

PREFACE.

IN taking up the plan proposed by Mr. U~~U~~ACKE, it will be necessary, as the present is an effort in some degree of a novel character, to make a few remarks upon the execution of the work: and I entreat the liberal consideration of the profession to the difficulty of the undertaking, which required to an eminent degree, the talent of accurate definition, and scientific arrangement. X W

I have in every respect, endeavoured strictly to pursue the plan proposed to me. *In the first place*, by adopting with the greatest exactness the arrangement of Domat; / for ~~although~~ English lawyers have never, since the days of Fortesque, felt any peculiar veneration for the codes of the Civil Law, but have entertained an honest, and perhaps laudable, prejudice to their disadvantage; yet certainly there can be no reason, why this prejudice should prevent us from adopting their clear and perspicuous style of arrangement. And should it be necessary, as I think it hardly is, in this enlightened age, to bring forward authorities, in