

prived him of the little Share of Decency he was thought to possess. I am ready to confess, that I felt in this Cause all that a Man of Honor ought to feel when conscious of manifest Injustice being done his Client, nothing more did I feel on the Occasion. And as to his other Insinuations, they are as vile and desvoid of Truth as the Author himself; it is well known that I always think and act for myself, and am altogether incapable of being influenced for the Purpose he suggests, and, I flatter myself, that my Character is too well established to be affected by any Thing an anonymous Scribler can say to my Disadvantage. Equally undeserving of Attention is his Declamation respecting Mr. Sterns and myself, our Characters have been shamefully misrepresented, without our having had an opportunity of supporting them in any other way than the Public Prints, in which we have confined ourselves to a bare Relation of Facts; and if we have, in Justice to ourselves, been reduced to the unpleasant Necessity of wounding the Feelings of any man or body of men, we trust the sensible Public will attribute it to the Situation designing Men have placed us in, and not to Inclination in us: As for my own Part, I have always manifested a friendly Disposition towards such of his Majesty's Servants who discharge the Duties of their Appointments with Ability, Fidelity and Honor: As for those of an opposite Character, I hold them in equal Contempt with the Calumnies of our Author. The original Process in this Cause was returnable to July Term, 1786. It was at Issue in April Term, 1787, when my Client, Stout, who had transacted the Business with the Defendant, attended the Supreme Court with his Witnesses from the Island of Cape-Breton, expecting the Cause would have then been brought to Trial. Mr. Blowers, who was of Counsel for the Defendant, applied to me in the Course of the Term, to know if I intended to bring the Cause on; I told him, that I fully intended it, to which he replied, it was unnecessary for me to urge for a Trial, for the Court had promised him they would not force him to a Trial that Term. This Declaration evidently shewed that he had held improper Communications with the Judges, or else that he had been guilty of traducing their Characters. I afterwards moved for the Court to fix a Day to hear the Cause, in which Motion I was supported by Mr. Sterns, who was concerned with me for the Plaintiff, and opposed by Mr. Blowers, on the Part of the Defendant, who the Court indulged with the Cause standing over, without the usual Affidavit for a Continuance, or any legal Reason whatever being given. In the July Term following, Stout attended a second Time with his Witnesses from Cape-Breton, not doubting but the Cause would then have been brought to Trial. I, on the first Day of the Term, informed Mr. Blowers of my Intentions of trying the Cause: He said, he had not received the Papers that he had expected, but that, notwithstanding, he would not keep me any longer out of a Trial: A Kind of Language he constantly makes use of, and which is indicative of a consciousness of his Influence with the Court. On calling over the Causes it was noted for Trial by a special Jury; the Day was afterwards fixed on for the Trial thereof, and the Panel of the Jury, between the Parties, was the first made out and returned by the Sheriff into the Clerk's Office of any that Term. The cause, however, went off to make room for other business, Mr. Blowers representing that it was a Cause of consequence, which would take up a whole Day, and agreeing positively to try it on Tuesday, the last Day of the Term. On Monday, having struck the Panel on the Part of my Clients, I handed it to Mr. Blowers to strike off the Part of the Defendant, which he absolutely refused doing: I then moved the Court to order the Cause to be peremptorily brought on the next Day. Mr. Blowers opposed the Motion, and prayed for a Continuance upon the sole Reason of its being inconvenient for him to try the Cause at that Time; upon which the Court ordered a further Continuance of the Cause, without his assigning any other Reason, without directing the usual Affidavit, and directly contrary to the well known and established Rules of the Court.—The next Day I came in with what Mr. Plain Truth is pleased to term, an angry Petition from my Clients; I confess it favoured as much of Anger as was necessary to shew, in moderate Terms the shuffling of the Defendant's Counsel in the Cause, and the Indulgencies which had been granted his Client, in direct opposition to the Rules and Practice of the Court. It, however, concluded with praying that the Court would be pleased to sit a Day after the Term, as they were authorized to do by a Law of the Province, for the Purpose of trying their said Cause.

It was on taking the Matter up on this Petition, that his Honor Judge Brenton declared that the Court would indulge Mr. Blowers, because he treated them with more Civility than some other Gentlemen of the Bar did; upon which Mr. Sterns said, that he was very sorry to hear his Honor avow the Partiality of the Court towards any of the Practitioners, and shewed the Impropriety thereof in such pointed Terms, as to induce Judge Brenton to add, by way of explanation, that the Court felt themselves inclined to indulge the Attorney-General because he was a public Officer, and had the Crown Business to attend to: On which Mr. Sterns observed, such Conduct in the Court would subject the Suitors to great Inconvenience, as well as be attended with Injury to the other Gentlemen of the Bar. The Court refused complying with the Prayer of my Client's Petition, but, however, directed Mr. Blowers to make an Affi-

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