

the king could hold a *lit de justice*, so called, as some one complained, because there the law was put to sleep. The Parliament was summoned to attend the king, or more frequently he himself went to the great chamber. In the presence of the entire body, the registration of the edict was ordered. No one could oppose the royal will in the royal presence, and the edict was thereupon duly enrolled.

Parliament constantly endeavoured to free itself from the exercise of this authority, and to annul the assent compelled by the presence of the sovereign. As early as the fourteenth century, under the pretext that error or inadvertence was found in some ordinance sent from the king, the registration was delayed that it might be reconsidered; and, even beyond that, it was attempted to refuse registration entirely. This endeavour was promptly checked at first; but a permanent political body, tenacious of its power, rarely fails in extending its authority. The nature of the Parliament was the fundamental reason that finally prevented its attaining a controlling influence in the government. It was not only not a representative body in form, but it was not so in feeling. The members of the judiciary in England, and much more of the Parliament, came from the people and belonged to the people. Somers on the bench was still the man who had pleaded for the seven bishops, and sat in the convention which had declared the throne vacant. But the members of the French Parliament belonged to a caste, and were fully infused with the narrow spirit of caste. An encroachment on their rights, the creation of new members of the court who might diminish the profits or dignity of those already in office, attempts to increase the tax on their salaries, or to restrict their jurisdiction—such were the edicts that met with the most vigorous opposition from these aristocratic and hereditary jurists.

Many other ordinances of the government also incurred their opposition. But it is doubtful if a legislative body, solely composed of jurists, will ever prove satisfactory in its workings. The conservatism which renders lawyers a valuable portion of the community, does not fit them to constitute the governing class. However adapted to guard the heritage of the past, they have shown little tendency to de-

velop the promise of the future. Neither does their intellectual training prepare them for legislative work. All these qualities were intensified in a close corporation like the French Parliament, composed of a hereditary legal aristocracy. Whenever it sought to assert its independence, it would refuse to register any edict for the levying of new taxes. The power of regulating taxation is undoubtedly the basis of all popular liberty; but taxation is to be regulated, not prohibited.

When additional means were needed for the frequent wars of France and the increased national expenses, the obstinate refusal of the Parliament to register any new tax rendered it necessary for the government to exercise its authority or to cease to have any authority to exercise. Kings, as well as common men, become desperate when their financial straits are extreme. A uniform and a humiliating ceremony was gone through with at such times. First, came fierce opposition to the registration of the tax, copious Parliamentary eloquence, abundant frothy denunciation of tyranny, and proclamation of the just powers of the court. Then came a *lit de justice*, and eloquent presidents *à mortier* and vituperative counsellors registered the royal will in sullen silence. Then, when the king had departed, more eloquence, and resolves not to be coerced, followed by a resolute enforcement of the ordinance by the government.

Under Richelieu, the Parliament met with its master, and the royal authority found little opposition. But the reaction which followed his despotic rule, together with the jealousy felt of Mazarin, made this body the leader of a revolutionary, though far from a liberal, party.

The remonstrances of the court against royal edicts and its demand for Mazarin's dismissal led to open hostilities. During the continuance of the first war of the Fronde, the Parliament of Paris was a legislative body. The great nobles, who had a right to a seat in it, exercised their prerogative, and took part in its deliberations. De Retz became a member, and largely influenced its action by his wily declamation and subtle policy. The famous wits and beauties who figured in that struggle, centered their attention upon its deliberations. Mme. de Longueville, the most fascinating of French