

court next day himself, so that conviction might be certain and the insulted law might be vindicated." With lowering brow Lord Ellenborough took his place on that judgment seat which he deemed had been too morefully filled on the previous day. The mild firmness of the poor publisher and his gentlemanly sense of the absence of harshness in the conduct of his first trial had won for him something like respect; and when on one occasion Mr. Justice Abbott asked him to forbear reading a particular parody, and the defendant said "Your Lordship and I understand each other, and we have gone on so good-humoredly hitherto, that I will not break in upon our harmony," it became clear that the puisne judge was not the man to enforce a verdict of guilty on the second trial. Again Mr. Hono entered the court with his load of books on Friday, the 19th of December. He was this day indicted for publishing an impious and profane libel called "The Litany or General Supplication." Again the attorney-general affirmed that whatever might be the object of the defendant, the publication had the effect of scoffing at the public service of the church. Again the defendant essayed to read from his books, which course he contended was essential to his defence. Then began a contest which is perhaps unparalleled in an English court of justice. Upon Mr. Fox's libel bill, upon ex-officio informations, upon his right to copies of the indictments without extravagant charges, the defendant battled his judge—imperfect in his law no doubt, but with a firmness and moderation that rode over every attempt to put him down. Parody after parody was again produced, and especially those parodies of the Litany which the Cavaliers employed so frequently as vehicles of satire upon the Roundheads and Puritans. The lord chief justice at length gathered up his exhausted strength for the charge, and concluded in a strain that left little hope for the defendant; "He would deliver the jury his solemn opinion, as he was required by act of Parliament to do, and under the authority of that act, and still more in obedience to his conscience and his God, he pronounced this to be a most impious and profane libel. Believing and hoping that they, the jury, were Christians, he had not any doubt but that they would be of the same opinion." The jury in an hour and a half, returned a verdict of not guilty.

It might have been expected that the prosecutions would have here ended. But the chance of a conviction from a third jury upon a third indictment was to be risked. On the 20th of December, Lord Ellenborough again took his seat on the bench, and the exhausted defendant came into court, pale and agitated. The attorney-general remarked upon his appearance and offered to postpone the proceedings. The courageous man elected to go on. The third indictment was for publishing a parody on the creed of St. Athanasius, called "The Smecurist's Creed." After the attorney-general had finished his address, Mr. Hono asked for five minutes delay to arrange the few thoughts he had been committing to paper. The judge refused the small concession, but said he would postpone the proceedings to another day, if the defendant would request the court to do so. The scene which ensued was thoroughly dramatic. "No, I make no such request. My lord I am very glad to see your lordship here to-day, because I feel I sustained an injury from your lordship yesterday—an injury which I did not expect to sustain. If his lordship should think proper, on this trial to-day, to deliver his opinion, I hope that opinion will be coolly and dispassionately delivered by his lordship. . . My lord I think it necessary to make a stand here. I cannot say what your lordship may consider necessary interruption, but your lordship interrupted me a great many times yesterday, and then said you would interrupt me no more, and yet your lordship did interrupt me afterward ten times as much. . . Gentleman it is you who are trying me to-day. His lordship is no judge of me. You are my judges, and you only are

my judges. His lordship sits there to receive your verdict. . . I will not say what your lordship did yesterday, but I trust his lordship will to-day give his opinion coolly and dispassionately without using either expression or gesture which could be construed as as conveying an entreaty to think as he did. I hope the jury will not be beseeched into a verdict of guilty." The triumph of the weak over the powerful was complete. "The frame of adamant and the soul of fire," as the biographer of Lord Sidmouth terms the chief justice, quailed before the indomitable courage of a man who was roused into energies which would seem only to belong to the master spirits that have swayed the world. Yet this was a man who, in the ordinary business of life, was incapable of enterprise and persevering exertion; who lived in the nooks and corners of his antiquarianism; who was one that even his old political opponents came to regard as a gentle and innocuous hunter after "all such reading as was never read;" who in a few years gave up his politics altogether, and, devoting himself to his old poetry and his old divinity, passed a quarter of a century after this conflict in peace with all mankind, and died sub-editor of a religious journal. It was towards the close of this remarkable trial that the judge who came eager to condemn, sued for pity to his intended victim. The defendant quoted Warburton and Tillotson, as doubters of the Athanasian Creed. "Even his lordship's father, the Bishop of Carlisle, he believed took a similar view of the creed." And then the judge said solemnly, "Whatever that opinion was, he has gone, many years ago, where he has to account for his belief and his opinion. . . For common delicacy, forbear." "Oh my lord, I shall certainly forbear." Grave and temperate was the charge to the jury this day, and in twenty minutes they returned a verdict of not guilty.

*Knight's Popular History of England, Vol. 8.*

## Teachers' Examinations.

EDUCATION DEPARTMENT ONTARIO,  
JULY EXAMINATIONS, 1885.

### ENGLISH LITERATURE.

THIRD CLASS.

Examiner—JOHN SEATH, B.A.

NOTE.—150 marks constitute a full paper. In valuing the answers, marks will be deducted for bad literary form.

1. What is the connection between the Spenserian stanzas and the rest of "The Lady of the Lake"? Give details in each case.
2. Quote the description of Loch Katrine at "summer dawn."
3. "Have, then, thy wish!"—he whistled shrill,  
And he was answered from the hill;  
Wild as the scream of the curlew.  
From crag to crag the signal flew.  
Instant, through copse and heath, arose  
Bonnets, and spears, and bended bows;  
On right, on left, above, below,  
Sprung up at once the lurking foe;  
From shingles gray their lances start,  
The bracken bush sends forth the dart,  
The rushes and the willow-wand  
Are bristling into axe and brand,  
And every tuft of broom gives life  
To plaided warrior armed for strife.  
That whistle garrisoned the glen  
At once with full five hundred men,  
As if the yawning hill to heaven  
A subterranean host had given.  
Watching their leader's beck and will,  
All silent there they stood, and still;  
Like the loose crags whose threatening mass