

supporting arbitrary power in a province, now the largest and most populous belonging to, and dependent on, the imperial crown of these kingdoms.

The chief justice, as commissioner, opened the investigation in the beginning of June of the same year, 1787, and three members of the legislative council, who are likewise judges in the Court of Appeals, were examined; viz. *the Honourable William Grant, the Honourable Hugh Finlay, and the Honourable George Potnal, Esquires.* Their evidence shews particularly the confusion that has prevailed in the court of which they are members; and the impossibility of finding consistency in a court composed of so many judges. They likewise speak to the inconsistency of the Courts of Common Pleas. They state, that English judges follow English law; French judges follow French law; and that some of them follow no particular law, but decide according to what