

CIVIL LAW.

The Justinian collections called the "*Corpus Juris Civilis*," constitute the basis of modern civil law so far as private rights are concerned.

The public law of the Romans, their criminal law, their laws of practice, or procedure, and also their laws as to private rights, before and after Justinian, are not received; though a few of the provisions and principles derived from these sources, have been incorporated in the modern civil law system.

Even the Justinian collections exercise little or no influence on modern civil law, except in regard to rights of Roman origin, or growing out of transactions known to the Romans.

The law in regard to bills of exchange and promissory notes, insurance, stocks, banks, the modern rights of corporations, the modern laws of trade and commerce, and the law of community between husband and wife, are not of Roman origin; or they have been so radically and thoroughly transformed in the process of adaptation to the requirements of modern civilization, that the germ of the Roman law can be scarcely traced.

The Roman jurists are distinguished above all others, ancient or modern, for their classic mode of enunciating principles of law, as well as for the art of tracing, and the method of our applying those principles. The celebrated metaphysician, Leibnitz, remarks: "I have often said, that after the writings of the "geometricians, there is nothing extant comparable for force "and subtility with the writings of the Roman juriscousults; so "much nerve is there in them, and so much profundity." Again he says, "I admire the digests, or rather the labors of the "authors from whom the Digests are extracted; whether you "consider the acumen of the reasoning, or the vigor of expression, "I have never seen anything more nearly approach the precision "of mathematics."

The law of Pandects, is but a system of general legal principles, and for this reason, the enlightened jurists of the civilized world resort to it, as a magazine of jurisprudence, based on reason and philosophy, and therefore, in its applications and usefulness, unrestricted by time or place.

It is necessary, however, that you should have some idea of the manner in which the Roman law was gradually developed