diately publiſhed a proclamation [c], forbidding the ſtudy of the laws, then newly imported from Italy; which was treated by the monks [d] as a piece of impiety, and, though it might prevent the introduction of the civil law proceſs into our courts of juſtice, yet did not hinder the clergy from reading and teaching it in their own ſchools and monaſteries.

FROM this time the nation ſeems to have been divided into two parties; the biſhops and clergy, many of them foreigners, who applied themſelves wholly to the ſtudy of the civil and canon laws, which now came to be inſeparably interwoven with each other; and the nobility and laity, who adhered with equal pertinacity to the old common law; both of them reciprocally jealous of what they were unacquainted with, and neither of them perhaps allowing the oppoſite ſyſtem that real merit which is abundantly to be found in each. This appears on the one hand from the ſpleen with which the monaſtic writers [e] ſpeak of our municipal laws upon all occaſions; and, on the other, from the firm temper which the nobility ſhewed at the famous parliament of Merton; when the prelates endeavoured to procure an act, to declare all baſtards legitimate in caſe the parents intermarried at any time afterwards; alleging this only reaſon, becauſe holy church (that is, the canon law) declared ſuch children legitimate: but "all the earls and barons (ſays the parliament roll [f]) "with one voice anſwered, that they would not change the laws "of England, which had hitherto been uſed and approved." And we find the ſame jealouſy prevailing above a century afterwards [g], when the nobility declared with a kind of prophetic ſpirit, "that the realm of England hath never been unto this "hour, neither by the conſent of our lord the king and the lords "of parliament ſhall it ever be, ruled or governed by the civil

[c] Rog. Bacon. *citat. per* Selden. *in Fletam.* 7. 6. *in Forteſc.* c. 33. & 8 Rep. Pref.

[d] Joan. Sariſburiens. *Polycrat.* 8. 22.

[e] *Idem, ibid.* 5. 16. Polydor. Vergil. *Hiſt.* l. 9.

[f] *Stat. Merton.* 20 *Hen. III.* c. 9. *Et omnes comites et barones una voce reſponderunt, quod nolunt leges Angliae mutare, quae hucuſque uſitatae ſunt et approbatae.*

[g] 11 Ric. II.