GLANVILLE.

THERE are few students of the English law who are not familiar with the name of Glanville, and yet to most modern lawyers Glanville is little more than a name, as we fear very few nowadays deem it worth their while to devote any time to the perusal of the pages of this ancient legal sage. To those who regard the study of the law from a purely utilitarian point of view, it doubtless seems a useless task to study a treatise written some seven hundred years ago; but to the more philosophically disposed student it must always be a matter of interest to trace the various steps by which the vast body of modern English law has from age to age been developed, and among such, at least, Glanville, even in the present day, may count on some few readers.

In the days of Glanville it was thought to be in no way inconsistent with the pursuit of the law, to follow also the profession of arms. That was a warlike and somewhat turbulent age, when the law even sanctioned in civil disputes the trial by duel, and it is therefore not surprising to find that Glanville appears first to have gained distinction as a soldier, when, as sheriff of Yorkshire, he levied the *posse comitatus* to repulse the Scottish King, William the Lion, who had made an incursion into the country. After a rapid march, Glanville attacked and defeated the Scottish king's forces and made him a prisoner.

When the news arrived in London of the capture of the King of Scotland, Henry II. was in bed smarting from the effects of the whipping he had received from the monks of Canterbury on his recent penance at the shrine of St. Thomas à Becket, and he was more inclined to attribute the defeat of the Scottish King to the interposition of that saint, than to the ability and courage of his valiant sheriff. From this event, however, Glanville appears rapidly to have gained the favour of his sovereign, and he was shortly after promoted to the office of Chief Justiciar, which he held until Henry's death. He afterwards, in the ensuing reign, became a crusader, and perished gallantly fighting in the Holy Land "the enemies of the Cross of Christ."

Concerning the exact date of his celebrated treatise on the laws and customs of England, authorities are in conflict. It is, however, plausibly conjectured from the fact that in two of the precedents which he gives he uses the date, "33 Henry II."; that the treatise was probably written in that year, or in one or other of the remaining three years of that king's reign, which would make its date about 1186 or 1187, just about seven hundred years ago.

Dipping into this, the first systematic book of English law now extant, we get a curious insight into the state of the law in that remote period. We have first a detailed account of the proceedings in a lawsuit to recover land. Even in those days "the law's delay" was not a thing unknown, for we learn that after a defendant had been summoned, he had the privilege of excusing his attendance by "casting essoins"; in other words, presenting excuses such as that he was sick, or beyond the seas, or fighting in the Holy Land; in the latter case he was entitled to a year and a day's delay. These essoins or excuses were required to be proved by oath; but those who were deputed to prove them might themselves also "cast essoins," and it would seem, on the whole, to have been a pretty difficult job to get a reluctant defendant before the Court. The Court in those days had, moreover, a way of dealing out justice which would astonish modern suitors. For instance, if on the day appointed neither the plaintiff nor defendant appeared, the judge might, at