

led Leuds (Lords or Seigneurs) (1) and their allotments, which were called feuda (fiefs or fees) were subdivided among the inferior officers and soldiers upon the general condition, that the possessor should do service faithfully, both at home and abroad to him, by whom they were given. (2) Every feudatory was, therefore, bound, when called upon, to defend his immediate superior, from whom he had received, and of whom he held, his estate.—That superior to defend his superior, and so upwards to the Prince, while, on the other hand, the Prince and every Seigneur was equally bound to defend his vassals or Dependants, who held their estates of him, so that the duty of the whole was severally and reciprocally to defend the conquest they had made together, and every part of it. (3) This singular Institution, which is now called the feudal system, by degrees became general in France, and, by the new division of property which it occasioned, with the peculiar maxims and manners to which it gave rise, gradually introduced a species of laws before unknown.

THE whole of France, however, was not so distributed, nor so holden—all was not seized by the conquerors, such of the ancient Inhabitants, as were allowed to remain in the country, kept their estates as they held them before; many, also, of the Invaders, who were not yet attached to any particular chieftain, took possession of vacant Lands and enjoyed them in the same manner, (4) and there were some, even among the soldiery, who considering the portions which fell to their lot, as recompences due to their valour, and as settlements acquired by their own swords, took and retained possession of them in full property as freemen. (5) From these causes, there were many estates which were allodial, which the possessors enjoyed in their own right and did not hold of any superior Lord, to whom they were bound to do homage or perform service. (6) Every tenant of this description was called *liber homo* in contradistinction to "*vassalus*," or one who held of a superior, (7) yet they were not, by any means, exempt from the service of the state—they

(1) Dalrymple, p. 11. *Loyseau des Seigneuries*, §60 & 61, cap. 1st.

(2) *Loyseau des Seigneuries*, cap. 1st, §62 to 66.

(3) Wright on Tenures, p. 8.

(4) Dalrymple, p. 10 & 11.

(5) Robertson's Charles V. vol. 1st, p. 214. Lefevre de la Planchette, *Traité du Domaine*, vol. 1st, p. 117 & seq.

(6) Robertson's *ibid.* vol. 1st, p. 214.

(7) Robertson's *ibid.* p. 213. Dalrymple, p. 10 & 11. *Chart. of Paris*, art. 182.