The supreme legislative authority was, originally, vested in the assemblies of the Champ de Mars,(1) and, by them, it was exercised until the year 921, when the last of the capitulars was enacted, under Charles the *simple*.(2)

During the disorders which followed, the Sovereign and the great Vassals were influenced by motives, which, though extremely different, produced the same effect in the conduct of both, and equally prevented all acts of general Legislation. The weakness of the crown compelled the King carefully to abstain from every attempt to render a Law general throughout the Kingdom; such a step would have alarmed the Seigneurs—have been considered as an encroachment upon the independence of their Jurisdictions, and have led to consequences which might have proved fatal to the little remains of power which he yet retained. On the other hand, the Seigneurs as carefully avoided the enacting of general Laws, because the execution of them must have vested in the King, and must have enlarged that paramount power which was the object of all their fears. The general assemblies, or States General of the nation, thus lost or voluntarily relinquished their legislative authority, which, abandoned by them, was assumed by the Crown.(3)

The first of the royal ordinances which can be taken for an act of Legislation, extending to the whole kingdom, was published in the year 1190, by Philip Augustus, and is entitled *Edit touchant la mouvance des fiefs entre divers Héritiers*. (4) Previous to this period they contained regulations, whose authority did not extend beyond the limits of the royal domain, so that no addition whatever was made to the statute law of France during the long period of 269 years, which elapsed between the date of the last capitular, in the year 921, and the publication of this edict. (5)

The first acts of general legislation were published by the Kings of France with great reserve and precaution. They assembled a Council, composed of the great officers of the Crown and of certain of the Bishops and Seigneurs, which is generally supposed to have been no other than the King's Council of that day, the Court of the Palace, which was afterwards made sedentary and called the Parliament of Paris.(1) With them they deliberated—with their advice and consent they legislated—and by them the ordinances were signed, as well as by the Sovereign himself.(2) But, in a later period, and by succeeding monarchs, these were considered as unnecessary formalities, and rejected. They then enacted laws in their own names, and alone—the style of persuasion, which was used in the earlier edicts, was changed for the imperative declaration of an absolute Legislator, "*voulons, commandons et ordonnons, car tel est notre plaisir*," and for the deliberative voice of the council, was substituted the practice of verifying and enregistering the royal ordinances in the Parliaments or Sovereign Courts of those jurisdictions to which the King thought proper to extend them; a practice which was continued without deviation until it became a fundamental maxim in French jurisprudence, recognized equally by the Prince and by the People, that no Law could be published in any other manner, and that no ordinance could have any effect, or bind the inhabitants of any particular jurisdiction, before it was verified and enregistered by the King's order, in the Sovereign tribunal of that Jurisdiction.(3) Under the sanction of this maxim the Parliaments of France, at various times, refused to verify and enregister particular ordinances which they conceived to be oppressive to the subject, or subversive of the constitution, with a spirit and constancy which reflected the highest honor on their members, but bore no proportion to the power which they opposed. In some instances of their opposition, the King voluntarily abandoned the obnoxious Law; in others, the Parliament, on their part, thought it most prudent to submit, and obeyed the royal commands, contenting themselves with an entry, purporting that the enregistry was made by compul-

(1) Robertson's Charles V. vol. 1, p. 166.
(2) Robertson's ibid, vol. 1, p. 367.
(3) Robertson's Charles V. vol. 1, p. 167 and 168.
(4) Conférence de Guenois Chronologique, p. 2.
(5) Robertson's Charles V. vol. 1, p. 368 and 167.

(1) Maximes de Droit Public Français, vol. 4, p. 186.

(2) Miraumont des Jurisdictions de l'enclos de Palais, p. 61, Coquille, Instit. du Dr. Français, cap. 1. Maximes du Droit Pub. Français, vol. 4, p. 184.

(3) Rocheflavin des Parlemens de France, lib. 13, cap. 17, No. 3, p. 702. Papon, troisième note, tit. de la clause "car ainsi nous plait," p. 334 and 336. Pasquier, Recherches de la France, lib. cap. 4. Loyseau des Seigneuries, cap. 3, No. 11. Des offices, lib. 4, cap. 5, No. 67. Coquille Inst. au Droit Français, cap. 1. Hericourt, Lois Ecclesiastiques, p. 108, cap. 16, sec. 10. Maximes du Dr. Pub. Français, vol. 4, p. 57.