

'that it is already expressed in writing in the best manner possible in the text of the custom of Paris itself and in the learned treatises of Monsieur Ferriere¹ and other writers upon it, and in the decisions of the parliament of Paris and of the superiour council of this province, upon the cases that have been contested before them; that indeed such a new code might be of some convenience to an English judge to save him the trouble of studying or consulting the French law-books, but that it would be a most dangerous and pernicious attempt to the rights and liberties of your Majesty's Canadian subjects.'

These are the objections which will certainly be made by some of your Majesty's Canadian subjects to the measure of compiling a new code of laws for this province, which we have stated to your Majesty at great length, that they may have all the weight with your Majesty which they may deserve. At the same time we beg leave to inform your Majesty, that we believe that these objections will be made only by a few persons in this province, and that the bulk of your Majesty's new Canadian subjects will be very well satisfied with such a code, and this even though it should in a great measure be taken from the laws of England, provided only that a few of the most important of their ancient laws and customs, and that most nearly affect their property and the future situation of their wives and children, be contained in it.

On the other hand, the advantages that would arise from this measure of compiling such a code of laws for this province would, as we conceive, be these that follow.

In the first place, the English judges, who will, as we presume, always be employed to administer justice in this province, would have a short and plain rule to go by, which they would easily be able to make themselves masters of, and would not be liable to be puzzled and misled by artful French lawyers, partially citing and misrepresenting and misapplying the doctrines and cases contained in the French law books.

And in the second place, the English inhabitants in general would have the satisfaction of knowing easily and certainly what the laws of the province were, upon what conditions they purchased lands or houses, what rights of alienating or devising them they thereby acquired, what duties to your Majesty, their lords or their tenants, they were bound to, and in what manner their wives and children would enjoy their possessions after their decease.

These would be no inconsiderable advantages resulting from the composition of such a code, even though done in a very

¹ The reference is doubtless to the work entitled: "A comparison between the Code, Digest, and Novels, and the French Law & Custom of Paris, by Monsieur Ferriere, Professor of Law at Paris; in Six Volumes in Quarto."