

**A TRANSLATION OF ALL THE GREEK,  
LATIN, ITALIAN AND FRENCH  
QUOTATIONS, WHICH OCOUR IN  
BLACKSTONE'S COMMENTARIES ON THE  
LAWS OF ENGLAND AND ALSO IN THE  
NOTES OF VARIOUS EDITIONS**

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A Translation of All the Greek, Latin, Italian and French Quotations, Which Ocur in Blackstone's Commentaries on the Laws of England and Also in the Notes of Various Editions by J. W. Jones

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BY

J. W. JONES, Esq.

PHILADELPHIA:

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1905

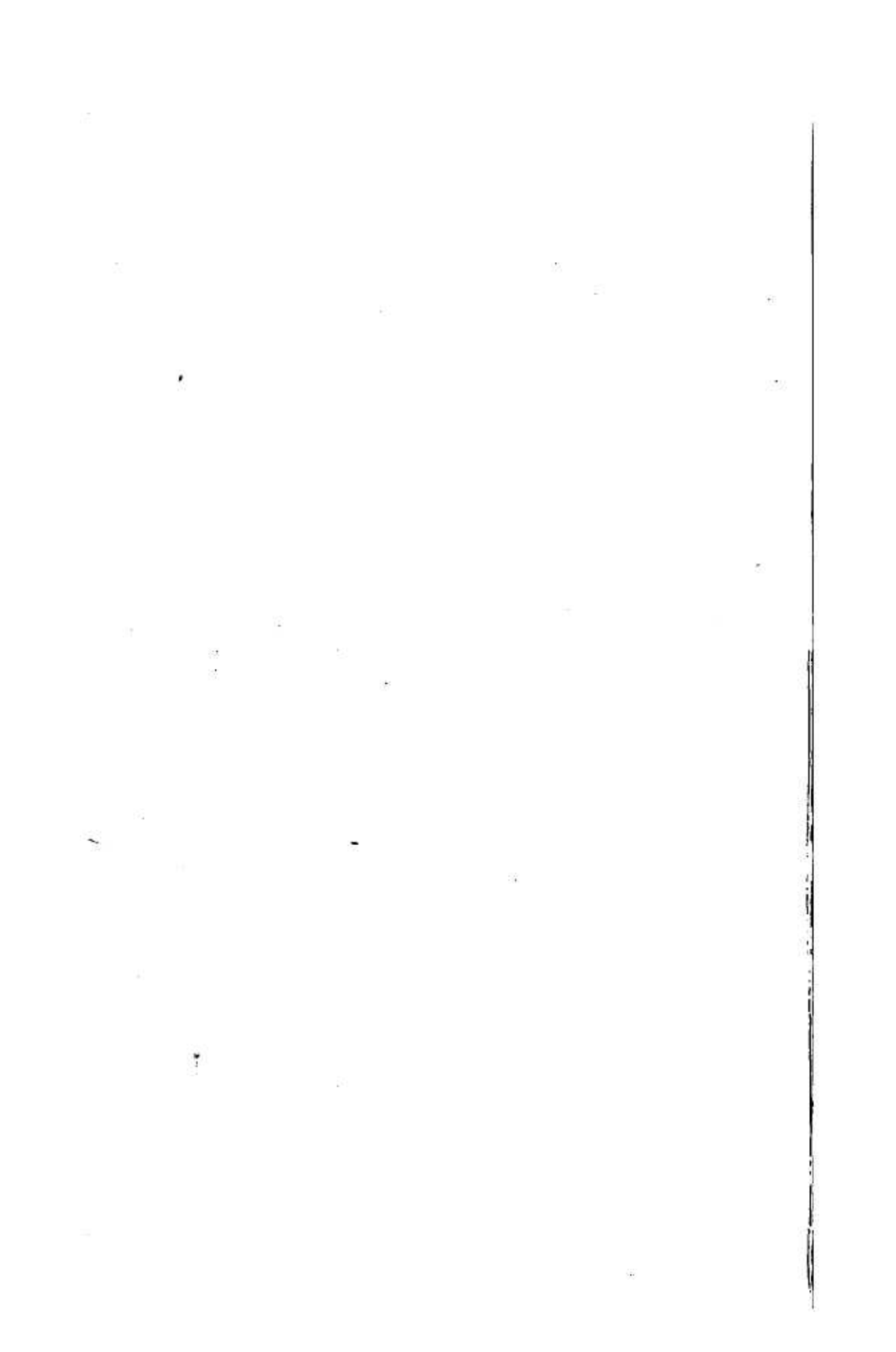
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## P R E F A C E .

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If the excellence of a book be best proved by the universality of its reception, there are few of greater merit than the Commentaries of Blackstone—a work, although expressly treating of the Laws of England, not confined to the library of the lawyer, but occupying a distinguished place in every collection of books bearing in any degree the character of judicious selection.

The mass of information contained in it, not legal only, but historical, and of times where the researches of historians are confessedly involved in darkness, and its consequent doubt, often tends to corroborate facts the truth of which the isolated details of early history leave unascertained, from some chasm in the chain of consequences ill supplied, or inconsistency in the character of the persons or the circumstances connected with their production.

The enactment and repeal of statutes derive their cause and occasion from the vicissitude inherent in the nature of all human affairs—whether resulting from the schemes of avarice, or the progress of ambition—from the emulations of genius, or the transforming powers of persevering industry—from the darkness of superstition, or the light of science—and in the history of them transiently convey such sketches of the form and character of times, persons, and things long past and forgotten, as by no other means can now be known—and the customs and manners of the darker ages are sometimes rendered more clearly obvious by the detached clauses of an old decree than by the most labored deductions from regular history. Of this species of illustration frequent instances occur in the Commentaries of Blackstone—but they are often illustration only to the more learned reader. Many no doubt there are, who in the perusal of his valuable pages find their progress continually impeded by the old law Latin and Norman French left uninterpreted by the author and his editors, and to such, consequently, a large and important portion of the work is mere dead letter. To render it available to this description of its readers, the following version is respectfully offered as a Companion to Blackstone, by the translator,

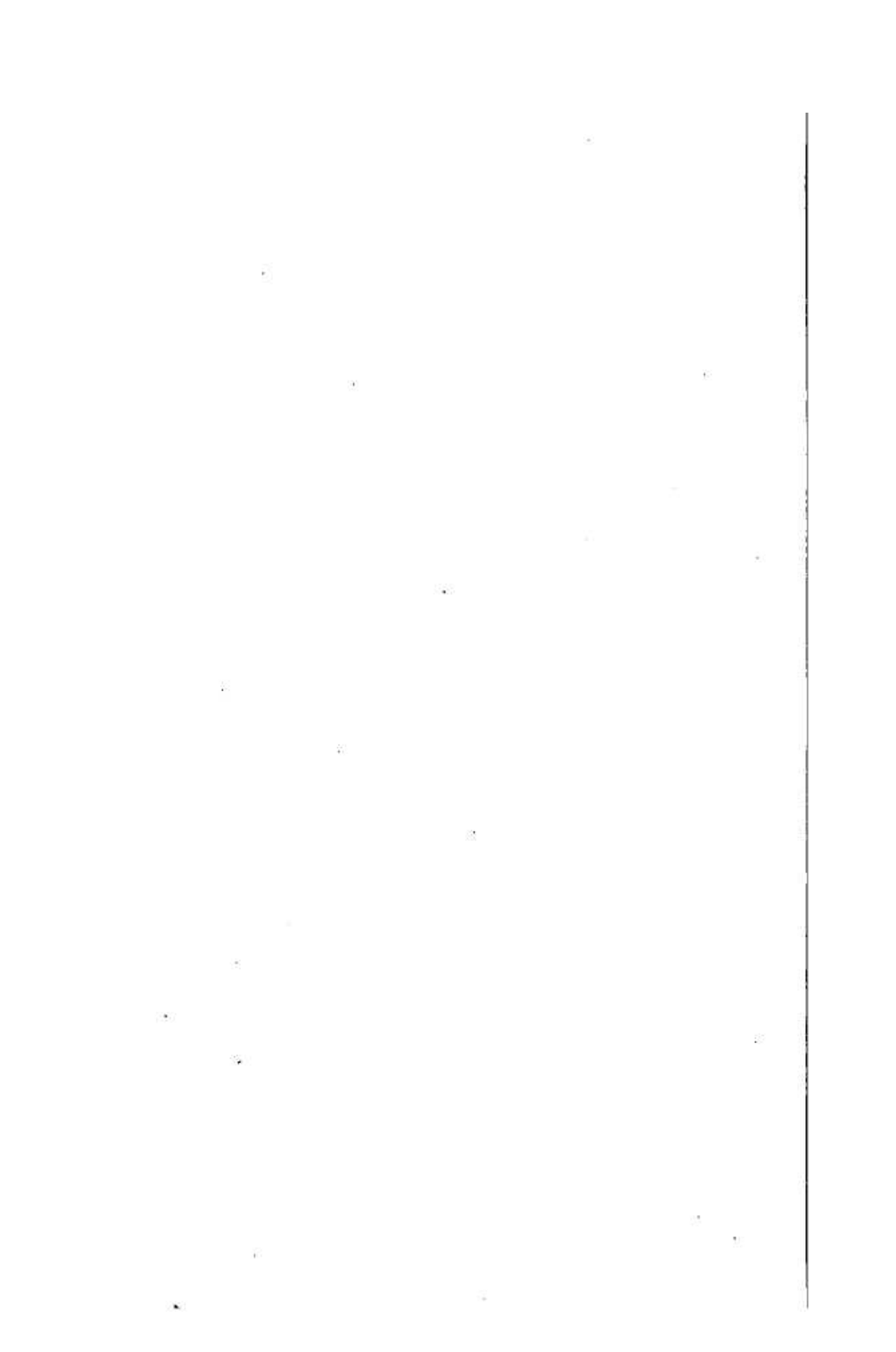
J. W. JONES.

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### ADVERTISEMENT.

The numbers correspond to the marginal paging of the Commentaries. Where Blackstone has given the sense of any passage it has not been translated here.

565995





A

# TRANSLATION,

&c., &c.

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## VOLUME THE FIRST.

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### ADVERTISEMENT.

XI. QUAM peritus ille et privati juris et publici! Quantum rerum, quantum exemplorum, quantum antiquitatis tenet! Nihil est quod discere velis, quod ille docere non potest! Mihi certe, quoties aliquid abditum quero, ille thesaurus est.

How skillful he is both in public and in private law! What a knowledge he possesses of things, of examples, and of antiquity! There is nothing you would learn which he cannot teach. In every difficulty he is my constant resource.

Placitum—Placita.

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Marginal titles.

Ex ordine.

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According to their order.

6. *Facultas ejus, quod cuique facere libet, nisi quid vi, aut jure, prohibetur.*  
Its essence is the power of doing whatsoever we please, unless where authority or law forbids.

7. *Vera lex, recta ratio, naturæ congruens.*  
True law, right reason, conformable to nature.

10. *Est senatori, &c.* [translated in the text.]

12. *Turpe esse, &c.* [translated in the text.]

15. *Dedicatio corporis juris civilis.* Dedication to the body of civil law.

16. *Quia juris civilis studiosos decet haud imperitos esse juris municipalis, et differentias exteri patrique juris notas habere.*

For students of civil law should not be ignorant of the municipal law nor of the remarkable differences between their own laws and those of foreign nations.

16. Doctor legum mox a doctoratu dabit operam legibus Angliæ, ut non sit imperitus earum legum quas habet sua patria, et differentias exteri patriique juris noscat.

A doctor of laws, having taken his degree, should study the laws of England, that he be not unskilled in those of his own country, nor be ignorant of the essential differences between them and foreign laws.

17. Nullus clericus nisi causidicus. No clergyman who is not a lawyer also.

17. Foro seculari. In the secular court.

17. A fortiori. By a stronger reason.

17. Les juges sont sages personnes et autentiques—sicome les archevesques, evesques, les chanoines des eglises cathedraux, et les autres personnes qui ont dignitez in sainte eglise; les abbez, les prieurs conventaux, et les gouverneurs des eglises, &c.

The judges are persons of wisdom and authority—such as archbishops, bishops, canons of cathedral churches, and other dignitaries of holy church, the abbies, priors of convents and church governors, &c.

19. Et omnes comites, &c. [translated in the text.]

19. Quod principi placuit legis habet vigorem.  
The constitution of the prince has the force of law.

19. Judicium parium vel lex terræ.  
The judgment of the peers or law of the land.

20. In foro seculari. In the secular court.

21. Summa de laudibus Christifere Virginis (divinum magis quam humanum opus). "Item quod jura civilia, et leges, et decreta scivit in summo, probatur hoc modo; sapientia advocati manifestatur in tribus; unum quod obtineat omnia contra judicem justum et sapientem; secundo, quod contra adversarium astutum et sagacem; tertio, quod in causa desperata: sed beatissima virgo, contra judicem sapientissimum, Dominum; contra adversarium callidissimum, diabolum; in causa nostra desperata; sententiam optatam obtinuit."

Perfections of the Christ-bearing Virgin (a work more divine than human). "Likewise that she had a perfect knowledge of civil rights, laws, and decrees is thus proved:—the wisdom of an advocate is manifested in three things—first, that he have a prevailing influence before a wise and just judge; secondly, against a subtle and sagacious adversary; and thirdly, in a desperate cause: The most blessed Virgin obtained the desired judgment from the most wise judge, the Lord—against our most cunning enemy, the devil—in our desperate cause."

21. Nec videtur incongruum mulieres habere peritiam juris. Legitur

enim de uxore Joannis Andree glossatoris, quod tantam peritiam in utroque jure habuit, ut publice in scholis legere ausa sit.

Nor does a knowledge of the law seem inconsistent with the female character. For we read that the wife of John Andrew the Lexicographer, was so skilled both in the common and municipal law, that she ventured to deliver lectures on both publicly in the schools.

22. *Contra inhibitionem novi operis.*  
Contrary to the prohibition of a new work.

22. *De novi operis nuntiatione.*  
Concerning the denunciation of a new work.

22. *In ceux parolz, "contra inhibitionem novi operis" ny ad pas entendment.*  
In these words, "contrary to the prohibition of a new work," there is no meaning.

22. *Ceo n'est que un restitution en leur ley, pur que a ceo n'avemus regard, &c.*  
This is but a restitution in their law, therefore we shall pay no regard to it.

23. *Aula regia.* In the King's court.

23. *Pro & con.* For and against.

24. *Servientis ad legem.* Of a serjeant at law.

24. *Quos banci narratores vulgariter appellamus.*  
Whom we commonly call bench reporters.

24. *Voluit ligamenta coife sue solvere ut palam monstraret se tonsuram habere clericalem; sed non est permissus.—Satelles vero eum arripiens, non per coife ligamina sed per guttur eum apprehendens, traxit ad carcerem.*

He wished to untie the strings of his coif that he might prove to all his having the clerical tonsure; but this was not allowed.—Then an officer seizing him, not by the strings of his coif but by his throat, dragged him to prison.

24. *Ne aliquis scholas, &c.* [translated in the text.]

25. *Pasim*—Every where—through the whole work.

27. *Τελευτα μαλισσα, &c.* [translated in the text.]

30. *Pomeria.* The bounds.

31. *Emisit me mater Londinum, juris nostri capessendi gratia; cujus cum*