

authority of Sir G. Jessel and others who might seem to hold a contrary opinion, it was pointed out that the bill proposed by Lord Selborne did not propose to abolish such proceedings, but only to fix a limit to the penalties which might be imposed, and that the authorities quoted only went so far as to say that the power of committing for contempt should only be exercised with the utmost care, and where other proceedings could not be resorted to.

Much was said on this side of the question as to the impropriety of the tendency of Parliament to constitute itself a court of review upon the action and conduct of the judges, Mr. Weldon, who expressed this view very strongly, going so far as to say that the conduct of a judge should not be assailed in Parliament unless it was intended to follow up the attack by a motion for impeachment. In support of this view Mr. Weldon was not without authority, as the following extract from his speech will show :

" Mr. Gladstone, speaking of a case somewhat similar to this, said :

" ' What do you intend to be the relation between the legislature in time to come and the judges of the land ? At present you are strictly refrained from interference except in one most solemn and formal manner. You are not to inflict on them a minor punishment. . . .

" ' Are you prepared to say that you will venture upon breaking down that fence which, by your own wisdom, prevents you from intermeddling with the character of the judges by means of votes which, if I dare say so, dare not aim at their removal, but which, at the same time, have a tendency to lower their character and to impair their credit and authority ? '

" ' I have here the statement of Mr. Thesiger, afterwards an ornament to the Bench of Great Britain, taken from the English *Hansard*, Vol. 66, page 1,090, in which he says :

" ' But was there no danger of the dependence of judges on a public assembly ? Was there anything more calculated to shock the independence of a judge than the feeling of being constantly liable to the censure of the House of Commons on the application of any discontented suitor ? '

" ' I have the statement of Sir James Graham, English *Hansard*, page 1,129, in which he says :