

C 34707 (16)

All modern conceptions of contract took their start from this stage. Roman law of Contract has had great influence in every science except Physics.

Moral Theology of the Casuists who stuck to the cause of Rome did not the Roman Law but the others did.

Metaphysics got most of its ideas from the Greek and discussion on it has been in Greek.

Chap. X.

THE EARLY HISTORY OF DELICT AND CRIME.

The Teutonic Codes including those of our Anglo Saxon ancestors are the only bodies of archaic secular law which have come down to us in a state that we can form any idea of their original dimensions.

The more archaic the code the fuller or *more* its legal jurisdiction but they treat more of torts and they could hardly be called crimes. It is the person who suffers it and not the state which is concerned.

In the infancy of the Roman commonwealth every offence was punished by a separate enactment of the legislature. The primitive history of criminal law divides itself into 4 stages.

- (1) Commonwealth itself interposed directly and by isolated acts avenges itself on the author of the evil which it had suffered. with
- (2) Legislature delegates its powers to particular Quaestiones which is deputed to investigate a particular accusation.
- (3) Then it came to be periodically nominated on the chance of certain crimes being committed.
- (4) Then they became permanent.

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