

reason for administering justice in such cases with closed doors? For otherwise justice, it is argued, would thus in some cases be defeated. My lords, this is very dangerous ground. One's experience shews that reluctance to intrude one's private affairs upon public notice induces many citizens to forego their just claims. It is no doubt true that many of such cases might have been brought before tribunals if only the tribunals were secret. But the concession to these feelings would, in my opinion, tend to bring about those very dangers to liberty in general, and to society at large against which publicity tends to keep us secure, and it must further be remembered that in questions of status, society as such—of which marriage is one of the primary institutions—has also a real and grave interest as well as have the parties to the individual cause."

Throughout each of the judgments delivered similar expressions of opinion may be found.

The Law Quarterly Review for January, 1913, p. 9, calls attention to a common law decision on the publicity of judicial proceedings which was not referred to in *Scott v. Scott*. It is *Daubney v. Cooper* (1829), 4 B. & C. 237. There the plaintiff sued a justice of the peace for throwing him out of the room where he claimed to appear as attorney for an absent defendant on a summons for having a sporting gun without a license. The Court of King's Bench upheld his right on the higher ground that in any case he was entitled to be present as one of the public. Bayley, J., in delivering the judgment of the Court, said (p. 240): "We are all of opinion that it is one of the essential qualities of a Court of Justice that its proceedings should be public."

In view of the authorities cited, the direction applied for cannot be given.