a day ost ɣearonige vs to boe ɣtrved,
Agat wth tyme breviates must bee made
ost the effect ost the pleadinge, depositions
and other proofes and evidente, and the
womsell effectlie instructed ost the weole
state ost the matter, and a subp ad audiend
judicium made and delivered to the ptie
ni convenient tyme before the said day
ost ɣearonige. At wch tyme albeit that
upon the ɣearonge the matter boe
dismissed, yet maie the ptie save the
depositions ost their witnesse ɣompliffied
under the greate seale ost England for
the further and maintenance ost
their right and tytle, at and by the
womon lawe. But yf the matter boe
decreed for the comp, after the decree
past and inrolled, ye maie save a
writt de execucione Judicij wch must
boe serued upon the deft. And yf ye
refuse to minister the same, then upon
oate made therefor ptie ost contempt
is to boe sued agat him. And yf sure
decree boe in suite ost lande, and the
deft abide all the said ptesse ost contempt
and still detaine the possession ost the
lands from the p, contrarie to the said
decree, then upon motion therof maie
in Court a Comission is shalbe
framed to the Sheriffe and some
other in like adioyninge to the lande in question
to put and keepe the p in possession according
to the said decree.

## Of a Comission to examine witnesses in perpetuall memorie

First the p must exhibite his Bill and
therby shewe his tytle to the lande sought,
or suche like matter that ye gate right
unto, and that the witnesses wch can
prove his tytle bee aged, and not like
longe to live wherby ye maie bee in
damager ost the losse ost their testimo in
question. And therefore to praye to have
a Comission directed to certaine gentle
ost credit and woorshipp for the examinacon
ost the said witnesses. And also to proue
ptie ost subp agat him, ye, or them,
to shewe cause, yf ye or they can, why
the p should not examine his witnesse
as aforesaid.

## Concerninge these matters ost the Chauncerie note what ensueth.

And yf the ptie deft doe appeare,
either by himselfe or his Womsell and
shewe suffitient cause as the Court
will allowe ost why the p should not
examine his witnesse, as is aforesaid
then the p maie not proceed therin,
unlesse ye can better satisfie the Court
to the contrarie. But yf the deft bee
contented, and will ioyne wth the p
in examinacon, then after examinacon
had, there can bee no publicacon
therof, duringe the lives ost the witnesse
unlesse the deft doe assent, or unlesse



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