

REPORT.

The Committee appointed to report on the written statement of facts submitted to the Bar by Mr. Holt, and to obtain from the members of the Bar, who were present in the Court of Appeals, in Montreal, when the facts mentioned by Mr. Holt occurred, a statement of what took place in their presence, have now the honor to report,—

That in pursuance of the resolution adopted by this section of the Bar, they took immediate measures for obtaining from the several members thereof, who were present in the Court of Appeals, in Montreal, when the facts narrated by Mr. Holt occurred, the desired statements, which, together with that of Mr. Holt, they now submit.

These statements have been obtained from the Honorable René Edouard Caron, Queen's Counsel, George Okill Stuart, John Urquhart Ahern, and George Irvine, Esquires—the first three being the only members of this section who were present in the Court during the occurrence of the facts disclosed in Mr. Holt's statement; while that of Mr. Irvine details what took place on the closing of the same term, and which, as it relates to the matters which have occasioned the appointment of your Committee, is of much importance.

The statement of Mr. Holt is as follows:—

COURT OF QUEEN'S BENCH,

OCTOBER TERM, 1851.

WEDNESDAY, October 1st.

PRESENT:—Mr. Chief Justice ROLLAND,
Mr. Justice PANET,
“ “ AYLWIN.

The Clerk of the Court called the case of—

MALONE—Appellant,

vs.

TATE—Respondent.

Messrs. HOLT and IRVINE, for the Appellant.

JOHN U. AHERN, Esq., for the Respondent.

Mr. Justice AYLWIN,—“The attention of the Court has been directed to the manner in which the factum of the Appellant in this cause has been drawn up. The Court has to remark, and feels itself called on to censure, the tone of that document. The style is light and flippant, and such as never should be used in addressing a Court of Justice.

“I refer particularly to page 6, where no less than three notes of exclamation are to be found. This may do very well in a newspaper. I speak knowingly, for I once edited a newspaper myself, and know what these things mean, but it cannot be tolerated in this Court.

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