

APPENDIX.

Probably no one who has read the above, and does not believe that the documents alluded to as bearing Mr. McGibbon's signature are forgeries, will consider that justice was reached. Yet when I endeavor to detach myself from my case, and look at it as it must have presented itself to the Judges, forgetting for the time being all such circumstances as I so well know, and they did not, I do not think they could, have arrived at a different decision. Mr. McGibbons' own lawyer, who, till he took up the case against me, had acted also as mine, told me with perfect candor that if his client chose to deny the agreement, or even not to admit it, I should be unable to prove it, unless it were in writing, however well it might have been understood.

Since writing the above, I have met with some extracts from "Taylor on Evidence," a standard English work, and although I never saw these extracts before, they read like an emphatic commentary on what I have just written; indeed, as will be seen, the tendency of allowing principals to appear, so far from tempting to perjury, is more apt to make yea yea and nay nay mean yea yea and nay nay.

TAYLOR on *Evidence*, vol. 2, p. 1079.—If the rules of exclusion, recognised till lately by the English Law, had been really founded, as they purported to be, on public experience, they would have furnished a most revolting picture of the ignorance and depravity of human nature. In rejecting the evidence of parties to the record and other interested witnesses, the law acted on the pre-