

St. John, N. B., 25th August, 1845.

My object in requesting their perusal of the following Correspondence is to convince my Friends, that it is solely for his unprofessional and ungentlemanlike conduct that I reproach Mr. RITCHIE.

EDWARD L. JARVIS.

## CORRESPONDENCE.

No. I.

Thursday Morning, 14th August.

Sir—

FEELING aggrieved by the manner in which you chose to comment upon the evidence given by me in the case of *Green v. Jarvis*, I several months since formally applied for a certified copy of that evidence; and having this morning been favored with it, I have searched it in vain for a single word that I ought not to have uttered.

From among the many extraordinary statements that were made by you while conducting this case, I select the following one, which formed part of your address to the Master of the Rolls, and which I quote as nearly as possible in your own words.

"Mr. Edward L. Jarvis in giving his testimony before the Master in Chancery *swore* (with emphasis) that no money was paid upon the first bargain with Abbott and Russell; but I turned over the book, and found where one hundred pounds had been paid upon the first bargain."

Now if it be true that I "*swore*" thus, you can easily shew it; but if otherwise, I need not point out to you what ought to be done in the matter.

Whenever I have been present while you were speaking in Court upon this case, you have always imputed in studied language that you were engaged in counteracting our fraudulent designs upon Daniel Green's property. (May "our," because I wish to be considered as having advised my Father to resist the very unjust demands of Green.) My chief object therefore in addressing you is to ask whether you really charge us with dishonourable conduct, or whether you used these insinuations merely to benefit your client, or whether they were intended as personal insults to myself?

If, before answering me, you would like to read over the certified copy referred to, it shall be sent to you.

I am, Sir,

Your obedient servant,

E. L. JARVIS.

W. J. Ritchie, Esq., &c. &c.

No. II.

St. John, 15th August, 1845.

Sir—

I am just in receipt of your note of yesterday, and in reply cannot refrain from expressing my surprise that you should have remained since the 11th of March (over five months) under any feeling of aggression for any expressions used by me in the argument of the cause of *Green v. Jarvis*, without having called my attention to them within a reasonable time. At this distant day I can only say that in the whole conduct of that case I endeavored to act, and feel that I did act, as an independent and honorable counsel should do, and that I made no comments whatever on the evidence or the law but such as the evidence, the just development of the rights of my client, and the ends of justice warranted. I am the more satisfied on this point from the circumstance that if in the course of my address I had mis-stated or mistaken any portion of the evidence, you, who were present, would through the learned and experienced counsel employed by the defendant, or they in

your absence, would have immediately called the attention of His Honor the Master of the Rolls to such mistake or mis-statement, and the matter would then and there while fresh in the minds of all parties been inquired into and set right by that learned and honorable Judge, whose duty alone it was to determine and decide on the evidence in the cause. The result of the several suits that have been already decided in the Courts of Judicature of this Province, brought by Mr. Green against Mr. R. M. Jarvis, and conducted by me, must by this time I think have satisfied every unprejudiced mind that Mr. Green did not appeal to the laws of his country until he was forced to do so, and that his appeal was not without just cause, and that it was not made in vain. But as there is a suit at law still pending, brought by Mr. Jarvis against Mr. Green, arising out of transactions discussed in the suits already referred to, the notice of the discontinuance of which I have been in the daily expectation of receiving from the plaintiff's attorney, and as immediately on the termination of this suit I am instructed to commence an action against Mr. R. M. Jarvis and yourself for matters connected with the bringing of that suit and Mr. Green's arrest therein, and your and Mr. R. M. Jarvis' subsequent conduct—which instructions I more than two months since communicated to Mr. R. M. Jarvis' solicitor—I feel that it would be a betrayal of the interests of my client, out of place, uncalled for, and improper for me to express any opinion or enter into any discussions of the merits, motives, or actions of Mr. R. M. Jarvis or yourself, which your letter would seem to court. In due season the suit pending and to be brought will, as the previous causes have been, be fairly tried, all these matters be fully discussed before a competent tribunal, and finally adjudicated on and determined by learned and disinterested Judges.

Justice to myself however requires me most emphatically to state that from the first commencement of the litigation referred to to the present day no personal hostile feeling on my part has ever entered into the contest, and I can only regret that the early applications made by me for the amicable adjustment of the differences existing between the parties had not been met in the same spirit of conciliation and forbearance which prompted the offers; in which case much trouble, expense, and difficulty would probably have been avoided; and I avail myself of this opportunity to say that even now should you desire to avoid further litigation, I shall be happy to receive and convey to my client any proposals you or Mr. R. M. Jarvis may be disposed to make, with a view to the final amicable settlement of the still existing differences.

In conclusion I beg to say, that if the idea has for one moment entered your mind that in any remarks made by me in the different discussions incident to the proceedings referred to, I used the high privilege of my profession personally to insult you you have been labouring under a most grievous error. I trust I have a better understanding of the duties of my profession, and a keener sense of honorable feeling and conduct, than to prostitute my professional privileges so unworthily. With such feelings, you may at the same time rest assured I shall never allow myself to be overawed or deterred from fearlessly doing my duty to my clients, please or displease whom it may.

I am, Sir,

Your most obdt. servant,

(Signed)

W. J. RITCHIE.

E. L. Jarvis, Esq.