

visited during the day, the same atmosphere prevailed, and so far as I could judge the court was patiently, impartially, and quietly probing the witnesses produced and finding out what they had to tell about the transaction in question. After the evidence is all in, and counsel have summed up, the court deliberates and agrees upon its judgment, which must be formulated in definite written findings of fact, followed by a statement of the legal conclusions resulting from them.

THE SYSTEM'S MERITS AND DEFECTS.

The judges whom I saw were worthy young men. They are appointed for life, but they receive small salaries, and I am told that many of them after eight or ten years' service on the bench resign and take up the practice of the law for which their judicial experience is considered as especially fitting them. The work of the bar is largely litigation, as, it seems, the people in Japan have not yet formed the habit of taking advice of counsel with regard to questions of law before getting into lawsuits. In one of the courts, the lawyers representing both sides were standing before the court as we entered, and after a general colloquy with the presiding judge lasting a few moments they bowed and retired. "It is a suit against a corporation for breach of some technical provision of the law," explained my companion, "and the counsel for the defendant wishes time to make sure what he shall say about it, and the judge, he says, 'Yes, you may take some short time for that purpose.'" "I have heard of similar incidents in our American procedure," I replied. "When you don't know quite what defence to make, you ask for delay." Human nature is the same, despite differences of race, creed, and language, and courts of all civilized countries have much in common. I came away quite favourably impressed with what I saw, and wondering whether, on the whole, in 95 per cent. of the cases, a decision by three judges, trained in the investigation of facts, would not be as nearly right as the verdict of twelve citizens casually gathered in from the general community.