differing, as it was alleged by the appellant, materially from the judgment actually delivered in Court; proceeding upon grounds not mentioned in that judgment, and containing additional statements, which the appellant conceived were calculated to prejudice his intended application for leave to appeal.

In the course of the other suit, *Wallace* v. *Connolly*, a decision was likewise given adverse to the appellant. Such decision was pronounced by the Chief Justice after hearing both the parties upon affidavits in open Court, and after taking time to consider; but the Chief Justice, in his judgment, stated that he had received from a Mr. Smith, out of Court, information which differed from the statements made by the appellant in one of the affidavits; the appellant not having been present at the alleged interview with Mr. Smith.

Previously also to the month of January, 1865, the appellant had been informed that, in reference to other proceedings in which he was interested before the Supreme Court, observations prejudicial to him had been made to one of the parties by the Chief Justice out of Court, and that certain proceedings against him had been recommended by the Chief Justice in an interview with one of the parties; and in certain matters also in which the appellant was professionally engaged before him at Chambers, the Chief Justice had, as the appellant conceived, acted in a manner which he deemed unusual and oppressive, and which induced him, as he alleged, to avoid Chamber business before the Chief Justice.

On the 10th of January, 1863, an order was made by Mr. Sutherland, the Judge of the Court of Probate at Halifax, declaring that the appellant had been guilty of a contempt of the Court, and suspending him from practising therein as an advocate and proctor. The appellant appealed from the order of the Judge of Probate to the Supreme Court, conceiving that he was entitled to such appeal under the provisions of the Revised Statutes of *Nova Scotia*, c. 127, s. 77.

The appeal came on for hearing before the Supreme Court in the month of December, 1864, when judgment was given to the effect, that the appeal, having been taken under the Provincial Statute, and not by *certiorari*, was not judicially before the Court and could not be entertained. In the month of January, 1865, the appellant moved the Chief Justice, at Chambers, to allow an appeal from that decision to Her Majesty in Council. The Chief Justice refused leave to appeal from the decision of the Supreme Court against the order of suspension made by the Judge of the Court of Probate. The judgment of the Supreme Court, both upon the main question of the appeal from the order of suspension, and the application of the appellant for leave to appeal therefrom to Her Majesty in Council, was reduced to writing by the Chief Justice, and filed.

The appellant being desirous to petition Her Majesty in Council for leave to appeal from the last mentioned judgment of the Supreme Court, and being, as he stated, apprehensive that additions might be made to the written judgment, as he alleged was done in the case of *Dunphy* v. *Wallace*, as well as aggrieved at the course pursued by the Chief Justice in the cases of *Dunphy* v. *Wallace* and *Wallace* v. *Connolly*, and feeling injured by the observations and the recommendations of proceedings which it had been reported to him, as already stated, had been made with reference to him by the Chief Justice; on the 26th January, 1865, sent the following letter to the Chief Justice: "The Honourable Chief Justice, Sir,—I shall feel obliged by your filing the judgment given in Court, in my case with Mr. Sutherland, without any additions. I say without any additions, because in the case of *Dunphy* v. *Wallace*, I had much reason to complain of the decision there filed, as very material additions were made to it, and much said with a view, as I and others thought, of meeting me at England. I must, I think, decline sending to England the decision given on my petition for an appeal, in consequence of a statement made therein, to the effect that other modes were pointed out by the Court by which the matter might have been removed; but I remember only one way mentioned, that by *certiorari*, and this certainly is not modes. ....It was in that case I good-naturedly remarked, that the decision would likely be