

and from such suits no legal materials were to be derived for the information of posterity. It might be inferred from this, that the laws of navigation are penned with great clearness, and are happily exempt from those ambiguities, which have been seen to cloud the construction of other laws, framed by persons of the best learning and experience. But in truth a want of clearness is not the only nor the most common cause of doubt and difficulty in the interpretation of laws; they originate from other defects than those in the laws themselves; from the conceit of the parties interested, and the weak judgments of their first advisers; such dispositions and such intellects will easily persuade themselves, that the law speaks the language they wish it should speak; and at any rate they will think it worth trying, whether they cannot prevail with a court to confirm their opinion. These considerations have generally had their full effect to plunge the parties into a suit, before the matter comes into the hands of those, who are best able to distinguish, but who are then obliged to exercise their ingenuity instead of their judgment, and to torture and confound every thing, in order to support what in their closets they would pronounce untenable. Yet it is to such occasions as this, that we are indebted for two-thirds of the legal argument to be found in the Report-books; and out of such attempts to mislead and misrepresent, grow the true exposition and the real learning of the law.

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