could inflict on his coloni “ moderate chastisement,” and could chain them if they attempted to escape, but they had a legal remedy against him for unjust demands or injury to them or theirs. In no case could the rent or the labour dues be increased. The colonus could possess property of his own, but could not alienate it without the consent of the master. Thus, whilst the members of the class were personally free, their condition had some incidents of a semi-servile character. They are actually designated by Theodosius, though the lax language of the codes must not be taken too literally, “servi terræ cui nati sunt.” And Salvian treats the proposition “coloni divitum fiunt” as equivalent to “vertuntur in servos.” This is indeed an exaggeration; a deduction must always be made from the phrases of the mediæval Jeremiah ; the colonatus was not an oppressive system ; it afforded, on the contrary, real security against unreasonable demands and wanton disturbance, and it was a great advance on the system of cultivation by the *familia rustica.* But the point which it is important for our present purpose to observe is, that there was a certain approximation between the condition of the colonus and the slave which tended towards the fusion of both in a single class. To make this plain, we must go a little further into detail.

Besides the coloni there were on a great estate—and those of the 4th century were on a specially large scale— a number of prædial slaves, who worked collectively under overseers on the part of the property which the owner himself cultivated. But it was a common practice to settle certain of the slaves (and possibly also of the freed­men) on other portions of the estate, giving them small farms on conditions similar to those to which the coloni were subject. These slaves are, in fact, described by Ulpian as *quasi coloni.* They had their own households and were hence distinguished as *casati.* In law these slaves were at first absolutely at the disposal of their masters ; they had no property in the strict sense of the word, and could be sold to another proprietor and separated from their families. But the landlord’s interest and the general tone of feeling alike modified practice even before the intervention of legislation ; they were habitually continued in their holdings, and came to possess in fact a perpetual and hereditary enjoyment of them. By a law of Valentinian I. (377) the sale of these slaves was interdicted unless the land they occupied were at the same time sold. The legal distinction between the coloni and the slave tenants continued to exist after the invasions ; but the practical difference was greatly attenuated. The colonus often occupied a servile mansus, and the slave a mansus originally appropriated to a colonus. Intermarriages of the two classes became frequent. Already at the end of the 7th century it does not appear that the distinction between them had any substantial existence. The servile tenures were, no less than the others, stable and hereditary ; and the charges to be borne by the former were not necessarily the heavier.

Whilst giving their due weight to the social and economic circumstances which tended thus to merge the free labourer and colonus on the one hand and the slave on the other in a common class of serfs, we must never leave out of account the directly moral agencies which worked towards the same result by modifying slavery. Nor ought we to have in view only the influence of Christian doctrine and precept considered in themselves; we must regard them as constantly applied in daily life by an independent spiritual order, which was revered alike by the two classes whose relations it assisted in regulating, and whose general attitude towards slavery is sufficiently shown by the celebrated declaration of Gregory the Great.

A review of what has been said will make it plain that the Northern invasions had little to do with the transition from slavery to serfdom. Only two modes have been suggested in which they may possibly have accelerated the change. It is not likely that the newly established proprietors would understand, or respect in practice, nice distinctions between classes of cultivators ; they would probably regard the coloni and slaves, now that their conditions were so much assimilated, as standing on the same basis. And, secondly, the Germans, if we may believe Tacitus, had in their original seats no menial slaves, whilst, on the other hand, they were familiar with the system of slaves settled on separate portions of a domain and paying a fixed share of the produce to its owner. There may be a certain value in these considera­tions. But, on the whole, it appears that, as in the case of the rise of the feudal system generally, so in the particular respect of the qualified personal freedom which accompanied it, the influence of the Northern nations was really of little account, and that both changes would have equally, though perhaps not so speedily, taken place if the invasions had never occurred.

Whilst ancient slavery was, as we have seen, a system fitted to endure under given social conditions, and had a definite political function to fulfil, serfdom, which succeeded when that function was exhausted, was a merely transitory condition, with no other destination than that of leading the working population up to a state of entire personal freedom. How the serf in cities and towns became a free labourer for hire can be easily con­ceived ; he doubtless in many cases purchased his liberty out of his earnings, and in others it was not the master’s interest to retain his services at the cost of his main­tenance. The emancipation of this entire class was favoured by the movement (not, however, to be confounded with it) which established free industrial communities and gave them municipal jurisdiction. But it is very difficult to trace the steps by which the rural serf was transmuted into a free tenant. “ The time and manner,” says Adam Smith, “ in which so important a revolution was brought about is one of the most obscure points in modern history.” Smith himself attributes the change to two causes—(1) the greater advantage to the proprietor derived from the exertions of the cultivator when he worked entirely for himself, and (2) the encouragement which sovereigns, jealous of the great lords, gave to the villeins (under which term Smith seems to comprehend the whole mixed class of non-free tenants) to encroach on their authority. To these economic and political reasons, though doubtless real and important, Smith appears to attribute too exclusive an efficacy, neglecting the moral and religious causes which conspired to the same result, especially the personal influence of the clergy, who were natural mediators between the serfs and the proprietors. The serfs were best treated on the ecclesiastical estates, and many on private properties were liberated “ pro amore Dei ” and “ pro remedio animæ.”

Let us examine more particularly the circumstances of the transition in France and in England.

M. Guérard has shown that from the conquest by Cæsar to the abolition of feudalism there was a steady improvement in the con­dition of the class originally enslaved. He distinguishes three periods—one of slavery proper, lasting till the conquest of Gaul by the barbarians ; the second, ending about the close of the reign of Charles the Bald (d. 877), in which slavery is replaced by an intermediate state which he calls by the indeterminate name of “servitude,” the rights of the *servus* being recognized, respected, and protected, if not yet in a sufficient degree by the civil laws, at least by those of the church and by social manners ; and a third in which, under the developed regime of feudalism, serfdom proper is fully established and the serf-tenant has become simply a tributary under various appellations (*homme de corps* or *de pôté, main*­