

The action of Walkem *vs.* Higgins is for an alleged libel. The writing complained of was published as an editorial in the Victoria "Daily Colonist" of the 20th November, 1885, and is as follows :

"THE McNAMEE-MITCHELL SUIT."

"In the sworn evidence of Mr. McNamee, defendant in the suit of McKenna *vs.* McNamee, lately tried at Ottawa, the following passage occurs : 'Six of them were in partnership (in the Drydock contract) out in British Columbia, one of whom was the premier of the Province.' The premier of the Province at the time referred to was Hon. Mr. Walkem, now a judge of the Supreme Court. Mr. Walkem's career on the bench has been above reproach. His course has been such as to win for him the admiration of many of his old political enemies. But he owes it to himself to refute this charge. We feel sure that Mr. McNamee must be laboring under a mistake. Had the statement been made off the stand it would have been scouted as untrue ; but having been made under the sanctity of an oath it cannot be treated lightly nor allowed to pass unheeded."