

The Forum.

A CAUSERIE OF THE LAW.

CONDUCTED BY CHARLES MORSE.

An interesting case in the law of contempt of court is that of *McLeod v. St. Aubyn*, 48 W.R. 173, noted ante p. 58. The appellant, who practiced his profession as a barrister in St. Vincent, had received by mail some copies of a certain newspaper published in Grenada containing a defamatory article against the Acting Chief Justice of the Supreme Court of St. Vincent, the respondent. Without any knowledge of the contents of the newspaper, he handed one of the copies he had received to his friend the custodian of the public library of St. Vincent, to be returned to him on the following morning. Some days thereafter he was served with an order nisi to shew cause why he should not be committed for contempt of court in publishing the said article. Although he filed an affidavit to the effect that he had not read the said article nor was aware of its contents at the time of the alleged publication by him, he was committed to prison for fourteen days by the respondent. On appeal from the order for commitment, the Judicial Committee of the Privy Council held that there was no obligation on the appellant to make himself acquainted with the contents of the newspaper, and should scandalous matter reflecting on the court thus become known, the circumstances were not in themselves sufficient to justify a committal for contempt of court. In the course of the judgment Lord Morris said that "committals for contempt of court by scandalizing the court itself have become obsolete in this country."

*** The late R. D. Blackmore was one of that bright galaxy of English writers in the present century who, being bred to the Bar, early forsook what Macklin is pleased to term the "hocus-pocus science" for the more congenial profession of letters. Mr. Blackmore, after taking a B.A. degree at Exeter College, Oxford, studied law and was called to the Bar of the Middle Temple in 1852. Two years afterwards he made his début as a litterateur with a volume of verse; but it was not until 1864 that he tried his hand at fiction, producing in that year "Clara Vaughan," and two years later "Cradock Nowell." In 1869 he won immortality by his meister-stück "Lorna Doone," which is one of the best novels ever written.

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