

OUR ENGLISH LETTER.

persons you may find a true bill against all, or three or two, but not against one alone, unless others be named or stated to be unknown, and then for conspiring with such other or others. I need hardly remind you that any bill found by you must be agreed to by at least twelve of your number. I have to entreat from you a grave and impassioned consideration of the case to be laid before you. I have intentionally abstained from a perusal of the evidence on which these charges have been founded. You will hear it from the witnesses produced before you.

I need hardly tell you that it is your duty, as it is mine, to approach this investigation in a calm judicial spirit, as remote as possible from the bitter prejudice and excited party feeling in which the public has been unfortunately compelled to hear the charges discussed since the matter has become known. It is my painful and most distasteful duty in asking your impartial consideration to lament the spirit in which the whole matter has been discussed in the public prints. The truth or falsehood of the accusation seems to occupy a small place in a discussion consisting chiefly of an angry storm of charges and counter-charges between the respective champions of the accusers and the accused. Looking back on very long acquaintance with the administration of justice in this country, I have no recollection of any case brought before the court in which the violence of party warfare has shewn so shamefully to prejudice a vital question affecting the character and honour of our public men, as well as the guilt or innocence of the persons charged with attempting by base and illegal means to destroy such character and honour. I feel confident that all honest minds, not hopelessly demoralized by party spirit, must agree that no surer means can be resorted to for the debauching of public opinion and preventing the calm consideration of changes like these than the turning of a grave accusation like the present into a ferocious party struggle in which the accuser and the accused are alike assailed with virulent abuse and denunciation. A healthy public opinion, ready at all times to estimate the conduct of our public men and fellow-subjects according to the known principles of honest and fair dealing, is the surest safeguard of public morality. An unwholesome partisanship blaming and vilifying every act of an opponent's upholding and defending every delinquency of a supporter is the surest method to turn public indignation away from really evil conduct and of compounding right and wrong in a discreditable wrangle between heated political parties. I am sorry to feel it my duty thus to address you. I do so in the hope of obtaining your aid in my

endeavour to prevent the angry and bitter voices of the last few weeks' discussion from finding an echo in our courts or jury-rooms.

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A week of more than usual interest has just come to a close. On one day, at one and the same moment, four of the Courts were crowded to suffocation. In one, the Court of Appeal, was giving judgment upon application for a new trial in the case of *Bell v. Lawes*, a case, the fame of which must long ago have reached Canada; in another, Mr. Justice Hawkins was presiding over a somewhat unsavoury case of slander, known as *Page v. Harrison*; in another, Mr. Justice Grove was, with the help of a special jury, going into the merits of a patent for the manufacture of ladies' corsets; in the fourth the celebrated Mrs E. Weldon was winning the admiration of all who heard her, by the clearness of her method of argument. Taking these cases in detail, it is to be observed that the definite character of the final judgment in the Bell case, was such to commend itself to the universal approbation of the public and the legal profession. Every one agreed that the great trial had lasted far too long and had attracted far more attention than was warranted by the trumpery character of the original dispute; beyond this, it was also obvious that the judgment of the Divisional Court had been far from satisfactory. Lord Coleridge was clearly of opinion that the verdict in the original trial had been wrongly pronounced. Mr. Justice Denman failed to take any clear view of the circumstances. Mr. Justice Manisty evidently thought that the first verdict was correct. The result of this extraordinary division of opinion was that an unprecedented judgment was delivered to the effect that the rule for a new trial was to be made absolute unless the plain-