

An

~~Account~~ Account of those who have written the History of the Laws and Customs of the several Nations and Countries in Europe, and of the use and authority of the civil Law of the old Romans. It is justly observ'd by a celebrated Italian Lawyer (piero Giannone History of the Kingdom of Naples ~~lib. 1. c. 1.~~ Introd.) That some Excellent Writers have related the origin and progress of the Roman Law till the Roman Empire came to the highest pitch of Grandeur; yet its various Turns of Fortunes when the Empire became afterwards to fall from its Glory, its Destruction, Extinction and Restoration, the use and authority that it had in the New Dominions established in Europe after the Inundations of so many Nations, when by the new Laws it was in a manner extinct and when, being restored, it eclipsed those, cannot surely be exactly described by one Man in the whole world, seeing the Jurisprudences change its Shapes on the Change of Princes and Nations; but the Task ought to be divided amongst many, each of whom is to set about the use, Authority and the various Changes that have happen'd in his own Country. The famous Arthur Duck (De usu et Autoritate Juris civilis Romani in dominijs principum Christianorum) has indeed not confin'd himself to his own Country of England; but he may have somewhat perform'd his Search of the use and Authority of the Roman Law exactly in England, yet in other parts especially in the Kingdom of Naples, he has demonstr'd himself as a Stranger, and by following the common Guides, falls into many Mistakes. But that Learned Lawyer had no other Design, than to incline the Lawyers of other Countries to follow his Example, by doing in their Countries what he had done with Relation to England. So some noble Geniuses have, after giving a Specimen of General Things in their own Kingdom or Province, set bounds to their Studies beyond which they would not go; so that it has fallen out that some by going too curiously in searching after the Laws of other Nations, have neglect'd what was most valuable in their own. Innocentius Cironius (Observat. Jur. Can. lib. 5) Chancellor of Theobald's made a superfluous Tour through France: But Alessandro (Hortus Aquitania lib. 3) made a more exact and distinct Search in the Province where he was born, to wit Aquitania: And Joannes Coste an excellent Professor in Theologie, promised to do the same with his great Exactness, over all the Kingdom of France; but this great work impatiently expected by Cironius (lib. 5 observ. Jur. Can. cap. 634) by Arthur Duck (De usu et Autoritate Juris civilis lib. 2. cap. 5 n. 43) and all other Learned Men hath never been published to this day that we know of. Joannes Dobjat (Hist. Jur. civ. 19. d. the same since without going out of France.

Germany wants not its own Historians on this subject, Hermannus Conringius comp. d. Frontis concerning the origin and various Fortunes of the Roman and German Laws, of which Georgius (De nobis Inob.) makes remarkable mention; and in our Time Burcardus Gottschallus Strubius (Historia Juris cap. 6) has compil'd another more diffusivè wherein he mentions several other Authors who have done the same with Respect to Germany.

Holland has its own Historian, and Joannes Voetius compil'd a Book intitled Jus civile & Canonici in Belgio univ.

For Spain we have Michael Molinus, who wrote such another for the Kingdom of Schwagon. Ludovicus Cortes wrote the History of the Spanish Law. And Gerardus Ernestus de Seranck = nau has enlarg'd more than any other on that subject.

Sweden, Denmark, Norway and other Northern Nations have also their Historians on the same subject.

Nor are there wanting such in some parts of Italy, as in Milan, Franciscus Grassus (De origin. Jur. Mediol.) and in other places. Piero Giannone Civitan & Advocate in Naples hath done the same for his Country of Naples in his Excellent History of the Kingdom of Naples, when in his Treatise of the Policy of that Kingdom together with its Laws, the History of which could have been perfectly understood, if at the same Time had not shew'd from whence those Laws sprung, and what its Population and Form those Provinces had that were govern'd by them.