must have at least twelve witnesses prepared to testify in favour of his claim.

Jurors in those days were under a very strong obligation to speak the truth, for if it were proved that they had perjured themselves they were liable to forfeit all their chattels to the king, and to be imprisoned for a year.

It would sometimes happen, no doubt, that cases would arise where twelve men could not be found to support a claim, no matter how well founded, and in such a case we gather from Glanville that no redress could be had by grand assize, and the only alternative would appear to have been a recourse to the duel.

Before passing on from the consideration of the proceedings in real actions, we may notice one feature which bears a strong resemblance to the third party procedure recently introduced by the Judicature Act.

In Glanville's time, when a man sold land to another he was required to warrant his title, and in the event of the title of the purchaser being called in question in any suit, the latter might cite his warrantor to appear. Upon the appearance of the latter, he might enter into the warranty of the subject of dispute, or decline it. If he adopted the former course, he then became a principal party to the cause, which was thenceforward carried on in his name. If he declined to enter into the warranty, then proceedings were carried on between him and the person citing him, to determine whether he was bound to warrant or not; and if he were found to be liable to warrant, then, in the event of the tenant losing his land, the warrantor was bound to make him a competent equivalent. The tenant was not bound to cite his warrantor, but if he undertook the defence of the action himself and lost, he could not afterwards recover against his warrantor.

In Glanville, too, we may learn something of the laws affecting that class of the community called villeins, whose status appears to have been little, if anything, better than that of the Russian serfs before their emancipation.

The law of dower, we find, has experienced some changes since Glanville wrote. In his time it commonly meant that property which any free man gave to his bride at the church door. If he named the dower it was confined to that named, provided it were not more than one-third of his freehold land; he might give less, but he could not give more. If he did not name it, then the third part of all the husband's freehold land of which he was seized was understood to be the wife's dower. A man might also endow his wife after marriage with land subsequently acquired, provided the endowment did not exceed the third of all his freehold land; but when the dower was expressly named at the church door, the wife was not entitled as of right to dower in after-acquired lands. Dower in those days, however, was, during the husband's life, in his absolute disposition, and he might sell it, even without his wife's concurrence. Practically, therefore, the right of dower in no way hindered the free disposition of the land by the husband, and this is a point to which modern legislation appears to be again tending.

In Glanville's time we learn that the law of descent was by no means uniform. In some cases the eldest son, and in some the youngest son, was the heir, in others all the sons equally were entitled to the inheritance. The eldest son's title as heir seems to have been confined principally to land held by military tenure, but when the land was held in free and common socage (which is the tenure by which all lands in this Province are now held), the inheritance was equally divisible among all the sons, provided such socage land had been anciently divisible. The eldest