# THE STUDENT'S LEGAL HISTORY

Published @ 2017 Trieste Publishing Pty Ltd

#### ISBN 9780649207220

The student's legal history by R. Storry Deans

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd. Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

## R. STORRY DEANS

# THE STUDENT'S LEGAL HISTORY



THE	STUDENT'S	LEGAL	HISTORY	

# LEADING CASES FOR STUDENTS.

#### RANDALL'S LEADING CASES IN EQUITY.

A Selection of Leading Cases in Equity. By A. E. RANDALL, Barrister-at-Law, Editor of "Leake on Contracts," &c. 1912, 9s.

"To the author's treatment of his subject we can give unstinted praise. His grasp of principles is evident throughout the book, his notes are clear and coucies, and his short statements of law just what the student wants."—Law Quarterly Review.

#### CAPORN'S CASES ON THE LAW OF CONTRACT.

PART I. Principles of Contract. PART II. Special Commercial Contracts. By A. C. CAFORN, B.A., LL.B., of Sheffield University, with F. M. CAPORN, Tutor to the Incorporated Law Society, 1911, 12s. 6d.

"A most useful collection of cases prepared by lawyers of wide experience to lecturing and teaching."—Law Times,

# SHIRLEY'S SELECTION OF LEADING CASES IN THE COMMON LAW.

Eighth Edition. By RICHARD WATSON, Barrister-at-Law. 1908.

"The statements are concise and clear and the cases well selected. . . . The work contains a very large amount of useful law, conveniently arranged and clearly and pleasantly presented."—Law Magazine.

# WARBURTON'S LEADING CASES IN CRIMINAL

With Notes.—By HENRY WARBURTON, Barrister-at-Law. Fourth Edition. 1908. 12s. 6d.

"The cases are selected with much judgment; they are clearly reported, and the notes upon them are carefully and accurately written."—Selicitors' Journal.

#### PETRIDES' STUDENT'S CASES ILLUSTRATIVE OF ALL BRANCHES OF THE LAW.

By P. B. Petrides, Barrister-at-Law. 1910. 10s. 6d.

"The book practically covers the range of subjects read at the Final. The selection of cases is excellent, and we can imagine the book being of great use for revision purposes."—Law Notes.

STEVENS & SONS, Ld., 119 & 120, Chancery Lane, London.

# THE STUDENT'S LEGAL HISTORY

BY

### R. STORRY DEANS

OF GRAY'S INN, BARRISTER-AT-LAW, LL.B.,

Sometime Holder of Inns of Court Studentship; Arden Scholar of Gray's Inn,

&c., &c.

#### THIRD EDITION

LONDON STEVENS AND SONS, LIMITED 119 & 120, CHANCERY LANE

TORONTO : CANADA LAW BOOK CO., Ltd. PHILADELPHIA: CROMARTY LAW BOOK CO.

1913.

T D3468s 1913

> 336894 9-2969 H

### PREFACE TO THIRD EDITION

I HAVE added, in this edition, such matters as are necessary to carry the History of English Law and the English Courts up to date. My thanks are due to my learned friend Mr. J. R. Macdonald for his valuable assistance.

R. STORRY DEANS

3, ELM COURT, TEMPLE, 1913. .

# TABLE OF CONTENTS

INT	RODUCTIO	N		*		×	æ	78	÷	( <b>*</b> )	((*))	. 1
Сна	ртев I.—Ве	FORE	THE	Nor	MAN	Con	QUES	r (	1	1066).		
	Treason—Th Livery—I Wager of Summary	ower-	-Cu	rtesy	-Th	e Ki	ng's	Peac	е—М	odes	of Tr	ial
Сна	PTER II.—V	/ILLIA	м І.	TO I	Нихв	y II	I. (10	066—	1272)	١.		
	Tenure of Le in Capite—I and Success Land—Mort Common Le Ecclesiastics Peace—Crin Procedure— Torts—Real Real and P Debet et De ings—Modes Felony—Du Inquests—T —Functions	Distression, a main w Count and minal Main Action ersons tinet of Tell in rial by	s—I and — Ce irts— Civi Law Pr ns— il Pr -Cov rials Civi	Tests outra Jus l Jur Trize Writ roper enan : Al	r—Thamen lized tices isdict eason Bail of F ty—l t: Tr colitic tions Crim	tary Justin Edion—Cr Lease respanson of	Disp bice- yre: Com iminutunish Wreholds ss—A f Ordial by	of lositi  Ris  Assistment  al ar  ment  it of  cocou  leal  y Jur	Engla on— se of tes— Law d Se ts: Enti- erson nt— -Due	Aliens f the Separ —The emi-c Crim ry—A al Ac Writ- l—A Grand	Descention The ation King Firmin Es a SSIZES CHOS Plea Plea Plea I Jur	ont of cee of g's sal ad- of y:
Сная	PTER III.—I	CDWAR	d I.	TO	Rich	ARD	ш.	(1272	-14	85).		
	General—Re and Recover —Writ of W —Procedure Statute of	ies—Q aste— —Pres	uia I The crip	Empt Law tions	of R in 1	: Alie eal E Real	natio rope: Actio	n of tyse ms—	Land ettled Othe	I—Mo —Coj r Ref	ortma pyholorms	in ds —