

their wills with strange impositions." We see the brave figure of Chief Justice William Gascoigne, who, when commanded by Henry IV. to pronounce a sentence of death upon the Archbishop of York and the Earl Marshal taken in rebellion, replied: "Neither you, oh! King, nor any of your subjects, can, according to the law of the realm, sentence any prelate to death, and the Earl has a right to be tried by his peers." We see in the *Tenures of Littleton*, containing the whole substance of the English land law, the mother of our law of real estate, the most complete and scientific book ever given to the law.

And then, while the common law was putting on flesh and Parliamentary freedom was hardening from gristle into bone, we see, as through a rift in the clouds which cover the past, the chivalric and romantic figures of Cartier, Champlain, Frontenac and Marquette pushing their daring discoveries up your great Gulf and river, and opening up the wilderness of a new world. We see mariner, priest and soldier facing hardships, privation and danger to make a new home for the common law in the centuries still to come.

We see the mightiest master of our science, Sir Edward Coke, act strenuously the various roles of barrister, Queen's Counsel, Attorney-General, Lord Chief Justice, legal author, law reporter, member of Parliament and champion of liberty, with a dauntless courage, a stainless integrity, tireless industry and prodigious learning. We see him refusing to a King's proclamation the force of an Act of Parliament, refusing to sit as a member of the Court of High Commission because it was in derogation of the common law; refusing to amend his reports and writings to suit the pleasure of the King; refusing to permit the common law Courts to fine and imprison a subject without due process of law; refusing to be interrogated in private as to his views of Peacham's case in advance of hearing; refusing to permit the King to sit in person and pronounce judgment in the case of Prohibitions, and, when asked by the indignant James I., what he intended to do, replied: "that which is it fit for a Judge to do."

We see a century of marvellous intellectual activity, filled with dreams of ideal States, the Utopia of Sir Thomas More, the New