

An important contrast between the English and French systems is the almost practical exclusion of oral evidence. In the first instance written materials alone are dealt with (each party having to exchange papers relied on beforehand), and it is only when some positive denial of the genuineness of the document arises that verbal evidence is allowed, and even then there is no examination or cross-examination of the witnesses, except by the judge himself. There are no juries in civil cases; but, as several judges sit at a time, they, in a sense, constitute a sort of jury. Documents are admitted much more freely on the Continent than with us, and in this respect I think the foreign system has some advantage over ours. Every English solicitor knows that by the rule recently promulgated the strictness of proof of documentary evidence has been usefully relaxed here, and we might perhaps go farther; but I do not think that we should be prepared to adopt the foreign regulation wholesale, which in many cases is very loose, and leads to rather rough justice.

The next striking contrast between English and French practice is in the number of judges. While the population of France is only some 50 per cent. over England, the judges are at least ten times as many.

In round figures, the number of persons in England having any pretence to the title of judge of a Civil Court does not exceed a hundred, taking the County Court, the several other minor Courts, such as the Mayor's Court, London, the Northern Palatine, and and other local Courts of record, and so on up to the Supreme Court and the House of Lords. In France there are at least a thousand judges.

Under the French system there is no High Court as understood here. We are all aware that a common writ may be issued for service at Land's End or Berwick, whereas legal process cannot, except under special circumstances, be instituted in Paris against a man domiciled at Marseilles or Calais. In this sense the whole of France is divided somewhat like our English County Courts, the French metropolis itself being only provided with what is equivalent to a central County Court. In France there is this further distinction, that the Court of Appeal for all these French districts is local—*i.e.* situated in the chief town of each group of districts—about equivalent to what would happen if we had a 'Divisional' Court sitting in every English county town. For most purposes these numerous Courts of Appeal are