

the year 571 for the space of 500 years, while the Northern bar-  
 -barous Nations bore sway, and ruled by their own Laws. The Empe-  
 -ror Lotharius 2 found the Pandects at Amalphi in the year 1133  
 and gifted them to the monks, who had ascribed him in his Wars.  
 In the year 1406 when Pisa fell under the power of the Floren-  
 -tines, that valuable Treasure of Law was carried to Florence,  
 where it is now kept under the Name of the Florentine Pan-  
 -dects in the great Duke's Noble Library and never brought forth  
 or produced without lighted Torches and other great Ceremonies  
 which tho' it be not Justinian's Original, as some conceive it  
 is yet passeth for the most Authentick Copy extant, whence all  
 others now to be seen are taken. About the same time that the  
 Pandects were first brought again to Light at Pisa, Justinian's  
 Code was found at Ravenna. But the Novels were wandering through  
 Italy before.

X

When all the parts of this Law <sup>of Laws and Justice of Providence</sup> were brought to Light it was receiv-  
 -ed with Applause and got Authority in all the Nations of Europe,  
 as soon as it came to their Knowledge. It was quoted at the Bar and  
 taught publicly in the Schools as the common Law of Nations;  
 or Mother of the Laws, and, for its Excellency, called the Civill Law  
 κατ'εξοχην, with respect to their own Laws mostly drawn  
 from the refined Principles thereof, which go under the Name of  
 Municipal Laws. Several Nations are wholly govern'd by it;  
 Others have Recourse to it when their own Laws and Customs fail;  
 and make the Degrees of Doctor or Licentiate in this Civil Law, in-  
 -dispensible Qualifications to entitle Men to be Advocates or Judges,  
 as the only Road to all preferment in the Profession of the long  
 Robe. It is the ground work upon which the Canon Law is built,  
 and without the Knowledge of it no man can pretend to be a good  
 Canonist. The Civil Law is so agreeable to right Reason and Equity,  
 that the very people who shake off the Roman Yoke, yielded to be  
 govern'd by their Laws: and even those whom the Roman ~~Arms~~  
 Arms never reach'd, acknowledge the power and Authority thereof. The  
 Wars of the Romans were often unjust, but their Laws seem to  
 have been dictated by Justice it self; and therefore ought always  
 to be observ'd by Mankind, unless they banish from Society  
 that Virtue which is the strongest Support of it. For by these  
 Laws, Natural Reason and Equity are applied to all the various  
 Transactions between Man and Man. It were an endless Task

to run over the Encomiums which great Men have given the  
 Roman Law. I shall content myself to say with M. Colombet  
 (Abregé de la jurisprudence Romaine i. part Tit. 3.) that it is the  
 Work of several Ages, brought to perfection by long and labo-  
 -rious Observation of Humane Affairs, which Men of the best  
 Understanding fully instructed by the Exercise of inferior  
 Offices, and raised from thence to the highest Employments  
 in the Empire, have made, and reduced to practice by certain  
 Principles and general Maxims, embraced by the best govern'd  
 Nations in the World: and with M. Le Maître (plaidoi. 12.) call  
 the Roman Law a wonderfull Collection of the Wisdom of so  
 many wise Men who have written the Rules of Government  
 for all Nations, as Solomon did those of Divine Wisdom: and  
 lastly to add with our own J. Boeth Leges Roma-  
 -nas a Justiniano collectas, tanta ratione & sermone venustate  
 esse, ut nulla sit Natio tam fera, quae eas non sit admirata. The  
 Roman Lawyers (whose Opinions and Decisions are contain'd in  
 the Pandects) exprest themselves with that Clearness and perspi-  
 -cuity, and yet with that Brevity and Conciseness, that the Reader  
 is surpris'd to find so much Matter couched in so few words,  
 and is charmed with Strength of their Reasoning, the Beauty  
 and Purity of their Language then in its greatest Perfection

The vulgar Translation of the Novels, was about the year 1190  
 unaccountably divided by Berguntio, ~~or some other~~  
 into nine Collations, without regard to the Order or  
 Sense, or Affinity of Matter, so called, because made by comparing  
 the old and new Laws, and last joyned to the Roman Law; if any  
 better Reason can be given for the Name, than for the Method.  
 The Novels being prolix and disorderly put together, short sum-  
 -maries or Extracts of many of them were by an unknown Hand  
 compos'd and insert'd at the End of such Laws of the Code as they  
 repeat, or explain, or had any Relation to, called Authenticks,  
 because taken out of the large Authentick vulgar Translation  
 of Justinian's Novels. Which performance is by a common  
 Mistake