

TRUTH IN THE WITNESS BOX—QUEEN'S SPEECH—EDWIN JAMES.

of the course of legal history, and of the rules which govern this department of human morality. We should be astonished in no small degree if any judge, lawyer, or historian could point out to us the precise period of our early *Nisi Prius* history, at which witnesses were distinguished for love of the truth, and juries were not driven to decide between contradictory masses of evidence. But without being even so exacting as this, we may safely push his Lordship home on one point. Until a comparatively recent date the evidence of parties to the cause was altogether excluded; and common observation would invite the conclusion that the testimony of indifferent persons was less likely to be false than that of persons strongly tempted to change, modify, or at least colour their knowledge of the facts at issue. When the Legislature of this country determined to throw down the barriers which kept out a cloud of witnesses in every cause, it did so with full appreciation of the peril necessarily arising from the temper, the bias, the irresistible zeal, of all partisans. Bentham never ignored the possibility of deception arising from all these causes. He only argued that truth was the grand object to be attained, and that the shortest and safest way to it was to listen to all those who knew the facts. The certainty of a measure of falsehood was accepted for the chance of securing a larger measure of justice in the long run. And who is there that is prepared to say that Bentham and the Legislature which followed his teaching was wrong, and that we ought to walk back upon the footsteps of our progress, because we have discovered that men who are interested in a cause are less worthy of confidence than those who are absolutely impartial?—*The Law Journal*.

Her Majesty's gracious speech at the opening of parliament has rarely promised such changes in the law proper as are foreshadowed in the speech from the throne delivered yesterday by the Lord Chancellor. Foremost among intended measures is a Bill for the formation of a Supreme Court of Judicature, including provisions for the trial of appeals. Next comes a Bill to facilitate the transfer of land, and besides these two great measures, specially mentioned, there is in the

speech a general promise of "various other Bills for the improvement of the law." Among these unnamed Bills, it would not be presumptuous to place the Code of Evidence to be introduced by the Attorney-General. On the border land between the law proper and the general law of the land stands an intended Bill to amend the general acts regulating railways and canals. The principal Bills for social improvement mentioned in the Speech are Bills to amend the system of local taxation, and the education Act, 1870. No Bill of a purely political character finds its place in the programme, unless the question of University education in Ireland is to be regarded as such. Experience teaches us that in matters of law reform "the expected" does not always or even generally happen, and the retrospect to be made by us in August next will, we may be sure, differ very considerably from the prospect now offered by the Royal Speech.—*The Law Journal*.

Mr. Edwin James has addressed a petition to the Lord Chief Justice of the Queen's Bench, to the Lord Chief Justice of the Common Pleas, to the Lord Chief Baron of the Court of Exchequer, and to the rest of the judges of those courts, asking them to appoint a day for hearing an appeal against the order vacating his call to the Bar; Mr. James asks that that order may be reversed, and his name restored to the books of the Society of the Inner Temple. Mr. James recites in his petition the whole story of his embarrassments, his flight from England, and his expulsion from the Bar after twenty-five years of practice as an advocate, and part of the time as a Queen's Counsel. The petition concludes by giving nine reasons why the order of the Benchers was not just, and ought to be revised. They are briefly that there was no specific charge preferred against him, no evidence of any misconduct, professional or otherwise, adduced, and that the Benchers constituted themselves accusers and judges, and refused his counsel reasonable time to address them. The order he maintains is invalid, since it does not inform him upon what charges of misconduct he has been disbarred; the decision was hasty; no chance was given him of explaining or rebutting testimony, and hearsay evidence