

in the canon and the civil law, we can better appreciate the importance to early English law of those alien systems.

One of these trained ecclesiastics in the thirteenth century wrote a systematic work on the laws of England, a book that stood unrivaled for centuries as an institutional treatise. The researches of Professor Maitland have demonstrated that Bracton, as Kipling tells us Homer did, took "what he'd require" from Azo, an Italian commentator then in great vogue (Maitland, Bracton and Azo (Selden Society), Introduction). In this way large elements of impure Roman law were adopted wholesale into the body of our law. For what Bracton had done with respect to Azo, his successors, among them Coke and Hale and Blackstone, did with respect to him—they borrowed, to say the least, rather extensively (Scrutton, Roman Law and the Law of England, p. 150).

It is not to be supposed that foreign influences have always been as powerful as they were in the twelfth and thirteenth centuries—the former of which has been called the "most legal" of centuries. The succeeding years were perhaps the period of English legal history, during which the least contact with alien laws and systems took place, an era of almost strictly national development. The influence of foreign systems was largely national development. The influence of foreign systems was largely negative. Wycliffe, the reformers, the popular and nationalistic party, aligned themselves on the side of the common law, an alliance that was significant for the future development of the common law both in England and in America (2 Holdsworth, History of English Law, p. 339).

The sixteenth century was a time fraught with danger to the common law. It was an age replete with great changes in religious, political and social ideas, and, as in all such eras, the existing legal system was in some danger. The growing powers of the Privy Council, the Chancery, and the Star Chamber, all coloured with continental legal and political theories, threatened the native jurisprudence. Mr. Holdsworth has recently pointed out that Maitland, in his inimitable essay on English Law and the Renaissance, perhaps exaggerated the decrease in the number of