spiritual Court presume to grant admission upon such ineffectuall will or testament ; the Governor or the Lords Officers may impose a fine upon them for acting contrary to the said prerogative.

3.2. And itt is to bee understood that an Englishman is not to bee reputed an allien, but if any shall affirm him soe to bee, or forge or devise any thinge to maintain the same and bee thereof lawfully convicted, shall bee proceeded against as a Traytor.

3.3. Also, if any allien that hath made noe faith or fealty as aforesaid shall in any case bee found or arraigned for fellony ; whether itt bee theft in hand or out of hand found, and before the verdict bee given or any acknowledgement thereof made, he put himselfe to the Lords Grace the Lord needs not receive him to grace if he list, by the Laws of Mann - but if he hath made such faith or fealty to bee indicted without any maner in his hand; or the verdict bee given, and put him then to Grace ; he ought to hath his life, but he must forfeit his Goods, and then he shall hath the choice of three things - first he shall choose whether he shall live in prison a year and a day, with the sustenance of the prison, that is to say bread made one parte meal, another chaff of that meal, and the third parte of ashes, and drink of the water next the prison door - 2nd to forswear the Lord and his Land, or els to pay 3l to the lord.

3.4. And if any such allien bee found irregular, or guilty of any crime, they are not to bee committed to the Bishops prison, but [p9]in the Moare's Tower or where els the Governor shall order.

3.5. And that noe aliens comming into any poart or haven in the Isle with merchandise or otherwise shall pass abroad into the Island noe further than to the nearest Parish Church, upon paine to forfeit their Goods and their body to bee imprisoned ; except they comme in with one tyde and go out with the next ; or els first repair to the Governor or his Deputy to shew the cause of their comming into the countrey, and (if they bee pedlars or chapmen) crave that they may hath their weights and measures allowed and stamped, that the countrey people may not bee defrauded by their dealings but that their measures may concur with the countrey standards. And if such pedlars bee found guilty of these crimes they are to bee fined and punished at the Governors discrecon, and bee disabled from any further dealing in this Isle, either in buying or selling.

4. Alehousekeepers how allowed and what orders are to bee observed by them.

4.1. By an enacted law and statute noe maner of person or persons whatsoever within this Isle, shall retail or sell any wine, beer or ale, but such as shall bee appointed and thought fit by the Lord, and in his absence, by the Captain or his deputy, and by the Comptroller and Waterbaliff, or by some three of them, whereof the Captain and his deputy to bee alwayes one; and that they bee such as will keep good order in their houses, and observe the assizes respective to the pieces of coin, and beinge soe reputed sufficient, they are notwithstanding before they retaile any such liquors, to hath a licence under the Governours hand or his Deputy, and to enter into a recognizance with a sufficient security in the sum of 60 shillings to the Lords use to keep and observe the conditions aforesaid. And that such assizes soe to bee thought fit are to bee sett down by the officers aforesaid or any three of them, whereof the Governor and his Deputy to bee alwayes one ; and that noe such lycences soe granted are to stand in force above one year ; and such persons as receive such lycences are to pay the fee of 4d. to the Governours Clerk for the writing thereof, and 2d for entering the recognizance on record. [p10]

4.2. And because itt was overburdensome a charge for all or any of the officers aforesaid to make the enquiry by themselves into the condition or quality of such persons as were fitt to bee allowed on this accompt, beinge a considerable number throughout the Isle, itt was thought a more expedient waye, and is accordingly retained and practised, that the Coroner of every Sheading should impanel a jury throughout his sheadinge every year to find out and report what persons within their severall parishes are most capeble of that employment accordinge to the requirement in the Statute ; only the Governor and sometimes officers aforesaid hath the setting down of the number of those alehouses in every parish or towne ; and if any other person or persons presume to brew or retaile any beer or ale, than such as are allowed and lycensed, the Coroners are to present them every court day, that they may bee severally fined to the Lord.

4.3. And if any person or persons soe lycensed as aforesaid doe sell and retail their liquors with any other measures than such as are sealed and tryed by the Lords standards, by the Comptroller or his Deputy, shall bee presented by the Great Enquests of the Sheading, to bee fined accordinge to the Statute.

4.4. And itt was anciently provided that if any such persons should retail their liquors with any unsealed cann or measures ; the Great Enquest, or any other person or guests, to whom such unsealed cann were presented, hath the liberty to drink as much as they pleased of the liquor that was retailed in such cann, and pay nothing to the house for the same.

4.5. And in regard that some of the housekeepers are most prone to entertain and harbour men's children and servants at unseasonable times of the night, in drinking, gaming and whereby they may bee drawn into a course of pilfrey and wasting their goods. It is provided by a certaine Act that if any such alehousekeepers (or any other bad neighbours) countenance or take with any such, they are for the first offence beinge lawfully convicted by sufficient prooffe or material circumstances to bee fined, and for the seacond offence to bee both fined and punished, and for the third offence to bee proceeded against as receptors of fellony, accordinge to the statute of 1629 against pilfrey, and such guests to bee punished beside. [p11]

5. Appeals how to bee prepared and prosecuted and especially those from the Spiritual Court.

5.1. The granting of appeals (in their severall degrees) is only a prerogative and superintendent power invested in and reserved for the Lords of this Island, over the proceedinges of the severall courts of Judicature therein. And such appeals are for the most parte preferred from a definitive sentence of court, not from every ordinary and particular execution of one single magistrate, as from the Decrees of Chancery (proceedinges of the 24 Keyes some times) which appeals for the most parte the Lord transmits back againe to their own revising or Second Consultation. And especially if the judgement from which appeals all prefer doe not amount to 5l in value, the Lord neither takes cognizance of, nor need the court accept of any appeale from any judgement not exceeding that value ; as is declared by an order in that behalf. But this does not soe much consist with the present purpose, as to speak something of such appeals as are made and preferred from the spirituall court, wherein a speciall prerogative is preserved for the Lord of the Isle, as hereinafter mentioned.

5.2. It hash been an antient law within this Isle that any person findinge himselfe agrieved by any censure in the spirituall court, may appeal to the Staff of Government, or to the Lord of the Isle, as there shall bee occasion for itt is a prerogative.

5.3. Upon which appeal the Temporall may prohibit the Spirituall Officers from all further proceedinges and censures, untill an indifferent tryall bee hath.

5.4. But if the Lord take the case to himselfe, or commissions the prime officers here, to determine itt ; then itt is called the Lords prerogative Royal, soe that the Spiritual Court is not only to surcease in their proceedinges ; but alsoe deliver over the party and cause to the Lord ; though itt bee in the case of suspention and excommunication ; which is the utmost point of law the spirituall can proceed in.

5.5. And if any person whatsoever shall presume to make his appeal in any other court than what is before prescribed by us goeing on pursuing an appeal from any spirituall censure ; either to the Archbishop of York or the like is to bee punished at the Tynwald, and pay the fine of 6l,13s,4d to the Lord of the Isle ; or as the Lord and his officers shall think fitt to impose, accordinge to the demerit of the offence. [p12] 5.06 And alsoe in cases any person shall pursue an unlawful appeal from theSpiritual Court in not making out the grievance he complains of, but the spirituall courts proceedinge (upon examination of such appeal) found to bee just ; the Governor and Officers may cause the party so appealing to bee severely fined to the Lord.

5.6. But if itt appear that the parties complaint is true, and that the Spiritual Court hath proceeded illegally itt is in the power of the Lord or his Governor to impose a fine on the Officers of the Spiritual Court for their irregularity. [p13]

6. Apprentices how they are to bee bound to their masters, and what time they are to serve, with other things to bee done and observed by them, after their apprenticeship is out.

6.1. For the making of good and sufficient tradesmen in this Island itt is enacted and ordained that noe person or persons whatsoever within this Island shall take or entertain any apprentice to teach or learn him any trade or science without such apprentice first enter, with sufficient securities in a penal bond of 10l at the least to serve for the terme and space of five years ; and after the said terme is expired such apprentice is not to receive another apprentice under him for the space of one year after his own apprenticeship is served. And never the less three of his own trade and faculty is to allow of his sufficiency to take or teach another apprentice for such like terme of five years, before he bee admitted to receive him. And however such apprentice is not to marry, for the space of one yeare after his said service is done, without a speciall lycence from the Bishop or his substitutes, and that to bee obtained upon a true certificate under the Minister of the Parish's hand and two sufficient neighbours, of his condition, honesty and ability accordinge to their knowledge and comon report, and this to bee observed upon paine of punishment and fine.

6.2. And itt is accustomed that if there bee a scarcity of servants and that the Servant Jurors find any apprentice that is not bound by indentures, accordinge to the true purport of the aforesaid statute they may make the same as a vagrant, to serve any place on the Lords land where such scarcity of servants is, as though he hath never been bound apprentice. [p14]

7. Attorney General his duty.

7.1. The Lords Attorney is obliged to take notice of and sue for all forfeitures that fall unto the Lord, and alsoe to sue and move for the interest of poor widdows and orphans at all times as he shall bee desired unto by any such (soe that they give him the fee of 2s for his pains, and then he is obliged to the prosecution of their suite) accordinge to the Oath administered unto him.

7.2. Also he is to prosecute against all fellons upon their tryalls for life and death in the Lords behalf ; and to see that all fellons estates and goods that are confiscated to the Lord bee disposed of to his Lordships best advantage, which he is to bee charged with when any such happens.

7.3. Also he is to bee charged with and accountable for all deodands, waifs and strays, that fall into the Lords hands in every year, as such happens; and to appear in all courts to see that my Lords interest and prerogatives bee preserved and sett forward, and to doe all these duties that concern the interest of the Lord, not properly incident to any other officer ; which he is to discharge at all times as he shall bee required thereunto. [p15]

8. Arbitracon how and in what respect the same is obligatory or binding.

8.1. It is given for law that noe arbitracon made by ordinary or private persons betwixt any parties is binding without an assumpsit or penalty : but if any arbitracons bee made by the Lord of the Isle, his Commissioners or any principall officers or Officers of Court, notwithstanding that there bee noe assumpsit to bind the parties thereunto, yet the same is obligatory, only upon the free reference of the Parties. And the arbitracon soe made by the Lord, his Commissioners or Officers, as aforesaid, is as binding (if not more) as any arbitracon made by private persons with an assumpsit or penalty.

8.2. And the Governor either by himselfe or jointly with the whole Court may disannul any arbitracon of Bonds, and put the parties to the determination of the Law : soe as, alwayes there appear just and prevailing reasons to induce the Governor or the Court to grant the same : and that to bee manifested by the parties desisting or unwilling to abide such arbitracon. [p16][p17]

B.

9. Barons not to receipt any delinquent or an outlawing from the Lords land, nor entertaine any strangers without the Governors knowledge and certaine priviledges which the Lord hath against the Barons tennants.

9.1. It is beforementioned who the Barons were that houlden of the Lord and alsoe declared how they hath the benefit of holding of Courts, tryall for life and limb ;

determining of causes proper to their own jurisdiction (under the Title of Abbot) where unto the Reader may refer himselfe for further satisfacon, those cases and causes there spoken of, attending to all the Barons, as well as to the Abbot. But now to relate further those things omitted there to bee reserved for this place.

9.2. It hath been an antient law and prerogative in this Isle, that if any of the Lords liege tennants should forfeit in any case of felony or treason, and thereupon make his escape or withdraw himselfe into any the Barons liberties, and bee there found and required by the Lords proper officers, to return to receive his due tryall in the Lords Court, and if such delinquent excuse himselfe and any the Barons within the Lordship of Mann will retain or countenance him under collor of their liberties, or any other cause whatsoever, shall forfeitt to the Lord 60s for every such retention.

9.3. And if any Person shall receipt or receive any person that is outlawed, not haveinge the Lords speciall pardon, he forfeits his temporalty into the Lords Grace.

9.4. Also that noe Baron receive or entertain any stranger within his House without knowledge of the Lieutenant or Governor what they are and from whence they came, or whither they go, or what condition bee of.

9.5. No Baron is to hath or carry any sum of money above 5l. out of the Island, unless itt bee in commodities of the Country, upon paine of forfeiture of the sum he soe carryeth out of the land.

9.6. If any Barons tennants drive any goods to the Lords forest, or draw any turf or ling from thence, whereby the forester hath his fee for the same, and in regard the said Barons tennants hath the said freedom and pay the said fee in the right of the Lord, they are lyable there by to the Lords impositions as any the Lords tennants are, and all their forfeitures and confiscations are the Lords.

9.7. And if the said tennants (as in some places accustomed) bee obliged to pound their goods in, and repair, the Lords Pinfold, if they commit any trespass in those kinds [p18](bee they in every respect Barons tennants) and bee emmuled, their fines must comme to the Lord and not to the Baron, because the trespass is against the Lord.

9.8. And itt is provided that noe officer nor noe other in fee from and under the Lord, shall bee in fee under any the Barons, upon paine of forfeiting their said fee and sallery.

9.9. No Baron can take an enquest of the Lords tennants (except they bear Barons Rent) or commit any of them within his liberty or indict any, without the Governors privity ; upon paine of life and limb (as was used in antient time) itt beinge against the Lords Prerogative.

10. Bargains or contracts for buying and selling, how they are to be executed in their severall natures.

10.1. If there be a bargain or contract of buying and selling betwixt two parties, and an agreement made for the certaine price of the thinge bought and sold and parte of the said price paid, although the same be but 6d and the whole 20s or more pounds, both parties are tied to the performance thereof, and therefore the buyer hath an accon against the seller, that the thinge sold be delivered unto him, and the seller against the buyer, that the price be paid unto him.

10.2. Also if a mann make sale of any thinge first to one mann to whom he gave noe possession thereof, and after the same thinge to another, to who he hath given possession thereof : such person is to continue the same, and he who hath the first sale hath only the benefit of an accon of cozenage against the seller. But if itt be for lands, the first bargain is to stand and be of force (notwithstanding possession) against any seacond contract, soe that the first be authentic and executed accordinge to law, and the party soe illegally selling is under the favours of the law for a fine.

10.3. Any mann selling an ox, cow or horse or any other thinge doe deliver for possession thereof to the buyer an handfull of hay or straw (which is the usual maner or custome of the countrey) and the said thinge after possession soe given miscarry or perish, [p19] the loss thereof falls on the buyer ; but if the buyer not satisfied with such maner of possession shall desire a present and real possession of the thinge bought, and the seller neglect or refuse to doe the same if the thinge then bought shall after miscarry or perish any maner of waye, the loss thereof falls to the seller, because of the neglect as aforesaid.

10.4. If a mann make sale of a horse that hath the scab or lameness or any other noisome disease, without the knowledge of the buyer, and the said buyer making prooffe thereof before the Deemster, that the horse was such and soe diseased upon his receipt thereof, he may return the said horse to the Seller, and receive the Deemsters authority to obtain his price againe.

10.5. Also if a mann make sale of a swine that after the killing is found to be mozelled, the buyer may return itt to the seller, and by the Deemsters authority receive his consideration in price againe.

10.6. Also if a mann sell malt that (after the brewing thereof) is found red or cause or provoke vomiting, or otherwise hurtfull or noisome to Man, by means of the badness of the malt, and not the fault of the alewife that brued the same, she is to send word to the seller

to take the same away to his best use, and if he refuse soe to doe he looses both the beer and the price thereof.

10.7. The like course and proceedinge is used in all other things that are diseased, unsound, corrupt and not merchantable for the buyer, he making itt appear before the Deemster that upon delivery and receipt thereof the same (without his knowledge) was either diseased, unsound, corrupt, and not merchantable, is to hath the Deemsters authority to return the thinge to the seller, and receive the price without further suite.

10.8. And if itt bee made to appear that the seller fraudulently knowing the thinge to bee such before his sale, and notwithstanding made sale thereof as a thinge good, sound and marketable to the loss and harm of the buyer, he is to make satisfacon to the buyer at the Deemsters discrecon for the loss he sustains thereby.

10.9. If a farmer (upon credit) shall make sale of barley, malt wheat or any other grain or corne to a townsman or any other for the payment of his rentes, although the buyer shall deny the debt or price of the said corne, yet the farmer or seller of the corne hath the price of the corne made upon his own oath, without further testimony soe as alwayes that there shall goe before, a presumption of the truth of the said Oath, as the Deemster in his discrecon religion and knowledge shall discover and approve of, by the honesty of the Deponent. [p20]

10.10. But if there bee any bargain or contract betwixt two parties for the performing of conditions or some other considerable value, bee itt of what nature or of what degree soever, and the agreement committed to writing neither party is bound to the performance thereof unless there bee an assumpsit or penalty laid down and expressed therein, the one halfe to the Lord of the Isle (which is a prerogative due unto him) and the other halfe to the party standing to the performance to bee forfeited in case of breach of covenant by either party.

10.11. And notwithstanding the penalty aforesaid if the bargain or contract extend to the giving, granting or assigning of any lands or tenements whatsoever (other than for setting of lands by a land lord to a tennant or cotter for terme of years) the same is to hath the confirmation or approbation of the Lord of the Isle thereunto, or 3 of his officers, whereof the Governor or his Deputy to bee alwayes one, otherwise such bargains are void in law and the parties contracting to the contrary thereof to bee fined in three pounds to the Lord, to bee chargeable on his or their goods and chattels and in default of such on the Lands and tenements soe illegally contracted.

10.12. Yet nonetheless if any man make a bargain or sale unto another and use any collusion or fraud in the same upon just proofe made thereof unto the Court, itt shall bee in their power to make void such fraudulent sale or bargain, although itt should hath all the necessary formalities aforesaid therein.

10.13. And itt is to bee observed that all bargains or contracts (if they bee not confirmed as aforesaid) of what nature soever they bee, are not of nor any execution to bee granted upon them, untill they bee proved first before the Officers or Deemsters or either of them, which is to bee done by and upon the testimony or solemn oaths of two of the witnesses thereunto, which may bee done at the instance of the person concerned (whether the party contracting beinge living or not) or els upon the acknowledgement of the Parties themselves (if living) before the Deemster or in open court ; soe alwayes the adverse parties hath lawfull notice to bee present at such probation. [p21]

11. Bastards who are deemed to bee soe and to hath none of their parents goods, unless itt bee given by will or upon the ordinarys charity, at making their parents will or decree.

11.1. It is an antient customary law that any man that hath inheritance and get a young maid or wooman with child, before marriage, and within a year or two after does marry her, if she never was slandered not defamed with any other man before; that child begotten before marriage shall not bee reputed a bastard, but hath his fathers crobes and his farme, as though such a child was gotten in marriage.

11.2. But such as are gotten otherwise out of marriage are deemed bastards in the law. and can hath none of their parents goods, except they bee given them by will at the discrecon of the ordinary upon charity, otherwise they can hath none by law.

12. Battery and the severall kinds thereof, with the severall punishments and forfeitures respectively upon the same.

12.1. In antient time in matters of high difference betwixt partie and partie or relations on either side, if a fray or falling out happened, and that one party did either wilfully or casually forte fortudo, chance medley, se defendendo, or the like, especially wound or kill another ; the friends or relations of the injured party were accustomed to take revenge or satisfacon of the same nature at their own hands, and that they houlden retaliation enough, and was to stand as satisfacon for any prejudice received as aforesaid the which was termed by them prowess, which maner of requital was found a very insufferable thinge to bee retained in any well governed commonwealth. Therefore itt was provided by a certaine

antient law, enacted at the Tynwald houlden at Killabane in the year 1429 that such prowess should bee put down, saving in the Lords cases, and that [p22]such matters should bee determined by God and the Country instead of prowess.

12.2. After which time the said statute was soe far put in execution that if any maner of person or persons did beat or dangerously wound any other, and such person wounded die within a twelve month and a day after such battery committed upon him, such person or persons committing such battery shall answer for the death of such person as was wounded, and suffer the law by indictment and arraignment, as in the nature of absolute homicide or manslaughter.

12.3. And if any mann shall beat or smite another that is sworn upon an inquest, or any other person whatsoever, within 24 paces of the Governor or Lieutenant either sitting in Court or out of court in his presence, forfeiteth body and goods to the Lord, and toucheth treason.

12.4. And whosoever foresets the Kings Highway for any mann there to beat him, or slay him, by night or by day, he forfeiteth his body and goods to the Lord his pleasure.

12.5. Also if any mann should beat or abuse another otherwise than in the kinds aforesaid, that itt to say, not within 24 paces of the Governor though itt bee in his presence or seeing, nor on the Kings Highway but by waye of comon battery ; such is to bee fined upon lawfull prooffe made thereof, or confession of the Party before the Governor in 10s to the Lord, besides punishment and satisfacon for curing the party if he bee dangerously wounded and answer to bee made by accon at comon law for the damage he sustains either in his corporal health or estate. And if the person soe beaten bee lawfully evicted that he gave any upbraiding or provoking language that might cause such battery or evil usage, he is to bee fined in 13/4 to the Lord besides imprisonment.

12.6. And if any person soe beaten and abused haveinge the benefit of an accon at comon law against the other and he happen to die before such an injured person commence his accon against him the said party soe wronged cannot hath the benefit of the accon against his heirs or executors.

12.7. And if any shall presume to beat any of the governors men in his presence or robbs them, is a traytor, for in beating his men they beat himselfe, saving the more fear of his person.

12.8. And whosoever shall make affray or bear weapons in the Governors presence to bee fined and punished at his pleasure. [p23]

13. Beggars not to be brought into the Island, and what restraint is against Beggars that ramble out of their own parish.

13.1. It is provided by a certaine statute that noe mann can bring any beggars or vagabonds into the countrey upon paine of forfeiting his boat.

13.2. And that the beggars of this Isle shall not be admitted to begg out of their own parish into any other parish wherein of they by offend, then the Constable, Coroner or Lockman of such their Parish be for the first time to warne and require such beggars back againe to his own parish, which if they neglect and refuse, then are they to be compelled, and whipped to their own parish, and if they continue refractory then they are to be brought by any of the said officers to the Gaol, there to continue untill they be conformable to the law.

13.3. And itt is to be understood that such poor beggars are to be, such as are blind, maimed or decrepit, in respect of age or other infirmity, and that all young and sound persons shall either work for their livlyhood or be made to serve by a jury of servants otherwise to be committed till they submit thereunto. And if any of the officers aforesaid neglect in their duty herein, they and every of them offending (upon lawfull complaint and prooffe thereof) are to be fined and punished at the discrecon of the Governor and officers.
[p24]

14. Beasts killing one another, or killed by unhuman neighbours, what restitucon is to be made for such, or persons misliking anothers goods instead of their own.

14.1. It is a customary law that if any beast, that is to say ox, cow or horse of one mann shall kill the ox cow or horse of another mann in that case the civil law of Moses is to be observed, as is expressed in the 21 chap of Exodus, ver 35 36, VIZ, if one mans ox hurt another that he die then they shall sell the live ox and divide the money of itt, and the dead ox alsoe they shall divide, or if itt be known that the ox hath used to push in time past, and his owner hath not kept him in, he shall surely pay ox for ox, and the dead shall be his own.

14.2. Alsoe, if a mann shall kill the beast or cattle of another, either by stroaks or famishinge them within his house or elsewhere, or by any other means whatsoever, the said Beast or cattle are to be viewed by 4 judicious men and satisfacon given to the owner, as their discrecon and conscience shall direct them, or els to hath an accon for satisfacon at the comon law.

14.3. But if such abuses and inhumane dealing bee used toward the beast of any mann, and itt not known who did the same, the owner is to hath the benefitt of a jury of Enquiry, to swear all neighbours and all others suspected, to clear themselves from such an unneighbourly fact; And if there bee any person whatsoever that cannot cleer himselfe upon Oath, or will deny to take an Oath for the same before the said jury, such a Person not able to swear, or refusing to swear, is to bee Deemed criminall, and to make satisfacon to the injured party, upon the appricement of such dead goods by foure neighbours as aforesaid. And the Deemster to grant immediate execution for the same upon a return under the said juries hands, without further accon at law, beside fine and punishment to bee inflicted on such guilty party at the Courts discrecon.

14.4. Alsoe, if any through mistake shall assume to himselfe the Beasts of any other instead of his own, as sheep, lambs, weathers or any other goods whatsoever, he is not to bee reputed a fellow for the same, but to give restitution by a law called *MARRAINE* which in our language signifieth a mistake, Notwithstanding a jury passeth there upon to find out the truth, least itt comme within the limits of felony by discovering animis furandi in the case, and to leave the party assuming the mistake finable or otherwise as he demerits. [p25]

15. Boats betwixt two partners and they not agreeing to continue partnership, how she is to bee divided, and the masters charge and duty about his own boat, and the remedy against those that abuse other mens boat or their utensills.

15.1. If there bee two partners or two halfe owners in a fishing boat and the one of them unwilling to continue partner with the other, the Deemster, upon his complaint, is to authorise him to price the said boat and after the give free choice and liberty to his other partner either to accept or take the whole boat, paying unto him the said complainant halfe the price thereof, or els accept the said halfe price and deliver unto him the whole boate, and if he deny any thus to doe the Coroner is to cast lots betwixt them and accordinge to their lots to enjoin the one to accept halfe the price, and the other the whole boat.

15.2. Every master of a boat that receiveth hyre or wages, is obliged to look after and secure his Owners boat from all tempests, or invasion of the sea, upon any shoare ; and if he (or the rest of his partners if they bee obliged as well as he) shall neglect therein, and it happen that the boat bee wrecked or receive any prejudice by the flood of the sea, and the same appear to bee in the said masters default, by leaving her under the full sea mark, or where the flood might hath advantage on her ; the loss and damage thereof shall fall upon the master of the said boat for his neglect as aforesaid.

15.3. Also every master of a boat that receiveth hyre as aforesaid is upon Allhallowtideday to bring home the ropes of the Boat to the owners house, and give him warninge to provide another master and to exonerate him of his charge, otherwise if he neglect herein, or shall at his own liberty take the boat to sea againe (although itt bee but once) after Allhallowtideday, he shall bee thereby obliged to follow the Boat that year following, if the owner sue for the same, upon the like wages he received for the year before (if the Deemster see not just cause to alter the same) and shall bee forced thereunto by the execution of the law.

15.4. Also if any person or persons shall presume to take another mans boat to sea without the owners or masters leave or privity, and shall anyway abuse or prejudice the said boat, or any the utensils thereunto belonginge, such upon the presentment of an Admirall jury are to bee severally fined to the Lord, and make full satisfacon to the owner for the prejudice soe done. [p26]

16. Borrowings how to bee paid and restored.

16.1. If a mann shall lend corne, meal, timber, boards, planks, hay, iron or any other thinge that does consist of number, weight or measure to bee paid in the same year, or year following upon a certaine day or time nominated or agreed upon, the party who borrowed any those things is then at the said time, or in the said year, obliged and bound to repay and restore such like and of the same goodness as he borrowed, although the price of those things bee much more at that time than at the time he borrowed them. And if the borrower shall unjustly deny the payment and restitution of the said things at the time agreed upon, and put the lender to recover the same by comon law (which peradventure cannot bee ended that year) and that those borrowings then hath fallen to a lower rate then they were at the time he ought to hath paid them ; yet shell the borrower repay the full price whereof the things borrowed were when he should hath paid them.

17. Buggery and the course of law houlden against the same.

17.1. It is enacted for law that if any person or persons shall bee suspected and found to commit that foul and bestiall sin of Buggery, with any maner of beast, the case is first to hath its tryall and examination in the spirituall court, accordinge to matters of rape, sorcery, witchcraft and the like, and afterwards in the temporal court by indictment and arraignment as in the case of fellony or other notorious crimes. If the spirituall court soe return the same after examinacon. And if the malefactor bee found guilty, then sentence of death to pass against him, and to forfeit his life and limb at the Lords pleasure, and all his estate and good, as in case of fellony, or any other notorious crimes as aforesaid. [p27]

18. Burglary and what the nature thereof is reputed to be in this Island.

18.1. At the first when the noble and worthy Sir John Stanley did possess the Island of Mann, the tennants haveinge then noe certaine tenure, but takinge their farmes from the Lords Officers for some small number of years the rentes then falling and risinge and at noe certainty (as now they are) but as the said Officers contracted with the tennants . Soe that the inhabitants did build noe houses, nor bestowed any changes for the betteringe of their tenements, but such as of necessity they must use; and therefore they provided noe windowes nor doores for their said houses, but made bundles of briers, gorse or heath (as some poor people at this time use), and therewith made up the doore to defend them from the injury of the weather and invasion of thieves. And in regard their strength, fences and fortificacon of their houses were such and soe weak; It was provided by a law that whosoever did presume or attempt to open any of their said doors soe made up, or enter into any of their said Houses, without the knowledge of the owner, and did not first speak unto and salute and after ask leave for comming and entering in, the mann or woomann that did soe offend in that case should bee houlden and reputed as a fellow, (and guilty of burglary) and this law doth continue and is in use at this present, beinge the ancientest customary law of this isle.

18.2. Also, if any mann or woomann could bee lawfully evicted to comme in an unseasonable time to any mans barn, or any other his habitable houses (animi:intent: ad furnadu:) although he should not bee found with any maner or hath broken up any of the said houses, yet he is to bee reputed guilty of felony or burglary. [p28]

19. Bloodwipes, the proceedinges houlden concerning them and in what cases they are excusable.

19.1. If any mann to draw blood in any maner or waye upon another mann or woomann the party soe offended is forthwith to repair to the Moare of the Parish and to shew him the blood soe drawn upon him ; which the Moare is (after giving due sumons the Sunday next before the court day, at the Church cross for all persons soe presented unto him to bee and appear at the said court, to answer for themselves) to declare and present the same into the court ; whereupon a jury is impanelled, who are to call the offenders before them either to cleer themselves from the drawing of such blood or els to stand guilty; which if they bee found guilty to bee amerced (if he bee a mann in 12d and if a woomann in 6d) to the Lord besides an accustomed fee of 6d to the Coroner, 6d to the Moare and 4d to the Porter of the Garrison of that parte of the Isle where such presentments are made in.

19.2. But if the party that is presented for such bloodwipe come in and pay the lords due on the court table before any jury be sworn upon the bloodwipes he is to be freed from the said accustomed fees thereby, as sometimes practised.

19.3. And if it appear that the Moore does neglect to present any blood that is presented or declared unto him as aforesaid, and be thereof lawfully evicted, he is to come under the compass of perjury.

19.4. And alsoe if any person shall clear himselfe of any bloodwipe presented against him (which he is to have the benefit of clearing, upon his own bare oath) and be afterwards proved against to be guilty thereof by sufficient testimony, he is to be reputed perjured, and to be proceeded against accordinge to the statute.

19.5. Alsoe, if any man draw blood on another and upon the court day it be made to appear that it was in executing the Lords service, he is not to be presented for the same.

19.6. Alsoe if the master draw blood on his servant in his service or the plowman on his driver, they are alsoe to be spared.

19.7. Alsoe if one come to persons fighting, to putt them asunder and if he happen to draw blood on either party, he is not to be presented for the same, because he comes for the best, and doth not engage in any malice. [p29]

19.8. Alsoe, if any maner of person or persons whatsoever wear weapons or draw blood within the jurisdiction of the court, he is to be reputed a traytor and forfeiteth his body and goods to the Lord. [p30][p31]

C.

20. Carriages how to be done to the Lord.

20.1. By an antient law it was ordered and provided that all the tenants of the six sheadings (except privileged persons) were obliged to do their carriages to both castles, as pleaseth the Lord (or his officers) to have them, with all other carriages, suites and services that are needful for the Lord in the Land of Mann ; for it is an use and custome of long time and that either in person or with horses, teams or carts, accordinge as it is necessary and accustomed by the tenants to doe.

20.2. Yet whereas it was observed that at the building or repairing of any of his Honours fortes and houses, the tenants did not perform that duty by the service of themselves in person, or by some sufficient labourers in their steads, fitt for the work in hand, but usually sent boyes and children to such work, and that by the ablest and best sort of formers soe

that the burden of the work lay upon the poore people. It was therefore ordered and enacted that if any tennant or tennants whatsoever neglected to doe (or hyre or send some able person in their stead) and perform the said service in person as aforesaid shall bee fined in 6d to the Lord upon the presentment of such officer or officers as are entrusted to oversee and put in charge with the said work.

20.3. And when any such as the like carriages are to bee done, the Moars of the respective parishes are, either by themselves or Runners, to charge the tennants proporconbly to their houldings (that is to say, foure carriages in the year out of every quarter of land, and more if occasion be as aforesaid). And if such Moare or his Runners lay more of this imposicon on one farmer then another, such farmers soe aggrieved may upon complaint and prooffe made thereof, hath him presented by the Great Enquest and to bee fined to the Lord. Or if the Moare shall refuse to charge such carriages (after notice given him to that end) but pleads that itt is not his duty, he is not to excuse himselfe from that service (itt beinge properly belonging to his place) but is to bee severely fined to the Lord for every such contempt.

20.4. But the Moare cannot charge the foure horsemen of the Parish for they are freed from comon carriages and only to serve the Governor when he requires them on any service and to attend him to the Tynwald and upon such speciall occasions, which the Captaine of the Parish, or some of his under Officers are to charge, when any such are required and to present them upon defaulte in forme of law. [p32]

21. Castlemazes how and in what maner they are to bee paid to the Lord.

21.1. It is given for law that a castlemaze bee paid out of five mazes of herrings in a boat laden and halfe a maze our of two maze and a halfe in a boat gotten, as oft as they go to sea and gotten soe, and the Lord is to pay 6d a maze thereof ; provided that the bringers in or such as kill the first maze, shall for the same hath 3s/4d.

21.2. And all maner of persons whatsoever they bee whether Barons Officers or Soldiers, to pay the said Castle Maze, or custome as always used.

21.3. The which former statute was at a Tynwald houlden on the 24th of June 1613 reduced to this certainty ; that every owner of a boate shall pay in lieu of the said Castlemaze or custome herrings, 2 mazes for all the fishing time, gett they never soe many mazes in a boat, whensoever they shall bee called upon and noe more, and to deliver them in maner following Viz such as fish betwixt the Maughhold Head and Douglas to deliver

them at Douglas, and such as fish betwixt Douglas and the Calf of Mann to deliver them at Castletown, and such as fish on the Northside to deliver them at Peel.

21.4. And that every countrey mann that keeps a scout shall pay foure maze thereout in maner aforesaid.

21.5. And every stranger is to pay out of a small boat, one maze the first night he fisheth, and one maze weekly afterwards while the fishing continues, and double out of a scout as aforesaid in the same maner.

21.6. And that all owners before the fishing shall enter their names with the Clerk of the Rolls in his book, and all strangers likewise upon paine of 5l. [p33]

22. Children's porcons or parte of goods due from their parents dyinge testate, or intestate and when children are capable to receive and dispose of their goods. And how they are to bee governed if in their non age and what course they are to observe to obteyn their goods and how their goods are to bee secured.

22.1. Any one dyinge intestate the Bishop or his Vicars Generall shall constitute and ordain his children, legittimatly begotten, executors jointly provided alwayes those bee unmarried; And those that are marryed their Dowry cuts them off from haveinge any further porcon of goods.

22.2. And if any make his testament and leave not 6d legacy to their children unmarried, legittimatly begotten, or the value thereof, that then the Ordinary may lawfully make him or her executor with the rest.

22.3. And notwithstandinge that some of the children bee marryed and shall make to appear that at their intermarriage they received not 6d nor the value thereof from their parents in lien of dowry or porcon, they shall nevertheless bee made joint executors with the children unmarried accordinge to the practice held in that behalf.

22.4. But if any mann or woomann dislike their children's behaviour and at the makeinge of their will in usuall forme bequeath to their said children but 6d they can clame noe more of their child's parte of goods except the parent or parents die without any will making as aforesaid then the children are joint executors as aforesaid. And upon the bequeathing of that 6d or the value to their children they may give their goods and make executor whom they please.

22.5. Alsoe if father or mother dye haveinge children not comme to years of discrecon haveinge left executors and if any of them departe the Ordinary shall make the rest beinge

alive executors and in case all die under age then the goods shall return to the kindred next from whence itt came.

22.6. Alsoe if father or mother die haveinge children at years of discrecon (that is to say, 14 years of age) they may divide goods either with father or mother, and repaire to whom they will.

22.7. And that children enteringe upon their goods and livings at 14 years of age shall not bee at liberty to make any sayle, or dispose of the same, (unless they bee enforced thereunto through necessary), before they attaine the age of 21 years, and that made known to the Captaine and the rest of the Officers.

22.8. Alsoe, if there bee but one child betwixt the Man and Wife the fathers kindred shall hath the custody of the said child and goods untill 14 years of age, except the father make any other order by his last will and testament and leave him and his goods to the tuition of any other, then that to bee observed; And if there bee two children the mother shall hath one, that is to say, the eldest. And if the mother die before the child comes to years of [p34]discrecon she may leave the custody thereof with his goods to whom she pleaseth, and the next of kin on both sides supervisors. And if itt happen that the said children shall die before they comme to years of discrecon their goods are to return to the Kindred from whence itt came, whether from the father or mothers side as aforesaid.

22.9. And whereas in the year 1603 AB dyed intestate and haveinge two children they were committed to the tuition of the fathers kindred and the mothers as before ; after which the child in the fathers kindreds custody died, now a question in law did arise, who should hath the tuition of the child in the mothers keeping ; whereupon the Deemsters and 24 Keyes (upon the request of the Lord Bishop of this Isle) pronounced the law in that case, that the child surviving with his goods should bee taken from the mother and given to the fathers kindred.

22.10. But if such an only child as aforesaid hath an estate or goods falling unto him by the fathers side then the practice is that the Mother or the Mothers kindred is to hath the child, because they hath noe benefitt by his death, and the fathers side his estate, giving an allowance out of the same for the child's manteynance, at the verdict of 4 neighbours, sworn to allot and apporcon out the same.

22.11. When a child cometh to 14 years of age and craves restitution of his goods he is first to go to the spirituall registry to take a copy of the inventory, and to know in whose hands those goods are, and then to comme to the party that hath them, to demand them ;

which if he refuse to doe, he is then to go to the Spiritual Judges and procure their certificate to the Deemster of disobedience, which when the Deemster sees he is to grant immediate execution (without any accon) to the Coroner to distreyn upon soe much goods as will satisfy the said inventory ; and if he bee disobeyed, to make presentation that a soldier may proceed accordinge to law.

22.12. And if any mann haveinge children by a former wife and the children and their goods left in his custody ; he is not bound to keep the children and their goods but till the comme to 14 years of age, and then to put them away if he mislike them. But if such children stay with him, and not demand their goods till they bee 20 years old or upwards, and the father haveinge bestowed much upon them for their bringing upp, thinking to stopp a parte of their mothers goods for their manteynance, and for the costs he hath bestowed upon them ; he cannot soe doe because he hath the increase of their goods, and he is their natural father besides.

22.13. Also when the will of any deceased is proved on a decree made upon his goods as aforesaid, the Ordinary or the Spiritual Officers are to see a perfect inventory brought in of all his goods, And that itt bee secured by sufficient bonds or security that the same shall bee forthcoming to the children, or to such as the same [p35]is due ; otherwise and in default thereof, the Ordinary or his Officers are to make good the same themselves as the partys, accordinge to the inventory.

23. Choyse children allowed to old and decrepitt persons, and what course is to bee houlden to obtain that benefitt.

23.1. Whereas itt hath been an antient custome and a priviledge granted to poore decrepitt persons to hath the benefit of a choyse child to ayde, assist and look to them in their infirmities, which was not to bee taken from them by hyringe, yardinge or jury of servants. It is therefore provided that such person or persons as intends to hath the benefit of such a choyse child that he or she shall comme to the Comptroller a Quarter of a year, or at least one month before the Days of Warninge (beinge Michael's Day, and Lady Day in Lent) and bringe a cobby of such entry and publish it at the Cross or Parish church, the Sunday next before such Days of Warninge, or the Sunday next after at furthest, that neither the Deemsters, Moars, Coroners or farmers may not bee disappointed in depending on such a choyse child, and in default thereof by the parties or some friends in their behalves they shall loose the benefitt of their choyse child for that year. And if such entry bee lawfully made and published as aforesaid, and that itt chance that such a choyse child die any time within the year, the Parents are nevertheless to hath the benefit of another child, if they

hath any living with them, and the same not to bee taken from them by any jury of servants or otherwise as aforesaid.

23.2. And if any person soe assuming to themselves the benefit of a choyse child as aforesaid and afterwards doe dispose of the said child to any other, and bee soe found, bee itt upon what pretence soever, they cannot hath the same back againe when they please, but they Jury of Servants may pass upon him or her as though there were noe entry or publicacon made of them in maner aforesaid.

23.3. And in regard that diverse, under the pretence of old and decrepit persons, doe make such entrance purposly to free their children from service, which occasions both a scarcity of servants to farmers, and obstructs the privileged Officers in obtaininge fitt servants by the yard. It is therefore redressed and provided [p36]that noe person shall hath the benefitt to make any such entries as aforesaid till they hath obtained the approbacon of the standinge jury, within their parish in writinge under their hands for the just necessity thereof ; and then after to enter the same with the Comptroller before specified, and to that end the Deemsters are to give orders to the Coroner of every sheadinge to impanell a jury of servants in a seasonable time before Allhallowtideday and May, and soe to remane a standing jury for that year for making vagrants and givinge such certificates, in which they are to deal duely and truly, as they shall obliged by the Oath to bee administered unto them for the same.

24. Comptrollers charge concerning the Revenues and the Garrisons, with the Clerke of the Rolls duty about the Reccords.

24.1. Upon the dayes of payment by the Moars unto the Receiver the Comptroller is to sitt by, and see the Delivery of the money and write the receipts and payments which is to bee putt into a bagg and the Governor to seal itt, and putt it into the chest where the books are, and not to bee oppened untill occasion bee for needful expences or to bee sent unto the Lord ; and to sett the debett of accompts betwixt the Receiver and the Moars.

24.2. Also the Comptroller is to certifie all needful expenses VIZ when any reparacons are made within the Garrison or elsewhere for the Lord, by signinge the bills of the work done in and about the same and unto the Receiver for the payment of them.

24.3. And if the Receiver make such accompts and reckonings or payment of reparacons without the Comptrollers privity he is to bee in danger of haveinge such accompts or payments disallowed him.

24.4. Also if any Officer conceal any profit or revenues from the Comptroller he shall loose his fees or sallary.

24.5. The Comptroller is to take a perfect inventory of all the stores and utensils within the Garrisons and other the Lords places within this Island, every year, that itt may bee known what things are used and expended and how. And alsoe to see all forfeitures of fellons goods, wrecks, and strays, that they bee given in accompts of the respective Officers that are chargeable with the same, with all other concerns of accompts [p37]whatsoever that relate to the revenues.

24.6. And if any soldier or garrison man offend in any criminall cause, that he is to bee tried by a martiall court, the Comptroller is to sitt as Judge or Justice in that Court, as he is termed to bee Judge of the House.

24.7. The Cleark of the Rolls is (at his perill) to make a true and perfect registry of all pleas and acons betwixt party and party and all dooms and judgements given upon them after the points and pleas rehearsed. So that itt appear upon record as remembrance in the Office, and to bee written with full letters upon paine of forfeiting the Clearks fee or sallary. And therefore if any mann shall presume to asperse any record soe made by the Cleark, or urge that itt is untrue, he is to bee fined in 3l to the Lord.

24.8. Alsoe the Cleark of the Rolls is to enter all main process in Chancery, and to receive the fee of 6d for every process (whereof the Lord is to hath 2d and himselfe 4d). And upon the first attachment (if the defendant doe not appear) 4d and upon the seacond 12d, which is due to the Lord, as perquisitts of Chancery, and to bee given in the accompt yearly (amongst the casualtes by him).

25. Coroners duty and fees, with severall remarkable things belonging to that office.

25.1. The Coroners of the six sheadings of this Isle are by antient law and order alwayes to bee sworn at and upon the Tynwald houlden (usually) upon the 24 of June, whereof the Coroner of Glenfaba beinge the chieftest and head Coroner is to bee called in first; and he to call the other old Coroners of Mann (who are to appear with their rods in their hands and to deliver them unto the Governor upon the hill) and then those that are appointed new Coroners are to bee called in and to bee sworne by the Deemster in order, beginning with the Coroner of Glenfaba first (as he is the chief as aforesaid) and then the rodds to bee delivered to each of them as they are sworne, who are by vertue thereof to execute that office till the years end.

25.2. Yett nevertheless none of the said Coroners are capacitated by vertue of their said yardes or offices to arreast any person [p38]for any maner of debt without speciall warrant for the same; Unless itt bee in points of fellony, delivering of servants, preserving the peace, or the many other points that belong to their office which they may doe without any warrant.

25.3. Also the Coroner is to impannell and put forth jurys of fellony, jurys upon any corps found dead by any mischance, and execute his office in all other causes wherein the Lords is party, by virute of his place without any fees for the same ; and if he refuse to doe and execute any such duties (excepting himselfe that he is not obliged thereunto without a fee) he is to bee severely fined to the Lord.

25.4. But in all other cases betwixt party and party, either for impannelling jurys for particular interests, or for charging of enquests, parties, wittnesses or the like, he is to hath 2d for every such charge; and if he go out of his own parish upon any such occasions he is to hath 2d in every parish he is to go into within his own sheadinge. But for the takinge of any mans pawne within his sheadinge he is to hath but only 2d.

25.5. And the Coroner of one sheadinge is not to execute any office in another sheadinge, unless itt bee to bring back any servant that is run from his service into another sheadinge ; and in that case he is to hath 2d for every parish he goeth through from his own till the parish such servant is found in ; excepting the Coroner of Glenfaba who is when any Coroner els neglecteth his duty, either for the prosecution of a pawne taken for the debt of any person, or where he is indebted himselfe ; and that such a Coroners own pawne is to bee taken, in such and the like cases, the Coroner of Glenfaba is to go into any other sheadinge within the isle and execute any such offices against the Coroner of any other sheadinge in every respect as he might doe against any person within his own sheadinge.

25.6. But if the Coroner of Glenfaba himselfe bee found faulty or negligent in his duty and the like cases, then his rodd is to bee taken from him and to be delivered to the Governor who is to chose out some sufficient person (but more properly the foreman of the Grand Enquest) and to direct the Deemster to swear him in that office ; and he to proceed against such Coroner accordinge to the course of law, in every respect as the said Coroner might hath done against any other person before his eviction ; for noe other Coroner within the Isle is capacitated to act against the Coroner of Glenfaba, beinge reputed but inferior Coroners to him as aforesaid.

25.7. Also itt is enacted for the prevention of severall injuries and inconveniences that hath been observed to fall out by Coroners standing in office 2 or 3 years together that noe

Coroner is to stand [p39]in officer above one year at once. And that he take enquest but twice a year and to bee sworn in open court by the Deemster.

25.8. And itt is ordained that noe Coroner fight or take quarrell in hand noe party, nor any advocate in noe place dureinge his office but in the Lord his causes.

25.9. And every Coroner is to pay a certaine sume of money out of his place every year unto the Lord, which the Comptroller chargeth in the accompts, called office silver. And for the making up of the same sume they hath certaine fees from every tennant of their sheadinge which they are to pay them once a year VIZ 4d out of every quarter of land, and every intack or cottage houlder if they pay $\frac{3}{4}$ rente to the Lord must pay to the Coroner 1d fee and if itt bee above $\frac{3}{4}$ to pay 2d and noe more.

25.10. Also every Coroner is to present every Court Day such as disobey his rodd, or any other cause of presentments that they bee fined to the Lord. And whosoever disobeys the Coroners rodd shall forfeit 3l accordinge to the law.

25.11. Also every Coroner is to search 4 times in the year for my Lord his profitt throughout his sheadinge ; that is at Allhallowtide, Christmas, Feaster Eve, and Whitsuntide, and this they are to doe by custome. And when the Coroner executes that office or searcheth at the suite of any other person for any things feloniously taken away (which he hath full authority to doe by his office) he may go into any the houses or chambers of any one and search all coffers or covert places. And if he bee opposed or resisted by any person in that service he or she soe opposing him is to bee taken and reputed a fellow (by an antient custome of the countrey), and is to bee indicted for the same. And if any inhabitant in this service shall deny or refuse to assist him (he charginge and commandinge them in the Lords name) and to joine with him, they are both to bee punished and fined.

25.12. Alsoe the Coroner of every sheadinge is to hath the rente of one quarter of land freed unto him, in respect of his office which the Moare is to pay him, and to hath the same rebated in his charge (where the Coroner liveth) by the Comptroller at the settinge of the Moars debett. And is alsoe to hath certaine other fees and pequissits from fellows and others in severall cases, as shall bee spoken of under their respective titles.

25.13. Alsoe if the Coroner bee commanded or required in any generall office to charge wittnesses, or jurors in my Lords cause or to performe any other duty by the Courts order (as he is obliged to execute all ministeriall offices proper to his place) and such office be neglected, and the Coroner imploying the Lockman [p40]to doe the same, the Lockman is

not to answer for the neglect (he being but a servant under the Coroner to ease him of some of his duty) but the Coroner is to be taken and fined for the same neglect himselfe.

25.14. Also if the Coroner or his Lockman doe neglect the performance of any the Duties aforesaid incumbent upon them and lawfull complaint and prooffe made thereof ; they are first to be presented by the Great Enquest of the Sheading, and then to be fined and punished at the Governor and Officers discrecon accordinge to the demeritt of the offence.

25.15. Alsoe, if any mann strike and abuse a Coroner while he beareth his rodd in the execution of his office, he is to be fined 3l to the Lord.

25.16. Also if any mann slander or defame a Coroner dureinge the time of his office he is to go to the Deemster and make complaint thereof, and the Deemster thereupon is to take his rodd from him (who is to be charged therewith himselfe till the Coroner be cleer, if doeth not find emergent cause to empower another to discharge the duty in that time) and to grant him a toaken to impannell a jury of slander, to try the same with all expedicon ; and if he be found clear of the imputacon, his rodd is to be restored him, and the party accusinge to be in a severe fine.

26. Corbes what they are, to whom payable, and in what maner.

26.1. There are two severall soarts of corbes pertaineing to a mann and woomann respectively. To a mann there is due and payable for corbes the best pann or pott, a jack and sallett, bow and arrows, sword and buckler, the best board and the best stoale, couller and rackentree, the best cupp if it be wood and bound with silver and guilt, and best chest. Provided still that the father die haveinge these things clear and debtless.

26.2. To a woomann is due for corbes the best wheel and cards, rackentree and such or els a Manx spade, the best bead of jett or amber, the best broach, the best cross, the best pot or pan.

26.3. And itt is to be noted that itt is the farmers eldest son [p41] or heyre, or heyress and the eldest daughter are the persons to whom these corbes are payable after the death of their parents. And where there are one and the same thing due to both the mann and the woomann, as the best pott and pann, and a rakentree ; itt is accustomed that the heyre is to hath those things, and not the eldest daughter, unless there be two of those sorts, as two panns, two potts or two rakentrees; then the heyre is to hath his choyse first and the eldest daughter the seacnd choyse and not otherwise.

26.4. And if any person should die and make a bequest of these corbes or any parte of them to any other Person (then to those to whom by law they are to descend unto) such

things are not to bee paid in kind, but the value of them with discrecon ; and the things themselves to belong to those of right, they are payable and due unto.
26.05 No cottrells or artificers shall bee lyable to pay corbes unto their children, but are to bee dividable and bequeathable as other their goods are.

26.5. When any person craveth restitucon of corbes he is to go to the Deemster to desire a process for the same, which the Deemster may doe, and grant with immediate judgement without putting the party to recover them by waye of any accon at the comon law, or any course houlden therein by a jury.

26.6. It is accustomed that if there be but one child betwixt mann and wife (whether male or female) that inherits ; that child is to hath both sorts of corbes in every respect as if there were a son and a daughter to receive them respectively as aforesaid.

26.7. And if a mann should die intestate haveinge noe children of his own own and by that means the goods fallinge to the next of kin from whence itt came; yet nevertheless the corbes are to bee excepted, and not to return and fall in that maner, but to go and fall unto him or her that the inheritance falls unto by law.

26.8. Also itt is accustomed that if a mann haveinge an heyre by a former wife and after marrying a seacond wife purchases another estate or farme which he settles on the child or heyre of the seacond wife (if any such bee) and removes the corbes which he hath by the former and antient estate into his purchased estate, and leaves them in that estate, the heyre of the antient estate, may notwithstanding obtain the Deemsters authority to receive those corbes, and hath them brought back againe to the antient estate ; soe as he nevertheless made evident that they belonged to, or were in the fathers keeping, before he bought the seacond estate. [p42]

27. Corpresents or mortuarys how to bee paid and by whom.

27.1. In former time, if a mann or woomann died possessed of free goods to the value of 20s, they were to pay to the church ceize for a corpresent. And itt beinge observed to bee a great aggrievance in the countrey, itt was published and enacted that noe clergy mann or proctor of spirituall livings should receive any corpresent of any deceased's goods under the value of 6/14/5 and of that value and under the value of 20l they shall take for the corpresent but 20d, and the goods bee of the value of 20l and under the 40l they shall take for the corpresent but 3/4 and out of goods of the value of 40l or above they shall take 6/8 and noe more bee the goods of what value soever they may bee.

27.2. And that none shall pay a corpresent but such as at the time of his or her death were housekeepers or masters of a a family.

27.3. Alsoe that children dyeing under 14 years of age and women under covert baron, are not pay any corpresents, or anything in lieu thereof. And if any clergyman or proctor take any corpresent otherwise than as aforesaid, he shall forfeit soe much in value as he so taketh, besides 6/8 to the party aggrieved ; by accon of debt at the comon law. Yet nevertheless itt may bee lawfull for any spirituall mann to take anything which by any dyeing mann shall bee given or bequeathed unto him.

28. Cleark of the Parish how to bee elected and tollerated and his dues and duty.

28.1. Every parish within this isle hath that liberty that they may choose and nominate their cleark with the joint consent of the parson or vicar. And the ordinary must authorise, accept and allow of him to bee sufficient and able for that office.

28.2. And in every time of vissitacon and other business first the parish must send to the cleark, and the cleark comme to the Parson or Vicar and wait upon him.

28.3. And the cleark his due standing wages is 4d out of every plow, if the plow plowes but 3 furrows within the year, and those that hath noe ploughs and keep smoak pay annually 1d. [p43]

28.4. Also the cleark must hath of every mann that departeth this life, beinge able to pay, a whole corpresent 21d or els his apparel, as was used in old time ; and of a woomann 17d or els such duty as was used in old time ; and of the poor all debts beinge paid, to bee reasonably agreed with all.

28.5. Also, in case a poor mann or woomann depart and there is not wherewithal to pay the cleark silver, then the cleark shall hath noe duty but the duty to bee sould to pay the head penny and clerks silver and if anything want the next of kin, both of father and mothers side, legitimately begotten, is to make itt out, because if the party which departed were wealthy and made noe will they should bee his executors.

28.6. And if the parish cleark neglect or refuse to perform the duty incumbent on his place, in not attending the minister to the chancell, putt on his surpliss, cover the comunion table etc he is not only punishable by the ordinary, but finable to the Lord in 60d. Provided he bee allowed and foreborn with in the first offence.

28.7. And if any mann remove from one parish to another and remaine there but three nights and three days, and the cock crows thrice upon him, and then die ; he is to pay all fees and church dues there, and not to the parish from whence he removed.

29. Cleark of the Shipps, duty and his fees when a merchant stranger cometh into the Isle.

29.1. When a merchant stranger cometh into any harbour or poart within this Isle, the cleark of the ships, (after the governor is first acquainted) is to send word to the 4 countrey merchants to comme to aggree for such wares as the merchant stranger hath, if itt bee for the countreys use, and is to write the agreement betwixt them, as alsoe to keep a book of all the wares as they are given out in every merchants quarter, betwixt the merchants and the merchant stranger. And the cleark is not to meddle with any payment without consent of the merchant stranger, and to bee ready upon all occasions till the vessel bee unladen. And if itt bee a shipp of salt the cleark is to hath halfe a barrell out of every 20 barrells. And if itt bee wines he is to hath one choice hogshhead as soon as the ship of wines is bought paying for itt as itt is bought [p44]; and to bee agreed with by the merchant stranger for his paines, and if there by any small wares the cleark is to hath the first offer of them before any other except my lord.

29.2. Also the cleark is not to receive no poundage for any goods bartered from the merchant stranger but that is to bee paid to the Lord. But if he doe any duty to the stranger he is to bee rewarded for the same by him and what is allowed him by the statute as aforesaid.

30. Courts how to bee kept and the maner of proceedinges houlden in the respective courts of this Isle.

30.1. It is enacted by a certaine antient statute that the Lord or his Governor may hold a court or Tynwald wheresoever pleaseth him, and doe execution as oft and when pleaseth him within this Land of Mann, except the passion Week, at which time execution for life and limb ought not to bee done. But as for courts of challenge, at any time of the year, and execution to bee done.

31. Court called the Tinwald Court, how to bee houlden when the Lord is present, to sitt in the same by his royalty.

31.1. First our doughful and gracious Lord is to comme thither in his royall array, as a King ought to doe, by the Prerogatives and Royalties of this Land of Mann, and upon the hylle of Tinwald sitt in a chayre, covered with a royall cloath and cushions, and his vissage

into the east, and his sword before him houlden with the point upwards : The Barons in the first degree sitting beside him, and the benefited men and Deemsters before him sitting with his clerks in the seacond degree ; (And the worthiest men in the Land to bee called in before the Deemsters, if he will ask any thinge of them and to hear the government of the land and the Lords will) his Knights, esquires and yeomanry about him in the third degree ; And the comons to stand without the circle of the hill, with 3 clerks in their surplisses. And the Deemsters shall make call in the Coroner of Glenfaba, and he to call in the Coroners of Man with their rods or yards in their hands, Then he shall make fence upon paine of life and limb that noe Man shall make stirr or disturbance in the time of Tynwald or any murmour or rising in the Lords presence, upon paine of hanging and drawing. And the new Coroners [p45]being sworn the court then is to proceed in all matters they hath there to doe, in enacting and proclaming of lawes, or other matters that touch the governance or safety of the land of Mann.

32. Court of Gaole Delivery and the proceedinges houlden therein and especially concerning fellons.

32.1. The Court of Gaole Delivery is alwayes to bee houlden 2 times in the year, immediatly after the sheading courts, wherein are tryed all felonies and treasons and such notorious crimes; presentments of the Great Enquest taken ; the recognizances of the peace called ; and matters of that nature. The Governor is to sitt chiefest, and then the two Deemsters who are in that Court termed Justices ; and all other officers sitt as a assistants, the 24 Keyes are alsoe to give their attendance that day without any summons, to bee assisting to the Deemsters, in any doubtfull or difficult point of law, if any happen; And alsoe to pass upon the Grand Jury for Life and Death, if they bee suspected to digress from their evidence or give a partiall verdict, which if the said 24 Keyes find to bee so they are to bee reputed insufficient forever passing in juries againe, besides severe fininge and punishing.

32.2. And if any person that is indicted by the petty jury for felony or treason, if he bee the Lords free born or a native of this Country or any allien that hath made faith or fealty to the Lord, comme to this court to bee arraigned, and doth submitt himselfe before his tryall and offer a reasonable ransom for sparing him his life, the court may grant the same upon the humble suite of himselfe, or some friends in his behalf, if some just matter induce the same. But notwithstanding his goods are to bee confiscated to the Lord if his honour please not to restore them againe.

32.3. Alsoe if any person should committ felony, or any such notorious crimes, and bee indicted for the same and not beinge at the age of 14 years ; the Deemsters upon a true

certificate thereof are to spare his arraignment and cause him to bee whipped at the Governours pleasure.

32.4. Also, if any fellow were indicted by the petty jury and make his escape before he were apprehended to bee brought to Gaole; his indictment is nevertheless to bee entered against him, [p46]and to stand good at all times after to arraign him thereupon, and to bringe him into answer the law.

32.5. And moreover if any fellow lawfully indicted of any capitall crime should die in Gaol or out of Gaol before his arraignment the Grand Jury is nevertheless upon the Head Court to pass upon the fact ; and if they find him guilty, his estates and goods (notwithstanding) are forfeited to the Lord ; as if he hath been alive, to receive his tryall.

32.6. Alsoe when any fellow is brought to the Bar, the Deemster asketh him whether will he put himselfe to the Lords Grace or bee tryed by God and the Country. If he put himselfe to Grace the Governor is to signifie him reprieved untill the Lords pleasure bee known, and thereupon all other proceedinges is to bee stayed, and the fellow to bee brought againe into the Gaol untill his Lordships return therein bee procured.

32.7. But if any such fellow shall in contempt obstinatly refuse to bee tryed by any the wayes aforesaid as the Law provides; The Deemsters are to pronounce the law for immediate sentence of death upon him, without any proceedinges of a Grand Enquest or otherwise.

32.8. And if any person that prosecutes a fellow should sue him to indictment and then upon the arraignment would absent himselfe (upon some agreement with the fellow or the like) and not comme in to produce his evidence on the Head Court, such person or persons soe offending is to bee fined in 60 shillings without any mitigacon.

33. Chancery Court how to proceed in.

33.1. When any person commenceth an accon in Chancery for any maner of cause, as matters of arrest, debt due by speciality or such like, that are not properly tryable by the comon law ; he is to enter his accon with the Clerk of the Rolls a reasonable time before the Court day ; and upon the same entry the Governor grants him process for the charging of the Defendant and evidences for that day; which he must hath done three days before the court day (whereby the defendant may hath a reasonable time to provide himselfe for the answering of the suite), otherwise the summons is not to bee reputed lawfull, nor the plaintiff is not to hath the benefit of that court ; yet if the Defendant bee lawfully served with that process as aforesaid, and not appear to the first court ; an attachment is awarded

against him, and the process to bee renewed againe for the seacond court; and soe in that maner [p47]casually untill the third court (for which entry and attachment there are certaine fees or perquisites payable as is beforementioned under the tyle of the Clerk of the Rolls) and if the defendant doe not appear the third court a soldier is to bring him in against the fourth court, to try the commencement, without further respite, unless itt bee granted by the Court, for want of evidence, or such like speciall reason.

33.2. And itt is to bee observed that when the defendant stands out all those courts and the plaintiff recovers against him, the court is to award court charges or fees occasions by the defendant standing out the said courts, with the recovery of 3/4 and all other charges, costs and expenses, the plaintiff is to sue for them at comon law, if the court see not just cause to award some parte of them in Chancery upon speciall reasons.

33.3. The Chancery may alsoe transmit any matter or case that comes before them for want of evidence or that they find itt not properly determinable in that court to any other court as to the Common law; spirituall court; or admiral court which the Water Baliff is empowered to call and sitt by vertue of his office and grant execution for any recovery hath by that course accordinge to and in forme of law.

33.4. But if any matter bee once determined in chancery and the party aggrieved thinking to release himselfe commences the suite afterwards in the Common Law ; he is not to bee admitted thereunto upon sight of the former decree of Chancery produced unto the Deemster.

34. Comon Law or Sheading Courts how to bee houlden and the proceedings therein.

34.1. The Comon Law or Sheading Courts (which names hath been given them because such courts hath been kept in every sheadinge of this Isle) in the nature of Court Leet or Court Baron are to bee kept twice a year VIZ after the feast of St.Phillip and Jacob, and the Feast of St.Michael the Archangel, by the Governor, Deemsters (in especial) and the other Officers ; and the court beinge sett the Deemster is to call the Moare of the Parish wherein the Court is sett, to fence the Court in this maner

34.2. I Fence the King of Man and his Officers that noe maner of mann doe brawl or quarrel, nor molest the audience,[p48] lying, leaning,sitting, and to shew their accord and answer when they are called by lycence of the King of Mann and his Officers. I draw wittness to the whole audience that the Court is fenced.

34.3. Then he shall call in 4 honest men of every parish, upon paine of fining to go upon the Great Enquest; to present all trespasses in the following halfe year who beinge sworn, the Deemsters deliver them this charge - It is the King of Mann his pleasure and his Officers to keep Court twice in a year that all Men both rich and poor, deaf and dumb, halt, lame and blind, to comme thither upon a horse and cart, that they may know the King of Mann his pleasure and his Officers, and the Laws of this Country.

34.4. First if there bee any person that hath been sworn out of the Land or outlawed bee received into the Land againe, without the Lords speciall Pardon; if there bee any such you shall by vertue of your Oaths present them.

34.5. Also you shall enquire if any petty officers, as Coroners, Lockmen, Moars and Runners, Water Baliff and his Deputies, Forestkeepers and deputies, doe execute their offices, or doe otherwise than as the Law permits them. If there bee any such you shall etc.

34.6. Also you shall enquire if any petty craftsmen, as shoemakers, cobblers, taylors, websters, women weavers and smiths, execute their occupacons justly. If there bee any such you shall etc.

34.7. Also if any carry quickbeeves out of the Land without lycence further than the Coroners or his Lockman may by vertue of their office arrest for my Lord his use. If there bee any such you shall etc.

34.8. Also if any person go to the Hough where the hawkes doe breed to take young or old hawkes or hawkes eggs. If there bee any such you shall etc.

34.9. Also if any person carry any aliens into the countrey that they go noe further than to the next Parish Church to the Haven, and repair to the Governor to shew the cause of their comming ; Unless they comme at one tide and go out at the next. If there bee any such you shall etc.

34.10. Also if any person go into the Houghes where the hyrons doe breed to take old hyrons or young, or hyrons eggs. If there bee any such you shall etc.

34.11. Also if any, by day or by night, goeth to the Kings Forest with bow and arrows, hounds or gray hounds to kill the Lords Game. If there bee any such you shall etc.

34.12. Also if any sett fire upon any gorse or ling, or turf within the Kings forest either by day or by night. If there bee any such you shall etc.

34.13. Also if any person leaves the fell ditch or lidgate open for goods to trespass on the low lands. If there bee any such you shall etc.

34.14. Also if any that take up the Lords wracks further then from the low water mark till about the full sea mark without the privity of the Coroner or Lockman or two witnesses. If there bee any such you shall etc. [p49]

34.15. Also if there bee any comon thief that committeth felony that dwelleth on the south side, be receyted by any on the northside,; or any on the north side receyted by any on the southside. If there bee any such you shall etc.

34.16. Also if any keep a stoned horse that is not of the height of five quarters of a yard and worth 6/8 in price. If there bee any such you shall etc.

34.17. If any keep a scabbed horse or mare, the Coroner ought to bring them to the next hough and to cast them down. And whosoever owneth such a horse to bee fined in 3s/4d and the Coroner to hath 12d for his pains. And if he neglect his duty therein he is to bee putt in 3s,4d himselfe. If there bee any such you shall etc.

34.18. Also they are to present all trespasses and irregularities about mere hedges, water courses, turberys, rescous or any thyng that doeth endamage the countrey, or is against the comon good thereof or the Lords profitt, as the Deemster in his discrecon shall charge them further with or as anciently hath been presentable by them.

34.19. After which charge is given the Moars present their bloodwipes, and a jury is forthwith impannelled to try them, who are to proceed therein as is before declared touching bloodwipes. And then proceed to the enterynge of accons in maner and forme as hath been before aforesaid declared, concerning the commencement of accons at the comon law.

34.20. And itt is provided by law that noe person shall enter any vexatious accon at the comon law haveinge not just cause of complaint but merely troubling the court and jury but that such persons are to bee fined and punished at the Governor's discrecon.

34.21. And itt is given for law that all persons who bear 6d rente to my Lord ought to make their appearance at every court houlden within the sheadinge, where in they dwell, and if they doe not appear when and where they are called (to undergo any duty the Coroner requires them unto) they ought to bee fined by discrecon of the Governor and officers.

34.22. Alsoe the setting of lands or the entering of tennants names in the setting books is to bee alwayes at the court of Comon Law houlden after May, accordinge to the usual forme, and the antient practice of this Isle. [p50]

35. Exchequer and Debett Courts when and how to bee houlden for the imposing of fines, and how the spirituall fines or perquisites are returnable to the Temporal.

35.1. The Exchequer Courts are alwayes houlden after Midsummer, or such other convenient times as the officers shall appoint for the receiving of the verdicts of juryes upon all accons given them in charge at the Sheading Court before, and for the tendering of juryes of slander, with all other verdicts whatsoever not given in or respited till then

35.2. And, after all such verdicts are received and given in and all presentments made for that year, the officers sitts a court called the Debett Court for the imposing of fines and ameracements upon all such verdicts and presentments after the Head Court houlden after Michelmas in every year, whereby the said fines may bee extracted out in the Moars charges for that year. And after such fines are soe given out and estreated they are not to bee remitted or mittigated unless upon especiall reasons; for that all such as are presented or otherwise left finable are to comme in on the Debett court day to shew cause either for the remitting or lessening of their fines otherwise not to bee released afterwards but as aforesaid. And if such persons bee presented or otherwise left finable as aforesaid without knowledge given thereof by the person or persons makeing such presentment before hand, the fine is to return on such as so provided without the partys knowledge or privity therein as aforesaid.

35.3. All presentments made by the Coroner or Lockmen are finable in 3l. And by the Moars and Sergeants 6s8d accordinge to the law, and all presentments made by the Great Enquest are fineable in 3/4 or more at the discrecon of the Court, and accordinge to the quality of the offence.

35.4. All accons at the comon law are only chargeable with 6d fine, and all other trespasses and offences accordinge as the law provides in severall particular Acts and statutes suitable to the nature of the trespass.

35.5. Yet notwithstanding in the imposing of these fines the Governor and other principall officers shall confer with the Deemsters touching every fine and take the abillity of the persons into consideracon, and then proceed to assess the same, with such mittigation as they find just cause.

35.6. Also the Lord hath certaine fines returnable out of the spirituall court called spirituall perquisites by his prerogative, which the Reqr is to return over once every year (as any such falls out) into the Comptrollers office that he may charge the same amongst the casualties of that year ;after the same are first considered for their punctuall, levying or

mitigacon, accordinge to the nature of the offence, or quality of the person as aforesaid which the Governor, and temporal officers are capacitated to moderate, although they bee oftentimes settled by the clergy themselves. [p51]

36. Cunstable of the Garrisons charge, and certaine fees due to him by his place.

36.1. The cunstable of every garrison is, as oft as any of his officers, as the porters, sergeants or soldiers commit any offences, either in beating or abusing the tennants that comme in for rente or the like misdemeanours, are to punish and regulate such offences themselves within their severall garrisons and not to bee rectified by the Deemsters of this Isle.

36.2. Also if any person bee committed for matter of debt within any garrison, and doeth privately make his escape after he is put under the constables charge, the cunstable shall bee made lyable to bring in the mann againe, or els to satisfy the debt unto the creditor.

36.3. The cunstable of Castle Rushen is to hath the fee of 3s3d from every felon or malefactor that is arraigned at that garrison, if he bee cleer allowing thereout to the porters 5d, the Deemsters 6d, the coroner 6d and the Moare 6d, and the remainder to himselfe. But if he bee condempned he is to receive noe such fee, And is obliged to bringe all fellons and malefactors to the barr and from the barr againe upon their arraignment, with a guard, by antient custome and forme.

36.4. Alsoe, the constables are alsoe to perform severall other duties within their respective garrisons, as searching the watches, lye in the Castles, see the gates locked, watch sett, with severall other orderly duties as is accustomed.

37. Customers duty at the severall sea-ports of this Isle touching the Customs of outgates and ingates, and how arrests are to bee made and executed by them.

37.1. It is ordained by antient statute that the Waterbaliff is to hath his deputies or customers in every haven or seaport within this Isle to execute his charge and duty there concerning any forfeitures that might fall to the Lord, and to receive the customes of all goods imported and exported and to bee accomptable for the same when the Comptroller or the Waterbaliff calls upon them for an accompt accordinge to the Book of Rates of this Isle. And also to keep a particular book of all boates, vessels or picards that anchor within the heads or dry shoare and to take for the anchorage of such as have a cockboat 8d and without a cockboat 4d which they are duly to accompt for accordingly. [p52]

37.2. And if any customer doe suffer any goods to bee transported without lycense for the same from the Governor, or any good to be imported without entry made of them, or shall

receive any more customes for any such commodities then as is mentioned in the Book of Rates, the same (upon the tryall of a jury) is to bee reputed perjury and he is to be proceeded against as in that nature.

37.3. And the customer of every poart is to see that there bee noe goods or commodities , loaden aboard any vessel after sunsett nor none to bee unloaden before sunrise, (which the searcher is as well as the customer (if not more especially) to look after the same bee duly observed) otherwise to ceize the same for the Lords use.

37.4. Also if any mann craveth an arrest against another the customer of any poart may upon the suite of the party arrest the other party or vessel for one tides water, that is to say 12 hours, and then the party pleading is within that time to go to the Clerk of the Rolls to enter an accon and crave the Governors token thereupon to hath the arrest continue, till that accon bee tryed, which the Governor may cause to bee done with all expedieion and call a court once a week to expedie the tryall; and in the meantime the customer is to secure the party, till he either give in security to pay the debt, or answers the accon, and if he doe neither the customer is to commit him into a Garrison (till the suite be tryed) and thereupon he is free from his charge therein.

37.5. And if the accon or arrest bee against the vessel the customer is to take her sayles and rudder off, and to see that she procure noe other sayles or rudder whereby she might make her escape, untill the law bee fulfilled as aforesaid.

37.6. And if any such persons make escape after they are soe arrested and the customer haveinge received his fee (beinge 1d) for doing his duty, if itt appear to bee in his neglect he is lyable to answer the debt or accon of the party himselfe.

37.7. And when any person that is arrested for debt or any other cause as aforesaid is to bee sumoned before the Court to try his arrest, such summons is not to bee served by the Coroner, Lockmen or such but by the customer whilst the party is under his charge, and if he bee comitted as aforesaid he is to bee brought by a soldier to the court.

37.8. Alsoe the customer is to pay all custome timber in kind as he receives itt, and not a rate or value for the same, and to bee brought into the Garrisons for his Lords use, accordinge to the present Book of Rates. [p53]

38. Churches how to bee repaired and the Church Wardens and Chapter Quests their duty.

38.1. All parishioners are bound to meyntaine and keep up the body of the Church within and without with all ornaments, books and other necessarys. And the Parson is bound to keep and repair the Chancell.

38.2. And all Church Wardens must bee appointed and sworn once a year; to see good orders kept in the Church and Churchyard, their Churchyard ditch to bee well made and to make a just and true accompt to their parishioners 4 times a year for all assesses.

38.3. The Ordinary or his substitutes are to impannell every year 4 honesty and sufficient men to pass in the Chapter Quest to enquire of all offences committed against the Spiritual Lawes, as alsoe to see all lawfull injunctions read in the Church, to present those that use witchcraft or sorcery, adulterers, fornicators, blasphemers, drunkards and such like. Also all such as prophane the Sabbath, that refuse to come to the Church to hear divine service or receive the blessed Sacrament.

39. Custom Turff how to bee paid to the Lord.

39.1. The Custome Turff which the Abbey Tenants are to pay unto his Lord in Kind in lieu of the Customs due out of their estates, is to bee paid accordinge to law, that is to say 52 turves of one cubit long and three inches square in the midst to bee allowed for, one carr to bee soe paid. [p53][p54]

D.

40. Debt how to bee recovered and satisfied with the limitacon for the claiming of debts due from decedents.

40.1. If any mann that is indebted shall acknowledge his debt before the Deemster, Coroner or Lockman beinge called before them, the Deemster without any accon is to grant a present execution against the party; And if he shall but confess parte thereof, for soe much as he shall confess an execution is granted, and rest referred to bee tryed by waye of accon.

40.2. And if there bee either mann or wife that die indebted the creditor is within the limitted time to prove his debt before the spirituall judges, and from them receive authority to obteyn soe much as is due from the decedent; Whereof when the said creditor hath brought a cobby under the Spiritual Judges hands unto the Deemster he (without any further prooffe or evidence) is to grant authority for soe much as is due from the party livinge, because the party livinge is subject to the temporall and not the spirituall jurisdiction.

40.3. And the Vicars Generall or officers of the Spirituall Court are not to intermedle with any maner of debt longer than for a twelvemonth and a day taking beginninge from the

probatt of the Will or making of the decree; And afterwards itt is to bee heard and tryed in the temporall court. And further if any debt bee challenged in the temporal court to bee due from any decedent it is not recoverable in law, unless the same was within the twelvemonth and a day after the probatt of the will or making the decree as aforesaid clamed in the spirituall court, And if there prove that itt bee by lawfull evidence in Court and not upon the grave of the decedent with compurgation as accustomed. Provided; And it is ordered and enacted that itt shall not bee in the power of the Spirituall Officers to nonsuit any claimant for debt in their court for fayling to comme in to prove his debt accordinge to the time aforesaid by any generall or particular proclamacon. But that such claimant or claimants although he hath not proven the same in the spirituall court within the year and a day as aforesaid hath the benefitt of his clame in the temporall court afterwards as aforesaid. Only itt may bee lawfull for the officers of the spirituall court upon some speciall cause to issue out Proclamacons for the knowledge of all [p56]claimants demand at any time within the twelvemonth and a day as aforesaid, lest there should bee more debts than what the inventory would extend to pay, that soe they might hath caution, how to order the payment and proporconing of the debts.

40.4. Yet and notwithstandinge this law is not to extend unto transmarians or persons ultra mare, but they are to hath the liberty of three years to clame for, and prove their debts, commencing from the probatt of the will or making of the decree as aforesaid in the Spiritual Court, and afterwards in the temporall court accordinge to usual forme.

40.5. Alsoe if any person dye indebted (after the deduction of funerall charges) the Lord is first to be paid what is due to him (if any bee) then childrens goods, that were only left in the tuition or keeping of such a person, then servants wages; And all other consequent debts afterwards to be paid proporconably, to the extent of the decedents goods; Provided all debts in the Countrey be first paid, before any strangers be paid theirs (if any such be owinge) accordinge to the rule and practise of this Isle, houlden and observed in such cases.

40.6. And when a debt is recovered and a judgement given against any party (either by or upon process from the Deemster or upon an accon in Chancery or comon law) the demand is to destreyn upon the personall estate of the Debtor to the full value of his debt bee his estate of what kind of nature soever (save only lands of inheritance which are not lyable to debts). And if his said estate cannot extend to the full payment of the Demands recovery he cannot receive anymore. Neither can he take his body, unless he bee an inhabitant in another countrey, and hath a sizable estate there; then and in that case if any such contract a debt in this island, and a lawfull recovery hath against him, the debtor may then distreyn

upon as much goods as he hath here, and besides hath a commitment of his body, untill he give in sufficient bonds to pay and satisfies the remainder of the said debt

40.7. And noe officer is to imprison any mann for debt (except upon recovery in Chancery, the Lords and the households causes which the Governor is to doe) but as the Deemsters shall appoint by law and process.

40.8. And if a mann wed a woomann that is in a farme or any other, he is to answer and pay all for her debts as he comme to bee her head. [p57]

41. Decedents dyeing without a will, how their goods are to bee decreed by the spirituall court and what fees they are to receive for the same.

41.1. Every one that dyeth intestate the Bishop or his Vicars General shall decree his estate of goods and constitute and ordain his children legitimately begotten to bee joint executors provided they bee unmarried and received not the value of 6d in dowry; And if he or she soe dyeing haveinge noe children legitimately begotten the Ordinary or his substitutes shall make and ordain his next of kindred both of father and mother side to bee lawfull executors.

41.2. And itt is provided that every such decree shall bee fully effected within the space of three months next after the decease of the party at the further, upon paine of fine and severe punishment on the person or partys that shall fayle in the performance after due and lawfull notice given by the Spiritual Court, Which they themselves are to take speciall notice and care for the observance hereof.

41.3. Alsoe the Ordinary or his Vicars General are to receive for the making of every such decree (which must bee made accordinge to the custome of the countrey) the sum of 3s4d if the party bee of ability, Except itt bee when children are left under age dye, before they are make or are capable to make a will, or other disposal of their goods; And therefore for the taking notice of such a decree they are to receive only 6d for the same, because the law provides such children's goods to the rest of their brothers and sisters liveing, or if none live to the next of kin from whence itt came, without any decree.

41.4. And whereas sometimes in the making of such decrees, the church hath accustomed out of a particular regard to the heyre of a farme, to decree to him, the cropp of corne and team of oxen, which is of a greater value (sometimes) then the rest of the goods, which doth greatly damnify the rest of the children; Itt is therefore provided that if any such decree bee made, that itt is in itself void ipso factor. But that all the children unprovided, or that hath not received 6d or the value thereof in dowry or porcon, are to bee joint executors of all the goods movable and immovable equally betwixt them. [p58]

42. Deemsters charge and duty in deeming the law, and certaine fees, and customes, due to them by the execution of their place.

42.1. Whereas in antient time (and partly as yet) the lawes of this Island were not wholly comitted to writing but much of them houlden and received by tradition, and did depend in the brests of the Deemsters to deem them to the partys, as their cases fall out only verbally; Therefore itt was provided by an antient statute, when any matter of doubt happened that the Governor might call the Deemsters before him with the advice and assistance of the 24 Keyes, to deem the law truly to the partys, that the same might bee registered in the records, for a president, when any such case should happen againe, which course is much observed in the antient records. 41.02 And when the Deemsters were soe to deem the law (from which word they were called Deemsters) they were to doe the same without rigor, fraud or collor, and to give their judgements at their own perill saving even the Lord's prerogatives.

42.2. And the Deemsters hath been antiently accustomed to receive the fee of 2d from every person that they granted their token unto, for any maner of cause whatsoever, as oft as they grant any such; And in lieu thereof the Deemsters were there to send out a number of people called a bonnock to receive a certaine custome from the tennants (such as they pleased to give) in respect of the said fees, at Allhallowtide, and thereupon the tennants to receive their tokens gratis for that. And if any refused to pay such custome unto the Bonnock they were to cut three ropes of his house over the door, whereby he might bee known to have refused the Deemsters customes and the bonnock presenting this to the Deemster respectively, with the persons names, they were not to grant their toakens to such without the said fee for that year; which customes hath now of late been taken up by the Lockman of every parish, within the precincts of each Deemsters liberty.

42.3. Also the Deemsters are to hath from every fellon that is indicted and comdemned, and that his goods are forfeited to the Lord 4d if the duty that belong to the Coroner and Moare amount to 12d as shall bee further explained under the tytle fellons.

42.4. And in briefe the Deemsters are to issue out all process for debt (except upon Chancery decrees, the Lord and household affairs) and to prove all contracts betwixt party and party and to determine all cases and causes, that relate unto or hath any [p59]dependence on the comon law, and to possess all persons upon recoverys in the comon law, whether for lands, debts, trespass or otherwise, and to hath the fees of iid called a crowcart from the plaintiff for every accon that is recovered, notwithstanding he hath paid the custome aforesaid.

43. Deffence of this Island by the Inhabitants.

43.1. It is ordained by law that as oft as any appearance bee of any shipps or piratts or any other invasion of enemies that every person or persons within this Isle shall upon the alarum of the Drum, or setting out of the colours on the castles, or other such publick warninge or notice, appear to encounter the enemy upon paine of present death.

44. Deodands what they are, and in which cases they fall unto the Lord.

44.1. If an ox, bull, cow or horse or any other beast whatsoever shall kill, or bee the immediate cause of the death of a mann, woomann or child, that ox, bull, cow, or horse or any other beast (although the same did belonge to the tennants of the Baron or to the Baron himselfe) doth fall and become proper and due to the Lord as a deodand.

44.2. And if a horse should throw his rider off, soe that he would die thereby, whatsoever furniture the horse had on him, as bridle, saddle or the like is to bee forfeited as well as the horse himselfe upon the inquisition of the Coroner who is to be putt out on such occasion.

44.3. And if any person ridinge a horse through a river and happen to be drowned in the river, if itt may bee discovered itt was rather in the weakness of the horse (not able to carry his rider) than by too great a flood of water; the horse is to bee reputed a deodand and to bee forfeited to the Lord.

44.4. Also if any mann should go from his own house to any dangerous place or hough, to look for any his goods as sheep or the like, and miscarry in that hough, the goods which he soe went to look or enquire after are the Lords because they were the cause that brought him from his own house and to that miscarriage. [p60]

45. Disobeydience to the Governor and Deemsters authority how to bee proceeded against.

45.1. If any person shall disobey the rodd or charge of any petty officer, as the Coroner, Lockman, Moare, Sergeants and Runners beinge either sumoned to appear before the Governor, Deemsters or any other magistrate or to a full court, whether itt bee at the suite of another, or as wittness betwixt party and party, or for any other cause or reason whatsoever or if any person or persons disobey or resist in the taking of a pawne, or distress, or any recovery, or for the delivering of possession or in any thinge els, that either of the said magistrates grant executions for ; If such person or persons as is or are served with any execution or judgement in any the causes aforesaid shall dissobey the same, such of the officers aforesaid as that hath issued such judgement and execution and is soe resisted or dissobeyed therein; are first to make affidavit of such disobeydience and present the same unto the Deemster (if the judgement was granted out by him) who thereupon takes a

presentment against the party disobeying which are to bee entered in the Rolls (that a fine may bee imposed thereupon) and a copy of such a presentment beinge then brought unto the Governor he upon the same grants his authority for a soldier or soldiers to execute the said former judgement by compulsion.

45.2. And if the fact bee for nonappearance before the Court, or any officer, the Soldier is only to bring the party there.

45.3. And if for the denying of a pawne the soldier is to assist the officer to distreyn vi et armis, or els to commit him that disobeyeth untill he submitt. And in the like maner for delivering of possession in any lands, houses, or tenements. But if itt bee for the observance of any penal order, or for the performance of any articles or condicons; In such and the like cases the soldier is to commit the party disobeydient into the next garrison, who is to remaine there untill he give in security for to observe and perform of the cause of his commitment.

45.4. And if a soldier bee dissobeyed in any the services aforesaid he may call to the Captain of the Parish where such a refractory person is, to assist him with a file of men to execute his office in, and upon such contempts.

45.5. And itt is to bee observed that if itt bee the Governor that grants out his token, or process upon any such cases as aforesaid, the affidavit and presentment is to bee returned to and taken by himselfe, (and not by the Deemster), and soe to bee proceeded in and executed as aforesaid. Yett itt is to bee understood, when any affidavit cometh before the Governor for servants that [p61]disobey to comme home to their services, and such contempts, those affidavits are not to bee entered on record to bee finable, as all affadavits aforesaid are; But to bee proceeded upon for the comittment of the party if he bee contemptuous, as the same is returned under the Coroner, Lockman or Sergeants hand without any recording thereof as aforesaid.

45.6. And whosoever shall disobey the Coroner or Lockman shall forfeit 3l and the Moare or Sergeants 6s8d and if itt bee in the taking up the Lords rentes and disobey a soldier that commeth out on that accompt he forfeiteth his body and goods to the Lord by law.

46. Drunkards how to bee punished.

46.1. As oft as any mann or woomann shall bee found drunk the party soe offending if not of abillity to pay a fine shall for the first time bee punished in the stocks, the seacond time bee tied to the whipping stocks, and the third time to bee whipped therein.

47. Dogs killing sheep, lambs etc; how to be proceeded against, and the masters of them how they are to make satisfacon for the damages.

47.1. It is an antient practice that if any mans doggs doe casually kill the sheep, goat or lambes of any other person the forester is upon complaint and prooffe forthwith to take course to hang the said dogg, which is all the satisfacon the injured party is to receive.

47.2. But if the owner or master of the said dogg, or any other does sett a dogg onto another mans beast, and kill them, or that such a dogg was accustomed to run at beasts and kill them of himselfe, and the master of the dog knowing such and received warninge to keep in his dogg and yet neglecting the same. In such a case, if any such dogg should happen to appear to kill any beast, the master is not only to hath his dogg hanged, But to make full satisfacon to the other party for all his losses, upon the verdict of 4 neighbours sworn to view the damage or by accon at the comon law. [p62][p63]

E.

48. Enquests not to be falsified by any person in paine of 3l unless he can prove the same and what course is to be houlden against an erroneous enquest.

48.1. If any person shall falsifie an enquest that is sworn, and not able to prove the same against them he shall forfeit 3l to the Lord.

48.2. And if any enquest bee proved and found to conceal or to neglect the givinge in of any presentment that they are chargable with and the same bee made known to the Court, they are severely to bee fined for the same.

48.3. And if any juror or enquest mann that is sworn upon the tryall of land or any other cause bee found and discovered to reveal or disclose his fellows councill to any the parties or what verdict they intend to give such a case, he is to bee punished in the stockes three dayes and to remaine in the prisson in the night time, and to wear a paper upon his head, signifieing the crime in capitall letters, dureinge the said time of his punishment. And never to bee reputed or taken to bee of a jurye againe, nor his wittness to bee of force in any matter whatsoever afterward.

48.4. Alsoe, if any enquest upon life and death bee found to give a partiall verdict or digress from their evidence; the 24 Keyes are to pass upon them, and if they bee found guilty thereof they are to bee fined in 20s a peece, and not to bee reputed upon juries any more; Yet nonetheless if any such jurors make recantacon thereof within a twelvemonth and a day, the Court may upon their humble sumission, restore them to their former creditts

and reputacons and enter a record to that effect that none shall upbraide or tax them, with any such former offences, upon paine of 3l to the Lord as a fine.

49. Excomunicacon how to bee proceeded in ; and what penaltys excomunicated persons incur.

49.1. When any person hath comitted a grievous crime, worthy of excomunicacon, the ordinary or his substitutes, are to proceed with him in formall and legall course, and to receive for the excomunicacon 2s2d and if he doe not appear (or comme in at the end of fourty days) he is to bee comitted by a soldier in the Bishops prison.

49.2. And if the ordinary or his substitutes receive such excomunicated persons into the Church againe; they are to receive for the excomunicac,on absolution and receivinge of them againe the sum of 10d. [p64]

49.3. And when any person that is soe lawfully excomunicated persist in obstinacy, and not comme in within the space of eleven weeks, (haveinge the Sundays of grace given him), Itt is in the power of the ordinary or his officers to give such over unto the Lord for body and goods, accordinge to his Lordships prerogatives in that behalf as appears by a case of that nature anno 1636.

50. Extorcon how to bee rectified and punished.

50.1. It is enacted, ordained and published that all oppressive contracts for loan of money, either by mortgage, or in moneys, or by wares or comodities, or in any other waye or means whatsoever, above the rate of ten pounds in the hundred pounds shall bee rectified and punished by the Court of Chancery in this Isle, as well by the fininge and punishinge of all such extorcons and oppressive contracts for loan of money, or otherwise as aforesaid, as alsoe for the relievinge of the party or partys as is or shall bee soe oppressed, as that Court shall think fitt. accordinge to the nature or condicon of the fact and oppression soe done. [p65]

F.

51. Fellons what value they are to bee indicted for, and the severall kinds of felonies, and how persons forfeit in felony, and to whom their forfeitures are due, and how to bee charged and looke after. And in case fellons bee abjured the land, how to bee proceeded against.

51.1. Whensoever any thiefe shall bee found to steal either mutton, sheep, lambe, goat, kidd, swine or pigge the same shall not bee priced by the jurors of indictment, who

sometimes value such stolen goods under the worth of 6d thereby out of a foolish pitty and parcial regard to extenuate the rigor of the law, in favour to the malefactor. But that every sheep, mutton or lamb of what age or worth soever itt be, beinge stolen is to bee found and reputed fellony in the offender to death, ipso facto, upon the inquisicon taken, without valuinge or distinguishinge the price.

51.2. Alsoe that the stealinge and cuttinge of beehives in gardens shall bee fellony in like maner to death without valuation.

51.3. And all such as shall bee found to hath stolen turffe, linge, gorse, robbed gardens, clipped other men's sheep, stolen corne and hay out of fields and haggaths, stolen geese, hens, duckes or comitted such like pilfery or theft. If any such pilferys and felonies amount to the value of 6d shall bee fellony to death as aforesaid. And under that value to bee whipped or sett upon a wooden horse at the Governors discrecon. And itt is provided as oft as such causes fall out that the Coroner of every sheadinge are to take care that they chose and impanell jurors of the most sufficient men in the parishes, least that simple jurors would not enter into due consideracon of such felonies, and esteem them to their full values.

51.4. Alsoe if any mann find any thinge that is cast or left in the highway or open fields (if itt bee of the value aforesaid) and shall not reveal the same by publicacon at the Parish Church or markett where such a thinge is found, But shall feloniously conceal the same, itt is to bee reputed fellony in such a person, and to bee indicted for the same.

51.5. Also if there bee but a strong presumption or suspition of any person to hath comitted fellony of the value aforesaid the jury of indictment may upon good and prevailinge circumstances, seacondinge the said suspition bring the party under the law by indictment without positive proofes. [p66]

51.6. If any person bee evicted to fire a stack of corne, or turffe, linge, or gorse that will bee of the value of indictment or sett fire in any mans house, such is to bee reputed fellony and to bee indicted for the same.

51.7. By an antient custome of the countrey, any person killinge either sheep or weather is not to sell the skin thereof before the flesh bee eaten, that the Coroner or Lockman havinge ocaasion to search, itt may appear unto them, who was the owner thereof; And if any shall otherwise doe, he giveth ocaasion of a strong presumption, that the said goods hath been feloniously stolen; And thereupon the Coroner or Lockman ought to impanell a jury for the Lord to present the same; that the Court hearing and examining itt, may cause such to bee either indicted or thoroughly fined.

51.8. Upon all and every the felonies aforesaid, if the person suspected of felony and questioned for the same live in one parish, and the party suspectinge or questioninge such a fellow live in another parish the jury of Inquisition must bee equally chosen and appointed in both the said parishes.

51.9. And if any person shall bee found to receit or abett any comon thiefe within this Isle, and bee thereof lawfully detected and evicted, is to bee deemed and to stand as deep in the felony as the fellow himselfe; Although the abettor or receptor should live upon one side of the countrey, and the fellow on the other side.

51.10. Also, if any inlayn, cottler, or cottinger hath any goods with a fellow, without house or within house, he is to make suite for the same from the time the fellow is indicted (provided he bee in the island); But if he neglect to doe the same till the fellow is condempned then he looseth the same, for all his goods after he bee is condempned fall to the Lord.

51.11. Also whosoever sueth any fellow to death, can hath noe more of the goods that is stolen from him, then what is found in the fellows hands, and that he is arraigned for; And if he confess he had more, the plaintiff is not to hath them, but the Lord by his prerogative.

51.12. And if any mann shall forfeit his goods to the Lord by felony his wife shall not forfeit her parte of the goods, or widdowhood in the estate ; because the woomann is but subject and obeydient to the mann; But if the woomann forfeit in felony, her husband may forsake her and her deeds, and if he doe not soe but conceal her deeds, he is to stand as deep in the law as the woomann.

51.13. And if a mann marry an heyress, or a woomann that is borne to a farme, and begett by her a son or a daughter; although the said mann should after bee convicted of the felony or any other capitall crime, and bee condempned for the same; yet shall his said son [p67]or daughter continue and hold the said farms and the corbes belonging thereunto, because the same descended soe unto them from the mother, who was free, and not guilty of the said capitall crime. And the Lord is only interested in those, and soe much goods, as was belonginge unto him that is convicted. But if the farme descend from him or her that is been convicted, then both the farme and goods are appropriated unto the Lord, although they hath children; who only hath a propriety in the goods of the party that is free, and not guilty; Besides what was given such children at the font stone, which is not to bee forfeited by their parent.

51.14. And the Lord is not to hath of those forfeited goods by his prerogatives ; but all horses, and mares, oxen and kyne above two years old, and all sheep above a year old, and all the corne that is in a whole rook or stack unbroken, and all the swine of what age soever.

51.15. And the Coroner is to hath all such horses, mares, oxen and kyne as are 2 years and under two years of age, and all sheep of a year old and under, and a broken rook of oats (if there bee any) with the corbes that should apperteyn to the heyre, all such the Coroner is to reserve to himselfe.

51.16. And if those things which the Coroner is to hath amount in value to 7s the Deemster shall hath 4d thereof, and the Moare (or Sergeant if he bee an Abbey or Barons tennant) 4d and if under proporconable in like maner. But if itt exceed 7s the Coroner is to hath what exceedeth the 7s himselfe without givinge any parte thereof to the rest.

51.17. But if itt bee a fellon de se, such as in the cause of his own death, by violently, wilfully or in a desperate maner drowninge, hanging, or otherwise killinge himselfe, all his goods fall to the Lord by his prerogative as aforesaid. Except the Coroners dues, which is his, corbes, broken haggarth, all beasts under three years old, and the fellons parte of the Houses (if they bee divideable) out of which the Deemster and Moare to hath their proporcon as aforesaid viz 4d apeece, or els the third penny.

51.18. And by an antient law itt is provided that the Queen of Man (or our honourable Lady) is to hath all goates that belong to any fellon without beinge comprehended in the forfeiture aforesaid by her prerogative.

51.19. And if a fellon were indebted his debts are to bee paid out of the whole goods first, and the forfeitures aforesaid to be out of the free goods at after. [p68]

51.20. And that if any friend or relacon doe bestow anything towards the buryinge of any fellon, none thereof is to bee taken, or deducted, out of the forfeiture or Lords parte of goods but must make that good themselves, for the forfeiture was the Lords upon convicon.

51.21. Also if any stranger or resident in another countrey should bee found guilty of manslaughter or any other capitall crime here he is to suffer the law here, and to forfeit all his goods whatsoever, which the Lord is to hath; except his rappier or dagger, which the Coroner is to hath in lieu of his fees (if he have any such) at the time of arrest, or indictment as hath been given for law in that case.

51.22. And when any such forfeitures fall unto the Lord, the Comptroller is to charge the Attorney with the same, who is obliged as soon as the fellon is convicted to see that a true inventory of all his goods bee brought in, and taken, and the same disposed of to the best

advantage for his Lordship's use, and that the same may bee charged upon the Receivers accompt in every year, as such falls out.

51.23. And any maner of felon or delinquent that is soe arraigned and condempned in either the Lords or any the Barons courts for stealth or otherwise, and is abjured the land, he is never to comme into the land againe without the Lords speciall grace and pardon, which he is to produce and plead in court. And whosoever within the land shall receive or receipt any such, after he is arraigned and outlawed he forfeiteth his body and goods to the Lords pleasure.

51.24. And when any is soe abjured, there is a limited time to bee appointed for his transportation, wherein any friend or relacon may entertain him, without incurring the danger of the said law. Yett nonetheless if such delinquent shall presumptuously or negligently fayle to transport himsef by such an appointed time, whosoever then shall entertain or receipt him is to bee brought within the limits of the said statute; And the Coroner in whose sheadinge such an abjured person continues, is after the said limitacon to expell him out of the sheadinge or otherwise see him imediately transported, and if the coroner neglect therein he is to forfeit a severe fine to the Lord. [p69]

52. Fences to bee made and uphoulden (and in what maner) at all times of the year by the farmer, and the penalty upon those that trespass upon such fenceinge, or such as neglect to fence themselves ; And how the Lords demesnes are to bee fenced and manteyned.

52.1. Whereas by an antient customary law the inhabitants of the Island, were not obliged to fence their lands, or hyrd the same but from the Anuciation of the Blessed Lady, till Michelmas, or els to keep out a sufficient hyrd in effect thereof; soe that the remainder of the year their lands were to lye comon and their goods trespassinge one upon another; Which maner of husbandry the Government of the Isle, takinge to consideracon, and findinge that the same did much impoverish the tennants and cause many litigious suites, and a course contrary to the Rule of all other countrys and places, where any good husbandry was used, Itt was provided by severall acts that every inhabitant holdinge any farmes lands or tenements within this Island, should keep the same severall, winter and sumer, without the prejudice or gainsaying of any neighbour or inhabitant; And that they should in every year, as well against the winter (as the summer and harvest time) make sufficient and able fences, ditches and hedges as shall bee of the thickness of a double hedge, and of the height (anciently foure foot and an halfe but now) of five foot and an halfe, and trenches accordinge to the custome of the Island for breadth and depth in such

places as the same is used or shall bee comedious or els to sett out a lawfull keeper or hyrd in effect.

52.2. And after such fences and trenches soe made the farmers or tennants of such lands, may as lawfully impound any goods that shall trespass upon him or them as well in the winter, as in the sumer and harvest; And the trespasser to pay the same fees for the poundinge in winter as well as sumer.

52.3. And if any such farmer or inhabitant soe fencinge and keepinge their lands bee overburthened by bad and unconscionable neighbours, that will not restrain or keep their goods upon themselves but suffer them to bee trespassinge as aforesaid in the winter time ; the owners of such goods are not only to pay the Lords fees for pounding but pay 2d to the person dampnified for every beast soe trespassing, which is to bee imediately paid him, by execution from the Deemster, unless he pleases to lessen or mitigate the same of his own free will.

52.4. And if any person shall bee found to pull down or break any such fences or hedges, or to open gaps upon any parte of them to the end (as such persons intent must needs bee) to trespass in the farmers corne and grass, and the same complained of and made evident to the Governor by the farmers own oath, or other lawfull prooffe of the same, such person or persons are to bee both fined and severely punished at the Governors and officers discrecon, and his goods to bee impounded besides. [p70]

52.5. And itt is further provided (for the better observance of this law) that every farmer shall take speedy and effectual course to hath their fences made at all times in the year as aforesaid otherwise itt shall bee in the power of the Great Enquest to present every farmer and tennant within their own sheadinge as shall neglect such duty (and to that end the Deemsters are to give the same in the Enquests charge) that they bee fined unto the Lord.

52.6. Also it is enacted for law that all and every such person or persons whatsoever, whose tenements or any other parte or parcell of ground doe adjoine about or bee lying over or against the Lords Demesnes, pastures or closes, or any of them within this Isle, shall make the fences and ditches thereof soe far as their said severall grounds shall extend, of their own proper costs and charges of the lawfull height and breadth before specified, and the same shall uphould manteyn and keep in sufficient repair from time to time, winter and sumer, upon paine to forfeit for every time that the keeper or occupiers of the said Demesnes makes true presentment of the default in any court by his solemne oath, and in whose default the same is, the sum of 3s4d.

53. Fishes due to the Lord by his prerogative.

53.1. If any porpos, sturgeon or whale bee taken within the heads of Mann, they bee the Lords by his prerogative; And whosoever finds any such (although itt were upon the dry shoare) and will not reveal the same, such person on the presentment of the Great Enquest, is to bee severely fined. [p71]

54. Forresters duty in ranging the forest and especially touchinge the discovery of stray sheep for the Lord and what fees are due unto him, by his place; Alsoe how the forests or the Lords comons are to bee kept and fenced and the penalties against trespassers therein.

54.1. The Forester or his deputies ought to goe forth on St.Collums even, through the forest, and to ride to the highest hill topp within the Isle of Man, and there to blow his horn thrice. The same done, then after to range and view the forest or comons and on the third day to goe forth, and take such company with him as he shall think like, to see what sheep he finds unshorn, and if he find any unshorn, he ought to take them with his dogg, if the same sheep bee not milk sheep (or foulded sheep) and to sheare them and to take the fleece to himselfe, and to putt a privy mark on the said sheep, and soe use all that he finds within the precincts of the forest the same time, to the intent that if any such sheep bee found the next year by the said forester, he is to certifie the Comptroller or Receiver thereof, that the Attorney may bee employed to see that such a sheep bee sold and disposed of to the Lords best advantage, and to bee charged upon the casualty for that year.

54.2. And if the forester find any lambe that is unmarked within the precincts of the forest, he cannot challenge any right to such by his place but he is, (as aforesaid), to putt a privy mark thereupon, that if he find the same next year againe not clamed by any person (and itt appear) that he hath just tytle thereunto, that then such is to bee priced and sold to the best advantage for the Lord as a stray.

54.3. And the same course he is to observed with all sheep, goates or kidds that he finds without a mark.

54.4. And if any maner of person shall bee found to conceal such strays, and assume them as goods of their own, and not able to justifie the same, But intenconally keeps them to deprive the Lord thereof, such persons are to bee proceeded against as fellons, or to bee severely fined.

54.5. Alsoe, all such persons as goe to the forests or comons for turffe, or linge are to pay the Forester an ob, and if any person doe putt in stoned horses and cattle, they are to pay idob every year.

54.6. And if any the Barons proper tennants go to the Lords forest or comons for such necessaries or drive such goods therein as aforesaid, soe that they are obliged to the foresters fee as aforesaid, such tennants are thereby made lyable to the Lords impositions and services, as if they bore a rente under the Lord.

54.7. Alsoe such persons whose lands adjoined the lidgate (or the gate sett upon the fell hedge at the comon highway to the forest or mountains) are to keep and manteyn such a gate sufficiently, and to hath and receive from all such as drive goods into the comons, or draw any turffe or linge out of itt through that waye and Gate, an ob in every seventh year from every such person, at a time appointed, for the manteynance of the said gate; [p72]which is to bee soe paid either to the said tennant, or any other (in their neglect) that shall undertake the same charge.

54.8. And all such tennants and farmers whose lands and tenements adjoine to the fell or Lords Comons are to make and repair the hedges and fences thereof, and if they neglect the doeing thereof, upon presentment of the Great Enquest, they are to bee severely fined.

54.9. And itt hath been an antient custome that all the gorse, whinns or heath, that doth grow and joyn to the said fell, or out any hedge soe far as a mann from the same can throw or cast his heath or gorsehook shall bee received for the manteynance of the said hedge; And if any person shall presume to cutt, pull or carry away any the said whinns, gorse or heather that groweth within the said limitt (unless itt bee for the use of the said hedge) he is to bee presented and fined.

54.10. And if there bee any maner of persons either those that are obliged to manteyn the said fell hedge and lidgate, or any other person that passeth through them, and breaketh them down, or els leaveth them open soe that the goods pastureing on the comons may comme in to the low lands and trespass on the tennants there ; such upon a lawfull presentment of the Great Enquest are to bee fined.

54.11. Also if any person or persons shall go to the Lords mountains or forest by day or night, with doggs or any engine to kill the Lords deere, Such upon a true presentment by the Great Enquest, are to bee fined in 7s for every such offence, as well for young as old deere; And if itt bee a tame deere then to pay 10s besides imprisonment at the discrecon of the Officers.

54.12. Alsoe if there bee any that sett fire upon any linge, gorse or turffe within the forest, either by night or by day, or digg or pull any turves there, and not fill up the pitt againe with the swarth, turning the grass side upp thereof; such as offend in that nature, if they bee lawfully presented by the Great Enquest, are to bee fined.

54.13. And whereas some evill disposed persons hath been accustomed to goe to the fells or comons at unseasonable times, either before day in the morning or late at night, or upon some dark, shaddy or misty days, to draw turffe and linge and soe haveinge that opportunity, would carry purloyn and convey away, other persons turffe and linge; Therefore itt is enacted that noe such persons as use those courses, or any other whatsoever, shall goe to the fells upon the said occasions of drawing their turffe and linge till itt bee broad day in the morning, and to comme out againe before itt bee five of the clock in the afternoon, upon paine of a severe fine, and punishment at the Courts discrecon. [p73]

54.14. And itt was anciently accustomed to impanell a certaine number of persons throughout the severall parishes of this Isle to present any such persons as committed any trespass within the forest, which now the Great Enquest are charged with as aforesaid.

55. Forgery and the severall punishments houlden against the respective kinds thereof.

55.1. If any maner of person or persons whatsoever within this Isle shall forge any writinge that may bee of any considerable regard, as the forging or counterfeiting of any written statute, or law, by adding thereunto or adempting any thinge from itt, that might abrogate or impaire any the Lords prerogatives, or such like materiall writings, such is to bee proceeded against by indictment as in the case of treason.

55.2. But if itt bee for the forging or counterfeiting of any particular writing that concerned the interest betwixt party and party, either bill, bond, evidence or such like, the same is only to bee proceeded against by severe fining, and punishment upon the pillory.

55.3. Alsoe if any person shall bee found to forge or counterfeit either the Governors or the Deemsters toaken, or apply any their toakens to some other use or means then what the same was granted for upon true discovery and prooffe made thereof, such person or persons are to bee by law fined in 3l.

55.4. And if any maner of person or persons whatsoever bee found falsely to forge and counterfeit, clipp and diminish, any kind of current coyne or shall bring any false money into the Island, counterfeit to the current coyne, and merchandise therewith, and make payment thereof (knowinge itt to bee false) to the deceivinge of the people of the countrey,

and bee thereof lawfully convicted accordinge to the course of tryall for life and death ; All and every such person or persons soe offendinge shall bee adjudged, deemed and taken to bee in the case of high treason; And for the same shall forfeit life, lands, tenements, goods and chattels to the Lord of the Island, as in the cases of treason by the lawes of this land.

[p74][p75]

G.

56. Governor representinge the Lords person; whoso commiteth any traytorous act or misdemeanour against him is to bee proceeded against as in the cases of treason against the Lord, and what punishment is against such as beat his men, or asperse or accuse himselfe, or abuse his powere.

56.1. When the Lord of this Isle sendeth his Governor (anciently called his Lieutenant) into the Land of Mann and cometh thither received as Lieutenant setting of lands, court houldinge, and all other Governances : It is ordained that all his deed bee firme and stable; And that whosoever offendeth him shall bee punished as they that offend to the Lord.

56.2. And the Governor may call and sitt a Court, and Tynwald, and take enquests as oft as pleaseth him, and where pleaseth him, and doe execution as oft as pleaseth him, except in the passion week when execution for life and limne is not to bee done.

56.3. And if any maner of person or persons whatsoever trecherously or traytorously rise upon or against the said Governor sittinge in court or Tinwald, wherein he representeth the Lords person, he is to bee deemed a traytor, and to bee sentenced to death (without any enquest passing upon him) by the Deemsters to bee drawn after wild horses, and then hanged and quartered, and his head to bee smitten of, and to bee sett upon the Castle Tower over the burne one quarter of him ; another at Peeltown (or Holmetown), the third at Ramsey, and the fourth at Duglas.

56.4. Alsoe, whosoever robbs or spoyls the Governor of his horse, or any weapon of his in court after fence made he is a traytor by law.

56.5. Alsoe whosoever beats the Governors men in his own presence and robbeth them of their goods, or whosoever beats his waged men alsoe in his presence is a traytor.

56.6. Alsoe whosoever breaketh church or house upon the Governor or any of the Lords councill in his presence, although there bee noe harm done but murmer and open rising in his presence he is a traytor by law.

56.7. Alsoe whosoever constraineth the Governor by any means to hould a Tinwald or any maner of thinge els by constraint he breaketh the Lords royalty and toucheth high treason.

56.8. Alsoe whosoever constraineth the Governor to putt down the Lords customes, or his prerogative at the Tinwald, he is a traytor.

56.9. Alsoe whosoever cometh with force and arms against the Governors comandments, especially to the Tinwald, where they should hath right and reason peaceibly, and in murmuringe and risinge in his presence, is a traytor.

56.10. Alsoe whosoever pleadeth deceit against the Governor, that is to say that pretendeth or practiceth any evill or hurt to the prejudice of the Lord, or Governor, or Government of the Island, he or they soe doing and beinge thereof lawfully convicted shall forfeit as in the case of treason.

56.11. And if any bee found to receipt any such traytor ,knowinge their rebellion, in the kinds aforesaid, is to bee reputed traytor by the law of Mann. [p76]

56.12. Alsoe whosoever shall accuse or speak any scandalous speechw against the Governor touchinge either his oath, state or Government of the Island, or which might tend to the defamacon of his place, and bee not able to prove it, shall bee fined for every time soe offending in 10l and his ears to bee cutt off besides.

56.13. And if any person or persons shall comme with indirect means to seduce the Governor by false informacon or shall make indirect use of his toaken and authority, and apply itt otherwise than itt was granted, upon discovery of such, the person or persons soe offendinge shall bee both severely punished and fined in 3l accordinge to law.

57. Garrisons how to bee furnished with officers, and what orders are to bee observed in them, and the soldiers duty and priviledges.

57.1. The Cunstable of every garrison or his deputy is to bee in the same, and to hath a sufficient guard kept there for the safe keepinge and defence of the same.

57.2. And that the Cunstable, or his deputy, shall every night at locking tyme go with the wardens to the Castle Gates, and there cause the gates to be lockt by the porter, and then the watch to bee forthwith sett.

57.3. And that when the gates are soe lockt, they are not to bee opened by any mann after lockinge at night (the Governor only excepted) till the watchman ringe the day bell, which is to bee done soe soon as they can perfectly discern the landmarkes bounded within a mile

and an halfe to either castle, which beinge done the porter is to goe about the walls and look that all thinge bee cleer, as the watchmen hath before told the Cunstable or his deputy.

57.4. And itt hath been accustomed that the souldiers should ward in the Castle Gates one day in the week and they of the Castle Rushen to lye within the house the night before the warding day, And the soldiers of the Castle Peel to bee in the night before and the night after in respect of the uncertainty of the tyde.

57.5. And itt was alsoe accustomed that the warden of the inner ward in Castle Rushen should at night lock the inner Gates and keep the keyes to himselfe till morning and performe all things therein as cunstable in the ward. [p77]

57.6. It hath been alsoe accustomed that master gunner of either Castle hath an allowance of an apprentice or matross and either of them alwayes to lye in every night.

57.7. And the night bell hath been accustomed to bee rung a little after the sun settinge and that by the porter.

57.8. And at both Castles there are 2 standinge porters, who are to hould the staffe, and give attendance at the Gates duelly all the whole year, and to lye in the porters ward every night, and to make noe deputys except they hath lycence from the Governor or cunstable for the same upon paine of forfeiture of their office.

57.9. Alsoe if any bee brought to gaol upon suspicion of felony the porter is to hath noe fees unless irons bee putt upon him, and then he is to hath 2d fees from every such offender; But if another person or persons bee committed for any cause whatsoever (savinge for the Lords rents) he is to pay before his releasement the fees of 4d to the porter.

57.10. And there bee two standing watchmen for nightly watchinge upon the walls and the watches are to bee well searched as the time requireth by the Cunstables of each Castle.

57.11. And every officer, soldier and sergeant are to doe their dutys respectively in their places.

57.12. And notwithstanding all or any of those orders uses and customes, the Governor may in his discrecon accordinge the necessaty of the times, sett down any other or further orders in all lawfull causes, and repeal the same; Which every inferior officer or officers are to obey by vertue of their oath.

57.13. Alsoe noe soldier is to bee admitted into any garrison, without the Lords speciall warrant, Except itt bee in needfull causes or extreme occasions, nor to bee displaced without knowledge thereof made to the Lord.

57.14. And when any soldier hath obtayned a warrant from the Lord to bee interteyned in any garrison, the Governor is to bee acquainted therewith who is to see he bee sufficient and that he hath armour and weapons accordinge to the statute; And then to cause the Clerk of the Rolls to enter his warrant with the day and year of his admission, and afterwards his oath to bee given him, as hath been used.

57.15. And when any such soldier should die in any garrison, his armour and weapons are to bee leftt and remaine in the armoury for his Lordship's use, and the better deffence of this Island and garrisons thereof, which the soldier is to bee acquainted with and give his consent thereto before his admission, otherwise not to bee intertained and allowed.

57.16. And the soldiers armes anciently were bow and arrowes, sufficient dublett or habergeon, a sword and a buckler, spurs and a saddle upon paine of forfeiture of their wages which they were to leave in the armory when they dyed as aforesaid. But in lieu and stead thereof now the soldiers are to putt in good and sufficient musquett or collever either with firelock or matchlock. [p78]

57.17. Alsoe every soldier is at the sound of the drum, or an allarum bell (they hearinge or knowinge the same) forthwith to make their present appearance at the gates of either castle or garrison and there to perform what shall be enjoined by the Governor or the Cunstable upon paine of what shall happen thereby. 56.18 Alsoe noe soldier is to keep a leoman comonly within a mile of any garrison, upon paine of forfeitinge his fee or sallary.

57.18. Also itt is an antient statute that noe woomann comeme to reside within any garrison, without a speciall warrant from the Lord.

57.19. And that noe feedmen or soldiers shall bee comon merchants, to sell or buy, without the Lords warrant for the same, upon forfeiture of his place; And to keep noe grayhound or spaniell without a speciall warrant for the same from the Governor.

57.20. Also noe soldier is to go abroad from his garrison without first acquaintinge the cunstable therewith and craving his leave for the same.

57.21. And that noe soldier, or feedman shall make any deputyes in any Garrison, upon paine and forfeiture of their fee, imprisonment of their bodys, and to make fine and ransome to the Lord; except the Governor and Cunstable doe approve thereof and grant allowance for the same as sometimes accustomed.

57.22. And itt was anciently accustomed that when the Lord had any hay to worke, that the soldiers of the adjacent Garrisons were to worke the same.

57.23. And itt is enacted that the Receiver pay the soldiers at every quarter end, and that noe complaint bee made thereof, upon paine of disallowance of his fees or sallary.

57.24. And if any of the said soldiers or feedmen should comit any offence or capitall crime, they are to bee punished and tryed by the Cunstable of the garrison and a jury of the house, or if the crime bee demerriting, a court marciall is to sitt with the Governor, Comptroller and whom els they please, to take to their assistance with the Cunstables, as is before spoken of in this Book.

57.25. Alsoe if any military officer or soldier transgress in fornication or adultery, or such spirituall causes; the Bishop, nor his officers are not to intermeddle with the punishment, but such are to bee censured and punished by the Governor or his deputy.

57.26. And if any feed soldier bee known to converse with any prisoner in close confinement or open the doore of his prison, or deliver any thinge unto him, at an unseasonable time of the night, when the watch is sett, and the Gates lockt, without the privity of the cunstable and obtaine his leave to that end, with another soldier to go with him ; upon a true[p79] presentment of such by a jury of the house, he is to bee discharged from his place by the lawes of this Isle. [p80]

58. Herringe Fishinge and the orders to bee observed at and concerninge the same which the Admirall or Waterbayliffe is to see executed; And how he is to sitt and call an Admiralty Court for his redressinge of trespasses at the Herringe fishinge, as well as all other seafareinge affayres.

58.1. As the Herringe Fishinge is as great a blessing this poore Island receives in enableinge the tennants for the better and speedier payment of their Rents and other imposicons and hath wherewithall to supply their other wants and occasions, when as all other their endeavours and husbandry would scarce advance any such advantages and gains unto them; Soe that it hath been alwayes the uncessant care and regard of the Government of this Isle, when the season for such fishinge fall out, and rather before upon the Tinwald houlden in June every year , to make open and publick proclamacon to the whole assembly of the Island to remind them to bee carefull in providinge their boates and netts, to bee in readiness, whensoever itt pleaseth God to send them that blessing; And for the greater furtherance, and means to obtaine such, itt was the care of the then Government in the year 1610; That every farmer or tennant within this Isle, whether Lords or Barons tennants, should provide eight fathome of netts (when as then there were not soe many that kept boats and netts as now) furnished with boyes and corkes ready for fishing out of every quarter of ground conteyninge 3 deepings of ninescore meshes on the ropes to bee as an

imposition upon the tenants for the more effectually obtaining of such a blessing as aforesaid.

58.2. And lest that some persons should be too forward to fish, before the fish hath well grounded about the land, and soe might frighten itt away; Itt was alsoe provided that noe person or persons whatsoever should attempt to shool for the fish, till after the 16th daye of July, which then was apprehended to be the season for such fishinge.

58.3. And when itt pleaseth God to send his blessinge of fishe about the Isle, the Waterbayliffe upon notice thereof (as he is termed Admirall) is to take imediate care and course to have all the boats of the Island or fleet to come to such a place as the fish is to drive for the same, and to see after my Lords Custome fishe ; and that there be goode order observed amongst them (which he is to redress if there be not) and to hould and observe these courses, and orders following VIZ [p81]

58.4. 1. First, that the parson, vicar, or minister of the parish where the fishing is gotten is to repaire to the harbour every morninge and eveninge to read them divine service, and to deliver them good admonicons upon paine of every such default to forfeit his tyth fish, the ensuinge night, which is to be given the poore at the Admirals discrecon.

58.5. 2. And if any person shall neglect to comme to the place where such service is to be read, when the Admirall or the Vice Admirall setteth out his flagg (which is the signe or token they are to observe for that duty) to offer their prayers and praises for such blessings, such upon knowledge thereof is to be excluded from the benefitt of the fishing that night.

58.6. 3. And that none shall be admitted to fish from Saturday morning till Sunday at night after sunsett, upon paine of forfeiture of his boat and netts; or fish in the day time without speciall liberty from the Officers, Admiral, or that there be great necessaty for itt.

58.7. 4. And noe man is to suite his netts untill the Admirall or Vice Admirall hath first taken in their flaggs; and to give a watch word, if the night be dark, that they may know when to suite their netts. And whosoever is found to offend herein, forfeiteth 10s to the Lord, and 20 days imprisonment.

58.8. 5. And whosoever shall wilfully shool his netts across over the netts of another; or shall use any drawnett or stake nett duringe the time of the fishing shall forfeit 10s.

58.9. 6. And if any shall cut any boy or cork of any mans netts, or shake or take any herrings out of the same, and itt is sufficient proved, shall be proceeded against by a jury, as in the nature of felony.

58.10. 7. And if any of the fleet doe, by Gods blessing, meet with the scull of fish, or gett good store thereof, and not reveal the same to the next boates to him, that soe the same may bee discovered from Boat to Boat throughout the whole fleet, to the end every of them might bee partakers of that blessing; that every one soe offending is to bee fined in 40s besides imprisonment.

58.11. 8. Alsoe that if any shall lay violent hands upon or strike any of his fellows, or give them uncharitable language, either on seaboard, or under the full sea mark, such person is to bee punished by 40 days imprisonment, and to bee fined besides at the Admiralls discrecon.

58.12. 9. And any draw blood by violent stroke on sea board, or under the full sea mark, shall forfeit his goods to the Lords pleasure.

58.13. 10. And that noe person carry or take away his fish from aboard his boates, before the Waterbayliffe, soldier or sworn men, or others in trust for the Lord, hath first viewed it to the end that my Lord may hath his due custome thereout; or otherwise that the master of the boat doe ingeniously acknowledge or depose the Lords dues, that the Waterbayliffe may soe accompt for the same; And whosoever offends contrary hereunto, forfeit 8s4d fine besides imprisonment. [p82]

58.14. 11. Alsoe, that the Waterbayliffe or Admirall shall hath out of every boate, as oft as they fish, a certaine measure called a kybbon full of herrings, and whosoever refuseth to give the same (or 12d in money in lieu thereof) shall bee excluded from the fleet.

58.15. 12. And that there bee noe buyinge or sellinge of any fish or takeinge the same away of board, or from the shoareside, before sunriseinge upon paine of 20s fine from every such offender.

58.16. 13. And that the Waterbayliffe or Admirall shall impanell forth jurors of Enquiry to present all such as either contempne or break any of these orders or commit any other offences or misdemeanours in the herringe fishinge time; And at the Admiralty court to give in those presentments that fines may bee imposed upon them by the Court.

58.17. 14. And that upon every Saturday by two of the Clock in the afternoon dureinge the fishinge ty,me the Waterbayliffe or Admirall is to sitt and hould an Admiralls court, as well to inflict punishment upon all offenders as to reforme all wrongs committed throughout the fleet. And every master of a boate and all other fishermen are to attend the same court to serve ipon juries or other necessary occasions, as they shall bee required unto upon paine of fineinge.

58.18. And the Admirall may alsoe as oft as such occasion fall out, call a court and impanell jurors to determine all controversies that concerne seafareinge or marestime affairs betwixt party and party, at any other times, or in what convenient place he pleaseth to sitt the same, by vertue of his office, either upon the suite of any party, or in pursuance of any order for the transmittinge of any case from Chancery to bee soe determined, as most oft and incident to that course for determinacon. [p83]

59. Horses that are insufficient or infected, what course is to bee houlden against them, or if any ride or work his neighbours horses or any other his goods what punishment against such, and against those that pull horses tayles.

59.1. It is an antient law in this Island, that noe maner of person or persons whatsoever shall keep a stoned horse, unless he bee of the height of five quarters of a yeard and worth 6s8d in value, otherwise upon a presentment by the Great Enquest of the same, the offenders therein are to bee fined in 3s1d.

59.2. Alsoe if any maner of person doe keep any scabbed horses the Coroner is to take such and bringe them to the next hough to cast them down there; and the owner of such goods upon presentment as aforesaid is to bee fined in 3s4d and the Coroner to have 12 for his paines, and if the Coroner know of such, and doe neglect his duty therein, he is to be putt in 3s4d himselfe for neglectinge his duty.

59.3. And if such scabbed or infected horses doe any waye by their contagion infect and prejudice any the neighbours horses, soe that they receive any hurt or damage thereby, such neighbours may lawfully hath an accon at comon law against the owner of such infected horses, and recover damages to the full value of the loss he sustaines by such; as hath been formerly proceeded in such cases.

59.4. And itt is enacted and provided that noe maner of person or persons, of what nature, condicon or deggree soever, shall take any the horses or other cattle of his neighbours or any other person and ride, work, draw, or labour them, or otherwise imploy them to his own pleasure or benefitt (although he found them trespassinge in his own ground) upon paine of 3s4d to bee forfeited to the Lord for every time soe offendinge in that nature, upon conviction by informacon, accon or plaint in the comon law besides full satisfacon to the party offended, as the extremity of the law will award.

59.5. And as oft as any recovery is hath in comon law of such trespasses and evill dealinge; the Comptroller upon knowledge of such a recovery may charge the said fine of 3s4d without any further conviction, on the party soe offending besides the fine of the accon.

59.6. Also if any bee detected to pull any horses tayles such shall bee punished on the wooden horse, for the space of two houres, and to bee whipped from the wast upwards naked. [p84]

I.

60. Inclosures or intackes how to bee taken in and rented.

60.1. By an antient law within this Isle noe maner of person or persons whatsoever is to hould any of the Lords Waste or comons unrented nor conceal the same; But that whosoever houldeth such shall pay the value thereof, upon presentment made by the Great Enquest of the sheadinge (who hath such alwayes given them in charge) beside the fineinge of the party soe offending and the demolishinge of the enclosure. Except itt bee such soart of tennants as hath anciantly been called tennants inlaynes, that is to say, the coterells or cottingers that hould inclosures or crofts lyeinge betwixt or adjoininge to farme lands or quarterlands that beareth an antient rent to the Lord.

60.2. And itt is an antient practice that none shall inclose or take in any comon or unrented place, untill he hath first obteyned the Governors or his Deputy's lycence for the same, and then afterwards to bee viewed and allowed of, by the Great Enquest, and that itt bee in noe waye prejudiciall to any highway, watercourse or turbary.

60.3. And if there bee a wast unrented place that doth adjoine to the gable of a mans house, that hath therein, neither door nor window, any mann whosoever haveinge before procured the Governors lycense, and proved the same to bee unrented by the Great Enquest, may build upon the same and adjoine his house to the said gable, and lay hayes and sett rafters upon the same, payinge halfe the charges of the said gable unto the owner thereof upon the judgement of 2 or 4 honest masons indifferently chosen to price and esteem the same. [p85]

K.

61. Twenty-four Keyes and their offices, duties and priviledges.

61.1. The 24 Keyes of this island were in antient times called taxiaxes, that were 24 freeholders whereof there were 8 chosen out of the out islands, and sixteen in the Land of Mann, and that was in King Orry's dayes. And if there happened a strange point in law, the which the Governor would hath received for the Tinwald, the Deemsters were then to call the said 24 Keyes (called the best, sometimes the worthyest, and other times the elders of the land) to their councell in that point, as they thought to give judgement.

61.2. And noe law is to bee enacted without the consent of the 24 Keyes who represents the countrey party; And if any person doth asperse and slander any of them, concerninge their oathes, government of the Island, or that might tend to defame their places, and could not prove itt, is to bee fined in 5l and to forfeit their eares besides.

61.3. And the said 24 Keyes are by their places to bee freed from all comon services and dutys of the countrey, and not to pass in any jurys, or such servile offices, unless they bee specially commanded thereunto by the Governor.

61.4. Also they are the ultimum refugium of the comon law, as oft as any emergent occasions, either for tittle of land or the like should happen at the comon law, when the same comme by due course of tryall to them, what ever order or definition they sett down or declare therein is to conclude the said difference without any further tryall at that cause, unless the Lord or the Governor grant a rehearinge by his speciall commission or reference.

61.5. And itt was anciently accustomed that when any case was traversed unto the 24 Keyes, itt was first bee tryed by six of them, and from six to twelve, and from twelve to the full body, which was the antient course and forme used and observed for decisions of all such matters as came before them; and not puttinge itt immediatly from the traverse jury to the full body as is now used. [p86]

L.

62. Lands how they were houlden by the tenure of the straw, and how sett and disposed when they fell in the Lords hands; Alsoe how lands are to discend by tennants right, and what lands are esteemed heyrship and what not, and how purchased lands are to discend; And how and in what limitacon of time lands are to bee tytled and sued for.

62.1. For the better uphouldinge of my Lords lands, rentes, customes and dutys itt hath been an antient tenure, established within this Isle (called the tenure of the straw) that when any poor tennant dyed in poverty, and was not able to pay the Lords rente, either at his death or in his lifetime, nor hath noe goods, nor could find security, for the discharge thereof; Then and in that case the farmers eldest son was termed the lords treasurer, and was to bee sett and placed as tennant in the said farme by force of the said tenure, by a certaine enquest called the setting quest to husband the same, and pay the Lords rente, as longe as he was able, or untill his own father dyed, whereby his own estate then fell unto him; And then he was to bee freed, and the quest to provide another in his stead ; if he were not willing or able to hould the same, with his own estate.

62.2. And if the said Quest should place any such tennant in such a decayed farme, that hath noe goods either in herbage or manure at the time of settinge, the quest themselves were in such a case to answer and make good the rent, for putting a poore tennant in the rolls, untill they found a sufficient tennant to bee placed in the said farme.

62.3. And alsoe when any such decayed lands was to bee sett by the settinge Quest, they were to make proclamacon three severall Sundayes at the parish Church, that if any of the next of kinred to the said decayed tennant would comme in, they might bee entered for the same; otherwise in default of such to come in, the said decayed farme was to bee assured to the new tennant (by an entry in the Court Rolls) to him and his heyres and assignes in as good houldinge as if the same hath fallen to him by inheritance, against the interest of all such next of kin, at any time forever afterward.

62.4. And if the said poore tennant hath made sayle or disposed of his best lands, and only reserved the worst for himselfe, which might bee the greatest cause that hath reduced him to that poverty to deliver up his estate into the Lords hands, in that case the estate [p87] was not to bee severed but the lands to goe together and the worst lands to bee tyed and sett upon those that hath engrossed or obteyned the best parte in their hands as aforesaid.

62.5. And it is a customary law that the Moare of the present year was to bee of the settinge Quest, because he was best acquainted with the condicon and abillity of every severall tennant within his parish, and was the best able to give informacon thereof to the rest of his fellows; that they might enjoyne any tenant that they were to enter, and were doubtfull of to give security for the Lords Rent, or otherwise to provide an abler tennant.

62.6. And itt is to bee noted that the reason why the said tenure was called the tenure of the straw was because; when any tennant as aforesaid hath ceized his lands into the Lords hands, or els hath alienated the same unto any other person, he was to come into the Court and make resignacon thereof by delivery of a straw, and thereupon a record was to bee entered of the same, which was all the assurance the succeedinge tennant hath of the said estate, in nature of a cobbyhould, which was alsoe houlden sufficient evidence for his houldinge without any other writinge or receipt.

62.7. And if there happened 2 or 3 tennants to dwell upon a farme houldinge the same jointly by the said tenure, without lease, if one of them that came last, caused the ground to bee divided he must divide it himselfe, and give the eldest his choise, and soe might he that is youngest in the ground doe ; but if they could not agree upon that division, then the one was to occupie the one butte and the other occupie this butte, throughout the whole

ground, and the youngest to occupie his butte first, beginninge at the one side of the ground; which is now out of use since the Lands were taken into leases.

62.8. And itt was alsoe accustomed, and soe continueth, that such tennants in poinary should bee obliged to keep and uphould one sufficient teame betwixt them (to joine therein equally accordinge to their proporconable houldinges) to work the said farme, in regard that they could not, nor there severall shares would not afford to manteyn severall teames; And upon complaint of any of them faylinge therein; the Deemster should grant his authority to enjoin him or them soe faylinge to effect the same with all convenient expedicon.

62.9. But in the year 1643 when the tennants of this Island hath brought their estates and houldinges generally to lease, there were severall circumstanciall customes dependant on the said tenure abrogated; Yett the efficacy of the same was still retained, which was the nature of feodum simplex or generall tayle; And to that end, itt was enacted; That noe person or persons whatsoever shall hath power or [p88] authority by vertue of any particular grant or lease made or to bee made to give grant, or assigne all, or any of his, or their, lands, tenements, mills, cottages, or intacks compounded for or hereafter to bee compounded for; But accordinge to the said antient tenure, and customary law of this Island that is to say of such lands and tenements called farme lands or quarterlands, and of the milnes, cottages, and intacks of ease to such farmlands or quarterlands whereof the tennant or tennants hath compounded or hereafter shall compound for, and whereof they are or shall bee possessed interested or estated by discent or tyle of discent from his or their ancestor or ancestors. Such farme lands, or quarterlands with the milnes, cottages and intacks of ease to discend and comme (after the death or decease of such tennant or tennants) unto his or their eldest son, or for want thereof to his or their eldest daughter, and default of such to the next of kinred, and to noe other child or children, person or persons whatsoever; Except itt by by gift, grant or assignment in case of poverty, or for or upon some other just cause and reason, and the same made known and approved by, and consented unto by the Lord of the Island or three of his principall officers at the least, whereof the Governor alwayes to bee one; And that all grantes and assignments made or to bee made to the contrary whereof to bee utterly voyd, and the party soe contractinge to bee fined in 60s to the Lords use, to bee levyed on his or their goods, and chatels, and in default of such on the lands, tenements, mills, cottages or intacks soe contracted contrary to this Act.

62.10. And if any tennant buy or purchase any quarterland or farme land, and happen to die intestate before he disposes of such lands; in such a case hose lands shall discend, fall and comme to the eldest son, and in default thereof to the eldest daughter, and in default of both to the next of kinred; they nevertheless repayinge the consideracon formerly paid for the same lands, or the value thereof to the other children, unmarried or unpreferred, or to the administrator where there are noe executors. Provided that if the decedent make a will thereof, itt to bee observed, or if his reall intention touchinge the disposeall or bequeathinge of such bought lands bee apparent and lawfully proved by sufficient wittnesses, and he or she dye intestate as aforesaid that intencon nevertheless to bee observed, accordinge to the judicious consideracon of the Court. [p89]

62.11. And itt is accustomed that such farmlands or quarterlands as hath soe fallen one discent, is to pass and go as in the nature of lands of inheritance afterwards. But if itt bee milnes erected on intacks, cottages, or any other intacks, that are not adjoining or incorporated to farme lands or quarterlands, otherwise then intacks of ease, but are distinct from the same by themselves; Such milnes, cottages and intacks are to discend and pass three discents (not reckoning the first purchases or inclosures of them) before they become inheritance; but are to bee reputed and houlden as chatels and bequeathable, and divideable as other goods till then. 61.12

And the law houlds itt but reasonable and accordingly itt is accustomed, that when any maner of person or persons is or are occasioned or constrained to give, grant or assign any of his lands or tenements in case of poverty, or upon some other just cause or reason as is aforesaid the next of kin to such seller or mortgager is to hath a proffer of such lands, as are soe to bee disposed, upon reasonable tearmes as the same is to bee sould or sett for, without any fraud or collusion, before itt bee contracted with any other.

62.12. And if any person or persons shall for or upon any the causes aforesaid pledge or mortgage any lands or tenements for a certaine sume of money; Redeemable upon the payment of the like sum againe at a certaine time, by such person his heyres or executors; In this case if the said person or persons die, haveinge free goods sufficient to pay the said mortgage, his executors or administrators are obliged to redeem the same with his goods; But if there bee noe such goods sufficient for the redemption the heyre must then release the same himselfe, before he can obteyn the said mortgage, although itt bee his proper inheritance ; for as alwayes the demise bee executed accordinge to law.

62.13. Alsoe, when any person ceizeth his lands into his Lords hands through poverty; Itt is not in the power of the now settinge quest (who are only to bee assistinge to the court

for the enteringe of tennants names in the Rentalls and executinge processes for participacione facienda or division betwixt tennants in partnership) as anciently by the tenure of the straw; But such land to bee sett and disposed of (after publicacon as aforesaid) unto his Lordship's best advantage, by his Lordship's Attorney; and if none can bee provided to take the same, the Rent is to ceize, untill a tennant may bee reasonably hath or compounded withall.

62.14. By the antient forme, custome and practice of this Island such person or persons as hath any clame, or challenge to make unto any lands, tenements or hereditaments within [p90]this Island; they are to sue, pursue and prosecute the same by the course of the comon law of the island, whereby they hath the benefitt of jurors out of the sheadinge where such lands and tenements lye in, and further liberty of traverses as occasion shall require. And for the better quietting and regulateinge of the many continued differences (that heretofore hath happened) about the prosecution of such tytles; Itt hath been enacted, established and confirmed that all such person or persons that hath any clame to make or tytles to pretend to any lands, tenements, houses or grounds within this Isle, shall exhibitt his or their byll in writing before the Lord of the Island, his Governor or other principall officers, whereby itt may bee entered on record ; within the space of twenty one years, next after he or his ancestor hath been dispossessed thereof, or after their tytles shall first descend comme and fall; otherwise that he or his successors clameing after him, bee utterly excluded and debarred from making any clame thereunto for such after ; Provided alwayes and itt is ordained and declared, that if any such person or persons, that is or shall bee soe entitled, or at the time of the said right first descended, accrued comen and fallen, bee within the age of twenty one years, under coverture, not of sound mind, imprisoned or beyond the seas, or hath any other lawfull impediment; That then such person or persons or their heyres shall and may, notwithstanding the said twenty one years, bee expired and runn up, bringe his plaint, make his tytles, sue his right, and demand, as such persons might hath done before the expiracon of the said twenty one years; soe as nevertheless such person or persons or their heyres, doe within the space of two years next after his full age, discoverture, comming of sound mind, enlargement out of prisson, or other lawfull impediment, or comming into the Island, take the benefit of, sue and pursue the same; And at noe time after the said two years bee determined and expired. [p91]

63. Leases taken of other persons tennants rights, how to bee tryed, and how fines must bee paid when a composition happens in the viduity of any widdow or widdower.

63.1. If any maner of person or persons within this Island shall contract or compound with the Lord of the Island, or his commissioners, for a lease of any lands, tenements or hyriditaments for terme of twenty one years or three lives; and afterwards before the expiracon of such a lease, some other person or persons comme to make lawfull clame and challenge to such lands, by the tittle of tennant right; The tittle in that case is not properly tryable by the comon law (if the other party hould by nothings els but by the lease) But a comission to bee granted the plaintiff for the examinacon of wittnesses (if any bee) or other evidence, by comission and either to represent the same unto the Lord to determine itt (as usually done) or els that those evidences may bee prepared and forthcominge against the expiracon of the said lease ; whereby the plaintiff may bee better enabled then to the making out of his tennant right. For that there is noe law in this Island, for the entring into judgement against the Lords lease, without speciall comission for the same from the Lord.

63.2. And, itt is accustomed if any lease or composicon happen to bee taken in the viduity or widdowhood of any widdow; she is to be made lyable to pay the moiety or one halfe of the fine or composicon money agreed upon, because she is to hath the benefitt of a widdow right , while she lives or keeps the same ; yet nevertheless if the widdow happen to dye before the expiracon of the said lease then her executors or administrators are to hath a proporconable parte of the fine returned againe; computable to the time unexpired. And the same course is to bee houlden if any composicon bee taken or made in the tyme of the widdowhood of a widdower, or the husband of an inheritrix, if he happen to die before the expiracon of the tearme compounded for as aforesaid. [p92]

64. Leather not to bee used or sould by tanners or any other till the same first bee tryed and found merchantable.

64.1. For the tryall of all tanned leather within this Isle that hath been much abused by persons undertakinge that work, that were not skillfull in the same; Itt is ordained that foure persons bee sworne by the Deemster in the foure quarters of the Isle that are skillfull in the tryall of the same VIZ one in or about Peeltown, another at Ramsey, another at Duglass, and the fourth at Castletown, to examine and try all tanned leather within this isle before itt bee putt to sayle or made use of; And such leather as they find sufficiently tanned and merchantable to sett a stamp thereupon of the three leggs of Mann (the armes of the Isle) with the letters W.D. to the same; and so to bee vendable. And for their carefull and true dealing therein (every person within his own quarter) they are to receive the fee of an halfpenny for every hyde they soe mark and stamp ; and if any leather shall bee used or made sayle of, that hath not the stamp aforesaid thereupon, the same is to bee seized upon

and forfeited, the one halfe to the Lord (which the Attorney is to take care of) and the other halfe to the party giving informacon of the same. And itt is further provided that if any of the said sworne persons doe stamp or mark any leather, that is not sufficiently wrought or markettable, the same person soe offendinge and proved against is for the first time to bee severely punished, the seacond time fined and punished, and for the third offence to bee proceeded against as in the case of perjury. [p93]

M.

65. Marketts how to bee kept and furnished with victualls and provission, and the courses against forestallers or regrators and who are esteemed to bee soe.

65.1. It is ordained and enacted that noe markett or fayre bee kept or houlden within this Isle, on the Sabbath day (although itt were the Tinwald fayre) but to bee kept the day following, if the patron day happen on the Sunday, upon paine of severe fining and punishment.

65.2. And that noe stranger or countrey mann for them, buy any comodities of the Countrey forth of the markett nor yett in the markets before the markett bell bee runge, upon paine of imprisonment and fine to the Lord.

65.3. And all the inhabitants within the sheadinge of Rushen and the parishes next adjoining VIZ K.K.Santan and K.K. Marown, And of Glenfaba sheadinge and the adjacent parishes VIZ K.K.Ballaugh and K.K.Michael, doe keep the ordinary markett days appointed within those limits (to witt at Castletown and Peeltown) and bring thither and present all such victualls, corne, ware and such like merchandize as they hath to spare and sell, upon paine of imprisonment and fine to the Lord; And if they cannot sell there, then to bee at liberty to carry the same to any other markett.

65.4. And that noe mann shall sell to the stranger any corne or comodities before he hath tendered the same, or a considerable parte thereof to the markett; that the countrey may bee first served.

65.5. And itt is established and confirmed that noe person or persons within this Isle, shall by himselfe or by his servants or agents, by waye of engrossinge, forestallinge or regrateinge buy any corne or graine, or any other merchandize or provission, to sell the same againe, upon paine to forfeit their goods soe bought or the value thereof to the Lord of the Island, whether the same bee in open markett or out of markett, in any private place or house; or shall export any such corne, graine, cattle, provission or other goods, without

lycense from the Lord, or his Governor or Deputy for the time beinge, upon penalty of forfeitinge the said goods as aforesaid, any law to the contrary notwithstanding. [p94]

65.6. And itt is to bee observed what a aforestaller is, and itt is hereby declared that such person or persons as shall buy, or cause to bee bought, any merchandize or other thinge, comming by land or by water, towards any fayre or marktett to bee sould in the same, or any town, village, poart, haven, creak or road of the said Island, from any poart beyond seas, to bee sould, or make any bargain, contract or promise for the same, or any parte thereof, before itt bee in the said marktett, fayre, town village etc or shall make any motion, by word, letter, message or otherwise to any person or persons for the enhaunceinge of the price; or els dissuade,move and stirr any person comming to the marktett to bringe any of the things aforemenconed to any fayre or marktett, poart, haven or creek to bee sould as aforesaid, shall bee judged a forestaller.

65.7. Alsoe whosoever shall regrate, obteyn, or gett into his hands or possession in any fayre or marktett or els where any corne, graine, butter, cheese or any dead victuall whatsoever within the said island (other than by demise, grant or lease of land or tythe) to the intent to sell the same againe, at any marktett or fayre houlden or kept in the same place where such a thinge was bought or in any other marktett or fayre within foure miles thereof, shall bee taken and reputed a forestaller or regrater.

65.8. Alsoe, itt is an antient customary law that, if any salt,iron or timber or any other comodities that are usefull for the countrey, bee brought into any poart or haven within this Isle, to bee sould; noe maner of person or persons is to intermeddle therewith or buy the same at whole sayle; untill the same hath lyen for three tydes water after notice given, to the intent the Country may bee furnished accordinge to the rate itt is to bee sould at, by that time ; otherwise if any offend herein; they are to bee reputed forestallers and upon the presentment of the Great Enquest to bee severely fined; unless such engrossers or forestallers doe sell the same againe to the countrey upon the rate or price he bought the same himselfe.

65.9. And itt is enacted and ordained that noe maner of person or persons whatsoever shall bringe or cause to bee brought to any marktett within this Island any veals before they bee three weeks old, and fitt and wholesome for eating; otherwise the constables or the Clerk of the Market in each towne shall ceize upon such, as alsoe all lambes, kidds and piggs that are not marktettable in respect of their poverty and tenderness of age, and such to distribute to the poore of the towns or to burn them, and the owner to hath noe recompense for the

same; and if he bee refractory the said constable or Clerk to make presentment that such may bee fined and punished at the Courts discrecon. [p95]

66. Merchant Stranger his duty when he cometh into the Isle, and the Country merchants proceedinge with him, and his allowance for the same; And not to carry any money out of the Island without speciall lycense, and how the Country merchants are to bee apointed and presented for unjust dealinge with the country.

66.1. When any merchant stranger cometh into the Island he is to appear himselfe personally before the Governor or his Deputy and to tell him what his loadinge is, and acquaint him with the newes from whence he comes.

66.2. And if the Governor thinkes the wares he hath is for the comon wealth, he drives him as farr as he can to a bargaine, and commandeth him to stay till his pleasure bee further known, and then he to summons the Cleark of the Shippes, and tell him how farr he hath proceeded with the Merchant Stranger.

66.3. Then the Cleark is to send to the foure Country Merchants that they may drive a bargaine with the merchant stranger as cheap as he cann, and the Cleark to write the bargaine betwixt them, and to acquaint the Governor therewith that he may consult the Receiver and the Comptroller whether my Lord hath any occasion for such comodities and wares that he may bee first served; and the rest to bee distributed by the Country Merchants equally in their severall quarters of the Isle, accordinge to every mans houldinge, as they are sworn unto.

66.4. And if itt bee a shipp of salt, the merchants are to hath halfe a barrell out of every twenty barrells that is unloaden (and the Cleark the other halfe barrell) for their paines. (And itt is to bee understood that such loadinge of salt is to bee from France or Portugale, for not English salt is to be contracted for as a countrey bargain). And if there bee small wares the merchants and Cleark are only to hath the first proffer of them (after my lord) upon their rates.

66.5. But if the shipp bee of wines the countrey merchants hath nothing to doe therewith; but if the Cleark doe any service for the merchant strangers he is to bee agreed withall; and to have one choise hogshead upon the rate as the same is bought; And noe mann to hath choyse wine, but my lord, the Governor, Bishop and Archdeacon, who are not to vend or retayle the same againe; but to drink itt at free cost in their own families, or els to hath none, savinge my Lord.

66.6. And itt is ordained that noe merchant carry money out of the Island without speciall lycense for the same from the Lord or his Governor or his Deputy; and to pay for every pound he taketh out of the Island in silver iid per pound.

66.7. And in antient times the Country Merchants were to bee chosen and appointed by the Great Enquests, within the severall divisions [p96]of the Isle to truck and deal for them (but now they are usually commissioned by the Governor or his Deputy to such place). And if any such merchants did not deal justly in the equall and even distribution of such comodities amongst the tennants of their severall divisions, accordinge to their houldinges, the Great Enquests were to present them, and to bee fined at discrecon.

67. Measures to bee made after the standards in every town in paine of iiil fine.

67.1. All measures within this Land of Mann are to bee made after one, accordinge to the winchester measure, or bushell; Every barrell to contain foure bushels, and measures of lesser soart agreeable; And that every mann shall sell by the stick and not by the upheap; And that standards of such (as well as for all weight and yards) bee in every markett town of this Island; And the Comptroller or his Deputy to try all such measures as shall bee brought unto him, by the said standards and to seal the same with the Lords mark, and to receive for every such seal the fee of 1d. And whosoever shall bee found to buy or sell with any other measures, then what is soe sealed, shall bee fined in iiil to the Lord.

68. Moars duty in his place and the fees and priviledges he hath by the same.

68.1. By antient law and custome the Moare of every parish within this Isle are to pay in respect of their office a certaine sume of money, called office silver, which the Comptroller chargeth on them, every year in their charge; and for the making up of the same, they are to receive from every tennant that houldeth a quarter of land iid, or accordinge to the custome of some places in this Island, where the Moare hath 4d out of every quarter, at the breakinge of their tally, beside the Lords Rent.

68.2. Also the Moare of every parish is to hath the freedom of the rente of a quarter of land to bee allowed him alsoe, in respect of his office, and for his pains in executinge the said place, which is to bee allowed him, at the settinge of his debett.

68.3. And the Moare is not to take any rente from the tennants but accordinge as his charge sheweth him; otherwise if he offend therein, by receivinge more than his due rente, and bee thereof lawfully evicted, he is to bee proceeded against as in the nature of perjury.

68.4. Also the Moare is to execute all recovery at the comon law whether for debts, or possession of lands, houses or tenements, And whosoever disobeyeth his rodd in the

execution of his place is to forfeit 6s8d to the Lord. And as oft as any such disobedience is made he is to present the same every court day that they may bee fined as abovesaid.

68.5. The Moare is alsoe to charge all persons that hath either cattle, corne, swine or any other victuall or provission that the Lord hath occasion for, to make sayle thereof to the Lords steward, or whomso els shall bee intrusted to purvey any such, to any town or markett, or other particular place, as he shall bee required to doe, for itt is a duty incumbent upon him by his place.

68.6. Alsoe he is to charge all carriages as oft as he is required, as is before menconed in this Book folio 31, and if he neglect and refuse to doe the same, he is to bee severely fined.

68.7. No maner of person or persons whatsoever, can hath a personall accon against the Moare or any judgement or recovery, till he is [p98]clear of his charge; Because his estate is to stand engaged unto the Lord, dureinge the time of his Moarship.

68.8. The Moare is to bee freed from all carriages, and to hath the liberty of a runner to assist him in the execution of his offices (who hath alsoe the like freedom) and not to pass in any jury, or bee obliged to any other servile duties dureinge that year wherein he is sworn Moare and noe longer, although his talley bee unbroken for a longer time.

68.9. Alsoe if there bee a scarcity of fitt persons to bee hath to execute the Moars place, and that such service is imposed too often upon the best capacitated and those of (perhaps) better estates freed in respect of their disability, in that case such persons are to hyre and find out one to execute the place for them, because the Lord may injoinne the same as a service or suite accruing out of every ones estate by his prerogative.

68.10. Alsoe the Moare is accustomed, as oft as any vessel or boat landeth in any poart within his parish, with timber, to receive for a fee two car powles upon the rate or price they were bought for in the wood, in regard he is to call the loadinge at the Church and to give notice to the people to comme in to buy the same; And if the vessel were in any danger of tempest at landinge he is to raise the parish to save and assist her.

69. Milnes erected upon small rents, to bee demolished, if they prejudice the antient tennants milnes; and how the tennants yield their suite and services to their tenant milnes, and the milners duty towards their tennants.

69.1. Whereas severall within this Island hath heretofore erected new watercorne milnes on intacks, coppinghoulds or customary lands that hath yielded the Lord but a small rente, and drew all the mulcture, suite and soaken of the tennants of the antient tennant milnes to them, whereby the tennants thereof were forced to lett the same antient milnes to ruine. It

hath been therefore provided and ordered, that the officers of this island, should make a strict and punctuall inquiry of such new erected milnes, and to report the same unto the Lord that speedy course might bee taken to demolish such new milnes; And the said antient milnes to bee againe erected and rebuilded, whereby his Lordship might hath his antient [p99]rentes preserved unto him; and the suite, mulcture and soaken of the tennants continued to such antient milnes, as formerly was accustomed, which is disposeable by the Lord of the Isle by his prerogative.

69.2. And if an antient tennant milne bee out of repair, or want water, whereby itt cannot grind the tennants corne, that is brought to the same, the owner of the said milne taking his toll or mulcture out of the said corne (beinge the 24th parte thereof) is upon his own charge to carry the said corne to another milne, and there to grind the same, without any further mulcture, and after carry the same againe to his own milne, where the tennant is to receive itt.

69.3. And itt is an antient custome that the tennants bound to any antient tennant milne, are obliged to help to repair the milne fleam, or dam-head, and to give a proporcon of straw towards the thatchinge of the milne; as alsoe to bring home the milne stones by land to the said milne; provided they bee within the sheadinge, or els to bee brought (at the owners own charges) to the next poart to the milne within the sheadinge; that soe the tennants may the more conveniently carry them home as aforesaid, unless they please to give any further ayd or assistance at their own pleasures, as in sometimes done and accustomed to bee given.

69.4. Alsoe, itt is accustomed that if the bound tennants doe fayle to grind their corne, and yield their grist at their tennant milne, the owner or head-milner is to go to any other tennant milne where he finds such tennants corne in, and take the mulcture thereof with his own kission; And to present such tennants to the court upon oath, that they may bee fined to the Lord, provided he give them lawfull warninge before the presentment.

69.5. And if any tennant milne bee out of repair, or that the miller thereof doth not give the tennants their due corne or grist, or that any other abuses bee comitted by the miller towards the tennants they may make complaint thereof to the Great Enquest, that a presentment may proceed against him, and to bee fined to the Lord in like maner. [p100]

70. Muster not to bee neglected, nor absented from; And that every one shall encounter the enemy in defence of the Isle.

70.1. It is ordained that noe maner of person or persons whatsoever within this Isle, shall absent himselfe from muster, unless he bee besetted with sickness, or such like lawfull excuse, upon paine of fine, and punishment by imprisonment.

70.2. And upon warninge given every one is to encounter the enemy, upon paine of forfeiting life, body and goods.

71. Moneys called brass halfepennys and farthings not to pass in this Island.

71.1. It is ordered, ordained and enacted at the Tynwald houlden the 24th June 1679 that noe copper or brass money, called butchers halfe pennies and copper farthings, and patrick halfe pennys or any other of that nature shall pass in this Island, after the first of January next, or bee paid or received by anny maner of person in exchange or payment after the said day, upon penalty of iiil to our honourable Lords use; and further punishment at the Governours and officers discrecon. Provided that this shall not bee prejudiciall to or hinder the passage of the Kings farthings, and the halfe pennies sett forth by authority, or of the brass money called John Murrays Pennys, but that such may still pass, accordinge to order unless otherwise declared to the contrary.

N.

72. Netts not markettable unless they bee every slinge 12 fathom in length, and 58 mashes in depth.

72.1. It is enacted and ordained that all persons workinge herringe netts, and bringinge them to sayle at the markt or at his house shall work the same sufficiently, and make every slinge full twelve fathom in length (computinge two yards to the fathom) and 58 mashes at least in breadth, And every one that shall bee found to sell any netts otherwise than as is expressed in this Act, shall forfeit the whole nett soe sold, the one halfe to our Honourable Lord, and the other halfe to the party complaininge and discoveringe the same.

[p101]

O.

73. Officers to move for the Lords profit, and to consult the generall good, and to bee truly principled in their offices and places; and not to reveal their own or my Lords councill in paine of 3l.

73.1. It is lawfull for any the Lords officers or councill to stirr or move any mann to doe that which may profit the Lord truly.

73.2. And the Captain, Receiver, Clerk of the Rolls, and Water Bayliffe, or as many of them as were in the Isle were formerly obliged, to bee once a month, at least, in the Exchequer at the Castle of Rushen, and there to consult of my lord his causes and affayres of the Island; for the comonwealth wel governance and well keepinge of the Isle and the garrisons thereof.

73.3. And that all officers govern their offices as their charge is that noe pride, nor presumption make desention amongst them, and their services the worse done; But all draw one waye to that which should bee profitt for the Lord; and all disention layd aside, upon paine of forfeiture of their sallary and discharge of their office.

73.4. And forasmuch as heretofore by misrule and governance of the offices, the law of Mann hath been misgoverned to them that they hated rigorous, and to that that they did like over favourable; soe that by this misgovernment the people hath been wronged; and profitt taken to the Lord, otherwise then as the Law would; and where profitt should bee taken; not done for favour. Itt is therefore ordained that the officers should bee laid princply to the Lord, and the lawes of the Island to be governed truly and duly betwixt the Lord and the comons, and betwixt party and party, without rigor, fraud or collor.

73.5. And alsoe, that noe officer take any gift or bribe of any tennant or any other persons, upon paine of forfeitinge their fee or sallary.

73.6. And alsoe any officer (or any other as the 24 Keyes and such as are intrusted with the Lord or countreys affairs) that is sworn, and afterward telleth and discloseth his own or the Lords Councell or secrett advice or affayres, otherwise then as he ought to reveal the same, such upon lawfull eviction thereof, shall forfeit 3l to the Lord. [p102]

74. Offerings and small tythes, in what maner when and how to bee paid.

74.1. All persons marryed and unmarried that hath received the comunion before pay 2d every Easter, for foure offering days (or for the foure seasons in the year). But in case that bee the first time that any doth receive, he payeth but an halfe penny, which the Curate must hath because he is to examine all such of their beleefe.

74.2. And whereas in former times, there hath been a very undecent and irreverend use, by the clergie and proctors, when they collected their said offeringe money, and small tythes at Easter, to demand the same at the time the people were to receive the comunion, and sometimes would stopp the people from receiveing the blessed sacrament, because they hath not paid their said dutys. It hath been therefore ordered and redressed that the proctors and ministers to whom such oblacons and tythes belonge shall sitt in the parish

Church upon Munday and Tuesday in Easter Week, after the people hath received the comunion, there to receive their dues; And whosoever shall not pay their dues upon one of those days, they are to bee proceeded against by waye of citacon before the Ordinary or his officers; and to hath the speediest and strictest course from the ordinary for the recovery thereof that the law affords.

75. Overseers limitacons touchinge the disposinge of infants estates.

75.1. It is enacted and given for law, that itt is not lawfull for any overseer to sett or sell, the cottage or farme ground of any infant for longer tearme than dureinge the minority of such infant VIZ till he bee 14 years old ; except in the case of extremity, that is when there is noe other goods left either to bring up the children or pay debts; and that all other friends doe refuse to bring up the said children. In this case [p103]itt is lawfull for the overseer to sett, or sell at his pleasure, and not otherwise; yett nevertheless such overseer is first to make known that condicon to the officers, and obteyn their liberty either for the settinge or sellinge of such children's estate for their reliefe as aforesaid.

76. Outlawinge and the maner thereof, and the penalty for receping or harbouringe any outlawe.

76.1. Any maner of person or persons that is indicted and arraigned in any the Courts of this Island for any capitall crime, and doth not comme in to receive his tryall by arraignment in forme of law; he is first to bee called in by the Moares in the six courts of the six sheadings, and at the Tinwald or the Court of Gaol Delivery the seventh court to bee called by the Moare of Glenfaba; And if such person soe called in answer not; Then upon the record of the six Moars then present, haveinge with them two witnesses respectively, that such person or persons was soe called in and appeared not; such shall upon open proclamacon then made bee outlawed; And all his or their estate and goods to bee ceized into the Lords hands; And never to bee inlawed againe, without the Lords speciall grace and pardon.

76.2. And whosoever shall bee known and found to recept and intertaine such outlawe within this land, after he is soe outlawed, he forfeiteth his body and goods to the Lords pleasure; and if any of the Barons shall recept or harbour any such (under collor of their liberty) without the Lords speciall grace and pardon bee first obteyned he forfeiteth his temporalty into the Lords hands. [p104]

P.

77. Pawnes or distresses how to bee proceeded with for the satisfacon of debtors and what goods may bee taken and distreyned upon for a pawne.

77.1. When any maner of person hath obteyned a judgement against any other for debt, damages or any other recovery he is to give the same with the accustomed fees, unto the officer properly capacitated to execute the said judgement (whether Coroner, Lockman, Moare or Sergeant) who is to go to the partys house against whom such a judgement is given out, (bringing with him 2 wittnesses to attest his proceedinges) and there to take a pawne or a stress of the double value of the judgement; And if he bee disobeyed, he is to proceed as before declared, under the tytle of disobedyences : But if the party deliver him a pawne, he is then to remove the same (if itt may conveniently bee soe done) to a neighbours house to secure the same or otherwise to arrest the same, untill such officer hath proceeded therewith accordinge to law ; that is to say, he is to make open proclamacon at the parish church (that such a pawne is taken) three severall Sundays one after another, and then if the party doth not comme in to redeem the said pawne (by the payment of the said judgement), the said officer is to charge foure neighbours to value the same; and afterwards to make sayle thereof at the markett cross (or as much thereof as will satisfie the said judgement with all occasioned fees) within 14 dayes and the surplusage to bee returned to the party or owner back againe.

77.2. And if the owner of the said pawne or any other shall intermeddle therewith and sell the same after itt is arrested, or in legis custodia, as aforesaid, the same is to bee taken and reputed absolute felony in the party soe offending; if the court doth not extenuate the same by the imposicon of a severe fine upon him.

77.3. And itt is to bee observed that the Coroners or Lockmen are to execute all judgements that are given out of Chancery or by the Governor and Deemsters, or any other judicial officer; except the party against whom the same is granted out live upon Barons land; then the sergeant is to execute the same; But all recoverys and judgements given out upon accons at the comon law, the Moare is to putt the same in execution, because he summons the partys to all such accons at the comon law. [p105]

77.4. And as oft as any of the said officers goeth to distreyn or take any mans pawne, they are not only to demand pawne; But are to ceize upon the same, by layinge hands thereupon; otherwise they cannot give out any presentment of disobedynce against the party, if he resist him or them in the taking of such a pawne.

77.5. And itt is anciently accustomed; That if the officer that is to take any pawne will not take a sufficient stress double as before, and that upon the presentment the same will not

extend to the full payment of the party; Such officer (in such default) is to make out the same with his own goods; or if the praisors will value the pawne to a higher rate, then itt can bee sould for, the same is to bee returned upon their own hands, and they to deposit such valuacon in money to the officer for the payment of the debt.

77.6. And itt is alsoe an antient custome in this Isle, that the farmers team of oxen, or cropp of corne, cannot bee taken in pawne while there is any other goods found; And if there bee no other goods sufficient for the payment of the debt; then soe much of those excepted goods are to bee taken, as may bee best spared; and lest prejudiciall to the farmer to make out the same; But if none can bee excused but that all is too litle to pay the debt, then all is to bee taken, with all other his goods, estate and chatels whatsoever, and none to bee excepted save his lands of inheritance only.

78. Peace how to bee preserved and how the same is to bee broken; and the penalty incurred by those that break the recognizance.

78.1. Upon the complaint of any battery betwixt two partyes before the Governor, if he find that they are not, nor will not bee well reconciled; or that the injured party will endeavor a revenge of the like nature upon the other; the Governor may cause both parties or either of them (bee they clergiemmen it selfe, who by St.Pauls precept ought not to bee strikers) to enter into a recognizance of 10l with securities to observe and keep the peace, towards all the liege peoples of the Isle; But specially towards such a person (as is suspected) that he would abuse, or if occasion bee [p106]towards all his family, untill the next court of Gaole Delivery, when such a person is obliged to comme make his appearance and release his bonds if he may; And if the other party desire and shew just cause for the continuance of the bonds; then he is to bee noted with a continuando to the next Court againe; And further, untill the Court find just cause to release him.

78.2. In like maner may any other officer under the Lord, and alsoe the Coroner (or his Lockman in his absence) as oft as they see, or understand any quarrellinge or fallinge out betwixt any partys, bind them to the preservacon of the peace, by vertue of their office without any warrant for the same, in the like penally. And if any person that is soe bound as aforesaid break the peace by givinge of stroakes, or blows to such party as he is to keep and observe the peace towards (for itt is noe breaking of peace without stroakes) and that the same bee proved against him (although itt bee but by one single wittness (beinge an honest mann and of good repute and credit) the same is sufficient in the Lords case and behalf) such party thereupon forfeiteth his bonds to the Lord.

78.3. And if the party that hath soe forfeited bee not in a capacity to pay the assumpsit or penalty, the same is to bee levyed of the goods and chatles of his securitys accordinge to law.

79. Perjury how to bee proceeded against.

79.1. It is an antient statute law within this Isle, that whosoever is sworn, and after his oath proved false, they shall make satisfacon by law, and reserve them to the Church for perjury.

79.2. The practice upon that statute hath in the year 1586 been houlden as followeth VIZ Whereas T.G. J.K. J.S. and WL hath been proved perjured; the spirituality are therefore to inflict and impose the punishment for such cases (as most proper in regard itt tends to the hurt of the soule) and the same to bee inflicted and executed by the temporal officers, besides satisfacon by fine and amercement to the Lord.

79.3. And if any officer as Moare, Coroner or the like impannell a perjured person on an enquest, and know the same, he is to incur the forfeiture of a severe fine. [p107]

80. Pinfoulds how to bee menteyned and repaired, and how the pinders are to bee elected and sworne, and the fee for impounding of goods, and the maner how they are to bee impounded, and the penalty against such as rescue goods that are to bee impounded, and such as unlawfully impound goods.

80.1. It is ordered and enacted that the pinfoulds of every parish within this Isle, bee made and uphoulden and kept in repair all times in the year; that all such persons as doe keep and menteyn their fences in good and tennentable condicon (as before menconed) in this book may impound goods trespassinge upon them, as well in the winter as the sumer and harvest season; And in default thereof the parishioners are for every time soe neglectinge to bee fined, upon presentment therof made by the Great Enquest of the Sheadinge, or complaint of the pinder or Warden of the said pinfould in each parish, or any other lawfull prooffe or complaint made.

80.2. And itt is declared that the maner and course to bee houlden in the repair of the said pinfoulds is (and soe to bee observed) accordinge to the rule in the repairinge of the Church yards of this Isle, which is done by the tennant of every treen or division of the parish, accordinge to their severall proporcon of the same.

80.3. And itt is likewise ordered that a sufficient person or persons bee nominated, sworne, and placed warden of the respective pinfoulds within this Isle, to deal truly in that office, and to give and deliver a true and just accompt of the Lords fees ariseinge and accruinge in every year, as formerly accustomed; And the oath to bee administred by the Deemsters,

or by the Coroner or Lockman of the parishe, before the 4 of the Great Enquest, wherein such a pinder or Warden is nominated and placed. And in case the said pinder or Warden bee found faulty or negligent in his office and duty, or in givinge a just accompt of the Lords dues; then upon the prooffe hath and made or true information given such pinder not to bee only fined and punished, but alsoe to bee removed from the said employment, and another to bee placed and sworn in his stead ; and such is to bee elected and chosen by the Captaine of the parish, and by the 4 of the Great Enquest of the same, accordinge as they find just cause for his honesty, abillity and convenient lyinge to the pinfould wherunto he is intrusted.

80.4. And whereas itt hath been observed that one pinfould in a parish is discomodious to the people, impoundinge in the winter as well as the sumer season, and disadvantageous to the Lord, by the remoteness of the most or a great parte [p108]of the parish, from the antient pinfould, which might make the party that was trespassed upon, indisposed to travayle soe farr with goods, especially in the winter. It is therefore ordered, ordained and declared that the parishioners of every parish within this Isle are at liberty to erect and make a new pinfold in their parish (if they find it necessary as aforesaid) in the most convenient place thereof, as they shall best like of, upon their own labour and charges; And such new pinfould to bee made use of in the same maner to all intents and purposes, as the other antient pinfould, both for poundinge of goods and payinge of fees, as alsoe for the repairinge of the same, and the swearinge and placing of a pinder or warden thereupon, in maner as aforesaid.

80.5. And itt is likewise ordered and enacted, that all such person or persons as doe keep and uphould their fences, ditches and trenches in good and sufficient repair all times in the year, accordinge to the statute providing in that behalfe, may impound any goods trespassinge upon them, as well in the winter as the sumer and harvest season; And that the same fee is to bee paid VIZ an halfpenny of every foal soe pounded (whereof the pinder to hath the one halfe and the Lord the other halfe) and to pay the same as well for the first, as the seacod and all other times, that goods are impounded; notwithstanding any former statute to the contrary; And accordingly the pinder is to collect and levy the same himselfe, and accompt for the same in every year at the Court of Debett or imposition of fines, that the Lords parte of the fees soe fallen due, may bee estreated and charged upon the Receivers accompt ,amongst the charge of casualty, in every year, or to bee sett forth in his abstract of the fines and ameracements at the discrecon of the officers.

80.6. And further itt is ordained and enacted, that the goods and catle of any person or persons whatsoever, trespassinge on any the ground and farmes fenced and ditched as aforesaid may bee lawfully driven, carryed and ledd away to the pinfould, by the owner of such ground, or his servant or family, without doinge any hurt or harme unto them, giving the owner of the said goods sufficient notice or warninge of the impounding with convenient speed, to the intent he may comme either to relieve the said goods, or to release them, by the payment of the said fees and (as anciently accustomed) deliveringe sufficient security to the pinder to make satisfacon to the party greived for the trespass committed unto him ; or to bee answerable to the law in that case. [p109]

80.7. And if in case the owner of such goods, as are soe impounded bee not known, the party impounding the same, is to make publicacon, and call at the parish Church therof the next Sunday, or at the markt that the owner may comme in to release or relieve his goods as aforesaid; otherwise if he will not soe doe, the party that doth impound them is to give the goods water once a day; and if they then die, the owner can hath noe mends, for they are lost in his own default.

80.8. And whosoever shall break open the pinfould door, and take out his goods, without the wardens knowledge, or shall rescue or stopp any goods, that are lawfully to be lead or driven to the pinfould; is, upon a true presentment thereof to bee made by the Great Enquest, to bee fined 3s4d to the Lord accordinge to law.

80.9. Also if any person shall impound the goods of another in a wronge pinfould, or will putt them in pound covert, as in a house, or backside, or otherwise abuse such goods, such person (besides the demeriting of a severe fine) to make restitucon and damages to the owner of such goods upon an accon at the comon law accordinge to the quality of the offence, provided such party be first presented by the Great Enquest, accordinge to law.

81. Prescription and the nature thereof in this Isle.

81.1. Jon Merix, Lord Bishop of this Isle, haveinge heard and examined certaine differences and disputes that did arise in the year 1606 touchinge the nature of prescription in this Isle, and certaine of the farmers or tennants that did urge and plead the same, he delivered his opinion therin as followeth 80.02 For the maner of tythinge, a prescription; If itt bee just (tempore quo non extat memonia) time out of mind, without alteracon bona fide, must needs prevayle.

81.2. All demesnes, cotterells on the demesnes, granges which Abbeyes keep for their provisions, and glebes are not tythable. But noe custome can prevayle against other farmers. [p110]

81.3. And where the law of England argues noe prescription against the Queen; I think itt her prerogative in England; here all prerogatives hath belonged to the Lord, which hath Her Majestys Royalty here ; as noe lappes against the Lord, noe prescription against the Lord. He answers; the statute law of England noe rule to direct us in judgement here; except such as the Lord and the whole body of the Isle hath received for law ; for if soe then all things of greatest importance for the inheritors were altered.

Q. [p111]

R.

82. Rape how to bee proceeded against.

82.1. It is given for law, that if any mann take a woomann by constraint, or force her against her will; If she bee a wife he must suffer the law for her (by indictment and arraignment as in all criminall offences). But if she bee a mayde or single woomann; the Deemster shall give her a rope, a sword and a ring; and then shall have her choise, to hang him with the rope; to cutt off his head with the sword, or marry him with the ringe. Provided itt bee first proceeded in by the spirituall court as in the nature of witchcraft or sorcery; and afterwards returned by them to the temporall court in usual forme.

83. Receivers charge touchinge the revenues and the reparacons of the garrisons.

83.1. Whereas the Receiver hath in former times made payment to the Lord, without knowledge of any officer or the Comptroller which if any vessel that carried that payment unto the Lord were perished (as God defend) itt might bee said itt was a greater sum than (peradventure) was delivered. Therefore, itt was ordained that noe such payment should bee made or delivered, but such as the Lord comands to bee brought him, and that with the privy of the Lords Councell upon paine of disallowance of the said sum.

83.2. Also the Receiver is not to aske an allowance for a disbursement that he hath not paid, upon paine of loosing his sallary.

83.3. Also the Receiver is not to buy or provide any thinge for the Garrisons, without consent of the Governor, Comptroller or their Deputies; who are first to consult they they be for the Lords best profitt and advantage. [p112]

83.4. And the Receiver with the advice of the Governor and Comptroller is to see the Lords garrisons well repaired (or the steward as is now accustomed) and to make noe payment for their reparations but such as the said officers are privy unto, and that there bee noe decay for want of timely reparation in the said garrisons.

83.5. And itt was an antient order, that the Receiver should in every quarter, upon reasonable notice attend the Governor and Comptroller to make his accompt before them, and to bringe in such monies of the Lords, as he hath in his hands, and putt the same into a chest in one of the Lords garrisons under severall locks and keyes. Whereof the Receiver to hath one, and the other officers other Keyes, accordinge to former uses, upon paine of the Lords displeasure, and loss of his place, to the officer or officers neglecting therein; But now the Reciever only is to make his accompts once in every year before the Governor, Comptroller and such other officers as the Lord commissionates to auditt the said accompt. And the Reciever himsef to hath the whole keepinge and charge of the revenue he is charged with under his own custody, within the treasury; And noe parte thereof is to bee taken out of the treasury, but such as is sent unto the Lord; or found necessary by the officers to bee layd out for such things as bee needful for the Lords stoars and provision; or to bee bestowed upon some merchandize that shall bee profittable for the Lord, and yield him some reasonable advantage, accordinge as the Governor and officers shall consult and advise upon for his Lordships best profit as aforesaid.

84. Rents how to bee paid and the times of payment and the forfeitures upon nonpayment.

84.1. All farmers or tennants of farm or quarterlands within this Isle are accustomed and obliged to pay their rents quarterly to the Moars, that is to say, the first payment upon the feast of St. Thomas (before Christmas) the seacond at our Lady day in Lent, the third quarter at midsummer and the last at Micheallmas; and all such as hould mills, cottages and intacks doe pay the rente thereof [p113]intirely at one payment at Michellmas in every year.

84.2. And whereas by the express words of some particular grants and leases taken by the tennants of this Island for their estates from the Lord ; Itt is provided and excepted that for want of payment of their rents; at the said usuall days of payment the Lands, tenements and heriditaments soe granted to bee forfeited. Itt is therefore established that noe forfeiture shall bee taken of any lands, tennement, milnes, cottages and intacks, soe granted or to bee granted, by the Lord of this Isle or his heirs for, or upon, the case of nonpayment of rentes; but that the Lord and his heirs shall accordinge to the antient custome of this Island, by his

offices therof, commit the bodies or take the pawnes of such person or persons, as shall bee behind with their rentes ; and for want of goods to bee hath and found with such party or parties who are or shall bee behind with their rentes, his Lordship and his heyres, by his or their officer or officers of the Island, to reenter into, and take the forfeiture of such lands, tennements, mills, cottages, or intacks soe granted, or to bee granted as aforesaid.

84.3. And itt is an antient statute that none shall pay the porters fee, that is committed for my Lord his rentes, or debts, or any other fees but as the Deemster, will give for law. [p114]
S.

85. Sanctuary how used in old tyme, and in what cases available.

85.1. It was anciently accustomed within this Isle, that any person that hath comitted any high crime, was for dread of punishment used to betake himselfe into sanctuary or holy church; But if the said crime did touch treason, the sanctuary would not avayle him by the law of Mann.

85.2. And if any manslayer should take sanctuary, the Coroner was to comme to him within three dayes, and if he would not acknowledge his fault, he was by the law of Mann to take him out of the sanctuary, and to give him three proffes ; first whether he would forswear the Lord (then termed Kinge) and the land; secondly put himselfe under the Coroner's yeard VIZ to obey him, and comme to Gaol, and abide the law or grace; thirdly or that he would abide in the sanctuary dureinge the time afforded VIZ a year and a day. And if he chose to foreswear the Land, and take unto a haven, the Coroner ought to sett him on the Kings highway and cut him a cross ; and if he hould not the Kings highway, and the Coroner find him without itt, he might arrest him by his yeard, and bringe him to the Gaol whether he would or not. And whosoever disturbed the Coroner in the execution of his offices forfeited life and limne. And if his enemy said he took him before the Coroner he ought to prove that with 2 wittnesses. But the law is now altogether null and abrogated. [p115]

86. Salmon and salmon frea, not to bee killed in kepper time, and the punishment to be houlden against such as offend therein.

86.1. Whereas itt was observed by the right honourable Henry Earl of Derby, and his officers, and councell within this Isle that the killinge and eatinge of salmon and salmon frea in kepper time was too obnoxious for the endangeringe of breedinge leprosie and other noysome diseases ; itt was therefore ordered by his Lordship and said councell at the Tynwald houlden the 24 of June 1583, and accordingly proclamed; that noe salmon or

salmon frea should bee killed in any fresh water or salt water in kepper tyme; and noe salmon to bee killed, unless itt was in length sixteen inches fish and more, and noe trout under eight inches fish and more; And that none should bee permitted to fish in any river or any other place either fresh or salt water for salmon from the nativity of our blessed lady, untill St Martins day, And for young salmon or salmon frea from the midst of April untill St. John Baptist. And for the better observance thereof there were certaine overseers to bee sworn, to present all such as trespassed therein ;who were for the first time to hath their netts and engines burnt, for the seacond time to bee imprisoned a quarter of a year, and for the third offence to suffer a whole years imprisonment. [p116]

87. Servants when to bee freed, and when and how to give warninge, alsoe servants hyringe to two or three masters how they are to bee proceeded against, and the time of hyreinge, and how servants are obteyned by jurors, the wages generall to serveants and their allowance of dyett, servants goeing from home without leave and lyeinge in neighbours houses at unseasonable times; varded servants and servants to priviliged persons, and how their wages are recovered.

87.1. All servants within this Isle are to bee free once in the year, that is to say, manservants at Allhallowtyde (and mayde servants at May) to hyre and serve againe, at what place they will on the Lords land.

87.2. And in respect of that freedom, itt is accustomed and exercised for law, that if any servant shall hyre himselfe for halfe a year or 3 quarters or the like, and the master or mistress of such a servant, unwilling to parte with him or her soe hyred, till the years end; such servant is notwithstanding, to bee obliged to the whole years service, determinable always at Allhallowtyde, or May as aforesaid.

87.3. And for the avoydinge of the sundry complaints and controversies that hath arisen touchinge servants within this Isle; itt is ordered and enacted, that all such servants as doe not give lawfull warninge to their master or mistress to wit; men servants on Michelmas day, and maid servants at Lady Day in every year, and yett hyre with another master or mistress, that the hyringe soe made shall not bee effectual, but bee reputed invalid in law ; in case the former master or mistress bee aminded to retaine such a servant soe neglectinge to give warninge for that year.

87.4. And such warninge is not to bee accompted lawfull, unless the same bee given betwixt sunrise and sunsett on either these dayes; And in case the master or mistress happen to bee from home, on any the said dayes, or doe absent themselves in a deceitful maner to take advantage of the servant by beinge not present to hear the warninge, or within

hearinge in any parte of the house where the servant may not presume to come. In such a case, the servant may take any of his or her fellow servants or any other competent wittness, and repair to the usual place, where the master or mistress useth to sitt at the hearth or at meal, or in case the doore bee shut against him, to come with his wittness to the doore where the master or mistress usually enter, into the fine house; And in any of those places (upon the occasions aforesaid) give the warninge usually accustomed, and itt shall bee authentique in law against such master or mistress. Soe likewise if the servant bee sick, that he cannot go to give warninge in the kinds aforesaid [p117]then may he doe the same by lawfull proxie and wittness, and itt shall bee deemed authentique as aforesaid.

87.5. And if any servant shall either ignorantly, willfully, through persuacon, or upon any other accompt hyre with two severall masters or mistress; which causeth much difference and trouble. Itt is therefore ordered, enacted and declared, that the master or mistress first hyringe lawfully shall hath the service of such a servant for that year; and the other master or mistress soe secondly hyreinge to hath only the wages of that servant, for the same year. And itt is declared that the wages which shall bee paid in this kind is the same that is agreed upon, betwixt the first master and the servant, which the said master is quarterly to pay the other seacondly hyringe as aforesaid, or at any other time when the same shall bee demanded from him; Provided that if itt bee discovered and proved that the master who is to hath the wages as aforesaid doe know of the servants first hyringe, and yett shall use means to enveagle and intice the servant to a seacond hyringe, to the end to obteyn his wages as aforesaid to pay his other servants (and perhapps hath them by the yeard at a lesser wages, and soe get advantage out of the poore servants labour) yett if there bee but a stronge presumption by circumstances of such fraudulent courses, the master is not to hath the forfeiture of his wages as aforesaid, but the same shall bee for the servants own use ; But if the blame partly lyeth upon the servant as well as the master (who ought to enquire into the condicon of the servant before hyringe) in that case the wages is to bee proporconed bewtixt them, as the Governor and Deemsters shall think fitt to order the same.

87.6. And if any servant shall happen to hyre oftener than twice; such is to suffer exemplary punishment by beinge whipped at the parish church on some sabbath day, where he or she liveth, or at the markett in the whippinge stocks (the servants condicon or age considered) or bee imprisoned at discrecon, and to have the allowance of refractory servants, dureinge his imprisonment, and afterwards to doe service to the master who first lawfully hyred him; and the wages to bee distributed at the Governors and Deemsters discrecon. Provided that if any fallacious dealinge bee discovered against the seacond or

third master, either positive or circumstancially that the same bee considered before the servants imprisonment, and the distribution of his wages by discrecon as aforesaid.

87.7. And alsoe that servants that are wilfull and refractory to doe their service to their lawfull master or mistress, which they comme to by hyringe, jury of servants or by yarding, [p118]shall bee punished by imprisonment at the Governors and Deemsters process and soe to continue untill they yield obeydience to perform their services; And to hath for his or their allowance, one cake of bread, and a proporcon of water; each daye dureinge their imprisonment, which allowance is to bee deducted of the wages by the master, who is to send the said reliefe dayly unto him or them, either by himselfe or a friend in his behalf. And alsoe the master to bee allowed out of their wages to hyre another or labourer in the meantime, at the discrecon of the Deemster.

87.8. And that mann servants hyringe betwixt Allhallowtide and Michelmass, and maydeservants hyringe betwixt Ladyday and Mayday, shall bee reputed and deemed as the hyre formerly accustomed to bee made on the said Allhallowtide and May day only - Provided alwayes that such servants soe hyringe give lawfull warninge as aforesaid. And that such hyringe made betwixt the said festivalls shall stand good against any seacond hyringe, on the said days of Allhallowtide and May.

87.9. But if there bee any contract of hyringe before the said days of warninge, the same shall not bee authentique against the hyringe lawfully made betwixt or upon any the said festivalls, if any difference or complaint arise touchinge the same.

87.10. And that noe servant lawfully hyred (although he should receive for earnest but id or any thinge els valuable thereunto, or comme upon the contract or certaine rate of his wages into his masters services (without takeinge earnest) that obligeth a lawfull hyringe as is accustomed). But especially the farmers hyred servant is not to bee taken from them but upon great necessity, which is first to bee made known to the Governor and Deemsters or either of them, before any jury pass upon him that, soe order may bee given therein as, there shall bee just cause.

87.11. But if there bee such scarcity of servants to occupie and work the Lords land, the farmers upon complaint thereof to the Deemster, is to hath the benefit of a sheadinge jury of servants VIZ 4 in every parish, who are to enquire first for vagrant servants, and to serve the greatest rents first, and then every mann accordinge to his rent. And if there bee none such to bee had, and such need bee, then he that bears 5d rente to my lord must serve him that bears 10s rent rather then the Lord his land fall to decay.

87.12. And the Deemsters are to take care every year a reasonable [p119]time before Allhallowtyde and May to give order to the Coroner of every sheadinge or their Lockmen, to impannell such juryes of servants to remaine a standinge jury for that year to make vagrant servants as aforesaid, and certifie with them that intend to hath the freedom of choise children.

87.13. And the days of St.Kathrin in winter for manservants, and St.Columns in sumer for mayde servants bee noe hinderance to the proceedings of the servant jury for freedom of vagrants after those days (as formerly clamed), Provided nevertheless that this liberty for obtaining servants bee not granted to any but such as are driven thereunto through necessaty ; for that many relying on this liberty, forbear to keep any servants in the winter and sumer season, till towards harvest time, when servants are scarcely to bee had, and then to the prejudice of poore people, cotters, intack holders, apprentices and the like, who are engaged by trades, and givinge shearing for cross and nooks of ground, for the reliefe of a poor family, are molested by such negligent farmers to obteyn them by juries to their service; And in respect thereof, itt alsoe further provided that noe manservant bee made by a servant jury but in winter, and a mayde servant in a reasonable time within sumer unless death or any such lawfull cause induce the governor and Deemsters for to grant a futher liberty in this case.

87.14. And if any jury of servants doe proceed in makeinge of servants otherwise than as before is declared, and as the law further permitts, that their verdict bee reputed invalid and themselves lyable to such fine and punishment as the Governor and Officers in their discrecon think fit.

87.15. And whereas there hath been severall acts and statutes made, touchinge the wages generall to such servants as are either made by jurors as aforesaid, or are lawfully hyred or yarded; The transactions of the times, and consideracon of the increase and decrease of the rates of corne and other comodities, and the scarcity of money within this Isle, with other inducing consideracons, hath moved the Government to make a reasonable moderacon of such wages, whereby both the farmers and servants might reasonably subsist; And the same is declared and settled to bee as followeth VIZ that every sufficient plowman, shall hath for his wages 15s and not above. Every driver 10s, every horseman or horse lad 8s; Every household fisherman 13s and not above; And every maydeservant of abillity to undertake and performe her masters or mistresses service the wages of 6s by the year and not above; And that the allowance of wages to mayde servants of meaner capacity, and to shepherds and the like bee [p120]estimated by the Deemster, and in somethinges both by the

Deemster and the standinge jury if such last soart of servants will not otherwise bee reasonably satisfied by their master or mistress. And noe other certaine wages to bee given above the rates aforesaid; unless itt bee by waye of bounty at the discrecon of the master or mistress accordinge to the demeritt of the servant; And if any servant bee refractory and will not serve at the rates aforemenconed Such servant upon complaint to the Governor or his deputy are to bee imprisoned; and soe to continue with the dyett of disobeydient servants, untill they submitt hereunto, and give security for their honest and carefull labour; as occasion shall require, and besides pay such fees for their contempt, at the Governor or his Deputyes discrecon. And itt is alsoe provided that the said wages is nevertheless condicionally, in case the servant bee not able to performe his work, that the same bee lessened at the Deemsters discrecon.

87.16. And as for the frequent complaint made by servants in especiall by those that are made by a jury as aforesaid to know what dyett and usage they ought to have; Itt is therefore inacted and declared that such complaints bee viewed and certified at the sight of 4 honest neighbours to approve or disapprove of such dyett and usuage, either on the masters or servants parte, as neere as can bee to the custome and condicon of the countrey, or as formerly hath been houlden and used in that parish or particular house complained of, and in case the same be not observed afterwards; but the servant further occasioned to complaine, then the master is to give in sufficient security to the performance of the remaininge parte of the year.

87.17. And whereas servants doe assume the liberty to absent themselves, frequently on Sundayes and holydays (from lookinge after their masters goods and other concerns) without their masters lycense or any leave or consent desired therein; Itt is therefore ordered and ordained, that if any maner of servant doe offend in the like nature hereafter, upon any pretence whatsoever, without first acquaintinge their master or mistress therewith and obteyn their leave and liberty; Itt shall bee lawfull to such master or mistress to deduct and deteyn 2d out of the servants wages for every time soe offending; And if nevertheless such a servant make a comon practice of itt, then upon complaint such servant is to bee imprisoned, with the dyett of refractory servants, and soe to continue untill such yield conformity, and become carefull accordinge to the trust reposed in them; And morover (besides the deduction as aforesaid) may the master or mistress (if they please) deteyn soe much out of the servants wages, as shall satisfie any person taken to performe the work and labour of such a servant, dureinge the time of the imprisonment. [p121]

87.18. And itt is alsoe ordered enacted, and ordained that noe neighbour or any other (as hath been frequently used) shall intice, inveigle, countenance and intertaine any persons servants, especially at unseasonable tymes, under pretence of any maner of kindness, vissinge of friends, drinkinge, gaminge or otherwise, which hath been a means to draw servants to a course of pilferinge their masters goods, and wast their own wages; But that whosoever shall bee found and known to offend in this kind, and bee thereof lawfully evicted by lawfull prooffe or circumstance, shall for the first offence (if he bee of ability) bee amerced in a severe fine, for the seacond both fined and punished, besides restitution to the party grieved; And for the third offence bee proceeded against as abettors of felony, accordinge to the statute against pilferys, if the goods purloyned and repected amount to the value of indictment, and the servant to bee punished at discrecon and to give in sufficient security for his true and honest dealing and demeanour for the future.

87.19. And itt is an antient customary law within this Isle, that the Deemsters are to hath the benefitt of one choise servant yarded unto him out of every sheadinge at Allhallowtyde for menservants, and at May for mayde servants, and more if itt bee needful for them.

87.20. And alsoe the Moars are to hath their choise servants within their respective parishes, at Allhallowtyde and May in like maner.

87.21. And whereas the Coroners hath for many years past by some favourable permission and noe customary law, hath hath the benefitt of yarding three servants within their sheadinge, to the grievance of the countrey; Itt is therefore provided that they shall hath but the benefitt of one yarded servant, within their sheadinge after that the Deemsters and Moars are served first for theirs.

87.22. And itt is ordained and enacted that the servants yarded for the Deemsters, Moars and Coroners shall bee proclamed and made known at the parish church or cross where such servants then reside, the Sunday next after the days of warninge aforesaid, or the seacond sunday afterwards at the furthest, whereby the farmers may the timelyer know the same, and may with more security and inconveniency provide themselves of other servants ; otherwise in default thereof, the said officer or officers soe neglectinge to have the benefit of such yarded servant, for that year; but bee at liberty to serve where such servant pleaseth.

87.23. And if any of the officers aforesaid shall give the goodwill of his yarded servant to any other, and receive consideracon for the same, intenconally to make merchandize of such servants contrary to the intent and meaninge of the statute, and bee thereof lawfully evicted, is to bee severely fined. [p122]

87.24. And any the said servants that doe serve any of the said officers for one year by waye of yardinge shall for foure years after bee freed from such bondage, and bee at liberty for the said tearme to serve upon hyre, wheresoever they please within this Isle.

87.25. All ministers within this Isle shall hath their bridge and staffe, that is to say, that any servant, whether mann or woomann that is lawfully hyred with them in their own parish, shall not bee taken from them by any seacond hyringe, or by yarding or by jury of servants.

87.26. And that from the 24 Keyes their houshold hyred servant shall not bee taken from them, by any the wayes aforesaid.

87.27. Alsoe if any mann or mayde servant shall presume to transport themselves out of this Island, without first haveinge obteyned the Governors lycense for the same, they shall bee proceeded against either in person goods or both, at the discrecon of the Governor and officers; Besides the forfeiture of any vessell that shall transport them, without lycense, accordinge to antient statute.

87.28. And if any servant make complaint unto the Deemster that he is behind and unpaid of his wages, he is to cause the master to comme before him, and if he cannot give good satisfacon unto him, that he hath made payment of the said servants wages, nor shew just and lawfull cause wherefor he withouldeth the same; The Deemster (upon the bare oath of the servant administred unto him before his said master) is to grant a present execution against him, for soe much as the servant hath deposed to bee deteyned from him.

87.29. This alsoe may bee done at the parish church where both the master and servant liveth, by the discrecon of the Deemster, or at the steele or Gate of the Church yard; where the Coroner is to administer the oath unto him, and to certifie the same unto the Deemster, that execution may bee granted for the receiving of what wages is behind as aforesaid.

87.30. And itt hath been accustomed within this Isle, if any servant fall sick, his master or mistress are bound to keep him, for the space of one month in their house, and upon their own charges, and to bee allowed soe much out of his wages, as is proporconable to the said time; And afterwards the servants friends or relations are bound to take him away and look to him, and his master or mistress to bee noe longer troubled with him, dureinge the time of his sickness. [p123]

88. Slanders how to bee proceeded against and what satisfacon is to bee made for the same to the injured party, and the limitacon for sueing the benefitt thereof by an

accon of the case; And what penalty is against such as slander any chiefe officer or the 24 Keyes.

88.1. When any person doth defame or aspers another with any libell or scandall cognizable to the jurisdiction of the temporall, as for matter of theft, murther, perjury and the like ; The party soe defamed, before he can hath an accon of the case against the other, is first to obteyn the Deemsters authority to impanell a jury to pass upon the said slander; which if the jury find that the partys accusation bee false, then to bee fined unto the Lord; accordinge to the nature of the defamacon.

88.2. And if any person shall cause such a jury to bee impannelled; and not bee able to make to appear, that he was soe slandered or defamed (which must bee evidenced by two witnesses) by the other, or that such a slander was cast upon him, in respect of some particular fact (for to call another a thiefe, a murtherer or the like without particularising the fact is neither tryable by jury, nor acconable against the party soe aspersing). In such a case the party soe causeinge the jury to bee impannelled, without lawfull cause, is to bee fined himselfe.

88.3. And if such a cognizable slander happen betwixt a clergie man and a layman, the jury must bee impannelled of halfe clergie men and halfe laymen; and if any clergie man will refuse the Coroner or Lockman to pass in such a jury upon a presentment of disobeydience, they are to bee fined and further proceeded against in that nature, as any of the laymen might or ought to bee. And the same course is to bee observed if the slander bee betwixt an ordinary person and a feed soldier to hath the jury halfe soldiers and halfe tennants.

88.4. And after such a jury hath found any person guilty of defameinge or slandering another in maner as abovesaid, and is upon the verdict of the jury fined unto the Lord; the party that is soe defamed is to hath an accon of the case at the comon law against the other ; And whereas some persons at the prooffe of such an accon will depose (in respect of their good name and credit which was touched) very considerable damages against the other; yett itt shall not bee in the power of the jury upon the said accon to award such damages for the plaintiff; In regard the former jury hath cleared him from such imputacon, and restored him to his former credit and good name againe; But all such cost, charges and trouble as the said plaintiff [p124] hath sustained by the prosicution of the said slander and the loss of his time and neglect of his concerns, while he was in pursuit of the same, such damages the jury is to award the plaintiff, and noe more, as itt shall bee proved unto them.

88.5. And any person that hath been soe defamed, and cleared by the jury as aforesaid may upon his humble suite to the court obteyn a record to bee made; that noe person or persons whatsoever shall receive or upbraid him or any of his with such taxation for the future, upon paine of 10l to the Lords, use after proclamacon made thereof besides severe punishment.

88.6. And any person that hath an accon of the case against another as aforesaid; he is to enter and comence the same against the party that hath accused or slandered him, in his life time ; otherwise if he neglect to comence the same till after the death of the said party; he cannot hath the benefitt of the accon against such partyes heyres or executors.

88.7. Also if any person or persons whatsoever shall accuse or speak any scandalous speeches against any chiefe officer of this Isle, spirituall or temporall, or any the 24 keyes - touchinge either their oathes, or state and government or any other scandalous speeches, which might tend to the defamacon of their offices and places, and bee not able to prove itt, shall (upon examinacon and proceedinge thereof hath before the officers and 24 Keyes of the Isle, and not by a jury as aforesaid) for every time soe offendinge forfeit 10l and his eares to bee cutt off for punishment besides.

89. Straves how forfeited to the Lord, and who is to look after such forfeitures and casualties.

89.1. By an antient prerogative within this Isle, all such goods as horses, sheep, lambs, goats, kidds, bees or any such hiving creatures, as doe stray from the right owners thereof, and are out of their possession, a year and a day; they fall into the Lords hands, (in whose keepinge or houldinge soever they bee) as wayfes or straves. [p125]

89.2. And if any shall attempt to assume to themselves, the use and propriety of such goods, after they soe fall due to the Lord, are upon a presentment thereof made by a jury, to bee reputed guilty of felony, unless the same bee extenuated by the imposicon of a severe fine.

89.3. And as oft as any such forfeitures falls, the Attorney is to look after the same, either by himselfe or the Coroner or Lockman of such sheadinge as the same falls in, that they may bee disposed of to the Lords best advantage, and to give the same in the accompts every year, as such happens to bee charges amongst its casualtyes.

90. Swine that are unringed, what course is to bee taken against them, and the owners of them to bee fined, and to make satisfacon to the injured neighbours by accon at law.

90.1. It is an antient custome of this Isle, that any such persons as keep any swine unringed, to the prejudice of the neighbours ground, and complaint made thereof; The Governor is to give orders to the cunstable of the adjacent garrison to send forth soldiers to bringe in such swine in the Garrison, untill the owners of them shall take speedy and effectuall course to hath them ringed; And nevertheless (upon presentment of such bad neighbourhood) such owners themselves are to bee fined unto the Lord, and to make satisfacon to such injured neighbours upon accon of trespass at the comon law, or els upon the viewinge and estimacon (by 4 neighbours) of such trespasses accordinge to formes of law. [p126]

91. Sumners dues and duty.

91.1. As concerning the Sumners duty of corne, he must hath a band of three lengthes of three principall corne, porcon like paid from every husband mann, and he must call within the Church, with the advise of the Vicar or Curate, all such things that bee requested of the parish, that is either gone or lost, and ought to stand, at the Chancell doore, at the time of divine service, to whip and beat out the doggs.

91.2. And when the sumner is required by the Ordinary to bringe any offender to prisson, he hath for his paines 3; And when any is irregular or disobeydient to the Sumner and ordinary, then the ordinary hath used to send for ayde to the cunstable of the castle, or of the peel, who presently ought to send a soldier to bringe such offender to the Bishops prisson, who is to bee rewarded at the ordinarys discrecon.

91.3. And whereas the Sumner takes paines in gatheringe wool and lambe, milkness, and such small tythes, with the parson, vicar or proctor, with his horse and sack, he is therefore to hath the allowance of one choise lambe, and one fleece of wool paid him out of the tythe, and the moneys due for the choise cheese and butter of a choise house in the parish. [p127]

92. Spiritual Men, as the Bishop, Archdeacon, Parson, Vicars of third or porcon and Curates, what priviledges they hould by their spiritualities or church-liveinges.

92.1. The Bishop of this Isle as he is a Baron under the Lord, hath been spoken of, what priviledges and imunities, he holds in respect of his temporalty under the titles [ABBOT and BARON] before menconed in this tract. Now itt falls out to speak somethinge of his spirituality and Church living.

92.2. Att a Tinwald houlden on the 13th day of July, in the year 1577 neere the Chappell of St. John Baptist before the Right Honourable Henry Earl of Derby, his Barons, Justices, Clerks, Councill and the assembly of the whole Island : Jon Merix Bishop of Man was

called in and sworn Bishop of this Isle, with the Archdeacon and Vicars Generall accordinge to law.

92.3. Upon such an oath taken unto the Lord, the Bishop, Archdeacon and their Vicars Generall hath the exercise and administracon of all the lawes spirituall within this Isle; And hath the benefitt of keepinge their severall circuits, and consistory courts, for the distribution of the same respectively, with such limitacons as is provided by the antient, continued and accustomed constitutions of this Isle, and are to have and receive certaine fees, for citacons, suspensacons, excomunicacons, probatt of wills, and makeinge decrees in their said courts as are limited by certaine statutes in that behalf. And they are alsoe to bee assisting to the Lords Councell when ever they are called thereunto, upon any emergent occasions by vertue of their oaths.

92.4. And itt is provided by law, that the Bishop is to hath his herringe scoute and fishinge boate freely and frankly without any tythe paying wheresoever itt land within this Island; And the said scoute to bee of the burthen of foure tunn.

92.5. Also if either the Bishop or any other spirituall mann (or any other houldinge a lease of spirituality) die after twelve of the clock past, on Easter day, their executors administors or assignees hath ever been accustomed to hath and enjoy, all the profitts of that year [p128]untill Easter next ensuinge, and shall find and see the cure served and discharged.

92.6. And if their executors or assigns doe sow any of his glebe lands pertaining to the Bishop or any spirituall mann as aforesaid before Easter day, they shall hath all such corne as is sown with the profitts thereof, and shall at liberty reap the said corne, and carry itt away.

92.7. In like maner aforesaid the Archdeacon is to hath his scout tyth free, as the Bishop hath; And all parsons, vicars of thirds or porcons instituted, shall hath the freedom of a chuse tyth boate, and to choose the same at Easter time; whether the fishing bee about the land or not.

92.8. Anny curate lyveing from Easter to Easter or longer, shall give a quarter of a yeares warninge before Easter day to his master in case he is willing to leave him; And the master is to give him the like warninge if he putt him away. And nevertheless itt shall bee in the ordinarys discrecon to place or displace any such curatesat pleasure.

92.9. And that all instituted vicars of porcon, haveinge five markes stipend, should hath foure nobles in tythes of the old rate at the least.

92.10. Alsoe, if parson, vicar of third or porcon doe departe, and noe other bee instituted within six monthes from Easter next ensueinge his departure, the Bishop or ordinary shall take itt in lapps; If itt bee not in the gift of the Lord of this Isle.

92.11. All instituted parsons, vicars of thirds of pencon are to hath their bridge and staffe, that is to say, If they have any servant mann or woomann, lawfully hyred unto them, within their own parish, shall not bee taken from them by any seacond hyringe or yarding or by jury of servants.

92.12. Alsoe, all vicars of pencon shall never pay any corbes to any priest, or corsepresent; Nor noe waged or hyred priest noe cleark silver.

92.13. But all vicars of third shall pay corbes, if they hath them free VIZ one pair of bedstocks, portasses, his boord and tressel, a chayre and a forme, a spoone if he hath itt, a pott or a pann , a broach and a pan of goberts of iron, and a rackentee if itt bee to bee hath. And are lyable to pay them, whether they receive them or not.

92.14. Alsoe itt is enacted for law, the children of ecclesiasticall persons within this isle, begotten in marriage, shal bee and continue legitimate, and inheritable, to all intents and purposes, in such soart as children of lay persons bee within the said isle. [p129]

92.15. Also if any spirituall mann or woomann of holy church as parson, vicar, parish priest, or parish cleark, forfeit any amercement to the Lord, that is to say, in disobeydience to the Moare 6s8d, and to the Coroner iiil. If the distress that any such officer is to take bee within the stepps of holy church, such officer is to go to the High Sumner, and he is to deliver to the Lords officers a sufficient distress; And if he refuse soe to doe, the Lords officer may go in, and take the distress, or pawne himselfe, by the Lords prerogative.

92.16. Also the bishop hath noe power to present any person or vicar to any church lyveing within this Isle (except such as is in his own gift) without the Lords speciall lycense or presentacon, or take any church into lapps; for itt is the lords prerogative royall, as he is mediate metropolitan, and chiefe of holy church within this Isle.

92.17. And, all spirituall men as Bishop, Archdeacon, Parsons etc ought to reside in the Island, and spend their livinge therein, by the antient lawes and constitution of this Island.[p130]

T.

93. Tennants removeing of Lords land, what benefit they hath in respect of the cropp. And how they are restrained to remove any doors hunge upon iron hinges, or

of the rooffe of the houses, or any thinge fastenned to the house, as abbey tennants might doe.

93.1. Touchinge the removeall of any old tennant and entrance of the new tennant upon any lands, tenements or heriditaments within this Isle ; Itt hath been an antient customary law that the new tennant was to enter at May upon the grass, because he was to pay the settinge turffe (which anciently was paid in lieu of parte of the customes payable out of their estates) yett nevertheless the old tennant was to hath the cropp as well hay as corne, which he might take with his syth or sikle, and to hath of the eddish as much as he could eat, with his beast from morninge to 12 o clock, and the new tennant to hath the afternoons grass, and soe to continue till the old tennant hath staked his corne, who was then to hath noe more grass, but to remove and go his wayes, and only to hath a barn to tresh his corne in, and other houses for neccesary uses, at the discrecon of the Deemsters. But this statute is now altered in respect of the new tennants interest of the grass, beinge now he payes noe custome turffe (as anciently), But the old tennant enteringe at Michelmas (by layinge out but 3 horse load of manure, or dung or plowinge 3 furrows in the tenement after Michelmas day, which doth intitule him or his executors to that years cropp) is therefore to hath the full cropp, and benefitt, till michelmas followinge, and houses till May afterwards, at the Deemsters discrecon as aforesaid. And the old tennant to pay the years rente followinge; for that the new tennant is to hath a cropp reaped before he pay any rente, accordinge to the custome of the countrey.

93.2. But oft times upon such occasions or removeall, some or most of these particulars touching the cropp, are dicided after the judgement of the Deemster, consideringe severall circumstances, that fall out either through some contract or bargaines made touchinge the same, or accordinge to the seasen of the year, when such old tennant dyeth.

93.3. And if any tennant haveinge his house on the Lords land, and removing from thence, he cannot remove the rooffe of the house, although he putt itt on himselfe (unless he bee a cotter or cotterell and that there bee a contract for the same made before hand with his landlord) but the doores thereof he may carry away; soe that they bee not hunge upon iron hinges; And any thinge that is pinned or nayled to any maine beame, couple or [p131]rafter or any boordes, planks, joysts or mantletree, that are anyway fastenned in or unto the wall of the house, may not bee taken away or removed; beinge made a member of the house; But iron grates are not comprehended in this antient custome, beinge but of late used in this isle.

93.4. But itt standeth otherwise with the Abbey tennants, for if they remove however the doores of their houses bee hunge, they may by the antient custome of the land, carry them away, as alsoe the whole roofes, windowes and what els may bee usefull. But this custome hath been altered by an order from the late honourable Lord Charles in the year 1663, as is before specified in this Book.

94. Transportacon of corne, catle and other merchandize of the countrey, how to bee allowed and lycensed etc: The penalty against such as transport persons out of the Isle without lycense, or such as transport themselves privately or obscurely.

94.1. Whereas there are severall statutes, concerninge transportacon of corne, catle and other comodities, as well by the inhabitants for rearinge of their rents, as other merchants and strangers - conteyned in the statute book, which doe not absolutely agree one with another, Therefore for the full declaracon of the meaninge of the said statutes and the true use thereof; Itt hath been ordered and enacted, as followeth that is to say; That there shall bee transportacon of all such goods, when and at such times as the same shall bee thought fitt, and agreed upon by the Governor and councell of the Island; And to that end, they are to consult and advise once in every week, what is fittinge to bee lycensed for the good of the countrey; and the same to bee accordingly lycensed by the Governor or Deputy for the time beinge ; And if there bee complaint made of such comodites, or too much lycense given thereof, then the Governor to call the 24 Keyes and officers of the Island, and to consider of and determine what is or may bee most fitt to bee transported, always consideringe the generall good and safety of the Island.

94.2. And itt is an antient statute law within this Isle, that noe shipmen nor mariners shall presume to transport, in any vessel or boat, any person or persons resident in this Isle and especially young people and servants that are hyred to their masters out of the land [p132]without speciall lycense from the Lord, or his Governor or Deputy for the time beinge, upon paine of forfeiture of such vessel or boate, and what goods of the party soe transported is therein unto the Lord; Besides the payment of his debts and rentes (if he own any such in the Isle) by such mariner or shipman, or els to bring such party into the Island againe.

94.3. And such persons whether young people or servants presuminge soe to transport themselves without lycense as aforesaid are to bee proceeded against in body goods or both at the discrecon of the Governor and Officers of the Isle.

94.4. And if any inhabitant (whether he owed any rente or not or any other debt in the Island or not) that will transport himselfe, in a private maner without lycense as aforesaid

either in any boate of his own; or take away another mans boate, he is a fellow, if he can bee soe found, and shall forfeit his goods whose tennant soever he bee. Provided it bee not such shipmen or merchants as traffick in the Island, which this law doth not extend unto ; that pass to and fro as wind and weather serve them.

94.5. And itt is given for law that all fees due for the lycensinge and entringe of all goods imported and exported out of this Island, is due unto the Governors cleark, because he keepeth the Book of outgates, and ingates, and returneth tiketts to the customers of the same.

95. Traverses when and how to bee granted, and the time for the prosecution of every degree of traverse.

95.1. By the antient forme of proceedinge in this Island, any person findinge himselfe aggrieved by the verdict of any jury at comon law, is to hath the benefitt of a traverse to pass upon the said former verdict. Provided he first enter himselfe in the penalty of 3l to the Lords use, to disprove the said verdict accordinge to forme of law. And itt is therefore ordered, enacted and ordained, that noe traverse bee accepted of, unless the same bee entered within the space of 21 days after the givinge in of the former verdict; And after a traverse bee entered, within the said limited time, the party becominge plaintiff is bound to prosecute the same effectually, as that an answer bee brought in [p133]by the traverse jury, within the space of six months at furthest after the entering of the traverse as aforesaid otherwise in default thereof, Itt shall bee lawfull for the court to nonsuit the plaintiff on that traverse, and to charge the fine of 3l to the Lords use, and if the party bee not of abillity to pay the same, to mittigate some parte thereof (or hath him whipped for example). Provided nevertheless that if the verdict of the traverse bee not brought in within the limited time as aforesaid and that itt appear that the same fall out, in respect of sickness or any other lawfull impediment; In that case itt may bee lawfull for the governor, Deemsters or either of them to grant a further respitt of time at discrecon. And this course is to bee observed in every degree of traverse as the same falls out, accordinge to the customes of the Isle be it to the 24 Keyes which is the finall result of traverses, by the antient forme of proceedings of this Country.

96. Treasures that are found under ground, or in any covert place, is the Lords by his prerogative, And when any mines are discovered in the Isle, how the same is to bee sett forward for the Lords profitt.

96.1. It is the Lords prerogative, that if any treasure whatsoever, bee found and secretly hidden under ground, either within the house or without the house in the thatch or the hayes,

or in any other covert place which may bee suspected to bee in a felonious maner, or to any fraudulent end or purpose, or to some other dishonest designe; That such treasures soe found are the Lords by his prerogative, and the lawes of this Isle.

96.2. Yet nevertheless may any mann for the safeguard of his goods from the enemy, or for fear of any other mischance, without danger of this law lay up his treasures in any such place, makinge either his child or any other friend privy to the same; And that any such child or friend may lawfully receive such treasures soe hidden, and deliver itt to the right owner without any impeachment to the Lords prerogative, Provided that [p134]the party thus challengeinge bee able to prove itt by the deposicon of one single wittness (beinge sufficient, although he bee brother, sister or any other kinsman) or friend, not detected of any notorious crime.

96.3. And if any person shall find any such hidden treasures, or any other hidden comodities (which are alsoe the Lords by his prerogative) and not reveal the same unto the Coroner, or Lockman but conceal and divert the same to his own proper use, and bee thereof lawfully evicted by lawfull prooffe, or by the inquisition of a jury, such person is to bee severely fined, and the comoditie soe found to bee the Lords as aforesaid.

96.4. And as oft as any discovery is made of any mine or oare to be had within the Isle, the Governor, Receiver and Comptroler are to certifie the Lord thereof; And if his Lordship send over a miner, that they see him doe his duty and work faithfully, and not to neglect the same for any pretence, and to acquaint the Lord with the proceedings and progress therein, because the Lord should not be at expence in that work, unless the same would be to his advantage and profit.

97. Trees and plants of trees not to bee cutt broken or spoyled, by any mann (unless upon his own ground).

97.1. Whosoever shall bee convicted to cutt break or spoyl any tree, plant, sett or grafft (unless upon his own ground) shall for the first offence, bee compelled to plant five for every one soe hurt or spoyled, and for the seacond offence tenn, in such place of the ground as the owner shall appoint; And for the third offence and after, shall suffer both punishment by imprisonment, fine or corporal chastisement as by the Governor or Deputy shall bee thought fit; And if the tree cutt or spoyled bee of any considerable value, he shall alsoe make full satisfacon to the owner, and bee compellable soe to doe by the Deemsters authority to bee granted to that effect. [p135]

98. Trespasses in Corn, grass, meddows etc, and how to bee proceeded against and in what maner satisfacon is to bee made for the same; and how such persons as keep more goods then they hath pasturage and keeping for are to bee proceeded withall.

98.1. It is ordered and enacted, that if any person or persons shall frequently use to make a pathway through their neighbours meadow, corne and grass in the sumer and harvest season to the prejudice of the tennant and bad example to others, and the same presented upon oath by the farmer or any his servants or others, before the Governor or either of the Deemsters, shall bee punished at their discrecon, or if they bee of abillity to bee fined by the court (besides making satisfacon to the farmer by an accon of trespass at the comon law as usually accustomed). And the same course to be held against such as cutt any meadows, corne or grass, as is frequently used.

98.2. And whereas persons doe use to cutt grass in corne and the meadows of the farmers to bringe to their catle, and somtymes pull the corne with the grass, and some that have pulled turffe and linge, on persons rented ground without leave, and digg timber out of the curraghes, on the north side; And alsoe some farmers themselves and others doe accustome to putt their catle and horses in their neighbours grass and corne in the nighttime and take them away againe before morninge, as oftymes hath been complained of the foresaid trespass and unconscionable neighbourhood. It is therefore ordered and enacted that as oft as any person or persons shall bee found to offend in those kinds hereafter, and bee thereof lawfully evicted by lawfull testimony shall bee fined and punished (if the party bee of abillity) accordinge to the nature of the offence, at the Governor and Officers discrecon, and to make satisfacon to the farmer or party grieved by accon at comon law; and what prooffe is produced before the Governor and Officers for the parties eviction as aforesaid is to bee deemed sufficient to the jury to make reasonable satisfacon to the party grieved as aforesaid. Except itt bee viewed by neighbours accordinge to antient order, then satisfacon to bee made forthwith upon the verdict of such neighbours without further accon. And itt is further provided that if itt bee children or poor persons that offend in this nature, they are to bee punished and [p136]whipped at the Governors and officers discrecon, always consideringe their ages and condicon.

98.3. And whereas trespasses oftymes happen by such intack houlders, catlers and others, as live on highway sides, by turninge horses, mayres, coalts, catle, sheep, swine, geese, goates, lambes, kidds, and other goods in the lanes and highways without lookinge after or hyrding them, and oftymes breaks the farmers hedges to pasture their said goods in his grass as aforesaid. Therefore itt is ordered and enacted; that if any person shall putt such goods

into the lanes or highwayes without the consent of the tennant or farmer whose land adjoineth to such highwayes, and the goods bee found without a hyrd itt shall and may be lawfull to such tennant or farmer to pound such goods, as if they trespassed in his ground. And if any be found to break down the farmers hedges as aforesaid (to the end to trespass therein) his goods are not only to be pounded, but himselfe fined or punished as aforesaid.

98.4. And for the avoydinge of the severall contencons at the comon law, touchinge such trespasses; Itt is provided by a customary law, that imediatly upon complaint of the trespass or at furthest at the release of the goods soe pounded, the pindor or warden of the pound; Coroner, Lockman or Moare of the parish are authorized to charge and nominate foure honest neighbours to view the said trespass and to estimate the damage upon oath and upon their verdict given therein, the same to bee forthwith paid to the party, grieved or the offenders pawne taken by vertue of the Deemsters token, for satisfacon, without further trouble or accon at law.

98.5. And itt is further ordered and declared that such as suffer their goods to stray, and not keepinge a hyrd to them; but doth dampnify their neighbours at all times of the year, and especially such as doe fence and keep their goods as well winter as sumer (except they fayle in the makinge of the fences themselves) such shall for every beast thus trespassinge and impounded, pay unto the party dampnified (besides payinge the Lords fees for pounding) for every such trespass in sumer 4d and in winter 2d unless the party grieved please to lessen the same, to bee levyed by the Deemsters authority as aforesaid; whether the goods soe trespassinge bee his own, or any other and given [p137]such trespass to joyst who is to answer the damage; and not the owner of the goods soe trespassing as aforesaid.

98.6. And itt is a customary law, that in case he who is guilty of such a trespass die before satisfacon bee given his heirs, executors or successors are tryed and obliged to the performance thereof to him his heyres, and executors that hath sustained the loss ; Provided alwayes that such party sue the benefitt of such loss and trespasses by an accon at the comon law (and not by the viewinge and estimacon of neighbours as aforesaid) that such person his heirs or executors shall bee obliged to enter and commence such accon of trespass within the space of three yeares next after the same is comitted and at no tyme afterward.

98.7. And upon the proveinge of such accons at the comon law if either the party who sustaines the loss, or the party guilty be willing to reffer the damages of the trespass to the oath of either the one or the other (as is usually done) it is testimony enough to the jury to

verdict upon, without the produceinge of prooffe for the estimacon of the loss soe suffred and sustained as aforesaid.

98.8. And itt is alsoe enacted and ordained, that noe person as catlers, intack or cottage houlders, or townsmen within this Isle or any other shall presume to keep any more goods as horses, coves and the like, then they hath sufficient pasturage for in the sumer, and doth provide sufficiently for hay or other fodder in the winter, soe as they may not bee troublesome or obnoxious to their neighbours, by trespassinge in their lands, and purloyninge their provision of fodder, as is observed and complained of: And to that end : Itt is ordered that the Coroner of every sheadinge shall in every year betwixt the the 25th of March and May Day, and the 29th of September and Allsaints Day impannell a sufficient jury of 4 (whereof three to bee farmers at least) in every parish to take a strict view of such persons goods as is above named, and what provision they hath made for them, and if they find (upon their oaths) any goods that are not sufficently provided for as aforesaid, Itt may bee lawfull for them to make sayle of such at the current price, and to return the rate to the owner, allowinge and deducting 2d per pound to themselves for their paines, and besides to make due presentment of such, that they may bee fined accordinge to their demeritt; And if the Coroner bee found negligent to execute this law, or that the jury bee remiss or partiall in their proceedinge as aforesaid, upon sufficient prooffe thereof, or verdict of a traverse VIZ 6 of the same parish they are to bee fined and punished, or (if itt bee found to bee wilfully done) to bee proceeded against as in the case of perjury. [p138]

99. Tythes and the severall kinds thereof, and in what maner and order the same is to bee paid.

99.1. By an antient statute in the eclesiasticall lawes, all tyth corne is to be received by the tenth stoak, for castinge the tenth sheaffe into the reme or furrow, was never heard of nor used; And for carryinge the tyth corne away, the parson or proctor is at liberty to carry it the next way, keepinge the husband-man harmeless makinge the ditch in the same soart or as able as itt was, or as he found itt.

99.2. Also that noe husbandman doe load any corne or hay before sufficient warninge and knowledge bee given to the Parson, Vicar or Proctor ; when that his corne is sufficiently dry and able to bee stacked, and the hay alsoe.

99.3. And whereas such farmers hath oftentimes suffered loss in their corne and hay, by the minister and proctors not consenting in due time to tyth the same, not dareinge to lead itt untill itt were first tythed; Itt hath been therefore ordered and enacted that the parson, vicar or proctor of every parish shall acquaint the severall farmers of the parish with the

names of his or their under proctors, who are to receive their tythes, and that to bee done in the month of July, before the harvest begin, and when the time of harvest is come, the farmer shall give notice to him or them, who are to have and receive their tyth, the eveninge before such farmer intends to load his corne, And then if such proctor doe not come, accordinge to the said warninge; The farmer to take two neighbours to justifie with him, that he hath left his due tyth; This warninge to bee given by the farmer as aforesaid, shall bee given at the parsonage, the vicarage, or proctors house, who is to receive the tyth if he bee in the parish; And if he bee a stranger of another parish, or layman of the said parish, such shall before the harvest acquaint the farmers at what houses in the same parish the farmer shall give or leave such notice: that his corne is ready for loadinge or that he intends to load. And the like order for tyth hay is to bee observed.

99.4. And if any doe load or stack their corne in contumaciacon, and not agreeing with the parson, vicar or proctor for the tyth thereof; that the Sumpner at the appointment of the ordinary, with 2 honest neighbours or more have used to cast down their stackes, and take forth the tyth, and the said husbandman shall make all charges for castinge down the stacks and makeinge up againe. And further to be punished, at the discrecon of the Ordinary for the crime.

99.5. And if any man doe convey, purloyn, or hide any corne in his house or els where, to defraud the tythes, that then the parson, vicar or proctor be restored three fould; But in case they need to tresh any corne, for their necessary or need, then to take with them two honest men which will testifie the tyth thereof to bee truly paid.

99.6. And whereas parsons, or proctors haveinge tythes beinge farr off, and cannot conveniently bring them home, itt hath been accustomed to draw and stack the same in the husbandmans haggarth without any trouble or let.

99.7. Also all tyth flax and hemp is to bee brought to the parish church, with the seed thereof.

99.8. And whereas in antient tyme itt was accustomed in this Isle, that every one should pay their tyth butter and cheese in kind, at the parish church, that is to say, once every month, the 24 houses milk made into a cheese or butter, beginninge at the mounth of May, and soe of the months June, July, August, Semptember and October; And those that had noe butter nor cheese made in any of those months, that they are to pay 2d out of every in calf cow; and out of a farrow cow 1d, out of eight sheep 2d and 4 goats 1d.

99.9. In the payment of which tythes in kind as aforesaid there hath been observed a great undeacency and contencon by persons put to their oathes for trivial matters. It was therefore ordered and declared, that noe such tythes should bee paid in kind as aforesaid. But in lieu thereof, the farmer, cotters and all others, who ought to pay such tythes, shall at Easter when they accompt for their other dutyes to the Church, pay 4d for every cow that hath a calfe that year, and 2d out of every farrow cow, which hath noe calfe, but gave milk, since the easter before, and out of milke sheepe, and goates as before. [p140]

99.10. And the vicars of third or pencon who were used to hath a choise cheese, they to hath in lieu thereof the money due for the tyth cheese and butter of a choise house in the parish

99.11. Alsoe, every one is to bringe into the fould all their sheep and lambes, at such tyme as the parson, vicar or proctor shall appoint, either in the latter end of the month of May, or els in the month of June, to pay truly their tyth lambes and woole, without any fraud or deceit, that is to say, out of eight one lambe, and so out of 9,10,11 and 12 but one lambe : Provided alwayes that if the husbandmann pay one lambe or more, he shall have choise of 2 lambes, and then the proctor where he pleaseth of the rest.

99.12. And in case the husbandman hath but 5 lambes, then the husbandman shall choose one, and the next to the best the proctor shall praise; and the husbandman shall give or take, and if there bee but two or three lambes, then an halfe penny out of every lambe.

99.13. Alsoe every one that hath wild sheep or lambes, that cannot bee brought to fould; Then the proctor hath used to depose them upon a book, what wool and lambe they hath; and soe to pay truly the tithe thereof.

99.14. Alsoe whosoever doth convey and hide his lambes from place to place or from parish to parish for deceivinge of the church. If itt can bee soe proved, then restitucon to bee made three fould.

99.15. Alsoe that all proctors ought at Martinmas to put in Book all small tythes, within the parish VIZ purres,calves and coalts, and to receive them from the husbandman at Easter time, and out of 8 9 or 10 one purr, and out of 12 but one purr, and in like maner of calves and coalts ; Provided alwayes that the husbandman shall choose one or two out of the whole, of the best: when he payeth one or more, either purrs,coalts or calves.

99.16. Alsoe, when any mann hath but five purrs,calves or coalts then the husband mann shall hath one choise, and then the proctor to praise the next, and the husbandman to take

or give, and if the husbandman hath but 3 calves he shall pay out of every one an ob and out of 3 coalts 3d.

99.17. And whereas the proctor hath not hath out of 6 or 7 lambes, but halfe a lamb, then he may take out of foure lambs halfe, in like maner of purrs, calves and coalts.

99.18. Also concerninge tyth geese, they are to bee taken after the same order, and most comonly taken in the month of December and, as for tyth eggs, they are to bee taken at Easter [p141]and are the beginninge of the annual fruits next ensueing for every henn and egg, and for the only cock 2 eggs.

99.19. Alsoe, concerning honey and tyth wax. If there be 8,9, or 10 hyves of that year, then the husbandman shall have 2 choises, or out of 12, and the proctors shall have the third choise hyve for tyth, and if in case there be but 5 hyves, the husbandman shall have once choise, and the husbandman is to give or take; But when there is but 2 or 3 hyves, then after the wax and honey is purified, they shall take the tyth thereof justly and truely. And whereas the proctor hath not had out of 6 or 7 hives but halfe a hive, then he may take out of 4 hives, halfe a hive.

99.20. Alsoe every master of a fishinge boate, shall cause all the fish to bee brought, above the full sea mark, and there to pay truely the tyth, and if they will not truely pay, then the master shall make five shares of all his fish, and the proctor shall appoint to be divided what share he will, the master must divide, the proctor shall choose in that order because itt hath noe lyfe.

99.21. Alsoe when any herringe fishinge is the proctor shall take his tyth where the boate doth ground and land; If the boate land in another parish then their own, they pay halfe tyth there for their landings; Except itt bee of such boates as are freed to the Bishop, Abbot, Prior, Archdeacon, parson, vicars of third or pencons, instituted, as before spoken of in this Book.

99.22. And if there bee any salmon fishinge, taken in either fresh or salt water, the tyth thereof is to bee paid.

99.23. Also all boates, that fish either in England, or Ireland, for herringe, or gray fish, is to agree for halfe their tyth at their comminge home, with their own parson, vicar or proctor; And in case they bringe any fresh herrings not haveinge paid halfe tithe there, they must pay whole tyth here.

99.24. And whereas the Sumner, parson, and cleark take paines in gathering woole and lambe, haveinge with them one horse a piece, and in like maner one sack apiece for

carrying the woole, then either of them to hath one choise lambe, and one fleece of woole, paid out of the tyth.

99.25. And itt is accustomed that all men of occupacon, what science soever they bee of, is to pay for the tythe of the same 2d yearly; although he use itt but three times in the year, [p142]provided alwayes that all apprentices dureinge the time of their apprenticeship pay nothinge. [p143]

W.

100. Wages generall to tradesmen, as taylors, weavers, walkers, mazons, carpinters etc: and the penalty against such of them as refuse to work at such wages, as alsoe against such farmers as exceed that sett hyre or wage.

100.1. By general consent of the whole councell and representatives of this Isle; itt is established by law, that every head taylor workinge by the day, shall hath for his wages, with meat and drink 4d and not above; And every apprentice taylor with meat and drink 2d and not above; And every taylor working for servants shall hath with meat and drink 2d and his apprentice 1d and not above; And if any refuse to work after any the said rates, or refuse to comme beinge sent for by the farmer (except he bee in another manns work) shall upon complaint, sufficently proved, bee putt to bee a servant.

100.2. Itm every woolen weaver shall hath for every yard of woolen cloath; for blankett sufficently wrought ob for every foure great hundred breadth of keare, ob for every yeard of medley, 1d beinge five hundred, which is for every great hundred q.

100.3. Alsoe that every linnen webster shall hath for every yard of cloath sufficently wrought, accordinge to the old custome, after as the yern shall bee in smallness and greatness.

100.4. And every walker andller of cloath,shall hath for every yard of blankett-cloath, sufficently fulled an ob of the great hundred, for every yeard of keare cloath ob q, every yeard of medley 1dob, and every yeard of white cloath 1d.

100.5. Alsoe every mason, carpinter, shipwright, hooper, sclator, thatcher thatchinge after the English fashion and joyner shall have the day with meal and drink 4d and not above, beinge sufficent workmen.

100.6. Alsoe, every blacksmith shall have for the layinge of every coulter 1d, for makeinge of every coulter 2d, for makeinge of every new suite 2d, for layeinge and makeinge of every hinge ob.

100.7. And if any farmer or other having occasion to use any the said handy craftsmen shall give any greater wages then as before menconed, unless it be by way of bounty and not be sett hyre, shall for every tyme soe offendinge, forfeit to the Lord, as much as the whole wages or dayes work amounts thereto.

100.8. Also every mower doing his work sufficently VIZ two to an acre, shall hath by the day, with meat and drink 4d and without 12d ,which is at the farmers choyse; and if they refuse to comme work at that wages (unless they bee in another mans work) such, upon complaint, is to bee putt to bee a servant, and if not of that capacity, to bee fined and punished, at the courts discrecon; And if any shall presume to give any more wages than aforesaid, he shall forfeit to the Lord as much as the whole wages or dayes work cometh to.

101. Waterbayliffes charge and duty and especially touchinge shipwrecks, and the maner of ceizinge such wrecks, and how to bee charged.

101.1. The waterbayliffes charge and duty touching all the ingates and outgates of the comodities imported and exported out of the severall partes of this Island, or any other dues and forfeitures that happens and fall unto the Lord in the seapoarts of this Isle; as alsoe concerninge the maner of arreast to bee made by him ; the same is treated of under the tittle of the Customers duty; because such offices and duties are now generally executed and performed by them, within their respective seapoarts; And as for the waterbayliffes duty in and about the herringe fishinge, and for the sittinge and callinge an Admirall court the same is alsoe spoaken of under that tittle, both before in this book incerted. Now itt falls out to speak of concerninge his duty, in respect of all shippwrecks and floates of ser, as itt doth alsoe belong and appertaine to his office.

101.2. By an antient statute law within this Isle, any vessells or any other goods, that is imbayed within the heads of Mann (and none of the company belongeinge to the same alive) whether above water or under water, the same falls to the Lord by his prerogative.

101.3. And if any such wracks is found within the heads of Mann (which is practised to be at that distance from the land, that the tyde and wind might have carried such a float clear from the land); any boat or vessel that finds and bringes such wrackes to shoare and soe to the Castles, is accustomed to have the one halfe thereof, either in kind or the valuacon of the one halfe thereof (if the Lord have occasion to use any such in his shoares).But if such wrackes or [p145]floates bee found within such heads, points or promontories of any poart or harbour; The finders are only to hath the third parte or of the valuation as aforesaid for bringinge the same to shoare, and to the castle as aforesaid.

101.4. And if such bee saved on dry shoare, the parties soe saving the same (if itt appear they took any reasonable paines in the saving thereof, beinge in hazard to bee taken away by the surge of the sea againe, and such like) are only to bee recompenced accordinge to their pains taking; and if itt bee found lying on the dry shoare, then to bee likewise paid suteable to their deservinge, at the discrecon of the officers or waterbayliff.

101.5. And if any person shall bee found to take up, or convey or any way purloyn any wrack or floate, further then from the lowwater mark, till above the fullsea mark without the Coroner, Lockman or 2 witnesses bee with him to testifie his proceedinge; upon a presenment thereof made by the Great Enquest, the same person soe offending shall fined in 3s4d to the Lord.

101.6. And when any such forfeitures fall; and are ceized within the full sea mark; by any petty officer as the Coroner or Lockman, they are forthwith to certifie the same unto the Governor that he may call the rest of the officers, to consult whether the same bee lawfully forfeited, and if they find the same soe to bee, to cause the Waterbaliff, to take imediate course to swear 4 men (but usually the 4 of the Great Enquest of the parish where such wracks are cast in) to appraise and value the same (for if such wrackes amount not to 6dob in value it is accustomed that the Coroner hath the same by his office, as a fee or a prerequisites due unto him) which the Waterbayliffe is to enter into his Book, with a noate of the date of the ceizure, and the particulars of such wraikes or ceizures. That in case any person or persons shall come in within a year and a day, after such ceizure, they may have the benefitt of the law of the Island, for the restoracon thereof in kind, or value, upon sufficient prooffe, rebuteinge for the charges, in saveinge and ceizinge such wrackes as aforesaid. And if none such appear, or that the officers find in consultinge about the said wrack, that the same is a cleere forfeiture, then the same to be sould and converted to the Lords best advantage, and the Comptroller to charge the same (if soe sould) on the Waterbayliffes accompt in every year, as oft as any wracke falls out.

101.7. And itt was anciently deemed that if any wrack were found cast up above the full sea mark, that the same did properly belong to the charge of the Receiver; But if itt were found and saved under the full seamarke, or on float as aforesaid that then the same was to bee looked after by the waterbayliffe, and to bee placed to his accompt.

102. Warren or the circuitt appropriated to the Lord neer Castle Rushen, for fowlinge or huntinge; As alsoe the Lords warren for rabbitts on the north side of the Isle, and the penalty against such as trespass in them.

102.1. It hath been ordered and enacted, in pursuance to an antient custome and priviledge, that noe person or persons of what degree or qualitie soever; Except the Governor of the Isle and the Lords officers, shall bee permitted to shoot at any fowle; or hunt or course the hare, with any grayhound, bitch, beagle, curr or mungrell, willingly or wittingly within the limitt warren or circuitt, from Castle Rushen to Kenhuagh Burn in K.K. Christ-Rushin and followinge the said burne, upto the felldike to the northeastward unto K.K. Santan Burne, and soe along the said burne unto the sea side, and from the sea side to the Castle againe, upon paine of forfeiture to the Lord, for every time soe offending 2s3d, without the especial lycense of the Lord or of the Governor, officers or one of them; The said Governor, officers or one of them lycensing any such, to shoot [p147]or hunt for the use or pleasure of such officer or officers themselves, and not for the use of the party soe lycensed, or shootinge or huntinge. And for the better observance of the said order, there are six honest men, dwellinge in severall plath of the said circuitt, to be sworn at every court to make presentment jointly or severally of such as afford harm; And alsoe 4 soldiers (that are noe ordinary hunters or foresters themselves) to be in like maner sworn, to present any soldier soe offendinge as aforesaid or any other that they know of; And alsoe it may be lawful for any other person, as well as those sworn men, to make presentment of any offender in this nature without entringe any danger for the same; And if any persons soe sworne as aforesaid contrary to their oathes and knowledge, such are to bee proceeded against as in the case of perjury, by the law of this Island.

102.2. Alsoe the Lord hath a certaine warren or circuitt on the north parte of this Isle; appropriated unto him, by his prerogatives, for a warren for conneys, or to plant rabbitts in; Beginninge at the Burne-foot at Ballaugh and soe round about the shoare, to the point of the Ayre, and up againe till Ramsey burne ; which his Lordship or his officers doth farme yearly, unto certin warrents at a yearly rack-rente. And if any shall transgress within that circuit or warren, in killing of rabbitts, or otherwise spoyle or digg the warren, without lycense for the same; such upon the presentment of a jury, or of the warden upon oath, or other lawfull eviction, are to bee severely fined and punished at discrecon. [p147]

103. Watch and Ward, how to bee kept on the coastes of this Isle, and the penalties against such as neglect their watch; And what persons are freed from doing watch.

103.1. For the safeguard and security of this Island; Itt hath been provided and declared by certaine antient acts and statutes; That the watches and wards on all the coasts of this Island, and poarts of the sea, bee well and duly kept, and that none bee sent thither, but such as are of discrecon, and able to discern and bee carefull; That the nightwatch shall

comme att sunsettunge, and not departe before the sunriseinge and that the daywatch shall come at the sunriseinge and not depart till the sunsettunge.

103.2. And whosoever fayleth any night in his ward, and the Warden appointeth another in his roome, forfeiteth to the Warden the first night, a wether, the seacond night a cow, but if he fayle the third night, body and goods to the Lord of the Isle.

103.3. And if any person should come to the place where he should watch, and then after the watch is sett, goes away before the ordinary time, without consent of the Warden, such person is to forfeit body and goods att the Lords pleasure.

103.4. And as oft as any forfeiture happens in this nature, it is to be presented in Court by a jury, or by sufficient witnesses, before the Governor and officers, considering that most forfeitures of that kind, stand in perill of looseninge body and goods.

103.5. And itt is an antient custome, that the Captaines, Lieutenants, ensignes, 24 Keyes men, the Moars and their Runners, the Coroners and Lockmen; the Customer and Searcher of every poart, one head and chiefe Smith, one head or Chiefe Milner in every parish, hath their freedom from the watch, unless in tyme of apparant danger, they as well as other persons, upon warninge given, to bee ready to encounter the enemy, upon paine of forfeiture of body and goods to the Lord.

103.6. And if the warden of the watch doe not nightly see the watches sett, at the howes appointed, or comitt any other neglect in his duty, he is to bee punished at the Governors discrecon, or otherwise as the offence shall demerit. [p149]

104. Wayes how to bee allowed, and apporconed to such as their own lands, doth not extend to the Kings Highway, and how wayes of ease and suffrance; are tryable by Great Enquests, and how such enquests, proceedinges are definitive.

104.1. As concerninge wayes betwixt neighbours and persons wantinge wayes from their own ground, to the Kings highway; Itt hath been an antient customary law, and still retained that any that want a way to the Kings highway from their own house, they ought to goe and drive as farr upon their own ground, as they can towards the Kings Highway, and then to have a way on their neighbours, and that to be 18 foot broad, and if their own ground come to the highway, they cannot have noe such waye upon their neighbours, for thought they should want the nearest waye, they ought not to have it in that order, but must goe further about, on their own land, if it come to the highway as aforesaid.

104.2. And whereas there are severall wayes of ease, suffrance customary and the like, betwixt neighbours in many or the most places of this Isle, to Church, markett and milne

wherein oftimes happens much variance and contencon; Such diference therefore, as falls out in respect of such wayes are tryable and determinable, by the Great Enquest of the Sheading, as they are sworn and charged in their oathes to doe, accordinge to such proofes and evidences, as cometh before them, touchinge the continuance of tyme, use or other just equality of such wayes, as is generally practised and apparent amongst the records for these many years; But if there bee any new waye to bee made upon any mans ground; then they are to observe the rule, prescribed in the statute before recited.

104.3. And for the maner of determining and acquiescing all such diferences touching either such highways, or any other contest about mere ditches, comons, or the like, by such Great Enquests proceedinges; It is observed and accustomed that if 2 Great Enquests one after another, should deliver one and the same verdict in any such controversies, that such verdicts are to stand good, without any reversall to bee granted the party findinge himselve aggrieved. But if such 2 Great Enquests give contradictory verdicts, one for the one party [p150] and the seacond for the other, In that case then is a select and grand enquest of 24 to bee chosen out of the severall sheadings of that parte of the Isle, where such diferences lie; And what verdict or proceedinge such Grand Enquest shall deliver therein and thereupon, the same is to stand and remaine as a full and finall period to the same difference to all intents and purposes afterwards.

105. Weavers to bee sworn to deal truly with the to the lawes of the countrey, and the penalty against such as will not soe doe, or keep webbs unwooven about a 12 month and such bad dealings.

105.1. Upon advised consideracon of the great necessaty and reasons induceinge the same; It hath been thought fitt, and accordingly ordered; that every Great Enquest within this Isle shall take all weavers sworn before them, to deal truly and uprightly with the country in such goods and webbs as they did send unto them to be wrought, and that they will not conceal, or any way defraud the Countrey of any such their goods, but be just and faithfull in the exercisinge of their occupacon, accordingly.

105.2. And if any such weavers (provided still they bee sufficient workmen, to undertake the countreys work otherwise to bee putt to service) will refuse to take any oath in that nature, upon a presentment made by such Great Enquests, they are to bee fined in 3s4d to the Lord; and to bee inhibited from workinge, untill they hath taken such an oath in effect as aforesaid.

105.3. And if any such weavers will make any unlawful work or use any indirect dealinge with the countrey, or keep their webbs unwooven in their houses for a whole year, upon

presentment of such by the Great Enquest, they are to bee amerced in the like fine of 3s4d to the Lord. [p151]

106. Wifes parte of goods on the north and alsoe on the south side of the Island; with the distinction therein. And touchinge the woomans right or widdowhood in a farme. And any wife committinge adultery, how she looseth the benefitt of her moity.

106.1. By the antient and continued law of this Island, Every mann and wife, which departe this life, upon the South-side of this Isle doe stand in one effect, that is to say, the mann to hath the one halfe, and the wife to have the other halfe. Provided alwayes that the debts temporall bee paid out of the whole, and the debts spirituall (or funerall charges and other Church dues be paid out of the deceadents parte.

106.2. But it standeth otherwise on the Northside of the Isle. In case a mann or wife departeth this life, haveinge not children or issue, the wife hath the one halfe, and may bequeath it to whom she will, in like manner as upon the southside; Butt in case there be any issue or children lawfully begotten, then if the man departe, the goods moveable are divideable into three partes, VIZ, one parte to the executors, another parte to the dead, and the third parte to his wife, and of all goods unmoveable not haveinge any liffe, the wife hath the halfe of those intirely.

106.3. Alsoe, any mann marryinge a wife; and she dye, before they be marryed a year and a day, the man can have none of her porcon or marryarge goods ; and in like maner if the husband die, she cann have noe parte or porcon of his goods; except it be given by gift or bequeathed by will of either party; But their goods to return accordinge to law, VIZ, to their issue if any be, or to the next of kin from whence it came.

106.4. But any wooman that is marryed by a farmer or an heyre of an estate and he dye, by the law and custome of this Countrey, she is to have and recieve the benefitt of the moity of such estates ; while she continueth unmarried or in her widduity; yett if she marry a seacnd husband or otherwise miscarry; or forfeit in any notorious crime, she utterly looseth that benefitt by the lawes of this Isle.

106.5. And itt is the same with any mann that marryeth an inheritrix - she dyeing, haveinge left lawfull issue, the mann [p152]retaines the like benefitt of a widdowhood in the estate, save only that he shall not forfeit his widdow right in the estate, upon any miscarriage, But upon eviction of some capitall crime, and the like.

106.6. Alsoe such inheritrix after she is soe marryed hath not power in herselfe to sett or sell any parte of her estate without the free consent of her husband, for that interest is

involved in him, by becominge to be her head, Neither can any mann that is an inheritor himselfe, make any such disposall of his estate, without his wiffes free consent, by the custome of this Land; otherwise such wife may hath an accon and recovery for the moiety of any parcell that is soe sould without her consent, or soe much in lieu thereof, of the rest of the estate, and continue the same dureinge her naturall life, or widuity as aforesaid.

106.7. And if itt happen that there bee two widdowes at once in a farme; In that case the first or eldest widdow is to retaine and enjoy the moiety, and full widdowhood in the farme, and the seacond widdow the fourth parte to her share, and the succeeding heyre the other fourth parte, untill either widdow die, then her to have the one halfe and the succeedinge or survivinge widdow the other moiety.

106.8. Or that if a mann marry 2 wiffes, if he have children by the first, the seacond wiffe shall enjoy but the 4th parte of the farme for her widdowhood as aforesaid, and so consequently if he marry more wiffes, haveinge children by the former, the cotter shall still have the fourth parte; but if he have not children by the former wife or wiffes, the cotter shall then have her full widdowright accordinge to lawe.

106.9. And whereas heretofore itt hath been a customary law within this Isle, that any wife goeing from her husband either for adultery or any other cause, might by force of the said law, give away the one halfe of all such goods and catle, as her husband and she were ceized of, to any person whom pleased herself; which law was thought to bee against the law of God and good government. It hath therefore been ordered and enacted, that if any wife shall comitt adultery, and bee thereof lawfully convicted before the Bishop or his lawfull Deputy, the Governor and the rest of the [p153]officers shall loose her benefitt of that law; And shall hath noe more of her husbands goods, then shall bee agreed upon by the Bishop or his Deputy, the Governor and the rest of the officers for manteynances.

107. Wills of Deceadents how to bee written, in what limitacon they are to bee proved; and what fees are due for their probatts. And when the legacies bequeathed in such wills are to bee paid.

107.1. Whereas itt hath been a great complaint in this Isle, that the minister of every parish, hath used to take 7d for the writinge of a deceadents will, whereas the party himselfe or some friend for him would hath written itt for litle or nothinge; and that the Church hath refused somtimes to accept of and prove such wills, except they were made and written by the minister his hand; It is therefore ordered that every man may make, or cause to be made, his own will, by whom he shall please to direct ; And if he desire the Minister to

make it that he shall agree with the Minister as he can for the writing thereof, and not otherwise.

107.2. And alsoe, whereas the probatt of deceedents wills have been heretofore overlonge deferred and neglected, whereby sometimes the decedents goods are much imperilled and impaired, to the prejudice and damage of creditors, executors and children, with many other inconveniences ensueinge. It is therefore ordered and ordained that the probatt of every will shall be fully perfected and effected within the time and space of three months, next after the decease of the party, at the furmost, upon paine of fine and severe punishment on the persons or parties, that shall fayle in the [p154]performance and neglect the same, after due and lawfull notice and sumons, given by the officers of the spirituall court, appointed in such matters; And therefore that the spirituall officers take speciall care for the observance of this order and Act.

107.3. And the ordinary or his substitutes are to hath for the probatt of every will itt, if itt bee a richmans will 12d, and for a poore mans will 4d (as is expressed in the perpetual indentures betwixt the clergie and the temporality) beinge not able to pay a corpresent, accordinge to law.

107.4. And all legacies bequeathed in any will, are to bee paid within fourteen days, after the probatt of such will, accordinge to statute.

108. Witchcraft or Sorcery how to bee proceeded against.

108.1. When, and as oft, as there is any person suspected of witchcraft or sorcery, and presented by the Chapter Quest; The ordinary doth examine all such cases, and findinge any lawful suspition, he shall impannell another jury of probable men, within the parish, and is to comitte the party suspected in the meantime to the Bishops prison ; and all the offences or crimes which the jury doth find, or can prove, the ordinary shall write, and if the jury can bringe or prove any notorious fact or crime done by the said person, then the ordinary doth deliver the same person out of the Bishops prison to my Lords Gaol and Court where such person is to receive his tryall by indictment, and arraignment as in the nature of fellony or such notorious crimes.

109. Witnesses in what cases they are requisite, and what matters and actions are determinable, without witnesses, and in what case one single wittness is sufficient; Alsoe what penalty is against such as endeavour to suborn witnesses, and witnesses how to bee allowed towards their charges.

109.1. It is an antient customary law, That as oft as any controversie falls betwixt party and party for any maner of cause, that then the party plaintiffe shall (upon the south side of the Island, and the defendant on the north side), bring with them 2 witnesses, beinge honest men to witness truth, accordinge to the lawes; Soe that they witness to their own knowledges.

109.2. But this statute for the generalities thereof doth extend to such controversies as are tryable; before the Deemsters, and not altogether observed for the proove of actions at the comon law, where oftimes the juryes take the best evidences, and other induceinge circumstances accordinge to the discovery of the case, to proceed by; And other times for the maner of proveinge damages upon accons of trespass at the comon law, itt is usually practised to refer such proofes to the oath of either the plaintiff or defendant (cum confer su partium) and only without other proofes or witnesses; and alsoe in some particular cases, as for damages sustained by battery, the party plaintiff hath (oftimes) such proove upon his own single oathe. Provided still he be a person of good and honest credit and reputacon.

109.3. Alsoe, in such cases where the Lord is a party, as in the proveinge the breach of the peace, or the like, in which the Lord receiveth a forfeiture or amercement, one witness being an honest man is to be taken and reputed sufficient (on the Lords behalfe and parte) by law.

109.4. If any man shall be found to goe about to suborn any person to be a witness for him, in any case, upon lawful eviction thereof such party is to be severely fined and punished at the discrecon of the Court.

109.5. And if any witnesses are charged more than once upon any cause (except my Lords) at the suite of either plaintiff or defendant in one and the same business; they shall hath reasonable charges awarded and paid them, at the descretion of the Court, Governor or Deemsters, (before whom the case depends) from the party whether plaintiff or defendant or any other person, that is the cause of their unnecessary charge and trouble; And if the default bee by any of the witnesses themselves, then such to bee fined to the Lord, and to make satisfacon towards the [p156]said charges of the rest of the witnesses, that appeared and are ocasioned to further trouble; by such neglect; Provided such persons bee lawfully charged and due presentment made therof.

III, References to Paragraphs.

[Note. The marginal notes in the text often make it difficult to determine which sentence a given reference is intended to accompany. Rather than marry references to text in the manner which seemed most suitable to the transcriber, it seemed more preferable to simply key them to each paragraph. In practice, the subject matter of each paragraph is sufficiently narrow as to make it unlikely that any researcher will be inconvenienced.]

[Note. Abbreviations are, it is submitted, to be understood as follows. St.fo. - page of original statute book; L.P. - Libri Placitorum; L.S. - Libri Scaccarii; L.C. - Libri Cancellarii; L.P.A. - Libri Placitorum Monasticum Rushen; Customary Law # - Reference to manuscript of that title in the Manx Museum; Custome - No authority available on the point; Lord. Chas. Ord. - Order of Lord Charles; Rotul. - Libri Rotulorum.]

1.
 - .01 St.fo. 3; St.fo. 1; L.P. 1577.
 - .02
 - .03 L.P.A., pro divertis annis.
 - .04
 - .05 L.S. 1600; Customary Law 17; St.fo. 40; Custome.
 - .06 L.P..
 - .07 L.P. 1584,1604,1605.
 - .08 Customary Law 18.
 - .09 Customary Law 21; vide Lord Chas. Ord. contra 1669.
 - .10 Custome; Stat.fo. 17; vide fo.23; Page 15.
2.
 - .01 St.fo. 77; Customary Laws 27.
 - .02 St.fo. 38.
 - .03 St.fo. 38.
 - .04 L.P. 1503.
 - .05 Itm et L.P. 1589,1593.
 - .06 L.P. 1595.
 - .07 St.fo. 39.
 - .08 L.P. 1596.
 - .09 L.P. 1589,1595; L.P. 1595 fo.22.
 - .10 Itm. fo.49.
 - .11 L.P. 1602; St.pa. 45; L.P.A. 1604,1627; L.P. 1677.

- .12 L.P. 1599.
- .13 L.P. 1600; L.C. 1674 fo.37 et Ronaldsway case et L.P. 1671.
- .14 St. 1637.
- .15 St.pa. 60; et fo.93; et fo.98.
- .16 Customary Law 26.
- .17
3.
 - .01 St.fo. 5 et 7 ; L.S. 1582,1583; L.S. 1606.
 - .02 L.S. 1596.
 - .03 St.pa. 7.
 - .04 St.pa. 36.
 - .05 St.pa. 15,26,43.
4.
 - .01 St.pa. 76; L.S. 1648.
 - .02 Practise.
 - .03 St. 1637 pa 75 et 89.
 - .04 L.S. 1597.
 - .05 St.1667 pa.117; vide L.P. 1588.
5.
 - .01 L.C. 1666.
 - .02 L.S. 1627.
 - .03 L.S. 1627.
 - .04 L.S. 1614 vide St.pa. 99.
 - .05 L.S. 1537.
 - .06 L.S. 1630; L.S. 1582 et 1612

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| <p>6.</p> <p>.01 St. 1665, pa.113.</p> <p>.02</p> <p>7.</p> <p>.01 L.P. 1602,1607.</p> <p>.02 vide L.C. 1670.</p> <p>.03</p> <p>8.</p> <p>.01 L.S. 1664.</p> <p>.02 L.P. 1602 in the case of Stevenson and Qualtrough.</p> <p>9.</p> <p>.01</p> <p>.02 St.fo. 4.</p> <p>.03 St.pa. 7.</p> <p>.04 St.pa. 14.</p> <p>.05 St.pa. 12.</p> <p>.06 St. 1610; Customary Law 17.</p> <p>.07 L.S. 1599.</p> <p>.08 St.pa. 12.</p> <p>.09 Rotula 1520.</p> <p>10.</p> <p>.01 Customary Law 10.</p> <p>.02 Customary Law 9; L.P. 1587; L.P. 1577.</p> <p>.03 Customary Law 11.</p> <p>.04 Customary Law 5.</p> | <p>.05 Customary Law 6.</p> <p>.06 Customary Law 7.</p> <p>.07 Customary Law 8.</p> <p>.08</p> <p>.09 Customary Law 23.</p> <p>.10 L.C. 1677; L.S. 1638; L.P. 1576.</p> <p>.11 L.S. 1583; St.1645.</p> <p>.12 L.S. 1610 fo.3.</p> <p>.13 Practise.</p> <p>11.</p> <p>.01 St.pa. 45,50.</p> <p>.02 St.pa. 31,41,50.</p> <p>12.</p> <p>.01 St.pa.4; page 89.</p> <p>.02 L.S. 1580,1581.</p> <p>.03 St. 5,6.</p> <p>.04 St.pa. 7; L.S. 1566.</p> <p>.05 St.pa.5; L.P. 1580,1582; St.pa.96.</p> <p>.06 Customary Law 36.</p> <p>.07 St.pa.8; L.S. 1601.</p> <p>.08 St.pa.6.</p> <p>13.</p> <p>.01 St.pa. 15.</p> <p>.02 St. 1664 pa.108.</p> <p>.03 St.1664.</p> <p>14.</p> <p>.01 Customary Law 34; L.P. 1576.</p> |
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.02 Customary Law 35; L.P. 1602.	.02 St.pa.88.
.03	.03 L.P.1610; Custome; St.pa.43; L.S. 1631.
.04	.04 Custome; L.S. 1635.
15.	21.
.01 Customary Law 28.	.01 St.pa.2; L.C.1672.
.02 Custome.	.02 St.pa.24.
.03 Custome.	.03 L.S.1613.
.04 L.S. 1610.	.04 Itm.
16.	.05 Itm.
.01 Customary Law 31.	.06 Itm.
17.	22.
.01 Stat 1665; L.S. 1617; St.fo.36.	.01 St.pa. 31.
18.	.02 Itm; vide Regist Spirituall 1675.
.01 Customary Law 1.	.03 St.pa. 38.
.02 L.S. 1582.	.04 St.pa. 31.
19.	.05 Itm.
.01 L.P. pro diversis annis; Custome or practise.	.06 Itm.
.02 L.P. 1579.	.07 St.pa. 31,41.
.03 L.P. 1511.	.08 L.S. 1603 fo.47; Cros of Peel Towns Case.
.04 L.P. 1581.	.09 Practice.
.05 Itm.	.10 Customary Law 3.
.06 Itm.	.11 St.pa. 21.
.07 L.P. 1588.	.12 St.pa. 84.
.08	.13
20.	23.
.01 St.pa.2.	

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| .01 St.pa. 98,132. | .15 L.S. 1583 fo.10. |
| .02 St.pa. 106. | .16 |
| .03 St.pa. 119,156. | 26. |
| 24. | .01 St.pa. 16; fo.23. |
| .01 St.pa. 10,26. | .02 Itm. |
| .02 Itm. | .03 St.pa.68; Custome. |
| .03 St.pa.12. | .04 St.pa.35. |
| .04 St.pa.14. | .05 St.pa.68,95. |
| .05 St.pa. 25. | .06 St.pa.40; L.P.1599,1610. |
| .06 L.S. 1603. | .07 Custome. |
| .07 St.pa. 9; St.pa. 14. | .08 Custome et St.pa. 68.; Custome. |
| .08 | 27. |
| 25. | .01 St.pa. 18,60,82. |
| .01 St.pa. 1,11. | .02 Itm. |
| .02 St.pa. 2,11. | .03 St.pa. 32,83. |
| .03 L.S. 1610. | 28. |
| .04 Custome. | .01 St.pa. 35,85. |
| .05 Practice. | .02 St.pa. 35. |
| .06 St.pa. 11,68. | .03 Itm. |
| .07 St.pa.19. | .04 Itm. |
| .08 St.pa.17. | .05 Itm. |
| .09 St.pa. 9,5; L.S. 1592. | .06 L.S. 1616. |
| .10 St.pa. 41; Customary Law 13. | .07 St.pa.32. |
| .11 L.S. 1611. | 29. |
| .12 L.S. 1618; L.P. 1609. | .01 St.pa. 21,26. |
| .13 St.pa. 43. | .02 L.S. 1631. |
| .14 L.S. 1607. | 30. |

.01	.08 St.pa. 15,26.
31.	.09 St.pa. 7,42.
.01 St.pa.1; Rotul 1541.	.10 Itm.
32.	.11 St.pa. 44.
.01 vide L.P. pro diversis annis; L.P. 1601.	.12 Itm.
.02 St.pa.7; L.P. 1577,1601.	.13 St.pa. 26.
.03 L.S. 1601.	.14 St.pa. 42.
.04 Itm.	.15 St. 44.
.05 L.P. 1588; Rotul 1519.	.16 Itm.
.06 L.P. 1609,1581.	.17 L.P.
.07 Rotul 1513; L.S. 1609.	.18
.08 L.S. 1629.	.19 St.pa. 64
33.	.20 St.pa. 41.
.01 St.pa.12; Practice; L.C. pro diversis annis.	.21 St.pa. 11; L.S. 1612.
.02 Rotul 1578.	.22
.03 Itm et L.C. 1677 et divers alys annis.	35.
.04 L.P. 1600,1671.	.01
34.	.02
.01 L.P. 1576; St.pa.43.	.03
.02 L.P. 1609; St.pa.43.	.04
.03 Itm et St.pa.7.	.05
.04 Itm L.S. 1618, L.P. 1589, L.S. 1618, L.P. 1602.	.06
.05 L.P. 1602.	36.
.06 St.pa. 75.	.01
.07	.02
	.03
	.04

37.	.03 St.pa. 32; St.pa. 82.
.01	.04 St.pa. 82.
.02	42.
.03	.01 St.pa.9; Itm; L.S. 1499,1600,1601.
.04	.02 St.pa.11.
.05	.03 Custome.
.06	.04 St.pa. 16; St.20.
.07	43.
.08	.01 St.pa. 45,1; L.S. 1600.
38.	44.
.01	.01 Customary Law 37.
.02	.02 L.S. 1561.
.03	.03 L.S. 1600.
39.	.04 L.S. 1590.
.01	45.
40.	.01 Practice.
.01	.02 Itm.
.02	.03 Itm.
.03	.04 Itm.
.04	.05 Itm.
.05	.06 St.pa.45; L.S. 1582,1592.
.06 Customary Law 26.	46.
.07	.01 St.pa. 64,88.
.08	47.
41.	.01
.01 St.pa. 31; Itm.	.02 L.P. 1603.
.02 St.pa. 114.	48.

.01 St.pa. 28,80.
.02 L.P. 1599.
.03 L.P. 1609.
.04 L.P. 1602., 1603.
49.
.01 St.pa. 36.
.02 Itm.
.03 L.S. 1638 fo.43.
50.
.01 St.pa. 93.
51.
.01 St.pa. 69.
.02 Itm; Itm.
.03 Itm.
.04 Rotula 1566; L.S. 1581.
.05 Itm et L.P. 1586; L.S. 1582.
.06 L.S. 1583, 1598.
.07 Customary Law 12; L.S. 1598.
.08 Customary Law 14; Rotul 1554.
.09 St.pa. 42; L.S. 1593.
.10 St.pa. 20.
.11 St.pa. 39.
.12 St.pa. 20.
.13 Customary Law 20; St.pa. 160.
.14 St.pa. 190.
.15 Itm.
.16 St.pa. 200.

.17 L.S. 1590,1599; St.pa. 16.
.18 St.pa. 20.
.19 Itm.
.20 St.pa.16.
.21 L.S. 1590.
.22 St.pa. 24.
.23 St.pa. 70.
.24 L.P. 1581; L.S. 1583
52.
.01 St.pa. 39,52,55,121.
.02 St.pa. 110.
.03 St.pa. 120.
.04 St.pa. 148.
.05 St.pa. 110.
.06 St.pa. 53; L.S. 1611,1601.
53.
.01 St.pa. 7; L.P. 1589.
54.
.01 St.pa. 20; L.S. 1618.
.02 St.pa. 20; Itm.
.03 L.S. 1591,1619; L.P. 1599.
.04 St.pa. 40.
.05 St.pa. 64.
.06 St.pa. 69; Customary Law 16.
.07 Customary Law 15.
.08 Itm.
.09 St.pa. 44.

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| .10 St.pa. 42,44; L.C. 1658. | .03 St.pa. 68. |
| .11 St.pa. 44; L.P. 1606. | .04 Itm. |
| .12 St.pa. 95. | .05 Itm. |
| .13 L.P. 1581. | .06 Itm. |
| .14 | .07 St.pa. 65. |
| 55. | .08 Itm; St.pa. 24. |
| .01 L.S. 1591,1596. | .09 St.pa. 22,14. |
| .02 L.S. 1595. | .10 St.pa. 9,13,64. |
| .03 L.S. 1600; L.P. 1584. | .11 Itm. |
| .04 St.pa. 91. | .12 St.pa. 66. |
| 56. | .13 St.pa. 13,23,25. |
| .01 St.pa. 2. | .14 St.pa. 65,25. |
| .02 St.pa. 8,9. | .15 St.pa. 25. |
| .03 St.pa. 3,4. | .16 St.pa. 9. |
| .04 St.pa. 8. | .17 St.pa. 65. |
| .05 Itm. | .18 St.pa. 13. |
| .06 Itm. | .19 St.pa. 10. |
| .07 St.pa. 8. | .20 St.pa. 13,25. |
| .08 Itm. | .21 Itm. |
| .09 Itm; L.S. 1598. | .22 Itm. |
| .10 St.pa. 8,89; L.S. 1608. | .23 St.pa. 66. |
| .11 St.pa. 8. | .24 St.pa. 15. |
| .12 St.pa. 98; L.S. 1601. | .25 St.pa. 2; L.P. 1577,1598; L.S. 1603. |
| .13 L.S. 1600; L.P. 1584; L.S. 1651 fo.31. | .26 L.S. 1609; St.pa. 69; L.P. 1566. |
| 57. | 58. |
| .01 St.pa. 65. | .01 L.S. 1610. |
| .02 Itm. | .02 L.S. 1613. |

.03 L.S. 1614.	61.
.04	.01 St.pa. 9.
.05	.02 Itm; St.pa. 1.
.06	.03 St.pa. 3,93.
.07	.04 St.pa. 69; L.S. 1603.
.08	.05 St.pa. 77; L.S. 1612, 1636.
.09	62.
.10	.01 St.pa. 41.
.11	.02 St.pa. 2,11; L.S. 1612.
.12	.03 L.P. 1594; L.P. 1589.
.13	.04 L.S. 1609.
.14	.05 Customary Law 19.
.15	.06 Lib. 1696.
.16	.07 St.pa. 39; L.P. 1586.
.17	.08 Custome.
.18 L.C. 1678.	.09 St.pa. 87.
59.	.10 St. 1674; St.pa. 54; L.C. 1591,1671.
.01 St.pa. 44.	.11 St.pa. 98.
.02 Itm; L.P. 1584.	.12 L.P. 1666; St. 1668.
.03 St.pa. 34.	.13 Custome.
.04 L.P. 1601,1602.	.14 L.C. 1696.
.05 St.pa. 68.	.15 Practice.
.06	.16 St.pa. 77 in margine script.
60.	.17 St.pa. 60; St.pa. 93; St.pa. 98.
.01 St.pa. 89; L.P. 1582; St.pa.2.	.18
.02	63.
.03 L.P. 1675; Customary Law.	.01 L.P. 1602; L.P. 1603; L.S. 1496.

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| <p>.02 L.C. 1643</p> <p>64.</p> <p>.01 St.pa. 102.</p> <p>65.</p> <p>.01 St.pa 46,64.</p> <p>.02 Itm; L.S. 1611.</p> <p>.03 St.pa. 46.</p> <p>.04 Itm ; L.S. 1596,1609.</p> <p>.05 St.pa. 74.</p> <p>.06 St.pa. 74; L.S. 1616; L.P. 1610.</p> <p>.07 St.pa. 75.</p> <p>.08 L.P. 1596; L.P. 1582,1604.</p> <p>.09 St.1673.</p> <p>66.</p> <p>.01 St.pa. 21.</p> <p>.02 fo.15.</p> <p>.03 St.pa. 21.</p> <p>.04 Itm.</p> <p>.05 Itm.</p> <p>.06 St.pa. 15 et 27.</p> <p>.07 L.P. 1581; Rotul 1502.</p> <p>67.</p> <p>.01 St.pa. 5,89; pa.75</p> <p>68.</p> <p>.01 St.pa. 2; Custome.</p> <p>.02 St.pa.17; L.S. 1611.</p> <p>.03 St.pa. 17; L.S. 1582.</p> | <p>.04 L.S. 1582,1592; St.pa. 39,45.</p> <p>.05 L.P. 1607.</p> <p>.06 L.P. 1610.</p> <p>.07 L.P. 1602.</p> <p>.08 Custome.</p> <p>.09 Itm.</p> <p>.10 Itm.</p> <p>69.</p> <p>.01 St.pa. 72; L.P. 1579; L.P. 1609.</p> <p>.02 Customary Law 29.</p> <p>.03 L.S. 1597; L.P. 1595; L.S. 1670;
Custome.</p> <p>.04 Custome; L.S. 1586.</p> <p>.05 Custome; L.P. 1605, 1662.</p> <p>70.</p> <p>.01 St.pa. 46.</p> <p>.02 Itm.</p> <p>71.</p> <p>.01 St.1679.</p> <p>72.</p> <p>.01 St.1679.</p> <p>73.</p> <p>.01 St.pa.2.</p> <p>.02 St.pa.26.</p> <p>.03 St.fo.10.</p> <p>.04 Itm et pa.11.</p> <p>.05 St.pa.12.</p> |
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.06 St.pa.8.
74.
.01 St.pa.35
.02 St.pa.84.
75.
.01 St.pa.57; L.P. 1608.
76.
.01 St.pa. 6,7.
.02 Itm.
77.
.01 St.pa. 41.
.02 L.S. 1632.
.03 Practice; St.pa. 41.
.04 L.S. 1637.
.05 Custome.
.06 Custome; L.S. 1635.
78.
.01 Rotul 1561; L.P. 1577.
.02 L.S. 1584; Itm.
.03 L.S. 1592.
79.
.01 St.fo. 8.
.02 L.P. 1586.
.03 L.P. 1591.
80.
.01 St.pa. 110; L.P. 1578,1579 etc.
.02 St.pa.iii; Itm.

.03 Itm; Itm.
.04 St.pa.110.
.05 St.pa.53.
.06 St.pa.39.
.07 L.P.1609,1673 et diversis alyis anis.
.08 L.P. 1585, 1589.
.09
81.
.01 L.S. 1606.
.02 Itm.
.03 Itm.
82.
.01 St.pa. 45; L.P. 1607; L.S. 1614.
83.
.01 St.pa. 13.
.02 St.pa. 14.
.03 St.pa. 24.
.04 St.pa. 15.
.05 St.pa. 70; St.pa. 25.
84.
.01 Custome; St.pa. 87,88.
.02 St.pa.14.
.03
85.
.01 St.pa.8.
.02 Itm.
86.

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| .01 L.P. 1583; L.S. 1586. | .26 Pa.102. |
| 87. | .27 Customary Law 24. |
| .01 St.pa.5. | .28 Customary Law 25. |
| .02 Custome. | .29 Custome. |
| .03 St.pa.103. | .30 |
| .04 St.pa.105. | 88. |
| .05 St.pa.104. | .01 L.S. 1612. |
| .06 St.pa.105. | .02 Rotul 1577; L.S. 1671 et diversis alysis anis. |
| .07 Itm. | .03 L.S. 1673; St.pa.9; L.S. 1672. |
| .08 Itm. | .04 L.P. 1671. |
| .09 St.pa.106. | .05 L.S. 1618,1659,1675. |
| .10 Custome; Itm. | .06 Customary Law 36. |
| .11 St.pa.45. | .07 St.pa.93; L.S. 1604,1672. |
| .12 St.pa.119. | 89. |
| .13 St.pa.107. | .01 Rotul 1541; St.pa.20; L.S.1599,1638; L.P. 1609. |
| .14 Itm. | .02 L.S. 1619. |
| .15 Itm et pa.62; St.pa.118; St.pa.119. | .03 vide Lib. Casual diversis anis. |
| .16 St.pa.107. | 90. |
| .17 St.pa.117; St.pa.118. | .01 L.S. 1587; Practice. |
| .18 St.pa.117; St.pa.40. | 91. |
| .19 Itm. | .01 St.pa. 34. |
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.02 L.P. 1577.	.05 St.pa.30.
.03 St.pa. 32,36,81.	95.
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.11 St.pa.40,106.	.01 St.pa.68,120.
.12 St.pa.16.	98.
.13 Itm; L.S. 1590.	.01 St.pa.97.
.14 St.pa.64.	.02 St.pa.103.
.15 St.pa.9; L.S. 1582,1610.	.03 St.pa.112.
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.03 St.pa.102.	.05 Itm.
.04 St.pa.2; L.S. 1609.	.06 St.pa.36.
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.09 St.pa. 83.	.01 St.pa.7.
.10 St.pa. 33.	.02 St.pa.7.
.11 Itm.	.03 L.P. 1620.
.12 Itm.	.04 Itm.
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.15 Itm.	.07 Rotual 1541.
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.18 St.pa. 34.	.02 L.C. 1661,1666; L.P. 1584; L.S. 1597.
.19 Itm.	103.
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.02 itm; et pa.40.

.03 St.pa.32.

.04 St.pa. 38.

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