officer was in the name of Lord Chief Justice of England. Aldermen was one of the degrees of nobility among the Saxons, and signified an earl; sometimes applied to a place, it was given for a general, with a civil jurisdiction as well as military power, which title afterward was used for a judge, but it literally imports no more than elder.

A dead wife alternarum hundeci; which dignity was first introduced in the reign of Hen. 1. Among his laws, cap. 8, we read, 


The Etches. The wings or side-iles of the church, which such officers were to mark, are called "alter," from alterius; thus, 


Allentum, A sort of hawk called a lauer. See Fowr.}

Alien, Are to licencen by justices of peace, who take recognizances of alehouse-keepers not to suffer disorder in their houses, and they have power to put down alehouses, &c. The same is not to be called gaining of ale in fairs. § 5 Ed. 6. c. 25. Alehouse-keepers are liable to a penalty of £20. for keeping alehouses without licence, and for not paying the duty, which is levied at 8d. in short measure; and 10s. for permitting tippin, &c. and persons retailing ale or beer, alienhouse-keepers, &c. shall sell their ale by a full ale quart or pint, according to the landlord's price, but if any standard, and, ltrailioners, or collectors of excise, are to provide substantial ale quarts and pints in every town in their division places, and mayors and chief officers to mark measures, or forfeit 5l. by statute 1 Jac. 1. c. 9. 3 Car. 1. c. 3. § 12 & 13. W. 3. c. 15. See also, Bush.

By the 17 Geo. 2. c. 17. feb. 18. A penalty is inflicted on alienhouse-keepers having licence to retailspirituous liquors, exercising particular trades, during the continuance of such licence, &c. and by the 26 Geo. 2. c. 24. feb. 14. A penalty likewise is inflicted on publicans permitting journeymen, &c. to game in their houses.

By the 2 Geo. 2. c. 28. feb. 11. Licences are to be granted at public meetings of the justices only.

The licence duty by stat. 9 Ann. c. 23. is one shilling, and by stat. 29 Geo. 2. c. 1. every licence is charged with a further duty of 20s. And by late-mentioned act, feb. 20. If any person shall write any licence without the seal, he shall forfeit 10l. with costs to be recovered as a fine on penalties; and the licence shall not be available till the duty shall be paid, and also a penalty of 30l. By the statutes 16 Geo. 2. c. 8. feb. 8, and 24 Geo. 2. c. 40. feb. 9. No person shall retail any distilled spirituous liquors, without a licence from the officer of excise, taken out ten days before, for which he shall pay 40l. yearly. And by statutes 16 Geo. 2. c. 8. feb. 11. and 29 Geo. 2. c. 17. feb. 22. Such persons shall be first licensed to sell ale or spirituous liquors by two or more justices of the peace. And by the statutes 9 Geo. 2. c. 27. feb. 14. and 24 Geo. 2. c. 40. feb. 28. 29. The justices' clerk shall have 2l. 6d. and no more for such licence.

Her fan jort, (Fr.) To go without day, a woman to be finally disallowed of the court, because there is no further day allowed for appearance. Ricketts, 146.

Her, A seat of tribute annually paid to the lord-mayor of London, by those that fell ale within the liberty of the city. Actig. Par. 183.

Habits. A may-pole called allspice, because the country people have much ale there; but it is not the common may-pole, but rather a long flake drove into the ground, with a sign on it, that ale was to be sold.

Hast, To be an officer appointed in every county, sworn to look to the aforesaid officers of ale and beer, &c. within the precincts of the landskip. Ricketts, 46. In London there are ale-owners, who are officers appointed to pay ale and beer, &c. in the limits of the city.

Huff, (Sm. after) A cat buron or furnance, wherein boiling water is kept for a christening, or dip his arm in up to his elbow, and there hold it for some time. Du Cange.

Alien, A second or further wife, issued from the courts at Westminster, after a marriage, &c. fixed without effect.

Habit, is the manner of description of a defendant, when fined on any speciey, as a pox, &c. and after his name, and common addition, then comes the alias dict, and describes him again by the very name and addition, as in the following example: John, alias John. Jer. Cent. 119. 'Tis unnecessary to fix him the alias dict, therefore better to omit it, as a variance may be fatal. See Mem. ch.

Habitual, (from alienate) One born in a strange country, out of the allegiance of the king; but a man born out of the land, so it be within the limits of the king's obedience and sea; or born of English parents out of the obedience of the king, if the parents at the time of the birth were of such obedience, is no alien.

If an English merchant goes beyond sea, and takes an alien wife, the issue shall inherit him; so it is if an English-woman goes beyond sea and takes an alien husband, the children there born shall inherit her; for though the statute 25 Ed. 3. c. 2. be in the conjunctive, yet it hath been confirmed in the conjunctive to hinder this disability, and the word the being taken instead of as, sometimes it is, being unreasonable that the child should not inherit the parent that is of ability, for the defect of the other that is not. Co. Car. Gis. Gis. Let. Rep. 24. 28. C. 3. 1663. 228. C. 9. cited. See Liz. Rep. 27. and Bro. tit. Denuima 6.

There are two incidents regular: that are necessary to make a subject born first, that his parents, at the time of his birth, be under the actual obedience of the king, Secondly, that the place of his birth be within the king's dominions. 7 Rep. 18. Coke's cafe. And it is the place of the birth that makes the disability of an alien to have lands, &c. The blood is not the disability, but the place where born. Cow. Faw. 559. And it is born out of the king's obedience come and refits 13 Eng. his children, being born and born here, are not aliens but descenets. 7 Rep. 18. Coke's cafe.

Children of an ambassador in a foreign country, by a wife being an English woman, by the common law, are natural-born subjects, and not aliens. 7 Rep. 11. And if an English merchant living beyond sea marries a wife there, and both a child by her, and also, this child is born a denizen, and shall be heir to him, notwithstanding the wife be an alien. Cow. Car. 602. N. 919. Those who were born in the English plantations, are subject born. Loc. Art. 322.

An alien cannot hold land by descent or purchase, or be tenant by the curtesy, or in dower. 5 Rep. 507. But all persons, being aliens, may inherit, as heirs to their ancestors, though their successors were aliens, by statute 11 & 12 H. 3. c. 6. In cases of issue on all aliens, the king upon issue found shall have it. Co. Litt. 2. So if any estate of freehold in hones, lands, tenements or hereditaments, the king upon issue found shall have them. If an alien be made denizen and purchase land, and without
without issue, the lord of the fee shall have the eldest, and not the king. But as to a lease for years, there is a difference between a lease for years of a house for the habitation of a merchant or draper or the like, and a lease for years of land, meadows, pastures, woods, and the like. For if he take a lease for years of lands, meadows, &c., upon lease found the king shall have it. But of a house for habitation, he may take a lease for years as incident to commerce, for without an habitation he cannot merchandise for trade. But the king shall have the lease. So it is if he die poissided thereof, neither his executors or administrators shall have it, but the king: for he is alien only for taxation, as necessary to his trade or traffic, and not for the benefit of his executor or administrator. But if the alien be no merchant, then the king shall have the lease for years, brother, and for his habitation, and fo his if he be an alien enemy. Co. Lit. 2 b. 6. This doctrine is rather oblique.

As an alien cannot inherit in feoff, so he cannot be heir at law, the grandfather born in England, the son of an alien, the grandson born in England, the grandson shall not inherit the grandfather, because he must then represent the father, who, as it may be represented; but if the father be an alien, and two brothers born in England, they may inherit each other, because the defect is immediate, and they don't take by representation of the father. 3 T. 196. 1 P. 413 to 425. Hard. 224. Co. Lit. 8 c. 39. If the eldest son be an alien, the younger brother born in England, and hath the use over the land with it, which is a lease for an alien, so the eldest son were attainted, because the eldest son and all his descendents are before the younger brother, and the younger cannot inherit before that he have attained. And upon attaint, to suppose that any of that land should come over and have children in England; but the person or persons to whom it is supposed to have all his children reversion, then the fief is a line continuing before that of the younger brother. 1 P. 347. Co. Lit. 8 a. 1. St. 155. 356.

For the same reason, if an alien only for taxation, be two eldest aliens, and the two youngest naturalized, and one of the younger sons purchase lands and dies, the eldest brother having issue born within the realm, the younger brother and not the issue of the eldest, shall inherit. Hard. 224. If an alien hath a son or an alien, and afterwards is made a deacon, and hath a second son, then though the eldest son be an alien, he cannot inherit though the eldest son be alive. Cro. Jac. 599. Vide Co. Lit. 8 a. Sc. very full on this subject, and Aliens do not inherit by descent. 4 Bl. 186. 1 Bl. 248, by particular conveyance, he may maintain an action. So if an alien may come hither in time of peace for licentiam domini regis, as the French claimants did, and lives here fab protetiones, and a war afterwards be granted, the second son can maintain an action, for suing it is a consequential right of protection; and therefore an alien enemy, that is here in peace under protection, may sue a heir: alienation of one commissor in his own country. 1 Bl. 342. 46.

Aliens may obtain goods and personal estate, by trade, &c. And may maintain actions for, and for other credit. And may also have actions out of debt and battery, and for support of their credit. 2 Bulle. 134. But they cannot bring any real action, unless it be for a house for necessary habitation, being the less defect, the second son can maintain an action, for suing it is a consequential right of protection; and therefore an alien enemy, that is here in peace under protection, may sue a heir: alienation of one commissor in his own country. 1 Bl. 342. 46.

An alien from an alien, and afterwards is made a deacon, and hath a second son, then though the eldest son be an alien, he cannot inherit though the eldest son be alive. Cro. Jac. 599. Vide Co. Lit. 8 a. Sc. very full on this subject, and Aliens do not inherit by descent. 4 Bl. 186. 1 Bl. 248, by particular conveyance, he may maintain an action. So if an alien may come hither in time of peace for licentiam domini regis, as the French claimants did, and lives here fab protetiones, and a war afterwards be granted, the second son can maintain an action, for suing it is a consequential right of protection; and therefore an alien enemy, that is here in peace under protection, may sue a heir: alienation of one commissor in his own country. 1 Bl. 342. 46.

Aliens may obtain goods and personal estate, by trade, &c. And may maintain actions for, and for other credit. And may also have actions out of debt and battery, and for support of their credit. 2 Bulle. 134. But they cannot bring any real action, unless it be for a house for necessary habitation, being the less defect, the second son can maintain an action, for suing it is a consequential right of protection; and therefore an alien enemy, that is here in peace under protection, may sue a heir: alienation of one commissor in his own country. 1 Bl. 342. 46.

An alien from an alien, and afterwards is made a deacon, and hath a second son, then though the eldest son be an alien, he cannot inherit though the eldest son be alive. Cro. Jac. 599. Vide Co. Lit. 8 a. Sc. very full on this subject, and Aliens do not inherit by descent. 4 Bl. 186. 1 Bl. 248, by particular conveyance, he may maintain an action. So if an alien may come hither in time of peace for licentiam domini regis, as the French claimants did, and lives here fab protetiones, and a war afterwards be granted, the second son can maintain an action, for suing it is a consequential right of protection; and therefore an alien enemy, that is here in peace under protection, may sue a heir: alienation of one commissor in his own country. 1 Bl. 342. 46.

An alien friend may be an administrator, and shall have administration of leaves, as well as personal things, because he hath them in another's right, and not to his own use. Co. Car. 8. 1. P. 417. 6. C. cited.

But it has been long doubted, whether an alien enemy should maintain an action as executor; for on the one hand it is said, that by the policy of the law, alien enemies shall not be admitted to actions to recover effects which may be carried out of the kingdom, to weaken outry alien enemies; and therefore public utility must be preferred to private convenience; but on the other hand it is said, that these effects of the testator are not forfeited to the king by way of reprieve, because they belong not to the alien enemy, for he is to recover them for others; and if the law allows such alien enemies to possess the goods, which belong to the testator, it must allow them power to recover, since in that there is no difference, and by conquence he must not be disabled to sue for them; if it were otherwise it would be a prejudice to the king's subjects, who could not recover their goods from the alien executor, by his not being able to get in the assess of the testator. Co. Eliz. 683. Melly 870.

An alien enemy coming into this kingdom, and taken in war, shall suffer death by the martial law; and not be entitled to trial of issues between subject and subject, &c. but where an alien enemy and an English subject, the issue of ju-