

the chronicler that "on the estates of the monastery it was held to be the law that one tenant could get the consent of the reeve by a bribe, and expel another from his house; and that, when a tenant died who had held a fertile piece of land, a man might, by means of a bribe, get himself admitted, without any compensation being given to the wife or sons of the late tenant.<sup>1</sup> As the Abbot wanted money for his buildings, he arranged with the tenants that these grievances should be removed in return for certain payments. It does not seem likely that such a condition of things as the chronicler describes would be found only on the manors of one particular monastery; and if we suppose that it existed in other parts of the country, it is fair to conjecture that it would be long before it disappeared.

When we get down to the period of text-books, we find Glanvill, at the end of the next century, describing the villein as absolutely devoid of all rights of property. Even if we consider his doctrine of villeinage to have received its color from Roman law, and to have been in some measure irrelevant to the actual life of the time, it cannot have been without influence on the mind of lawyers as soon as questions of villein tenure came before the courts.<sup>2</sup> Such

<sup>1</sup> The text is obscure, but this seems to be its meaning: "Pro lege per abbatiae loca rusticis deputabatur, ut quislibet eorum, cui vel invidia vel cupiditas alterius adipisci rem inerat, praepositi inpleta manu mercaturae beneficio, posset alium de sua mansione expellere. Item et aliud plebeiorum incommodum. Cum aliquis filios et uxorem habens, et agrorum fortunatus frugiferorum, domino suo jura inoffense persolveret, et is debito fine quiesceret, nulla fillis vel uxori ejus gratia rependebatur, sed illis ejectionis, in defuncti lucrationibus extraneus data pecunia inducebatur."—Chron. de Abingdon (Rolls Series), ii. p. 25. I am indebted for this reference to an article by the Rev. E. A. Fuller in Proc. Bristol and Glouc. Arch. Soc., 1877-8. It is perhaps not necessary for the present argument to consider earlier evidence; but it may be noticed that in the Rectitudines Singularum Personarum it is laid down that when the *gebur* dies his lord is to take possession of all he leaves. The Latin version, which is probably of the 12th century, and which clearly identifies the *gebur* with the *virgarius*, runs "Si mortem obeat, rehebeat dominus suus omnia." Schmid, Gesetze der Angelsachsen, p. 375.

<sup>2</sup> It would seem, to judge from the "Persones Tale of Chaucer," that the legal theory which treated the villeins as incapable of property had not been forgotten,