

called upon to which they are Courtis, I have on the witnesses it will not deny al addresses to es with the ut- such offensive nishment of his not permit re- edit, which may st recollect, sir,

having placed li- ectfully to state y such offence. ed, by his posi- individual, or to b, it is both the he utmost free- testimony of any itten or printed ments be sup- ot so supported. he has unwar-

e have availed ght that a faith- the exercise of upposed that in t of respect to-

un soufflet à son ere is an attack he indulges in

d Anderson, Sir, t in this cause ery comn-ence- guage will not n the extreme- hough a man of ee in preaching s discourse the g than to the s I deny'—this s position, and the case which een withdrawn

Mr. HOLT—In one or two very important particulars the Court is labouring under a slight misapprehension. The use of the word 'underling,' and the attack upon a respectable Notary, charging him with the practice of making protests by way of amusement, have been erroneously attributed to the Appellant's Attorneys—the Court has been examining the factum of my learned friend upon the other side—I beg to state to the Court that the Appellant's Attorneys have had every desire to meet the views of the Court, and they have given evidence of such their desire, when on the first day of Term your honors expressed yourselves dissatisfied with the style and some expressions in the Appellant's factum in the case of Malone and Tate; immediately upon the rising of the Court, I requested Mr. Beaudry, Clerk of the Court, to apply to your honors in chambers in my name, for permission to look over the factums which had been fyled in other cases in which I was concerned, so that I might make such corrections in the style or language as I might find necessary before the cases came on for hearing. Mr. Beaudry returned in a few minutes with the answer, "the Judges say never mind, we will overlook it," or some similar expression.—Mr. Beaudry is present, and can correct me if I am in error.

Mr. Chief Justice ROFLAND—The proper way to apply was by a motion in Court.

Mr. HOLT—The Court will permit me to say that the charge of unprofessional conduct which the Court has brought, founded upon the style and contents of the cases alluded to, is a charge in the justice of which I cannot acquiesce—I am acquitted by my conscience of the charge of having, in any way, shewn a want of respect for the Court in drawing these cases—I have studiously avoided making use of any expression which I thought could possibly prove offensive to the Court, and do not hesitate to say that in truth, whatever may be the defects of style, and doubtless they abound, no single expression can be pointed out which indicates a want of respect for the Court—(Mr. Holt was unable to proceed, and was obliged to resume his seat).

Mr. Justice AYLWIN—It is certainly with feelings of very deep regret the Court has made the observations which have given so much pain. The Court appreciates the abilities of the gentleman whom it has thus felt itself called upon to censure, and feels satisfied that the errors upon which the Court has animadverted are the result rather of an excess of zeal for the interests of his clients than of any unworthy sentiments or feelings.

The Honble. R. E. CARON—The Court will permit me to say a few words upon this occasion. The question which has been raised is one materially affecting the profession at large, and it would be well to know what line the Court is desirous of drawing in this matter.—Certainly from all that has transpired in my presence, and from what has fallen from the Court, I must say that I regard as most severe and most unmerited the castigation which the Court has thought fit to inflict upon my *confrere*.—I conceived it to be my