

THE Copyhold Customes of the Honnor of Clitherowe are ascertained as followeth by the Jury of Surtey within the fforrest of Pendle, in the Manno^r of Ightenhill, & are alike in all the other Mannors within the Honno^r, viz^t:

1. ffor ascertaineing the Customes of the said Manno^r, Wee also say, That the Steward of the said Manno^r ought to keepe the Halmott Courts of the said Manno^r twice [per] Annu, & not above, vnles by speciall Order & directions:
2. That a Copyholder may Surrender his copyhold lands in this Manno^r (viz) by Rodd in person, or by a lawfull Attorney by writeing before the Steward in open Courts, Or out of Courts by the Steward, by the Grave, Or by one or Two Customary Tenants of the same Manno^r, & alsoe by the Rodd by words without writeing:
3. That a Surrender legally made out of the Court, ought to bee presented into the Court at or within the Third Court after the Surrender thereof, otherwise it becomes void. And the tenant that received the same for not presenting thereof, forfeits his Copyhold estate, & ought to bee soe presented & found by the Homage:
4. That if a Tenant recieue a Surrender, and within the Third Court after & before presenting thereof die, Soe that thereby the same Surrender falls into another's keeping, in such case it ought to bee delivered vpon Oath to the Homage, by them presented into the Steward's hands in open Court, the Manno^r whereof must be expressed in writeing as Parcell of their Verdict:
5. That the Grave or Customary Tenant may, at or within the expressed time, by the Custome of the said Manno^r, Surrender in open Court the lands to them formerly delivered & intrusted, according to the doner's intent, & the Surrender thereof may take Admittance, paying the Accustomed ffyne (viz^t) One yeares ancient Rent of the lands soe Surrendered, & no more:
6. That if a Tenant by Copy of Court Roll Surrender a Customary estate, & at the time of such surrender making be not of sound memory, then such Surrender is void & of no force:
7. That if the Surrendree Die before his admittance, his heires at lawe may receive the same, answering therefore to the Lord of the said Manno^r a double ffyne (viz^t) Two yeares Rent of the lands whereof Admittance is soe giuen:
8. That vpon the Death of every tenant of Alienation of land, a yeares Rent becomes due thereof to the Lord of the said Manno^r in name of a ffyne or reliefe, according to the Custome of the said Manno^r, and noe further charge:
9. That the heire at lawe of a Copyholder who died seized on ffee of a Cophyold estate during his inter Marriage, the wife, after his death, is dowable of a ffourth part thereof:

10. That the heire at lawe of a Copyholder who died seized in fee, is to be found and presented by the Homage, at the next Court after, & to be admitted Tenant accordingly:

11. That vnto such heire, if under the age of fowerteene yeares, the Homage ought alsoe to finde a Guardian, who must finde sufficient Pledges for the well-governing as well of the body as of the lands of the infant vntill the same come to age, & then a just account thereof to make (necessary expenses to bee allowed), after which age of fourteen yeares such heire may yearly, vntill his full age of Twenty & one yeares, chuse a Gardian before the Steward, who is to take the like Pledged Dureing such election:

12. That the Steward may assigne a Gardian to the heire under the age of ffourteene yeares, whose lands are intrusted & estated in ffeoffees takeing sufficient Pledges as before, & takeing therefore iij^s-iiij^d:

13. That the Husband may hold the lands of the wife by the courtesie of England:

14. That a husband may Surrender his Copyhold lands to the use of his wife, for by that Surrender the lands are transferred into the Lord's hands to her use, from whom shee takes her estate, & not immediatly from her husband:

15. That the Surrendree having an estate to him & his Assignes for life, lives or yeares, may assigne over the same, either by Surrender or by an Assignement, by will or writeing lawfully executed:

16. That a Copyholder may not lett his Copyhold lands for a longer time than a yeare & a day, without Surrender:

17. That the Party to be Admitted is, after three proclamations made in Courts, to take the same Admittance, but if any forbid the same, then, before any Admittance, the same fforbidd is to bee entered, & either granted, or els pledge found to answer the same according to Custome:

18. That is a fforbidd bee granted in open Court, & soe entred & incerted into the Court Rolls, the granter thereof & all persons claymeing under him are excluded & debarred accordingly:

19. That a Copyholder may not exchange his lands, vnless it be done by Surrender, soe that htereby the Lord may receive a ffyne (viz^t) a yeares Rent of the lands soe exchanged:

20. That Coyhold lands may not bee entailed within a ffyne or Surrender from one to another; if any such bee it is void, & the lands shall revert to the right heires; neither can the same bee ffyned, for vpon Condicion mencioned in the ffyne or Surrender, for that noe use of trust may bee contened within the body of a ffyne of Surrender; but a Copyholder may make ffeoffees in trust in his

Customary lands, & all manner of vses may be expresses in an intent or Schedule annexed to the ffyne or Surrender, or in Indentures or last will in writeing:

21. That ffeofees in trust may not referfe to a contrary ang wrong vse in breach of their trust, neither is there any Averment against a Coppy of Court Roll:

22. That all reall plaints are to be entred & tried in the same Courts by a venj [Venue] of Twenty and fower Customary Tenants, according to the Custome there; & after the same be soe tried there, the same shall not be any more tried in the same Courts, & the Plentife of Defendant against whome the verdict is found (of the Plt if he be non suit) must pay the whole charges for calling together the said Venj[Venue] whichi is ix^s-iiijd:

23. That a Tenant holding by Coppy, or having beene actually possessed Thirty yeares, ought not thereof to be dispossessed by the Steward, but by due course of lawe:

24. That vpon presentment made by the Homage for wrongfully withholding of lands, the Steward may (sitting the Court) grant his warrant for delivery of possession according to the Ancient Course & proceeding of the Court, vnless a Traverse with sufficient Pledge bee tendred for tryall thereof at the next Court by Twelve men, vntill which Court the Pledge is to stand charged for the meane profits of the lands in question:

25. That if the Grave bee molested in the Execution of the saide Warrant, the party presented may shew cause thereof before the Steward, and be admitted to his Traverse according to the Custome, giving sufficient Pledge as in case is vsuall where a Warrant is granted onely vpon a presentment:

26. That if the said Grave doe, by virtue of such Warrant, deliver Possession of the land therein mentioned according to the tenour thereof, then the execution of that same Warrant is effectively perfected, & by the Custome of the said Manno^r the Steward cannot contradict the same, as to dispossesse the party in possession, either by Traverse or by Collour or pretence of any Supersedias or otherwise grounded of the same proceedings:

27. That no Writt of cerciorare [*certiorari*] or any othe[r] writ granted by any superior Court, ought to bee received by the Steward for the removeing of any presentment of Plaint wherein the tittle of land is concerned:

28. That two or three of the Homage ought to bee sworne officers (together with the Steward) to asseesse the severall Amerciaments vpon the presentment made at the same Court:

29. That the Homage at every Michaelmas Court ought to present & finde a Grave for the said fforest, who is not to enter into his office vntill the Michaelmas next after; & that a Deputy Grave ought to bee elected by major vote of the Tenants in open Court for the execution of that office, & sworne accordingly;

30. That the proceedings of the said Court ought to bee carefully & exactly inrolled in Parchment, & true copies thereof make vpon request, takeing therefore Due ffees, according to the Calender of ffees herevnder Written:

A TABLE OF THE FFEES

	l	s	d
ffor an Admittance	0	00	2
ffor a Parchment Copy	0	02	6
ffor entring a fforbidd	0	00	2
ffor a search in the Records	0	03	0
ffor a search in the Paper booke	0	01	0
ffor a Paper Coppy	0	01	6
ffor a Repleven	0	02	4
ffor entring a Reail Plaint	0	01	0
ffor a Warrant for Possession	0	02	4
ffor a Coppy of the Reall Plaint	0	01	0
ffor entring a personal Plaint	0	00	2
ffor a Coppy thereof	0	00	2
ffor receiving and returning a Writt & ffor removeing a personal Plaint	0	02	4
ffor entring a Traverse & inrolling thereof	0	02	0
ffor taleing & entring a pledge therevpon	0	01	0
ffor an Arreast	0	01	0
ffor draweing a Declaration	0	01	0
ffor fileing the same	0	01	0
ffor a Coppy thereof	0	01	0
ffor entring a Plea	0	00	4
ffor a Coppy thereof	0	00	4
ffor entring a Judgement & the Laver fact	0	00	4
ffor takeing the examination of a wife in Court	0	01	0
ffor examination out of court	0	02	0
ffor a summu ad Testificand	0	02	0
ffor entring the election of a Gardian with pledge	0	02	0
ffor a Parchment Coppy thereof after Inrolement	0	02	6
ffor a Coppy of a presentment in Paper	0	01	6
ffor the Adjournement of a Court vpon Request	0	13	4
ffor calling a Court by special Order	1	00	0

Vera Copia scripta et examinata secundum,

RICHARD TATTERSALL

20 November, 1668.