

THE LAW SCHOOL—CONTEMPT OF COURT.

cussions on moot points, and examinations; and the examinations of every kind, except the primary, will be conducted in the Law School, in some cases in the presence of the Benchers, in other cases by the Lecturers alone.

We trust that we shall see a very large class of the young men, who are preparing for the profession, in attendance upon the School. The advantages to any sincere student of the laws are very great, not only in the direction of his studies, but in the practical benefit to be obtained by proficiency, in abridging his term of service. The two years that are gained now by an University degree, may be granted, less six months, under the rules adopted by the Law Society, and the time thus saved may be regarded as more than an equivalent for the expense that a student or clerk from the country may have to incur by his temporary residence in Toronto, whilst attending the School.

We hope that the School will be in every respect a success. We shall watch its progress with great interest, and be happy at any time to chronicle any of its proceedings that may appear to us to be of special importance to the profession.

We understand that the opening lecture will be delivered at Osgoode Hall, on Monday evening, the 3rd February, at 8 o'clock, by the Treasurer of the Law Society, the Hon. J. H. Cameron, to whom the profession is so largely indebted for his exertions in this and all other matters affecting their welfare.

CONTEMPT OF COURT.

A case has lately occurred in the State of Illinois, involving the power of the Supreme Court to punish the editors of a newspaper for constructive contempt, which has occasioned no small stir among the *corps editorial*. It is known as "The Journal Contempt Case," and arose upon an information by the Attorney

General against the proprietor and the chief editor of the Chicago *Evening Journal*, based upon an editorial article which appeared in that paper. The article referred to the conduct of the Supreme Court in awarding a writ of *supersedeas* in the case of the murderer Rafferty, intimated that now-a-days money was all that was wanted to enable a man to purchase immunity from the consequences of any crime, and went on to state that "the Courts are now completely in the control of corrupt and mercenary shysters,—the jackals of the legal profession, who feast and fatten on human blood spilled by the hands of other men." At the date of the publication of this article a writ of error in the Rafferty case was pending and undetermined by the Court. It was held by four judges against three dissenting, that a writ of attachment should issue. The majority of the Court proceeded upon the rule as stated in various American cases referred to, that all acts *calculated* to impede, embarrass or obstruct the Court in the administration of justice, and any publications pending a suit reflecting upon the Court, &c., in reference to the suit, tending to influence the decision of the controversy, were to be considered as done in the presence of the Court, and therefore within the scope of the jurisdiction which Courts have, under the Revised Code, of punishing by attachment contempts offered by any person to them while sitting. One of the judges says:

"If the court is scandalized and its integrity impeached while a cause is pending before it: if the counsel are grossly libelled, and low and obscene terms are applied to them, which may have the effect to intimidate, the consequences must be the same as if direct contempts are offered. The administration of the law is embarrassed and impeded, the passions, often unconsciously, are roused, the rights of parties are endangered, and a calm and dispassionate discussion and investigation of causes are prevented."

The dissentient judges rested their opinion on the ground that the power to