

\* A competent Knowledge of the Laws of foreign Countries, and the principles upon which they are grounded, is mighty serviceable in human Conduct.

A History of the French Law.

\* The Inhabitants of Gaul, who spring from Gomer the eldest son of Japhet (M. Porron's Book of the Antiquities of Nations) for near 500 years after the Romans conquered them, before the interruption of the Goths into that Country, were wholly governed by old Roman Laws, which continued to be observed under the Kings of the first and second Race; but mix'd with some barbarian Customs, and the Capitularies of those Kings: All which go under the Name of the ancient French Law. These barbarous Customs are still extant in a Volume entitl'd a Code of the ancient Laws by Frederick Lindenbergius; containing the Laws of the Frisgoths who possess'd Spain and a great part of Aquitain in Gaul; the Laws of the Burgundians compos'd by Goodbrand one of their last Kings, and from his Name call'd Lombards; the Sclavick and Runicke Laws peculiar to the Franks; some German Laws, and the Laws of the Lombards. The Capitularies were Laws both ecclesiastical and civil, made by the Kings of the first two Races, in general Councils or Assemblies of the people. They had their Names Capitularies because divid'd into Chapters or Sections. The Capitularies were distinguish'd according to their subject matter; those relating to Church Affairs, which are very numerous, are call'd Canons extract'd from Councils; such as treat of local or sub-general matters, are call'd Laws; and those about particular persons and cases, are consider'd only as private Rules and Regulations. The Capitularies were publish'd since by M. Badius in the year 1677 with Isaacus Romulus, in the form of a new and fine, as they remain'd in each Assembly.

Under the Kings of the first Race, call'd the Merovingians, from Merobius the first of them, the Franks observ'd the Sclavick Law; the Burgundians the Lombards; the Goths who settl'd in great Numbers in the provinces on the other side of the Loire, observ'd the Gothic Laws; and all the rest, with the Church, observ'd the Roman Law. To which others also were principally forc'd to take recourse in many cases where their own Law was deficient.

The second Race of the Kings of France was call'd the Carolingians from Charles Martel, or from Charlemain Charles the great, Son of Pepin the first of that Race: Charles the great having united all the dominions of the Franks ~~and Burgundians~~ Burgundians, Gauls, Goths and Lombards, under his Empire, suffer'd each Nation to enjoy their own Laws, and had them all observ'd. In short, the same Law was in use under the Kings of the second Race, as under those of the first: With the Addition of the Capitularies.

The Franks that happen'd in the South of France, so confin'd all those ancient Laws that in the beginning of the third Race of the French Kings, call'd the Capetians from Hugh Capet the first of it, there was no other Law in France, but a very uncertain usage. While the Royal power continu'd in illegible Meridun, the King was not Lord, and all Justice admistr'd in his Name, or of those put in Authority under him. But in the first times of Anarchy and general Confusion, every powerful Man look upon him the prerogative of Judging, as well as of making War, and raising Taxes upon the people. The Nobles admistr'd Justice