

‘ of the custom of Paris, which was truly and properly the law of
 ‘ this province, ought to be left out of any code that shall be made
 ‘ for the government of it: and further, that there is a strong
 ‘ mutual connection between the different parts of this system of
 ‘ law, that makes it very difficult to change or abrogate any part of
 ‘ it, under a notion of its being useless, without weakening or
 ‘ rendering ineffectual other parts of it which the compilers may
 ‘ esteem useful; and that therefore the only safe way is to let it
 ‘ stand as it is; and that, in this view of permitting the whole of
 ‘ it to continue, there is no need of a code to express it over again
 ‘ in new words; 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 Ferriere 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.