the promotion of an Attorney-General who has filled his high office with dignity and honour; but in the position I occupy I feel I ought not to stand by, and, without observation or objection, allow a judicial appointment to be made, which from the peculiar circumstances under which it will take place, is open to such serious objection, and which, as I have abundant reason to believe, will be the subject of universal condemation and regret.—I beg to remain, very faithfully yours,

"A. E. COCKBURN."

To this letter Mr. Gladstone made a curt reply, and handed the matter over to the Lord Chancellor (Hatherley), whose letter to the Chief Justice was only remarkable for its insolent tone and evident desire to burke the question, and snub, not only the Chief Justice, but the whole Bar of England, who in this matter have loudly and unmistakably condemned the unwarrantable action of the Government.

Of course, as all our readers are aware, the whole affair was brought before the House of Commons, by Mr. Cross moving a vote of censure on the appointment of Sir R. Collier, declaring that it was a violation of the intention of the statute and an evil example in the administration of judicial patronage. Many strong supporters of the Government, and prominently so, Mr. Denman, spoke and voted in favor of this motion, which, however, was lost; but the very small majority in favor of the Government—27 in a House of 513—was in itself tantamount to a very strong expression of censure, and we presume will be so accepted by the Chancellor, as it certainly has been by outsiders, and will be so looked upon by historians.

The *Law Times* thus speaks of the discussion in the House:—

"To us the general results of the debate appear satisfactory, for they show that we still have very many able public men, who will neither sanction nor tolerate an evasion of the law by any Government, whatever its party may be: but, on the other hand, it is by no means reassuring to find the Prime Minister and the Lord Chancellor, after several months of cool reflection, after hearing the most invincible arguments against their view of the construction of the Act of Parliament, come forward and continue to maintain that view by arguments that show a sort of incapacity on their part to understand the distinction between an evasion of, and a full compliance with, the provisions of an Act of Parliament. It is a remarkable fact that neither of the present law officers of the Crown approve of the construction put upon the Act, for we may fairly presume that if they did they would have come forward and said so, and the Government failed to obtain the support of any lawyer of repute in either house except Sir Roundell Palmer, who made a speech for them that was a model of forensic ingenuity, and a perfect epitome of all the fallacies known to logicians; but notwithstanding all this, neither Mr. Gladstone nor the Lord Chancellor said a word that could be construed to mean that they would not pursue exactly the same course as before if the thing had to be done over again. * * * * *

"The answer to these grave charges, so far as they were answered at all, is to be found in the speeches of Mr. Gladstone, the Lord Chancellor and Sir Roundell Palmer, and we have every wish to do justice to their arguments and views. The propositions on which the arguments of Sir R. Palmer and the Lord Chancellor were based, as far as we can understand them, were two. First, that the Act does not specify any definite period of judicial experience, therefore the Act is satisfied by appointing a person who has the name or status of a Judge when the appointment is made, whenever or however that name may have been bestowed; secondly, that Sir R. Collier was a fit and proper person to be made a Judge of the Court of Common Pleas, and therefore there could be no objection to give him that Judgeship as a qualification for the Judicial Committee. With regard to the first of these propositions its advocates evidently shrunk from the consequences it would lead to, and Sir R. Palmer abandoned his whole position in two several parts of his speech when he observed, 'now if this thing were done wantonly, maliciously, or without a *bonâ fide* view to serve the public, or if it were done over and over again, as the honourable gentleman suggested, I should not stand here to defend it;' and again, in reference to a remark previously made with regard to the Indian qualification, he said, 'I think it would have been improper, though it might have been legal, to appoint to the Judicial Committee any person who was not really and truly such an Indian chief judge as to be in that respect a fit representative on the Judicial Committee of the Indian Judicature.' But really to a lawyer, at least, it is hardly necessary to do more than state the first proposition in order to show its absurdity. The Act obviously provides, if its limitations are to be more than a mere nullity, that the person selected for the Judicial Committee shall be, when the selection is made, a Judge, or *ex*-Judge, not that he may be made a Judge after he has been selected to become a member of the Judicial Committee. As to the second proposition it has really nothing to do with the matter. Sir R.