

ticular case certainly did make a defense, but he could not be examined as a witness, and could not, therefore, give any explanation of the proceedings of that night. It was an action brought by the plaintiff under circumstances which gave him every advantage, and it is not surprising that he secured a verdict. We know how that verdict was secured. We know what kind of evidence was given there, and the particular statement—the alleged confession of guilt—upon which a good deal of the evidence brought before this Committee bears—and, as I trust I can shew confutes—that the co-respondent, on being charged with the crime confessed his guilt, was a complete surprise to every one. The learned Judge told the jury that if they believed that evidence it made an end to the case as far as Gordon was concerned, and no doubt he was right. Even the Vice-Chancellor, in the judgment now in your hands, tells us he disbelieves the story of a confession? But my contention before this Committee is, that the guilt or innocence of the respondent was not fairly submitted to that jury, and what followed proves it. Another action was brought, this time by Mrs. Campbell, against one of the witnesses at that trial who gave false evidence, as she alleged. On this occasion, she and Gordon were allowed to give evidence, and other witnesses were brought who proved a different state of facts. The jury, presided over by a Chief Justice, thought the evidence of the witnesses at the first trial was not to be believed; that Mrs. Campbell and Gordon were not guilty of the crime of which they were accused, and they gave her \$1,000 damages against James Campbell for having defamed her character. These are facts proved before the Committee, and they have had an important influence on the public mind. Another trial subsequently took place which has had a more serious effect on the case, and one to which I ask you to give your patient and serious attention. A suit was brought by the respondent, for the purpose of obtaining from this petitioner means of support to which she was entitled as his innocent and legal wife. Under the law of most civilized countries—a wife, if she has not been proved guilty of adultery, is en-

titled to be supported according to the means and condition of her husband. It is not the law of this country that a husband can, without just cause turn his wife out of doors, penniless, leaving her to the chance protection of friends, and contributing nothing to her support, or the support of his own child subsequently born. But the Petitioner in this case seems to have had advice to the contrary, and a suit was brought by Mrs. Campbell to establish her claim to alimony. Under the law of Ontario this question of alimony stands in a very peculiar position. The Court of Chancery claims that it has exclusive jurisdiction in the matter. The Act which gives it jurisdiction will be found in the Consolidated Statutes. The language is very indefinite and became the subject of discussion in the first case I find reported, *Soules vs. Soules*, and afterwards in the case of *Severn vs. Severn*. The first you will find in 1. Grant, p. 300. The case occurred in 1851. "This Court," says the Chancellor, "has no jurisdiction to decree either divorce or restitution of conjugal rights, although it has power to deal with alimony." I shall have occasion to cite this and other cases at the conclusion of my address; I only refer to them now for the purpose of discussing the effect of this suit for alimony. The only remedy the Court could give her, was simply to order the payment annually, or periodically, of a sum of money for her support. The same evidence as that produced in the action for defamation of character, appears to have been brought before the Vice-Chancellor, but a very singular incident occurred. When the case of the husband was concluded, and all the evidence adduced which was expected to satisfy the judge that she ought not to receive alimony, (viz.: that she was guilty of adultery) the learned Vice-Chancellor, as we have shown in the evidence here, suggested to the defendant the propriety of accepting from his wife an explanation. He proposed that they should be reconciled, that they should meet together privately, and discuss matters; make mutual explanations, and agree to live together. I hope the Committee will permit me to call their attention again to the language which he is reported to have used on