

THE INFLUENCE OF THE ROMAN LAW ON THE LAW OF ENGLAND

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649613489

The Influence of the Roman Law on the Law of England by Thomas Edward Scrutton

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

THOMAS EDWARD SCRUTTON

**THE INFLUENCE OF THE
ROMAN LAW ON THE
LAW OF ENGLAND**

THE INFLUENCE
OF THE
ROMAN LAW
ON
THE LAW OF ENGLAND.

London: C. J. CLAY AND SON,
CAMBRIDGE UNIVERSITY PRESS WAREHOUSE,
AVE MARIA LANE.



Cambridge: DEIGHTON, BELL, AND CO.
Leipzig: F. A. BROCKHAUS.

THE
INFLUENCE OF THE ROMAN LAW
ON THE
LAW OF ENGLAND.

BEING THE YORKE PRIZE ESSAY OF THE UNIVERSITY OF
CAMBRIDGE FOR THE YEAR 1884:

BY

THOMAS EDWARD SCRUTTON,

M.A. LL.B. (LOND.), B.A. LL.B. (CAMB.): BARRISTER AT LAW; PROFESSOR OF
CONSTITUTIONAL LAW AND HISTORY IN, AND FELLOW OF, UNIVERSITY COLLEGE,
LONDON: LATE SCHOLAR OF TRINITY COLLEGE, CAMBRIDGE: AUTHOR OF
"THE LAWS OF COPYRIGHT," BEING THE YORKE PRIZE ESSAY
FOR 1882.

"Tu regere imperio populos, Romane, memento."
VERG. *Aen.* vi.

CAMBRIDGE:
AT THE UNIVERSITY PRESS.

1885.

S. 2000 25



Cambridge:

PRINTED BY C. J. CLAY, M.A. & SON,
AT THE UNIVERSITY PRESS.

TO
SIR ALFRED WILLS,
ONE OF THE JUDGES OF THE QUEEN'S BENCH DIVISION OF
HER MAJESTY'S HIGH COURT OF JUSTICE,
THIS WORK IS DEDICATED,
BOTH TO A JUDGE LEARNED IN OUR LAW
AND ITS HISTORY,
AND IN GRATITUDE FOR HIS KINDNESS TO
THE AUTHOR.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is crucial for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent data collection procedures and the use of advanced analytical techniques to derive meaningful insights from the data.

3. The third part of the document focuses on the role of technology in data management and analysis. It discusses how modern software solutions can streamline data collection, storage, and processing, thereby improving efficiency and accuracy.

4. The fourth part of the document addresses the challenges associated with data management, such as data quality, security, and privacy. It provides strategies to mitigate these risks and ensure that the data remains reliable and secure throughout its lifecycle.

5. The fifth part of the document concludes by summarizing the key findings and recommendations. It stresses the importance of ongoing monitoring and evaluation to ensure that the data management processes remain effective and aligned with the organization's goals.

PREFACE.

THE Yorke Prize of the University of Cambridge, to the establishment of which this work owes its existence, was founded about twelve years ago by Edmund Yorke, late Fellow of St. Catharine's College, Cambridge, and, under a scheme of the Court of Chancery, is given annually to that graduate of the University, of not more than seven years' standing from his first degree, who shall be the author of the best essay on some subject relating to the "Law of Property, its Principles, and History in various Ages and Countries." The subject prescribed for the year 1884 by the Adjudicators, (Arthur Cohen, Esq., Q.C., M.P., and R. Romer, Esq., Q.C.), was "The Influence of the Roman Law on the Law of England". The prize was awarded to the Essay bearing the motto: "*Tu regere imperio populos, Romane, memento,*" which is now published in accordance with the conditions of the Award.

The history of English law has yet to be written, but one of the most interesting chapters in that work of the future will be the one which deals with the subject of this Essay. I am far from imagining that the following pages afford an exhaustive or even adequate treatment of so important and difficult a question. To expect such a work to be written in ten months by a young man within seven years of his first degree would, I think, be asking too much even of "the omniscience of youth." Except in one instance, I do not pretend to have done more than collected and, to the best of my ability, criticized what