to fear; and if I am dishonest, the sooner I am found out the better."

But whilst upholding the right of free judgment and fair criticism as to the acts and conduct of persons holding judicial positions, we must be very watchful that such criticism *is* fair, and not pushed to such lengths as to bring the judicial office, as distinguished from the individual holding that office, into contempt, and that remarks should not be made, which, however true they may be in themselves, are calculated to diminish the respect due to the laws, or to lessen the confidence of the public in their due and just administration.

Whilst admitting the apparent impropriety urged by Judge Mondelet, as to the same person acting in a variety of capacities, it is equally clear that Judge Badgley went to the root of the matter when he said, "Arguing from the mere reason of the thing, it is a plain consequence, that contempts would necessarily fail of their effect, and the authority of courts of justice would become contemptible, if their judgments could in such matters be subjected to revision by any other tribunal." The same view of their matter was years ago taken by that eminent jurist, Chancellor Kent, (referred to by the *Lower Canada Law Journal*, from which we take it,) when, in criticising a proposed penal code for Louisiana, which contained a provision for the trial of matters of contempt by a jury, he said, "Under such a state of law, no one would be afraid to offend; the delay of punishment and the manner and chances of escaping it, would disarm the expected punishment of all its terrors, nor could the insulted court or judge ever think of the attempt to cause the infliction of punishment under so many discouragements. It would be idle for the law to have the right to act, if there be a power above it which has a right to resist. In criminal matters penal law must enforce satisfaction for the present acts and security for the future; in other words it *must have* a remedy and a penalty. How could there be either a remedy or a penalty, if the judgment of contempt was subject to review by any other tribunal."

Apart from this, the weight of authority appears to be against the allowance of any appeal in matters of contempt, and such was the opinion of the court in the present case; and so the matter stands at present, unless indeed, as is remarked by our Lower Canada contemporary, the Judicial Committee of the Privy Council see fit to entertain an appeal from the judgment of the court. For our part, indeed, we hope that this unpleasant episode respecting legal life in this Canada of ours may not be further agitated in the English courts, and that however interesting the points in dispute may be in themselves, they may be considered settled as they now stand.

That such a state of things as have resulted in the *cause celebre* of *Ramsay*, plaintiff in error, v. *The Queen*, defendant in error, exhibits, could not well occur in this part of Canada, we may well be thankful for. That such a boast may be as true of the future as it has been of the past, should be the constant aim and exertion of all those, who, on the bench or at the bar, or in the study of the laws, desire the welfare of their country. The heritage left to us by those able, courteous and high-minded men who set the standard of the profession in Upper Canada cannot be too highly prized; and he who first, whether by his conduct on the bench or at the bar brings discredit upon their teaching, will, we doubt not, meet the universal contempt, which such conduct would deserve.

The Bench of Lower Canada is not (with some honourable exceptions) what it ought to be. The conduct of Lower Canada judges has, on more than one occasion, caused Canadians to blush; and we regret to say that people abroad know no distinction between the Bench of Upper and Lower Canada, and so in their ignorance cast upon the Bench of Canada, the obloquy which appertains to that of the Lower Province alone.

The prosecution of Governor Eyre in England appears to have come to nothing, the Grand Jury having thrown out the bill. The address to that body by Chief Justice Erle is said to have been an effort worthy of that learned judge, and to have occupied some six hours in its delivery. The necessity for the protection of persons acting honestly in the difficult position such as that in which this well abused Governor was placed has had its proper weight.

Our readers will observe that Mr. Harrison's Municipal Manual has been completed, and is now ready for delivery in a bound form.