

this letter, which contains nothing criminal, and the "scraps" not proved, he makes this accusation to others, but not to her, and deserts her forever! You will find by the authorities that a letter to a person, is not evidence to prove a crime committed by that person. Any scoundrel may write such a letter for the very purpose of injuring a lady's reputation. We are all familiar with the celebrated case of Sidney, who was charged with treason, and convicted in a dark age of our jurisprudence, because treasonable correspondence addressed to him was found in his desk. But after he was beheaded, the illegality of a conviction founded upon such evidence was admitted by judges, as well as political writers. I remember a case in this country (it is one of the early recollections of my life) similar, except the beheading, to that of Sidney. A previous Speaker of the Legislature, whose portrait will be found in one of the lobbies, was charged with being concerned in the rebellion of 1837. He remained in his place, and those who knew his amiable temper and Christian profession, believed him incapable of anything treasonable. The Government had intercepted a number of letters written to him which were detained unopened. He was asked whether he would allow them to be opened, and take the consequences, whatever they might be, or leave the country. Mr. Bidwell (for he was the man) replied:—"I have personally no objection to the letters being opened, there may be something treasonable in them. People may have written to me under the assumption that I would sympathize with their treasonable views; but I have invited no correspondence of that kind, and according to law, I cannot be held or punished for the crimes of others." But, in those exciting times, when suspicions were in the air, and a vindictive spirit abroad, the ex-Speaker decided that it would be better and safer to leave the country for a time, lest anything should be discovered to compromise himself or his friends. I think he acted prudently. Suppose treasonable language had been found in these letters, and suppose some scraps of political writing condemning the government of that day in severe and pungent terms, had been found among his papers, which an ingenious

prosecutor could have patched together, and a partizan judge and jury could have construed into copies of letters to the parties who wrote to Mr. Bidwell? He would have been hanged beyond question, if the rules of evidence and the reasoning resorted to in this Chancery judgment had prevailed. I appeal to the legal members of this Committee to confirm the doctrine I contend for on this subject, viz: that statements contained in letters written to a person cannot be used as evidence of criminality, until you have established previous or subsequent correspondence from the person charged, which connects him with the crime. Now, we have no letters received by Parks from Mrs. Campbell, and while the lady herself told the whole story in court, there was nothing legally proved against her. She said, "it is true Parks wrote to me after he left Whitby, and I answered him, for a lark." He was a young gentleman who spent some months in Whitby, and moved in the social circle to which she belonged. As far as we know, he was a respectable person. A friendly acquaintance sprang up between them, and when leaving Whitby, it appears he asked permission to write to her. At all events he did write to her two or three notes, and she answered them, until finding his letters rather frequent and familiar, and as she tells us, likely to bring her into difficulty, she wrote him that there was suspicion, and requested him to discontinue the correspondence. The letter produced here corroborates her statement of the case. He writes, "I think if you have written to me your letter must have gone to the States, as there is a place of the same name there," intimating that he had not received a letter from her for some time, that he was disappointed because he had not, and asking her "where" she thought "the suspicion" was. She denies that she enclosed him envelopes, and the letter confirms the denial. The last paragraph and also the first confirm her statement that after two or three notes had passed between them, the correspondence ceased. Parks writes in a complaining tone of the incivility of this lady who, according to the petitioner, was so eager to find a paramour! She explains the passage "tell me where the suspicion is" in the