

The legal definition of jointress, according to the authority (1) of the day, was a woman whose husband had settled a life estate upon her should she survive him, as a means of barring her dower rights. As the Queen could have no dower rights in the Kingdom, the term *jointress* is misused in a legal sense. Another legal term which Shakespeare uses in a very loose legal sense is "testament":

"But there's a parchment, with the seal of Cæsar;  
 "I found it in his closet; 'tis his will:  
 "Let but the commons hear this testament."

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"Here is the will, and under Cæsar's seal.  
 "To every Roman citizen he gives,  
 "To every several man, seventy-five drachmas."

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"Moreover, he hath left you all his walks,  
 "His private harbours, and new-planted orchards,  
 "On this side Tyber; he hath left them you,  
 "And to your heirs for ever, common pleasures,  
 "To walk abroad, and recreate yourselves." (2)

It may be interesting to note that wills, under the Common Law of England, did not need to be under seal; while, under the Roman Law in the time of Cæsar six seals were necessary in addition to that of Cæsar, (3) viz., five witnesses and the *libripens*, unless it were a *military will* (or testament *in procinctu*) which had fallen into disuse, (4) likewise the form of will recorded in the *Comitia Calata*—in any event neither of these forms was required to be under seal. Moreover, Shakespeare does not use the word "heirs" in a legal sense, for an heir

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(1) "Les Termes de la Ley," p. 472.

(2) "Julius Cæsar," Act III., Scene 2.

(3) "Gaius" (Poste), p. 216.

(4) H. J. Robey: "Roman Private Law in the time of Cicero," p. 176; "Gaius" (Poste), p. 216.