| Terms of the Law of Scotland. | Terms of the Law of England. |
|---|---|
| Theft (manifest) | Larceny, or theft of goods or Chattels in a way it is called open Theft |
| Thief taken in the Fang | a Thief taken with the Manner or rather Hand taken, or taken having the stolen goods in his Hand, Backbound |
| Thoft (not manifest) or where the offender is an outfangth. of ——— priuy Thoft | The Mainer, that is a Thief in the very Fact — a Thief so taken having the stolen goods on his Back |
| Thing | Chose. |
| An Incorporeal Thing, as a Right Annuity, Bond &c. | Chose in Action. |
| Thirlage | Molendini, or Soca ad Molendinum an obligation to grind at such a Mill. Bond Secund. |
| Thirled or Thirl, astricted | obliged to grind at Such a Mill. |
| Thole (To) | To endure |
| Tith, vid. Tiend. | |
| Titles or Rights where one having two Titles to Lands or Tenements is foil'd of them by his later Title and that proving defective is restored to the former and more antient Title | This Restitution is called Remitter. |
| Tocher or Tocher Good | A wife's marriage portion, or dowry; the money or goods which a wife brings her husband in marriage. |
| Tradition or giving of Seisin | Livery of Seisin, or Livery and Seisin. |
| Transact (To) | To compound a Matter by Transaction |
| Transaction | Accord, Concordia, concord. |
| A Form of conveyance of Lands or Tenements by way of a Judicial Transaction between persons contending about the same in a Depending process recorded in court. | A Fine; Finis finalis concordia. Anciently it was a composition of a real controversy but now it is generally a feigned action upon a Writ of Covenant &c. and supposes a controversy where in Reality there is none, to secure the Title that a Man hath in his Estate against all men, and with more certainty to convey the Interest, Title of Lands &c. to whom we please also, and in such manner as is agreed. Fine is Feoffment of Record and doth imply in it Livery & Seisin. He who acknowledges, passes or levies a Fine is called the Cognisor or Conusor. He to whom the Fine is passed or acknowledged or levied is called the cognisee or conisee. It is called a Fine, because it makes a final agreement of all Differences. The Terms cognizor and cognizee come from cognosco to acknowledge, instead of Recognosco. There are Single and double Fines. A Single Fine is that by which nothing is granted or rendered back again by the cognizees to the cognizors or any of them. A Double Fine containeth a Grant or Render back again either of some Rent, common &c. out of the Land, or of the Land itself. |
| Transference of a decreet obtained against one deceas'd | Scire Facias on a Judgment obtained against one deceased |
| Transference against a debtor's Representatives | Scire Facias against an Executor or Administrator to shew why Execution should not be had against him upon a Judgment had against the Testator or Intestate. |
| Transgression (1) | Transfer, conveyance from one to another |
| Translation of a Right | Translation of a Bishop. |
| Transportation of a minister | Where a Candidate for Holy orders having a Title in one Diocese is to be ordained in another. The proper diocesan sends his Letters Dimissory directed to some other ordaining Bishop giving Leave that he may be ordained, and this such a Dimissory Letter. |



| Terms of the Law of Scotland. | Terms of the Law of England. |
|---|---|
| Transmit (warrant to) or remove or transfer a Record from one court to another | A Mittimus |
| Transumpts | Transcripts, Exemplifications, collated copies &c. |
| Treasure found hid in the earth whereof the Ownership is unknown | Thesaurus Inventus. Treasure Trove. |
| Trespass or misdoing, misdeed | Misfeasance or Malfeasance |
| Trespasser or offender | Misfeasor, ~~and~~ |
| Trial (a false or erroneous) | a Mistrial. |
| Triplication or Tuply or the pursuer's Answer to the defender's duply | Surrejoinder, or the plaintiff's Answer to the defendant's Rejoinder. |
| Trust (bid. fiduciary commissum) of Lands and tenements to one for another's behoof | An use in behalf of another |
| One for whose behoof a Trust is given of Lands | Cestui que use (for cestui al use de qui) he for whose behoof another man is infeoffed in Lands or Tenements; and makes an Estate according to his direction, letting him take the profits. |
| Trustee or Fiduciary | Cestui que Trust he who hath a Trust in Lands or Tenements committed to him for the Benefit of another or one that stands seised of Land to the use of another, who is called Feoffee to an use. |
| Turf | Turbary. Turbatia (from Turba an obsolete latin word for a Turf. Common of Turbary is a Liberty which Tenants have by prescription to dig to dry Turf on the Lord's waste. |
| A Right to dig Turbes on another Mans Ground | |
| Tutor | Guardian or Gardian. |
| Tutory, or Tutorship, or Tutelage a person to whose custody a minor heirs is committed | Guardianship. a committee. |
| Vacancy of courts, or while courts are not open | Vacation. Non-Term (Non terminus) The vacation between Term and Term. |
| Vacancy of a Benefice, or the Time from the death of one Spiritual person, till it be supplied with another | Avoidance of a Benefice, when it is void of an Incumbent. Abeyance or Abbeyance of a Benefice, the expectation of it. |
| Vacant (a) Benefice | a Benefice in Abeyance, in Expectation or in Abandonment of Law, is vacant. |
| Vacks | |
| Vacat quantum valeres potest (vid. pro Loco et Tempore) | Let it be done or taken do bono esse. |
| Valens agere, Having person stands in Judice | personable, in abled to hold plea in court, standing rectus in Curia |
| Valentines, i.e. precepts orders in Civil papers like valentines act 103 par. 11. J. 6. | |
| Valuation or Estimate of Lands to a yearly Rent for payment of Debt owing to the Creditor | Extent. |
| Revaluation | Re Extent. |
| To value Lands in order to pay the Creditors debt | To Extend. Lands worth so much per annum besides all Reprises |
| Lands of so much clear yearly value | |
| Vassal | Tenant (a Tenendo from holding), Tenant in Fee &c. that holds of some Lord by Fealty. Feodatary. |
| An immediate Vassal | A very Tenant, one that holds immediately of the Lord Tenant of the Fee &c. |
| A Vassal holding his Lands (7) | Tenant paravail, or paravale, one that holdeth his Fee of one that holdeth (or holdeth over) of another. |
| A Vassal's Vassal or Subvassal | a one is called Tenant paravail because he holdeth at the foot and vail of the Land. paravail is a compound of two French words par by, and avalor to let down. |
| A Vassal of whom another holds as his Superior — Superior | Homage, a Feodal. |
| Vassal upon Tenant | Admittance of a Tenant or giving him possession |
| The Right or condition (8) | |
| Entry of a Vassal | |
| A Vassal's acknowledgment of a new Superior or Singular Successor in the superiority to whom his former Superior | An Attornment, quasi turning from one to another |
| Vassal (a) Vassal, person granted or holden in feud, material as occupation | a Land Tenant, Feoffee, Tenant |

(7) immediate of the Superior, a Freeholder — Tenant in capite.

(8) of a Vassal of whom another holds as his Superior — mesnalty, a Superior's Superior, one who holds upon courtesy at another's pleasure, a Vassal who holds Lands of Tenements for a Term of years or life.