

THE QUEEN vs. JOSEPH CHASSON:

HALIFAX

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discretion and practice of the Court. It was no fault of ours, if the same Judge afterward reversed the very judgments which led us, especially when, for the reasons now set forth, there appears no law for his doing so, nor for the majority of the Court, including the Chief Justice, quashing the convictions, thereby producing so injurious a defeat. The several matters are, therefore, presented in the only way in which I could bring them before the public, including the editors of the *Union Advocate*, *Farmer*, and any other public journalists who may have expressed or formed opinions on the subject, to consider whether the Crown counsel could have done more in the way of their duty, and whether they were to blame for so serious an injury to public justice, or whether the fault does not lie with the Court itself. The public have a right to look that way in order to observe how the public servants, in the administration of justice, perform their duties in the Supreme Court. The foregoing are matters of common sense, upon which, in my opinion, properly explained, all intelligent persons (nearly as well as lawyers) may form a reasonably accurate opinion, namely, upon such questions offered above for my conclusions, after reading the respective judgments, and my review of them: and whether the public have not the same vested right and interest in questions pronounced according to the discretionary power and long established practice of the Court of Assizes and Jail Delivery as any other judgment of the law, and whether the Chief Justice, or the majority of the Supreme Court, can go back upon those judgments after they have been acted upon and reverse them, and thus defeat public justice; looking, too, at the respective judgments, and the manner in which *they show* they have been prepared, whether they appear to have received that careful attention from the Chief Justice and the majority of the Court which the great importance of the subjects to public justice demanded, and whether a better attention to the facts and to the law concerning the respective objections would not have necessarily led the Court to conclusions for sustaining the convictions; whether, in all their experience, they ever saw or heard of such a case before, and whether this is a sample of the modes in which judgments are considered and justice non-administered in the Supreme Court; and as to what will be the effect of the foregoing judgments on the future practice of the Court if they be followed as precedents; and if so, whether public justice can be hereafter attempted without the sure prospect of defeat; and whether, in order to prevent such judgments from being followed as to admissions and rejections of evidence, it may not be necessary for the Government and the Legislature to interpose, with an Act repealing any future applications to the Supreme Court or declaring that the respective judgments as to the admissions and rejections of evidence in