historical experience should not be more heeded by others.

There is one marked distinction between the jurisprudence of the English common and chancery law, and that the continental countries, based upon the Roman civil law, in regard to which there seems great difference of opinion. In the English Courts, and equally in the American, there is always supposed to be some precise technical rule by which the competency of each particular portion of the evidence is to be measured, and by which it must be rejected if found incompetent; and its effect in the case is supposed to become thereby entirely removed. We know that in practice this is not always possible to be done, and that causes will thus, sometimes, be determined upon the bias of mind unconsciously produced by the knowledge or the belief of the existence of incompetent evidence. But in the continental countries almost everything offered is received by the judge. And in the trial of matters of fact before the common law Courts in England and America, a somewhat similar rule prevails, on the assumption that the Court will be able to eliminate the portion of evidence which is competent, and only give effect to that in determining the case. And in the trial of cases in equity, a somewhat similar course of practice prevails, in allowing all fixed and immoveable exceptions to the competency of evidence to be reserved, and passed upon at the final hearing of the cause. But in France, we found on consulting with the most eminent members of the bar, there existed a very general impression that their Courts were enabled to do more perfect justice, in the particular cause, by disregarding all mere technical exceptions to the evidence, and giving every species of proof just such weight as its impression might be in the mind of the judge. It is asserted there, that the judge is never obliged to say, as is sometimes done in England and America, that although he has not the slightest doubt of the entire soundness of the claim or defence, it cannot be allowed, by reason of some formal defect.

There is another peculiarity in the administration of justice in France, which seems very singular to those who have not seen its practical operation. It grows out of having a separate department of justice in the cabinet, and a distinct minister of justice, who takes cognizance, not only of the administration of criminal law, but who, to a certain extent, assumes the supervision of the civil department of judicial administration, by having some subordinate agent or minister always present in all the higher courts to listen to the trials, and whenever he deems it of sufficient importance, to give his own views to the court in regard to the proper determination of the cause. Upon our first entering the Court of Cassation, the minister of justice, standing within the enclosure appropriated to the judges, was reading from an extended manuscript a formal and elaborate commentary upon a cause, the argument of which had been closed the day before, or perhaps, a few days before. It gave one, whose views of judicial administration were derived from courts constituted like the English or American, the idea of subjecting the Courts too much to cabinet or Governmental influence. It seemed very much like converting the court into a jury, and requiring them to listen to the comments of a superior. We have no means of forming any judgment upon the effect of any such course of trial, but we should expect that it would be likely to be of considerable weight in the determination of causes, if it were so managed as to beget respect, which would certainly be desirable and likely to occur in the administration of a government, so prudent and popular as that of the present Emperor of the French. An able and learned minister, in such a position, could scarcely fail to acquire great control over the decision of causes, and it would enable the ministry to exercise almost irresistible power in the determination of causes of international importance. We found the leading advocates of the French bar seemed to feel the importance of having causes of any considerable public interest, which came before the Court of Cassation, favorably introduced to the minister of justice, and, if convenient, by some advocate in the interest of the administration, or who was supposed to have its confidence. The working of this plan, which has existed for a very long period in some European countries,