

ing in the way of *esprit de corps*, custom, public opinion, etc., to prevent the solicitor taking his own brief—and many do so—any more than a physician is prevented from operating on his own patient—and many do.

In some cases the client himself insists on counsel being employed, just as some patients and their friends insist on a specialist surgeon. The only objection I ever heard to this custom is the fear expressed that the Counsel will steal the client. The very expression of such a fear indicates an extraordinarily low state of morals in the profession where such a fear can be more than the merest illusion. Any one who would steal a client would steal a sheep if it suited his purpose; and there is in our system about as little chance of the one as of the other. I have never heard it so much as suggested that any Counsel ever stole a client and I cannot think that such a thing could ever take place.

The Brief is brought or sent to Counsel by the solicitor himself. If the client brings it, he must bring either the solicitor or a letter from him. The client cannot in the first instance be so much as seen without the solicitor's consent, and the solicitor is always kept informed of everything that is being done with or for his client. The client is sent back to the solicitor; no Counsel would directly or indirectly accept as a client of his own, one sent to him by a solicitor. If any counsel were even to come under suspicion of such improper dealings, his practice would dwindle to the vanishing point. If it were proved against him he should be suspended or disbarred.

Counsel make their money by taking cases for others; prudent regard for their own pockets (if no higher reason) would keep them from "filching and stealing."

No one would, if he had to frame a system for the profession *de novo et ab origine*, think of making a formal distinction between barrister and solicitor, but we are an essentially practical people; we care nothing for logical consistency; if we find an institution work reasonably well in practice we do not discard it because it seems anomalous in theory. We would never think of applying to the Legislature to make the