

dour of royalty, the decorations of knighthood, the bishop's lawn, the judge's ermine, and the soldier's plume, are only meant to give an imposing air of grandeur, of solemnity, and of decoration, to the various officers deemed necessary to give stability, and effect to that final object of all political and civil systems, namely, that each man may live "under his figtree and his vine," secure from wrong, and certain of right.

That nation must be the happiest which enjoys the blessings of the most upright judicature, a judicature of unshaken integrity and undoubted virtue, or at least as nearly approaching to those essentials of justice, as the frailty of human nature, and the imperfection of all human systems, can admit. In England, above most other countries, I believe, the nearest approximation to this standard is to be found. This is owing in a great measure to the adoption of what is called *the common law*, as the basis of our jurisprudence, by which is meant the inherent sense of right and wrong, as to men's actions, which exists, in the shape of general principles, throughout the globe, modified by those localities, and those usages, which the peculiarities of the country, climate, and people, have produced. *Statute law*, though now become the great medium through which justice is expounded and administered to the people, should be considered in no other light than as a more clear, distinct, and precise, enunciation of *common law* than can exist either in the traditions, the feelings, or the writings of the country; and I have no doubt that were cases to come before a court, whether criminal or civil, which had not been provided for by statute, and for which no precedent or analogous circumstance could be quoted, the jury and the judge would be acting up to the spirit of the constitu-