

that it is, if possible, even more hollow and fallacious than in our own country. And it has been done so covertly and under the guise of such fair pretensions, that it has misled even the most wary. It seems baser, if possible, for one whose reputation stands at the highest point, to abuse this accumulated capital of credit and fair repute to the accomplishment of some nefarious scheme of iniquity, than for one who is new in the market, and has only his fair promises to draw upon, to attempt the same thing. And it is certain the former will be much more sure of success than the latter. It is this which seems to create such fierce indignation against almost all the English railway directors just at the present moment. For as one after another comes to be probed, the same disgusting rottenness at the core is brought to light, so that, at present, there is really no firm ground to stand upon, so far as the credit of railway capital is concerned. It is to be hoped we shall profit by the example of our English cousins, and while we imitate their excellences, avoid their errors.

III.—The trial of the case *Wason v. Walter*, before the Lord Chief Justice of England and a special jury, at the sittings after Michaelmas Term, was one of considerable interest to the proprietors of the press. The defendant is the proprietor of the *Times* newspaper, the chief organ of popular sentiment in England, which, like one leading paper in America, is always sure to echo popular sentiment, if sufficiently developed to be comprehended. The plaintiff is a member of the English bar, and a former member of Parliament from one of the county constituencies, where the election thirty or more years ago, was contested by Sir Fitzroy Kelly, the present Chief Baron of the Court of Exchequer. At the time of his promotion to the bench, his former competitor saw fit to present a petition to Parliament against the appointment, charging that Sir Fitzroy Kelly, in some trial before a committee of the House of Commons, had been guilty of perjury, in denying all knowledge of acquaintance with one person, who had canvassed for him

during the election, and in doing so had been guilty of bribery—on which ground the return had been avoided. But the charge was promptly met by the Lord Chancellor and Lord St. Leonards, who effectually vindicated the Lord Chief Baron from all suspicion of guilt, on account of the charge, showing, beyond all question, that the charge had been preferred, and clearly refuted, at or near the time the offence was said to have been committed, and that Mr. Wason had remained silent during all the previous stages of the learned Baron's promotion to be solicitor and attorney-general, until his call to the bench; and that the charge was now brought forward at a time and under circumstances, as it was claimed by these noble Lords, clearly indicating some wrong motive, and stating many facts and circumstances in confirmation of their views, which Mr. Wason naturally regarded as libellous.

But as members of the House of Lords were privileged for all words spoken in debate, the aggravated party could obtain no redress in that quarter. But as the *Times* had published detailed reports of the speeches made by the noble Lords, and had inserted also leading editorial articles, extensively discussing the same grounds of defence against Mr. Wason's charges, and repeating, to a considerable extent, the charges which Mr. Wason regarded as libellous, he very naturally sought redress against the proprietor of the *Times*, to whom he did not suppose the privilege of Parliament could extend; or if by possibility it might be claimed to extend thus far, for any purpose, he expected it would, at all events, not be carried beyond that of giving a report of the actual proceedings in that body. What then must have been his disappointment, not to say consternation, to hear and feel the learned Chief Justice hewing down and cutting away the very last timber in the platform upon which he felt that he stood so securely. One cannot help feeling a certain degree of sympathy, if not of actual commiseration, for the sad condition in which the plaintiff thus unexpectedly found himself. And it seems, so