

contains at page 715 the enactment herein underwritten—
that is to say—

“ Each final judgment and *each interlocutory* judgment
“ from which an appeal will lie, rendered by the Superior
“ Court, shall contain a summary statement of the points of
“ fact and law, and the reasons upon which such judgment is
“ founded.”.....

Having thus quoted the law, which being, fortunately for me, written and accessible to everybody, may be compared with the judgment, I submit to my fellow-citizens, that the fact is, that Judge Stuart has broken the law. It may be also fairly assumed that he knew that he was breaking it, and intended to break it, unless indeed he should be willing to plead ignorance of the law.

Leaving him the choice of the alternatives, I would enable laymen to form a just estimate of the rules which Judge Stuart has so broken.

Any litigant who may be dissatisfied with a decision against him may appeal. But no reasonable man would adopt such a course without taking advice.

Now, with a judgment upon a point of law (which is my case), a judgment containing “the reasons upon which the decision is founded,” the suitor can repair to the office of any counsel. Submitting a copy of the judgment (which the suitor may have himself taken), he can, on payment of a comparatively small fee, obtain the requisite advice. It is quite otherwise when the judgment amounts to a mere expression of an arbitrary determination unfavorable to the suitor, and is altogether silent upon the motives of the Judge. In such a case, the trouble of counsel would be quadrupled, and so would the fees! To the poorer classes, on whom the law always bears most heavily, the omission of the Judge to assign his reasons would frequently operate as an insuperable barrier, and would generally if not always incapacitate