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Glossary

The following list is not exhaustive, but aims to cover most of the terms which may be encountered by modern researchers. A selection of Latin phrases frequently used in deeds is also included. Users are advised to consult the Latin vocabularies listed in the bibliography for assistance in translating commonly occurring words such as house, field, rent, and the like.

Term	Definition
abstract of title	document showing how the title of a property devolved to the current owner; often a summary of prior ownership listing details of previous deeds
abuttal	adjoining property to that involved in a deed
administration	process by which goods and possessions passed to the heirs of a person who had died intestate
admittance (or admission)	ceremony by which a new <i>copyhold</i> tenant gained entry to a customary holding by paying a fine and receiving a rod
advowson	the right of presentation of clergy to a rectory or vicarage
affidavit	statement made in writing by a <i>deponent</i> , and confirmed by the swearing of an oath
annuity	annual money payment
apportionment	allotment, usually of a sum of money such as a rent or a tithe payment, between a number of beneficiaries in the proportion due to them.
appurtenance	other 'things' belonging to a property, e.g. yards, gardens, rights etc
assignee	person to whom something has been assigned or transferred
assignment	transfer - perhaps of a <i>lease</i> or a <i>mortgage</i>
attorney	1. a lawyer 2. a person appointed to do something on another person's behalf in a letter of attorney
bar entail	prevent an <i>entail</i> from taking effect
bargain and sale	an early form of <i>conveyance</i>
bond	agreement to pay a penalty if certain conditions or actions are not performed
chancery	formerly the highest court of the land, to which many cases relating to property were taken
chirograph	archaic word for a <i>final concord</i> or other indenture
codicil	addition to a <i>will</i> , signed and sealed by the <i>testator</i>
common recovery	a legal 'fiction' by which land could be transferred instead of using a <i>conveyance</i>
consideration	usually the purchase money for a property; sometimes the consideration was not a monetary payment but the 'natural love and affection' from a parent to a child
convey	to transfer <i>freehold</i> property from one party to another
copyhold	property held by copy of court roll, i.e. held of a manor
corporeal hereditaments	tangible property such as land and buildings; also known as real property
counterpart	a second copy of an <i>indenture</i> , exactly matching the first
covenant	an agreement entered into by one or more <i>parties</i> to a deed
curtilage	a yard or court belonging to a dwelling house
declaration of trust	process by which a person is made a <i>trustee</i> , including details of what the <i>trust</i> involves
deed poll	deed made and executed by only one <i>party</i> . With a straight top edge
defeasance	a deed which acted to cancel a <i>recognizance</i> of a <i>statute staple</i>

deforciant	the defendant in a <i>final concord</i>
demandant	person/group attempting to recover property in a <i>common recovery</i>
demise	<i>lease</i>
deponent	person who swears an oath to confirm an <i>affidavit</i>
determination	ceasing of provisions within a deed
devise	to transfer property through a will
devisee	someone receiving property from a will
disentail	to break an <i>entail</i>
dower	a widow's right to one third of her late husband's property
easement	a right or a privilege over property, e.g. a right of way
encumbrance	something affecting title to property, e.g. a mortgage or entail
endorsement	something written on the back of a deed
enfranchise	convert <i>copyhold</i> land into <i>freehold</i> tenure
enrolment	copy of a deed kept on a court roll
entail	the settlement of property so that it must descend in a specified manner, for example from father to eldest son or husband to wife; the property must not be sold or otherwise disposed of
entry fine	sum of money payable on entering a property e.g. as a <i>leasehold</i> or <i>copyhold</i> tenant
enure	to hand over to a person, or to belong to that person; especially following a <i>common recovery</i> or <i>final concord</i>
equity of redemption	the right of a <i>mortgagor</i> to redeem the property he has mortgaged; this right could be passed to a third party
executor/trix	person appointed to carry out the provisions of a will; an executor is male, executrix female
exemplification	a formal copy of a deed, normally issued with a seal of court; most commonly a <i>common recovery</i> , but sometimes a <i>fine</i>
fee/fee simple	absolute possession of freehold land
fee tail	an estate of inheritance limited to a particular <i>heir</i> or heirs thanks to provisions in settlements or wills
feoffee	a <i>trustee</i> who holds land without specified conditions
feoffment	a means of conveying property, technically by a ceremony called <i>livery of seizin</i>
final concord (fine)	record of a collusive court case in which the <i>plaintiff</i> demanded property from the <i>deforciant</i> ; usually used as a further way to prove title following a <i>feoffment</i>
fine	another term for a <i>final concord</i> ; OR a sum of money paid for the granting of a <i>lease</i> or admission to <i>copyhold</i>
freehold	land held in <i>fee simple</i>
further charge	an additional sum lent on the security of an existing <i>mortgage</i>
gift (deed of)	the transfer of real property in medieval times; the term was used even if no money changed hands
grant	means of transferring incorporeal property
grantee	person to whom something is granted
grantor	person who grants something to another
heir	person who is due to inherit property
incorporeal hereditaments	intangible property, such as rights and privileges
incumbrances	things affecting a property e.g. a <i>mortgage</i> or a <i>rent charge</i>
indenture	a type of deed which had an 'indented' (wavy) top edge; usually two copies prepared, one to be kept by each <i>party</i>
intestacy	act of dying without having made a will

lease	a <i>grant</i> of property for a specified amount of time, usually a term of years
leasehold	property held by means of a <i>lease</i>
lease and release	a means of conveying property; a lease was granted for a year, and the following day the <i>lessor</i> or <i>grantor</i> 's rights of ownership were released in return for a <i>consideration</i>
lessee	person to whom a <i>lease</i> was granted
lessor	person granting a <i>lease</i>
letter of attorney	document allowing one named <i>party</i> to act on behalf of another
letters of administration	permission to administer the estate of a deceased person, issued by a probate court in cases of <i>intestacy</i> or where the <i>will</i> was inadequate or unable to be proved
letters patent	a form of royal <i>grant</i>
levy	the action of executing a <i>final concord</i>
licence to alienate	royal permission to sell a manor, written in <i>letters patent</i>
livery of seizin	the delivery of possession of <i>freehold</i> property
memorandum	note summarising the terms of a particular transaction; often endorsed on deeds
messuage	term used for a property, often a dwelling house
moiety	half of a property
mortgage	a loan secured by property temporarily transferred from <i>mortgagor</i> to <i>mortgagee</i>
mortgagee	person lending money in a <i>mortgage</i>
mortgagor	person borrowing money in a <i>mortgage</i>
nuncupative will	<i>will</i> which was declared orally but not written down or signed by the <i>testator</i>
partition	division of property between two or more interested <i>parties</i>
party/ies	a person, group or organisation playing one of the roles in the transaction recorded by a deed, e.g. as lessor/lessee, seller/purchaser etc
peppercorn	nominal <i>consideration</i> in a <i>lease and release</i>
plaintiff	the person/group demanding property in a <i>final concord</i>
portion	a share of property allotted to an individual or group
principal sum	money lent in a <i>mortgage</i> , to be repaid with interest
probate	the process of establishing that a will is valid
proviso	a condition stated in a clause in a deed
querent	another word for <i>plaintiff</i> in a <i>final concord</i>
quitclaim	deed renouncing any rights or interests in property
real property	tangible property such as land and buildings; also known as <i>corporeal hereditaments</i>
recital	the repetition of a previous event or deed which may affect property being transferred; the event or deed is 'recited' at the beginning of the new deed; a recital is always introduced by the word ' <i>whereas</i> '
recognizance	a strong form of a bond, normally cancelled by a defeasance
release	1. second part of a <i>lease and release</i> conveyance 2. release of claims = another word for a <i>quitclaim</i>
remainder	an estate in expectation, i.e. the words which indicate that a person will inherit, e.g. the property is transferred to A and his heirs, and in the event of there being no heirs, the remainder to B (therefore B will inherit instead)
rent charge	a rent paid out of certain lands to a person other than the owner of those lands
requisitions on title	questions posed in writing by lawyers to iron out any legal queries relating to a property sale
reversion	the return of a leased property to the original owner after the <i>lease</i> has expired

seal	authentication of a deed; an impression in wax attached to or stuck onto the deed
seizin	possession of <i>freehold</i> property
settlement	transfer of property to <i>trustees</i> , for specified purposes
statute staple	a strong form of <i>bond</i> , normally cancelled by a <i>defeasance</i>
statutory declaration	statement in writing, confirmed by a declaration made in accordance with the Statutory Declaration Act 1835
surrender	the return of <i>leasehold</i> or <i>copyhold</i> property to the lessor or lord of the manor
tenant to the praecipe	a third party in a <i>common recovery</i> to whom property is conveyed in name in order for it to be recovered
tenement	a description of property, usually including a building; a messuage may be divided into two tenements
tenure	the way in which property is held e.g. <i>freehold</i> tenure, <i>leasehold</i> tenure
testator/trix	person writing a will; a testator is male, a testatrix female
title	the ownership of property
trust	holding property according to specified conditions, e.g. to administer or manage the estate and pay the profits to another, perhaps an underage heir
trustee	the person holding property in <i>trust</i>
uses	the purposes for which a property is held in <i>trust</i> by a <i>trustee</i> - usually specified in a <i>settlement</i>
vouchee	person summoned in a <i>common recovery</i> to give proof of <i>title</i> to property
wardship	feudal right of a lord to custody of his tenant's heir whilst a minor
warranty	an undertaking by a grantor to support a new owner's rights to property transferred
whereas	word which marks the beginning of a <i>recital</i> in a deed

Details of entire Latin phrases found in deeds

Phrase	Meaning
ad quod hoc presens scriptum pervenit	to whom this present writing comes
dedi, concessi et hac presenti carta confirmavi	have given, granted and by this my present charter have confirmed
concessuit et dimisit	have conceded and leased
cum pertinentiis	with appurtenances
data apud (name of place and date)	dated at
de me et heredibus meis	from me and my heirs
ex parte altera	on the other part
ex parte una	on the one part
firmiter teneri et obligari	am firmly bound and obliged
habendum et tenendum	to have and to hold
hec est finalis concordia	this is the final concord
hec indentura facta inter	this indenture made between
hec conventio facta inter	this agreement made between
his testibus (list of names)	these being witness
imperpetuum / in perpetuum	forever
in cuius testimonium huic presenti carte sigillum meum	in witness of which I have attached my seal to this present charter

apposui	
noverint universi per presentes me	know all men by these present
remisse, relaxasse et quietclamasse	have remised, relaxed and quitclaimed
sciant presentes et futuri	know (all men) at present and in future
sibi et heredibus suis	to him/her and his/her heirs

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