## 

NORTH-CAROLINA GAZETTE,
"Ourr are the plans of fair delifibt flip pare,

 JOSEPH GALES \& SON, adVERTISEMENTS


## house of commons

Debate on the Equity Bill-concluded.

 seemed, afier the abie support which he
gave the bill, when this comnittee first




 Chairman. Tififer most essentially in opin-
ion. from the hoonorable gentieman who has



 Supreme Court, but as the orerthrow of
every thing deserving the name of Supreme

 it on circuit Noo viil evere pasesposer





 Candmit that such is the near-sightedness
of mortats, and fraity of al human jusp of morthale. and fraily of all human jude-
ment, that we should never impicityly rely upan new ideas when we have accqired
them, or new ssstems when we have adoptedit them
on the present occasion, we wexill wait wit
patience, and view their perfectionsor the

 tion whirh teaches us the propriety of mak-
ing fletraios in a sestem which has so
inaly



 we can amend, is our business. I admit.
Carefully to examine, and faithfully to weigh, is our duty to the people. But, sir
how is this to be done? How are we t and these are the offspring of time. W are told in the sacred writings, to judge
the tree by its fruit, but I never get have under-cood, that it was meant, we shauld
judge it by its green fruit. Let it nature,
-let its juices inspissite, -let it feel the Let its juices inspissite, - let it feel the
mellowing thfuence of the hand of time;
and then if it be unsavory, root it up and cast it froin you, -but not before then.
Mr. Chairinan, there has been in this State at all times, a most mistaken opin-
in -1 , on the subject of the law, and its counectione-an error in opinion, which,
I am aware, can only be horoughly cor-
rected, by a greater rected, by a greater diffusion of informa-
tion among the people. The difference between a profersion and a trade-t the en-
dowments of the mind, and the dexterity dowments of the mind, and the dexterity
of the hand, seem not yet sufficiently un-
derstood. Law, ampong the people, is call. ed justice. True, sir,-true, Mr. Chair dised. Brought up in the lap of freedom;
arcustomed to deliver opinivos upon all subjects, whether understood, or not un-
derstood by them, -they think a Judge can derstood by them, -they think a Judge can
do the sawe, and that therefore too much do thie sawe, and that therefore too much
is not asked, when the bodify labour uecesin the conenpass of ordinary strength. Mr.
Chairman, if the law could be as land may if be cleared oould be dis timpers, mañu
jonsprudence-destroy your statute andy order, the sole code for the gui. But to administer justice ac
 liberation. whicl. no ability, however con
summate, which no genius, however trans
cendant, can possibly dispense with. How
then can you expect, when you unsettle then can you expect, when you unsettle
this court, which was constituted for the
purpose of preserving the rules of law purpose of preserving the rules of lav
from adulteration, -for the purpose o
keeping them pure. that equal and from adulteration, - for the purpose of
keeping them pure, that equal and impar
tial justice mighit be dispensed between man and man-that there might not be
rule for the government of me and my
property to-day, and another for you and
yours to-morrow. How, I ask. can you yours to-morrow.
as reasonable beings, expect, when you you thu
unsettle this court, and throw the judges who compose it upon a circuit, withou
bonks, without time, or the means of an nhat the regular order of justice according is spread through more than ten thousand volumes, should be preserved unbroken.
A breach of this order is injustice, and the
citizen's life, freedom, fortune, whatever may be the point at issue. is sacrificed and trampled under foos. What then are the
laws of his country to him? A shield and a buckler of defence? No. sir, the per-
verted instruments of his ruin. The dif-
ference between bad laws, and erence between bad laws, and grod laws
badly administered, no man of sense ever
yet thought it worth his while to contend yet thought it worth his while to contend
about; laws of which the peopple are no
to have the full benefit, and at all times are not worth the tronbie of making and on our law-books. What are they ? In
hemselves but paper and ink, they speak
rom the mouths of your judges. rom the mouths of your judges. How
nuath, how deepy then are we interested
that they slould speak correctly. Thal hey should see with ciearness, and delin-
eate with accurracy, those rules and ppinci-
ples which we have drawn around our-
elves, and have consented tolive tol and be governed by. Aifrithairnan, the
perfection and the difictly of a govern-
ment of laws, lies in the atherance to
principle. In the machinery of state,
you must have a power, directly operating pon your distributive system of justice.
ike the regulator of a watch. to preserve
it from leviation-to prevent it from fall-
ing short or going beyond the true stroke of timert or going beyond the true sfoke,
go will find in process be an a sew pow years, the
decisions of your courts so deviating from rinciple, that like a circle in the water
diverging from its centre, its lim:s can no
onger be discerned, or a line of connecThe systern of Jurispruadence under
which wve live, Mr. Chairman, has taken
more wann 800 years, and has employed
:bove ten times that number of as wise
and virtuous men as this woth ever

| and integrity, whether there was a man among them all, or a judge on the bench in ihat day, who would hove given an opinion on the law of descents among collaterals, involving a question of the half and the whole blood, and say he had any confidence in a corresponding decision of the then Supreme Court, which was formed of Circuit Judges? They will answer, to a man, there was not. And, sir, what was this state of things owing to? Why simply to the cause I have pointed out, the making a Supreme Conrt of. Circuit Judges. An appeal Crom Philip to Philip. A hurrying of vour Judges, whip and spur through their circuits, and then hastily grouping them together as a Supreme Court ; and yet, them together as a Supreme Court; and yet, the honorable gentleman from Guilford, with all the light of these facts to guide him, would throw us back upon this pernicious system; where decisions are made at random; where principle is lost sight of. Mr. Chairman, when on this part of the subject, I am under a manifest, and to me a most embarrassing difficult, in making myself understoon. The full force of that zreat watch-word of the law principle, can only be felt by the profession. To them, only be felt by the profession. To them, it is as a cabalistic number in the fables of the East, which stripping away the thick film of mortality, sharpens the vision of the possessor, and enables him to pierce the dark cloud of futurity. How much, sir, are we to regret, with an able Law writer, that the science of the law, should only be pursued by the few who intend it as a profession. If some general knowl- edge of its structure and principles, had been made a necessary part of education twenty years ago, and had continued, we had not now been debating the expediency of destroying our Supreme Ceurt. Gentlemen would have been at no difficulty in understanding the impressive remarks of Sir William Blackstone, when he says, that the principles of the law are so nicely arranged and artificially put together, that structure of the whole. They would have seen what little reliance was to be had, in that ready process of the mind, which decides a difficulty in the moment of stating it; and would, with that able jurist, unthe law, are drawn from the profoundest and most comprehensive view of man, and his complex, multiplied concerns. <br> The system of Jurisprudence under which, we live, Mr. Chairman, has taken more sinin 800 years, and has employed above ten times that number of as wise |
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its whole surface, alone, in security, and
with his purse in his hand; I could, never
behold these revered persons in their grey
hairs, in the posssssion ofease and of afflu-
ence, svithout being sensible of a kindly
feeling sprending isself over me. which
am sure God limself would

ITLAST \& STAR THEMETRA.
 NEW-YORE,
PHILADELPHI BALTMMORE,
NORFOLK,

##   $\frac{28}{\text { January } 1826 .}$



