

By these usurpations of the Seigneurs, the foundations of the ancient Laws of France were gradually undermined. But the demolition of this venerable Fabrick was greatly promoted by the profound ignorance which pervaded the Kingdom during this period. Few persons, except ecclesiastics, could read, and, hence, the Theodosian Code—the Laws of the Barbarians, which had been reduced to writing, and the Capitulars sunk imperceptibly, but equally, into oblivion. The clergy also furthered its destruction by adopting, in their jurisdictions, the Canon Law which they had begun to compile early in the ninth century, and the Crown completed it by the publication of the ever-memorable Edict of *Pistes*, so called from the City of Pistes, where it was promulgated in the year 864, by Charles the Bald, one of the weakest of the weak descendants of Charlemagne. By this Edict, in the mistaken policy of conciliation, the unwritten usages of each Seigneurie were ratified and declared to be Law; a declaration which may be considered not only as the efficient cause of the final extinction of the ancient Law, but of the permanent establishment of that infinite variety of customs, which obtained in France until the late Revolution (1).

THE authority of the Crown of France, at its ultimate point of depression, about the close of the tenth century, was merely nominal, the Royal Jurisdiction being confined to the Royal Domaine, which comprehended no more than four Cities, in which the King was obeyed as feudal Lord, and not as Sovereign (2); on the other hand, the power of the Seigneurs at this epoch was enormous—their tyranny exorbitant.—The whole country was laid waste by the wars which they waged against each other, and their own vassals were reduced to an actual state of slavery, under the denomination of *serfs* and *hommes de poite*, or under the pretended rights of personal service and *corvé*, were treated as if, in fact, they had been reduced to that wretched condition (3). By this state of anarchy those who were yet in the possession of allodial property, were, in the first instance, induced to annex what they held to the jurisdiction of some Fief, and

(1) Montesquieu. Lib. 28, chap. 4, vol. 2d. p. 243.

(2) Robertson's Charles V. vol. 1st. p. 366.

(3) Dictionnaire de Jurisprudence, vol. 3d. p. 1 & 17.