

ing representative of this constitution, and not parliament, which is but a creature of it. The state general, or the separate unions of the nobility, the professions (clerical) and trades, is the last resort in inextricable difficulties of rulership. Such was the doctrine in France when Canada was a royal province of that kingdom.

In France, the only way of deciding what was the constitution, and how it was to be interpreted, and by what means the succession of authority was to be determined, resided in the convocation of the PEOPLE of France through their representatives, chosen by them in an assembly termed the STATES GENERAL, presided over by the King.

The meaning of the word People, composing the elements of the population is defined in the decision of the States General of 1484 in the address of the Sire de La Roche: "J'appelle Peuple, non-seulement la plebe, mais encore tous les hommes de chaque ordre, et, sous le nom d'Etats Generaux, je comprends meime les princes. Ainsi vous, deputes aux Etats Generaux, vous etes les depositaires de la volonte de tous." (*La Grande Encyclopedie*, Vol. XVI., p. 517.) "I mean by people, not only the common free-holders of the population, but every man of each class, and, under the name of States General, I comprehend the princes (royal family) themselves. Thus you, deputies to the States General, you are the supreme will of the State."

In Luchaire's "*Histoire des Institutions Monarchiques de la France Sous les Premiers Chretiens*," it is stated that the consultation of the *grandees* by the King is one of the most ancient traditional traits of the monarchical constitution of the Middle Ages. ("La consultation des grands du royaume par les rois est un des plus anciens traits traditionnels de la Constitution monarchique du Moyen Age.")

The power of the King and the assent of the States General was deemed to be of divine right—not from the people, whom they indeed represented, but from God who had given it in Spirit to the world. "By the Grace of God—not the will of the People." M. Luchaire shows this was declared in the States General of 1302 at Notre Dame, Paris, in the following words: "This kingdom of France which our predecessors, with the aid of God had conquered from barbarism by their courage and the steadfastness of the people; which they have learned how to govern and which they hold of no one but of God, we have received it from

them in our hands by Divine Right—desiring to imitate them according to our power, we are ready to expose our bodies, our wealth, and all that we possess to preserve in liberty the entire independence of the kingdom, and we stigmatize as enemies of the kingdom and our person all those who would oppose our design." ("Le royaume de France que nos predecesseurs, avec l'aide de Dieu, ont conquis sur les barbares par leur propre courage et par la vaillance de leur peuple, qu'ils ont su gouverner ensuite avec fermete et qu'ils n'ont jamais tenu de personne que de Dieu; nous l'avons recu de leurs mains par la volonte divine; desirant les imiter selon notre pouvoir, nous sommes prêts a exposer notre corps, nos biens et tout ce que nous possedons pour conserver libre de toute atteinte l'indépendance du royaume, et nous reputons ennemis de ce royaume et de notre personne tous ceux qui s'opposeraient a ce dessein.") The States General subscribed to this in supporting the King as supreme in the State.

#### PERSON OF THE KING.

After the assassination of King Henry IV of France and Navarre by the Jesuit Ravaillac, the States General declared in assembly of 1614: "Be it inviolable and noted by all that the King is recognized Sovereign in his kingdom, not holding his crown but from Almighty God alone, that there is no spiritual or temporal power on earth which has any right over his kingdom to lessen the sacred character of our Kings, nor to dispense or absolve their subjects of the fidelity and allegiance which they owe to him. All subjects without distinction hold this law conformably to the word of God without limitation at all, the which will be signed and sworn to by all the representatives of the kingdom." "Soit inviolable et notoire a tous 'que, comme le roi est reconnu souverain dans son royaume, ne tenat sa couronne que de Dieu seul, il n'y a puissance en terre, spirituelle ou temporelle, qui ait aucun droit sur son royaume, pour en priver les personnes sacrees de nos rois, ni dispenser ou absoudre leurs sujets de la fidelite et obeissance qu'ils lui doivent. Tous les sujets tiendront cette loi comme conforme a la parole de Dieu, sans distinction, equivoque ou limitation quelconque, laquelle sera signee et juree par tous les deputes du royaume. . . . Tous les percepteurs, regehts, docteurs et predicateurs du royaume sont tenus de l'enseigner et publier."