

mined only by the Parliament. Apart from this, a right of appeal to the King's Parliament from almost all of the inferior trial courts, was gradually established—from those held by the king's baillis or presidencies or by the prévôts, and from those held by the feudal lords or their representatives. The Parliament thus absorbed a jurisdiction greater than that of any English Court. It had, moreover, a power much like that of the Roman prætor. In cases not already provided for, the parliament could declare that, until the king should otherwise order, certain questions should be decided in certain ways. Such a right is very near to that of actual legislation. The body of the Roman law sprang from such an origin; and, though to a much less degree, the French courts made a portion of the laws which they were to administer.

The court was divided into sections having different functions. All of these sat together to consider the subjects which required the attention of the entire Parliament. With little change, save in the number of its members, it preserved the form in which it was organized by Philip the Fair, in the ordinance of 1302, down to the time when, with royalty and nobility, it perished in the French Revolution.

Various Chambers of Inquiry—*Chambres des Enquêtes*—heard appeals from the baillis, prévôts, and other inferior tribunals. The result of their deliberations was reported to the great chamber, where the decision was pronounced which the *Chambre des Enquêtes* had reached. The Chamber of Petitions—*Chambre des Requêtes*—was originally organized to hear and answer petitions presented to the Parliament. It finally heard most of the civil suits of original jurisdiction which were brought before that court. In these cases, the members of the chamber performed the duties of both judge and jury. The number of the judges might atone for the lack of the more popular element. Some of the cases were heard orally; others were decided on written proofs. The regulation of the practice is too obscure to be clearly understood. The solicitors and advocates seem to have performed their duties in much the same manner as the attorneys and barristers of the English courts.

*La Tournelle Criminelle* was organized at a later period than the other chambers. It

had jurisdiction of criminal cases, and tried all those brought before the Parliament, except some of special importance,—the trials of nobles, of some ecclesiastics, and of great public officers, which were heard before the great chamber, or all the sections combined. The members of the *Tournelle* varied from twenty to thirty. They did not sit permanently in this court; but were taken from the great chamber and the other branches of the Parliament, in order, as it was humanely stated, "that the habit of condemning men and sentencing them to death should not alter the natural clemency of the judges, and render them inhuman." Despite this merciful provision, prisoners had a trial far different from that secured in England to those accused of crime. The trials were ordinarily had with closed doors and upon written evidence, and there were few of the humane presumptions of the common law in favor of innocence. A majority of only two was sufficient for a conviction.

The highest branch of the Parliament was the great chamber,—*La Grande Chambre*. The first president, nine presidents *à mortier*,—as they were styled from their caps,—and thirty-seven counsellors, of whom twelve were originally in orders, composed this body. Apart from the professional members of the court, the peers of France and the princes of the royal blood had the right to sit in this body. Here the judgments reached by the other sections were brought to be pronounced. Matters of State as well as of law were discussed before it. The suits of the peers of France and actions involving royal rights were here tried.

The Parliament met in the old Palais de Justice,—the palace which unites the France of Saint Louis with France under the presidency of Marshal McMahon. In the Hall of Saint Louis, the meetings of the entire body were held. No hall of justice has witnessed more varied or more tragic scenes. There the Parliament met in its solemn sessions when the wars, the treaties, the finances, and the government of France were discussed, and matters of national importance were adjudged. There, at the beginning of the Fronde, it was sought to establish a new constitution for France, of which the Court should be the executor. There, during the wars of the Fronde, the Parliament received the envoy of Spain, to treat with him