

ing equity principles, but such was his capacity for work that he speedily made himself sufficiently master of those principles to enable him satisfactorily to dispose of all kinds of cases which came before him. For the benefit of future generations it may be well to record here what manner of man our departed friend was. He was of medium height, and of a spare frame, never very robust. His face, which was void of hair, was of an intellectual cast, evidencing much thought. He was of an extremely gentle and obliging disposition, and was not too proud to learn even from the humblest student who appeared before him anything that he was able to impart. He was invariably courteous and polite to all, and neither bores nor upstarts ever succeeded in ruffling his equanimity. He had a high sense of what was just and right, and the whole aim of his career in Chambers was to effectuate as far as possible substantial justice. Mr. Dalton's sister was married to the late Chief Justice Sir Adam Wilson, with whom he lived in closest friendship until the latter's death.

CONTEMPT OF COURT AND THE PARDONING POWER.

In the English *Law Times* of June 18th we find the following remarks anent the action of Sir Ambrose Shea, Governor of the Bahamas, in releasing from prison the editor of a newspaper who had been committed by the Chief Justice of those islands for an alleged contempt of court :

"Mr. Yelverton, an English barrister who some time since was appointed Chief Justice of the Bahamas, is on his way to England to lay before the authorities a state of things which is somewhat remarkable. The Chief Justice committed an editor of a local newspaper for contempt of court. There was an outcry, and the Governor in effect issued a writ of *habeas corpus* and liberated the captive. The Governor overruling the Chief Justice of the Supreme Court in the preservation of the dignity of his court is a novelty. We shall be curious to see by virtue of what law he justifies his action. He will find, we believe, that while he has the power to pardon for offences against the laws, he has none to release a person committed to prison for contempt of court."

Now it is well known that *quandoque bonus dormitat Homerus*, and we harbour the suspicion that, while penning the above opinion, the astute English editor was a victim of the soporific influences of early June weather. Taking it for granted, as our learned friend seems to do, that the Governor's commission gives him a general power to pardon "offences against the laws," can it be seriously contended that a contempt of court is *not* an offence against the laws? If it is not such, then what is it, and to what classification of evil-doing shall we assign it? As it is purely a wrong created by positive law, and one not arising in *foro conscientiae*, there ought to be no difficulty in finding its true place in English jurisprudence.

We might say at the outset that we do not make it our business to justify the action of the Governor in bringing the prisoner before him by the process above indicated. Whether that matter we do not concern ourselves in this article. It