

ill calculated to preserve (what it certainly was not intended to preserve) an ancient system of laws, which were to be admitted or rejected upon motives of equity, adopted by gentlemen who merit however no other imputation, than the want of education in, or acquaintance with, courts of law or equity, and the confusion in which such decisions must necessarily be involved, are matters upon which, I think, I need not enlarge?"

Since the Quebec Act took place, little or no beneficial alteration has happened in the proceedings of these courts; on the contrary, the only desirable parts of the former system have been taken away, the subject has been deprived of the benefit of juries in actions for personal injuries; the merchant of the decision of causes by the law of merchants, and according to the laws of England, heretofore in use, prior to the introduction of the Quebec Bill; *and no positive law, no fixed or established rule to supply those defects.* The courts, now sole judges of the fact, and of the law, in all cases, and though generally unaquainted with law, and particularly with the laws of commerce, are left to their own judgments; consequently their decisions are too arbitrary, and their power too unbounded to tally with the principles of the British constitution!

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