

## IMMUNITY OF JUDGES.

In connection with the subject of the immunity of judges, recently discussed in England (*ante* p. 313), the following case is of interest:—

At Brompton County Court, on October 22, 1895, his Honour Judge Stonor gave judgment in the case of *Chaffers v. Judge Lumley Smith and Judge Meadows-White*. The plaintiff appeared in person; and Mr. Dennis was counsel for the defendants.

The learned judge said that at an adjourned hearing of this action on September 24, the plaintiff stated his case and gave his own evidence in support of it, and then applied for a further adjournment in consequence of the absence of two witnesses—viz., the defendant Judge Meadows-White, and Lord Esher, both of whom had been duly subpoenaed. The former was abroad when the subpoena came to his knowledge, and wrote at once to the registrar of the Court to express his readiness to attend on a future occasion if it were considered desirable by the Court. The latter did not attend on the day of trial or send any communication to the Court, but at the adjournment intimated, by the learned counsel who then appeared for him as well as for the defendants, that he was also ready to attend if it were considered desirable by the Court. At the adjourned hearing, on September 24, the plaintiff, however, also moved, in pursuance of a previous notice, to have Lord Esher's attendance enforced by the Court under the powers given by the County Court Act, 1888, ss. 111, 167. On the part of the defendants it was then contended, first, that this action did not lie; and, secondly, that it was vexatious; and that upon both grounds it ought to be dismissed, and that the attendance of the defendant Judge Meadows-White and Lord Esher ought not to be required, and the whole matter was further adjourned for decision. The material portions of the particulars in the action were as follows: The plaintiff's claim was for £1 for damages against the defendants for that they had corruptly and maliciously conspired and combined together—acting in collusion with the Right Hon. Baron Herschell and also in collusion with the Right Hon. Baron Esher—to obstruct and defeat the course of justice by maliciously acting with gross oppression and tyrannical partiality, under the colour and in abuse of their judicial office, and by refusing to compel