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CONTEMPT OF COURT—THE McDERMOTT CASE.

We intimated our intention last month to revert to the case of McDERMOTT, noticed in the judgment of the Court of Queen's Bench in Mr. RAMSAY's case. The report first communicated to us, and printed at page 146, was that published in the *Times* newspaper, but we have since received that contained in "The Law Reports," which gives the facts and judgment at much greater length.

The first circumstance worthy of note is that when McDERMOTT made his application to the Privy Council on the 3rd November last, the term of six months, during which he was to be imprisoned, had actually expired on the 13th October previous. LAURENCE McDERMOTT was the publisher of the *Colonist* newspaper, in British Guiana, and the alleged contempt of Court consisted in publishing in that newspaper two articles supposed to reflect on JAMES CROSBY, Esq., one of the Judges of the Supreme Court in that Colony, and on Mr. ROSS, a barrister practising in that Court. The petition for leave to appeal stated that great dissatisfaction had existed respecting the judicial proceedings of the Supreme Court, and especially with regard to certain proceedings taken against Mr. CAMPBELL, one of the officers of that Court, who, by reason thereof, had been compelled to resign his office; that the petitioner, in reporting the particulars of such proceedings, allowed them to be commented on, and their nature and legality to be discussed in two articles in the *Colonist* newspaper. That the petitioner had an intimation that an *ex parte* order, dated the 2nd April, 1866, had been issued by the Supreme Court against him, in the following form:—"Upon the information and motion of Edward Charles Ross, Esq., Barrister-at-Law, this day made to me in non-session of this Court, and upon reading the affidavit of James Burford, dated and sworn this day, and filed in this matter; and upon reading a cer-

tain copy referred to in such affidavit of a printed newspaper called the *Colonist*, appearing to have been published by one Laurence McDermott, at his office, Lot 26, Water Street, New Town, on the 29th day of March last, wherein are printed and published divers scandalous and libellous articles and statements reflecting on the administration of justice in this Colony by the Supreme Court thereof; and in particular certain scandalous and libellous passages and statements as to his honour James Crosby, Esq., one of the judges of the said Supreme Court, maliciously abusing and threatening the said judge, and tending to the great obstruction of the course of justice, and being in contempt of this Court, I do hereby order and direct that the said Laurence McDermott do personally attend this Court at its sitting, in George Town, on Wednesday next, the 4th day of April instant, at half-past ten A. M., and further that he then and there show cause why an attachment should not be issued against him for such contempt as aforesaid, or why he be not committed to prison or otherwise dealt with in respect of such contempt according to law, and as the Court shall think fit to order. J. Beaumont, C. J."

The petition further stated that this order was not personally served on the petitioner, but was left at the registered office of the *Colonist*, and was handed to the petitioner by one of his servants; and the petitioner having such notice, and the same purporting to affect his personal liberty, he appeared in Court on the 4th of April, 1866. That the Court, consisting of Chief Justice BEAUMONT, and Mr. Justice BEETE, thereupon adjourned the matter of the order to the 6th April, when the petitioner again appeared, and his Counsel were heard on his behalf. The Court then took notice of another article which had appeared in the *Colonist* on the 5th April, reflecting upon the proceedings of the Court, and the petitioner was ordered to appear again on the 10th April, to answer as well for the former contempt as that of the 5th April. On the 10th April, the petitioner again attended personally, and being called on to show cause, as directed by the order of 6th April, his counsel objected to do so, alleging that the order was