

Correspondence
respecting
Judge Fletcher.

ings adopted against him by Mr. Justice Fletcher, Mr. Cressé drew up a notice, by which Mr. Dickerson advised Mr. Justice Fletcher of his intention to institute an action against him in the Court of King's Bench at Three Rivers, for having imprisoned him under pretext of a pretended contempt of court; and this notice having been served on Mr. Justice Fletcher, the judge looked upon it as a fresh contempt, and made a rule in consequence, on the 20th September 1826, ordering Messrs. Dickerson and Cressé to show cause why an attachment for contempt should not issue against them; the rule was subsequently made absolute, and the attachment having issued on the 24th of November 1826, was executed by the arrest of Mr. Dickerson and his advocate, Mr. Cressé, who were compelled to find bail for their appearance and good behaviour. These gentlemen were afterwards examined on oath upon interrogatories; and after many proceedings and deferrals Mr. Justice Fletcher, by his order of the 21st of June 1827, discharged their bail, permitted them to go at large upon their personal security, and suspended all proceedings until a new order should be made in the case.

" Mr. Dickerson having afterwards published in his newspaper an article signed 'Observer,' in which the author gave an account of the proceedings for contempt before Mr. Justice Fletcher against Mr. Dickerson and Mr. Evans, and complained thereof as of acts in which the judge had exceeded his powers, Mr. Justice Fletcher thought it right to consider this publication as a fresh contempt, and on the 20th November 1826, made a rule for the issuing of an attachment for contempt against Mr. Dickerson, *nisi causa*, on the 29th of the same month; and this rule having been made absolute, a new attachment issued against Mr. Dickerson on the 28th January 1827, under which Mr. Dickerson was arrested, and compelled to find bail. He was afterwards examined on oath upon interrogatories. At length, on the 29th March following, Mr. Justice Fletcher pronounced him convicted of a contempt, and sentenced him to pay a fine of 10*l.* sterling, to give bail (himself in 200*l.*, and two sureties in 100*l.* each) for his good behaviour during three years, and to be imprisoned until the judgment should be executed; nor was it till the 10th of April following, that Mr. Dickerson procured the acceptance of the bail which he was by the judgment obliged to furnish.

" Another article signed 'Vindex,' published in Mr. Dickerson's newspaper on the 23d November 1826, in which the author professed to give an account of certain judicial decisions of Mr. Justice Fletcher, gave rise to another prosecution for contempt against Mr. Dickerson on the part of that magistrate. The attachment for contempt on this new charge was ordered on the 30th November 1826, but was not, in fact, acted upon before the 20th March following; and Mr. Dickerson having been arrested in execution of this attachment, was compelled to find bail for his appearance, and for other objects. Being questioned on oath upon interrogatories, and acknowledging the fact, Mr. Dickerson was condemned by Mr. Justice Fletcher upon this new contempt, on the 21st June 1827, to pay a fine of 10*l.* sterling, to find bail (himself to the amount of 200*l.* sterling, and two sureties in 100*l.* each) for his good behaviour during three years, and to be imprisoned until the said judgment should be executed.

" In the meantime Mr. Dickerson was advised to serve Mr. Justice Fletcher with a fresh notice, dated the 1st November 1827, informing him that he intended to institute an action in the Court of King's Bench at Three Rivers, for having caused him to be arrested on or about the 20th January preceding, by virtue of an attachment; and it appears that Mr. Justice Fletcher looked upon this step as a fresh contempt, for on the 28th January 1828, he made a rule for the issuing of an attachment for contempt against Mr. Dickerson, in consequence of this notice; and this rule, after having been renewed several times on different occasions, was made absolute on the 20th June last. Your committee, however, do not perceive that this proceeding was carried any further.

" At length, Mr. Dickerson having instituted an action against Mr. Justice Fletcher, in the Court of King's Bench for the district of Three Rivers, for having arrested him by an attachment for contempt, on or about the 25th March 1827, and that court having maintained the plea to the jurisdiction filed by the defendant, and having declared itself incompetent to take cognizance of the cause, it appears to your committee that Mr. Justice Fletcher conceived himself authorized to punish, as a contempt of his authority, the recourse of which Mr. Dickerson had endeavoured to avail himself in the superior court; for they see with pain, that for having served Mr. Justice Fletcher with a previous notice of action, and for having afterwards instituted and prosecuted the same in the Court of King's Bench at Three Rivers, Mr. Justice Fletcher issued another attachment for contempt against Mr. Dickerson on the 27th March 1828, by virtue of which he was arrested, obliged to find bail, examined on oath upon interrogatories, and finally condemned by Mr. Justice Fletcher on the 21st June last to 14 days' imprisonment, to pay a fine of 10*l.*, sterling, and to be imprisoned until the said fine should be paid.

" In the course of the first proceeding for contempt against Mr. Dickerson, he had stated that Mr. Ebenezer Peck, of the city of Montreal, was the author of the article signed 'Vindex,' inserted in the British Colonist. Upon this information Mr. Justice Fletcher made a rule on the 23d January 1828, requiring Mr. Peck to show cause why, on the 20th March following, an attachment for contempt should not issue against him. This rule was renewed on the 20th March 1828, and Mr. Peck was required to show cause on the 20th June following. At length, on the 20th June last, Mr. Justice Fletcher, upon proof that the rule of the 20th March had been served upon Mr. Peck at Montreal, ordered that an attachment for contempt should be then issued; but your committee do not perceive that this business was any further pursued.

" Lastly, a Mr. Lovejoy having been accused before Mr. Justice Fletcher of having uttered