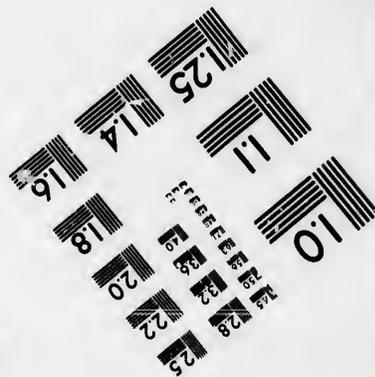
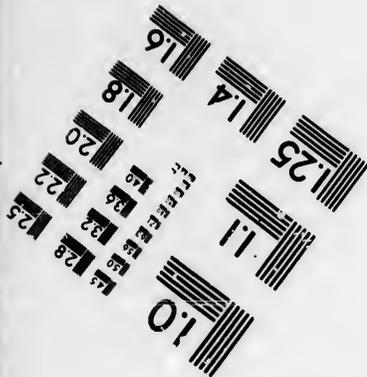
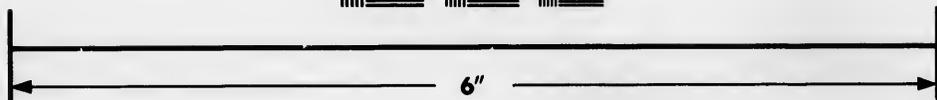
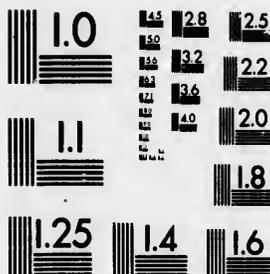
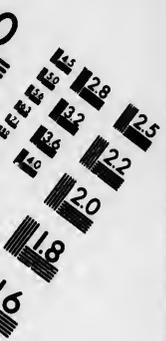


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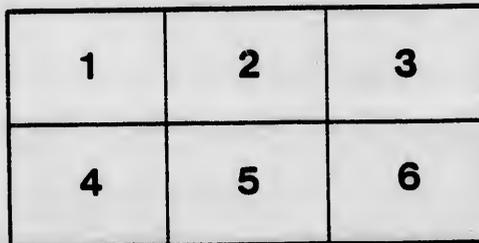
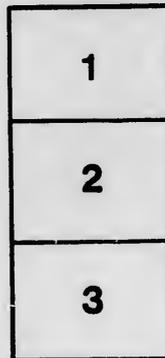
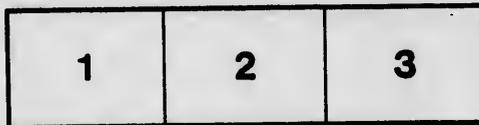
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St. John, N. B., 25th August, 1845.

My object in requesting their perusal of the following Correspondence is to convince my Friends, that it is solely for his unprofessional and ungentlemanlike conduct that I reproach Mr. RITCHIE.

EDWARD L. JARVIS.

CORRESPONDENCE.

No. I.

Thursday Morning, 14th August.

Sir—

FEELING aggrieved by the manner in which you chose to comment upon the evidence given by me in the case of *Green v. Jarvis*, I several months since formally applied for a certified copy of that evidence; and having this morning been favored with it, I have searched it in vain for a single word that I ought not to have uttered.

From among the many extraordinary statements that were made by you while conducting this case, I select the following one, which formed part of your address to the Master of the Rolls, and which I quote as nearly as possible in your own words.

"Mr. Edward L. Jarvis in giving his testimony before the Master in Chancery *swore* (with emphasis) that no money was paid upon the first bargain with Abbott and Russell; but I turned over the book, and found where one hundred pounds had been paid upon the first bargain."

Now if it be true that I "*swore*" thus, you can easily shew it; but if otherwise, I need not point out to you what ought to be done in the matter.

Whenever I have been present while you were speaking in Court upon this case, you have always imputed in studied language that you were engaged in counteracting our fraudulent designs upon Daniel Green's property. (May "*our*," because I wish to be considered as having advised my Father to resist the very unjust demands of Green.) My chief object therefore in addressing you is to ask whether you really charge us with dishonourable conduct, or whether you used these insinuations merely to benefit your client, or whether they were intended as personal insults to myself?

If, before answering me, you would like to read over the certified copy referred to, it shall be sent to you.

I am, Sir,

Your obedient servant,

E. L. JARVIS.

W. J. Ritchie, Esq., &c. &c.

No. II.

St. John, 15th August, 1845.

Sir—

I am just in receipt of your note of yesterday, and in reply cannot refrain from expressing my surprise that you should have remained since the 11th of March (over five months) under any feeling of aggression for any expressions used by me in the argument of the cause of *Green v. Jarvis*, without having called my attention to them within a reasonable time. At this distant day I can only say that in the whole conduct of that case I endeavored to act, and feel that I did act, as an independent and honorable counsel should do, and that I made no comments whatever on the evidence or the law but such as the evidence, the just development of the rights of my client, and the ends of justice warranted. I am the more satisfied on this point from the circumstance that if in the course of my address I had mis-stated or mistaken any portion of the evidence, you, who were present, would through the learned and experienced counsel employed by the defendant, or they in

your absence, would have immediately called the attention of His Honor the Master of the Rolls to such mistake or mis-statement, and the matter would then and there while fresh in the minds of all parties been inquired into and set right by that learned and honorable Judge, whose duty alone it was to determine and decide on the evidence in the cause. The result of the several suits that have been already decided in the Courts of Judicature of this Province, brought by Mr. Green against Mr. R. M. Jarvis, and conducted by me, must by this time I think have satisfied every unprejudiced mind that Mr. Green did not appeal to the laws of his country until he was forced to do so, and that his appeal was not without just cause, and that it was not made in vain. But as there is a suit at law still pending, brought by Mr. Jarvis against Mr. Green, arising out of transactions discussed in the suits already referred to, the notice of the discontinuance of which I have been in the daily expectation of receiving from the plaintiff's attorney, and as immediately on the termination of this suit I am instructed to commence an action against Mr. R. M. Jarvis and yourself for matters connected with the bringing of that suit and Mr. Green's arrest therein, and your and Mr. R. M. Jarvis' subsequent conduct—which instructions I more than two months since communicated to Mr. R. M. Jarvis' solicitor—I feel that it would be a betrayal of the interests of my client, out of place, uncalled for, and improper for me to express any opinion or enter into any discussions of the merits, motives, or actions of Mr. R. M. Jarvis or yourself, which your letter would seem to court. In due season the suit pending and to be brought will, as the previous causes have been, be fairly tried, all these matters be fully discussed before a competent tribunal, and finally adjudicated on and determined by learned and disinterested Judges.

Justice to myself however requires me most emphatically to state that from the first commencement of the litigation referred to to the present day no personal hostile feeling on my part has ever entered into the contest, and I can only regret that the early applications made by me for the amicable adjustment of the differences existing between the parties had not been met in the same spirit of conciliation and forbearance which prompted the offers; in which case much trouble, expense, and difficulty would probably have been avoided; and I avail myself of this opportunity to say that even now should you desire to avoid further litigation, I shall be happy to receive and convey to my client any proposals you or Mr. R. M. Jarvis may be disposed to make, with a view to the final amicable settlement of the still existing differences.

In conclusion I beg to say, that if the idea has for one moment entered your mind that in any remarks made by me in the different discussions incident to the proceedings referred to, I used the high privilege of my profession personally to insult you you have been labouring under a most grievous error. I trust I have a better understanding of the duties of my profession, and a keener sense of honorable feeling and conduct, than to prostitute my professional privileges so unworthily. With such feelings, you may at the same time rest assured I shall never allow myself to be overawed or deterred from fearlessly doing my duty to my clients, please or displease whom it may.

I am, Sir,

Your most obdt. servant,

(Signed)

W. J. RITCHIE.

E. L. Jarvis, Esq.

Monday, 18th August, 1845.

SIR—

I received your note of the 15th instant on Saturday. If I had had any suspicion that more suits were really about to be commenced by you for Mr. Green against R. M. Jarvis, Esq. or myself, I should have deferred putting the questions mentioned in the latter part of my note to you until these as well as the other suits should have been determined. The general tenor of your letter, I may add however, so far as it relates to these questions, is for the present sufficiently satisfactory.

You have done me the injustice to imply that my object in addressing you was to intimidate you from the further performance of your professional duty to your client. In answer to which I indignantly reply that I have too great a respect for myself, and share with my well-disposed fellow-subjects too great a respect for Courts of Law (without which I freely admit there could be no safety for our lives or our property) to attempt to deter from the performance of his duty any officer of any Court established by the laws of our country. And though in the case out of which this correspondence has arisen, a grievous blunder has been committed (I allude to the *guessing* that £100 per annum would be a reasonable rent and easily calculated, and that too without guessing what extra sum ought to be allowed for keeping a pile of old wooden buildings in repair), yet I continue to feel the same desire I have always felt for upholding those institutions; and am willing to go further and hope that the same honorable gentlemen, to whose error I have alluded, may long continue to hold their present offices in the Court of Chancery in this Province; for I am satisfied that it would be much easier to fill their places by worse than by better men. Enough however, upon that score.

In taking credit to yourself for having once desired an amicable settlement of the differences *amicably* adjudicated, you seem carelessly to have forgotten that when you found the defendant willing to meet you, your reply to Mr. Hanna was "No! let it be settled in Court."

Having expressed your surprise that I should have waited so long as five months under the feeling of aggression referred to, without having called your attention to the cause "within a reasonable time," you cannot wonder that I should now be unwilling to lose any further time in seeking satisfaction for that insult, and will perhaps not consider so unreasonable the cause of my delay: which I will now state as briefly as I can.

When during your argument you made the assertion quoted in my former note, my first impulse was to rise and implore the protection of the Court; upon second thoughts however I deemed it best to submit the matter to defendant's counsel, *while the case was yet in Court*, and in my conference with those gentlemen, Mr. Hazen's advice to me was, to take no notice of it whatever, adding, that "professional men will do these things." Mr. Street however, jocularly advised me to encourage rather than prevent your making mis-statements, for, said he, the Master of the Rolls will not decide upon what is said to be evidence, but upon the evidence itself as duly reported; and whenever Counsel on either side make such improper assertions they must damage their own cause. With this advice I remained quiet while the case was still pending; but the very instant the defendant, urged by his counsel, consented to forego his privilege to appeal, I felt at liberty to take the matter of the insult into my own hands, and at once applied for a certified copy of my evidence to confront you with it; and if any excuse be necessary for the long delay in preparing it for me, I have no doubt the Master in Chancery can satisfy you.

What I have now to demand is that, out of Court you withdraw the offensive charge which in Court you made against my veracity. And when I state that, be the consequences what they may, I am resolved to insist upon your now denying in the plainest terms that I ever "swore" as you charge me with swearing, I do so in the

hope that no one will suspect me of attempting improperly to "overawe" you.

I remain Sir,

Your obedient servant,

E. L. JARVIS.

W. J. Ritchie, Esq., &c. &c.

No. IV.

Tuesday, 19th August, 1845.

SIR—

In reply to your letter of the 18th, I have only to say that in my former note to you I consider I went further in explanation than in strictness you had any right to ask. At this great lapse of time after the occurrence referred to, I have no recollection of the particular words I used in the argument of the cause, but I have already stated that be they what they might they were not dictated by any personal hostile feeling to you, or any desire to give you personal offence: they were dictated by what I considered a duty I owed my client at the time, and I do not now hold myself in any way answerable to you for any arguments I may have used in the discharge of that duty.

I remain Sir,

Your obedient servant,

(Signed)

W. J. RITCHIE.

E. L. Jarvis, Esq.

No. V.

Tuesday, 19th August 1845.

SIR—

Understanding by your note of to-day that you will not withdraw the accusation which you so unjustly made against me, I have requested my friend Mr. G. Murray Jarvis to communicate my further wishes to you.

I remain Sir,

Your obedient servant,

E. L. JARVIS.

No. VI.

Thursday, 21st August, 1845.

MY DEAR SIR,

At your request I waited on Mr. W. J. Ritchie on Tuesday evening last, and I herewith enclose you a memo., containing the substance of the conversation which took place between us on the subject of your late correspondence with that gentleman, which I trust you will find in accordance with the verbal answer I gave you after leaving Mr. Ritchie on Tuesday evening.

Yours faithfully,

G. MURRAY JARVIS.

E. L. Jarvis, Esq., &c. &c.

No. VII.

MEMO.

(Copy.)

G. M. J.—Mr. Ritchie, I am the bearer of this letter from Mr. Edward L. Jarvis. (Handing the letter.)

Mr. R.—I presume I am aware of the nature of this letter if it refer to the late correspondence, and must decline receiving it. Have you seen the correspondence between Mr. Jarvis and myself?

G. M. J.—I have.

Mr. R.—I have nothing further to add to that.

G. M. J.—I must ask you to refer me to a friend.

Mr. R.—I decline this also.

G. M. J.—Then sir, I am to understand that you decline accepting this letter, and also decline referring me to a friend.

Mr. R.—I do. And for this reason: When I received Mr. Jarvis' first letter, I consulted three members of high standing in the profession, and by their advice sent the answer I did. On receiving Mr. Jarvis' second letter I consulted the Solicitor General, and his opinion was that my first letter was sufficient, and that I ought not to take any further notice of the matter. That it would be opening a door to endless discussions and quarrels, hamper the profession in the faithful discharge of their duty, and be an injury to the profession, and that should a hostile message be sent it was a duty I owed myself and the profession to decline accepting it. That it was by his (the Solicitor General's) advice I sent my second reply, and as I do not consider Mr. Jarvis after receiving my first letter justified in writing his second, and further having determined to act under the advice of the Solicitor General, I decline any further explanation in the matter. The Solicitor General also advised me that after the space of five months Mr. Jarvis was not justified in entering into the matter, and that on that ground also I should decline.

G. M. J.—Mr. Ritchie, Mr. Jarvis gave you his reasons for this delay.

Mr. R.—He did, but they are not satisfactory.

G. M. J.—Mr. Ritchie, will you answer me this question? "Do you consider Mr. Jarvis incapable under any circumstances of giving false testimony?"

Mr. R.—I decline answering any thing that refers to Mr. Jarvis in the matter, but any thing you may wish to say to me I shall be happy to meet and converse with you at any time as regards yourself personally.

G. M. J.—Mr. Ritchie, this answer is not satisfactory.

Mr. R.—I am sorry for it, but I cannot help it. I have made up my mind to follow the advice of my friends, and am prepared to stand the consequences.

G. MURRAY JARVIS.

21st August, 1845.

I have only to add to the foregoing, that on meeting Mr. RITCHIE on Saturday in company with several Gentlemen, I addressed him as is customary after these unsatisfactory events.

Monday, 25th August, 1845.

EDWARD L. JARVIS.

