

Under the circumstances, while you reserve your explanation till a fitting opportunity shall arise, so I, on my part, must reserve to myself the right to make public, when I may deem it proper, the fact of my protest and the grounds on which it is founded, as stated in my letter to Mr. Gladstone.

Without troubling you further, I remain, your faithful and obedient servant,

A. E. COCKBURN.

The Right Hon. the Lord Chancellor.

On the correspondence, *The Law Journal* published in its issue of December 8th the following editorial :

THE JUDICIAL PATRONAGE SCANDAL.—The correspondence between the Lord Chief Justice, the Prime Minister, and the Lord Chancellor has produced a painful impression on the public mind. A gross evasion of the law is followed by quibbling and a rude breach of official decorum. On this subject reticence would be criminal, and whoever we offend, we shall faithfully discharge the unpleasant duty that devolves upon us as representatives of the legal profession. But we are not apprehensive of giving offence. We have not met with, or heard of, any member of the profession who does not strongly censure the conduct of the Government, and the unprecedented discourtesy of the Lord Chancellor. So far as we know, only two papers have dared to defend the Government ; one is the *Daily Telegraph*, the thick and thin supporter of Mr. Gladstone ; and the other is an evening news-sheet which has no sort of pretension to political influence. The condemnation is both loud and unanimous.

It would be superfluous to discuss the affair on its merits, for that we have already done, and indeed there is no room for argument. The wrong is too palpable for defence. Besides, there is the letter of the Lord Chief Justice, in which our arguments are repeated and enforced. Moreover, it is not the individual opinion of the learned Chief, but he protests on behalf of the whole bench, and we have no doubt he is right in assuming that the profession agrees with the judges. On a question of the legal interpretation of an Act of Parliament, and on a matter that immediately concerns the judicature, the unanimous opinion of the judges is conclusive.

The letter of the Lord Chief Justice is firm, frank, and courteous, and is properly addressed to the Prime Minister. Instead of replying, Mr. Gladstone hands it to the Lord Chancellor. Now it was not the patronage of the Lord Chancellor that was criticised, but the patronage of the Prime Minister. No objection was made to the appointment of Sir R. Collier to a common law judgeship, but it was against Sir R. Collier being made a common law judge for a day in order that he might be made a judge of the Judicial Committee that the head of the common law protested. At the date of the Lord Chief Justice's letter Mr. Justice Collier had not been translated, and therefore Mr. Gladstone refers the letter to the Lord Chancellor. We call this quibbling and even insulting to the Lord Chief Justice.