the attendance of the said Barons Herschell and Esher after they had been duly subpœnaed to attend, and also refusing to adjourn the trials of the actions before them in which the said Barons Herschell and Esher were defendants for their attendance on their subpœnas. It was quite clear that all the acts alleged to have been done by the defendants in pursuance of the alleged conspiracy were done in the performance of their judicial duties, and that, according to the cases of *Scott* v. *Stansfield*, 57 Law J. Rep. Exch. 155; L. R. 3 Exch. Div. 220, and *Anderson* v. *Gorrie*, L. R. (1895) 1 Q. B. 668, the defendants were not liable in respect of such acts, even if done from malicious motives as alleged. It was, however, certainly another matter whether an action would not lie against them for previously entering into a conspiracy as alleged, in consequence of which such wrongful acts as alleged were done, and this depended upon the question whether such alleged conspiracy ought to be regarded as having been entered into by them in the execution and in violation of their judicial duties, and, upon consideration, he thought that it ought to be so regarded. He would observe, however, that an action containing allegations of conspiracy might be brought, and a judge harassed as to every case tried by him, and therefore the same reason existed for a judge's immunity from such an action for a conspiracy as from an action for any acts done in pursuance of it. And in support of this view he would refer to the recent case of *Haggard* v. *Pelissier Frères*, 61 Law J. Rep. Priv. Co. Cas. 19. He therefore thought that this action would not lie for the alleged conspiracy in the present case, any more than for the acts alleged to have been done in pursuance of it. As to whether the present action was vexatious and ought to be dismissed, and the enforcement of the witnesses' attendance consequently refused, he felt very strongly the observations of Lord Herschell in the case of *Lawrence* v. *Lord Norreys*, 59 Law J. Rep. Chanc. 681, as to the caution with which this power of summary dismissal ought to be exercised, which observations were referred to in the case of *Haggard* v. *Pelissier Frères;* but, considering all the circumstances of the present case, especially that the particulars in the action and the statement and evidence of the plaintiff disclosed no cause of action, that he admitted that he had no knowledge or reason for thinking that there were any