

THE COURT OF STAR CHAMBER.

ordered a great reward to witnesses in this court, by yielding their testimonies for the king ;" or, in other words, one of the usual modes of corrupting the fountains of justice in this court was by means of hired informers, who might commit perjury with impunity.

The tendency of a court thus constituted, and thus irresponsible, was to extend its jurisdiction and arrogate to itself new powers ; and so far was this practically carried, that it was difficult to draw any line short of crimes that were capital, which limited the class or character of offences against the power or prerogative of the government, of which this court did not take cognizance. Nor would it allow any one to question its authority. By the rules of the court, it seems, whoever was charged with an offence was required to put in an answer to the information against him in writing, signed by two counsel ; and, unless this rule was complied with, it was deemed to be a confession of the charge, although the defendant was himself in court, and orally denied his guilt. Thus in the case of the famous Prynne, whose treatment in this court will be further noticed, he offered his answer signed by one of his counsel, and applied to the court to have it allowed, with the addition of his own signature, on the ground that his other counsel was afraid to sign it, lest he might thereby incur the censures of the court. But he was denied this privilege, and, for contempt in not filing his reply signed by both his counsel, the information was taken *pro confesso*, and the court proceeded to pass sentence upon him accordingly. It has been the pride and glory of the profession in courts of common law, that, with rare exceptions, counsel have been found willing and bold enough to stand by a party charged with an offence, and to sustain his rights, even against the insolence of power or the exasperated passions of the populace, wherever the right of employing counsel has been recognized by law. Curran's memory is indelibly associated with the bold and eloquent defence of the Irish patriots, and the trial of the British soldiers for the part they took in the so-called "Boston massacre," in 1770, is a memorable influence of the power of argument and persuasion on the part of legal counsel in successfully maintaining

the cause of justice against the clamor of the public and the passions of a jury.

There were, as has already been stated, counsel admitted to practice in the Star Chamber, and without their aid, it would seem from the cases reported, a party could not be heard even in his own defence. But the seeming advantage which was thus accorded to the accused, was, at times, more than neutralized by the acts of intimidation by which the court suppressed every thing like a free exercise of this privilege of counsel. Thus it is stated that in Prynne's case, who was complained of in connection with two others, his counsel, Mr. Holt, prepared his answer, but refused to sign it, "saying he had an express order to the contrary." He did, however, sign the answer of one of the parties accused, and, upon its being alleged that it was "*scandalous*," it was referred to the two Chief Justices, Brampton and Finch, when Finch "reviled Holt exceedingly, and told him he ought to have his gown pulled over his ears for drawing it," although, in fact, "it was only a confession or explanation of the charge in the bill, and a recital of acts of Parliament."

This, however, was but in keeping with the general course of dealing of this court with any one who presumed to question their power, or throw obstacles in the way of accomplishing their purposes. Thus we have three instances reported of counsel questioning the jurisdiction of this court, by insisting by way of *demurrer*, as it was called, that the matter upon which they were assuming to act was not within the subject-matter delegated to them by the act of Henry VII. One of these was the case of Mr. Plowden, whose age and standing probably sheltered him from any thing more than a refusal to consider the objection. In another, the counsel was pardoned on account of his youth and inexperience. But in the third, the Sergeant was sharply rebuked by the court for such a flagrant violation of the dignity of the court, as to question the extent of its power. The case of Fuller is still more remarkable. He was a bench-er of Gray's Inn, and was employed to sue out a writ of *habeas corpus* to test the validity of a warrant from the High Commission court, by which two Puritans were imprisoned for refusing to take a