At your President's request, Dr. Macpherson made a solemn declaration as to the above facts before H. B. M. Consul, at Boston, U. S. A. Your president can corroborate most of the facts alleged to be true by Dr. Macpherson,—and could have proved them at the trial had he not considered his non-liability to be almost self-evident.

The Judge decided that he *was* liable.

Had the case admitted of appeal, into appeal it would have gone, and of course judgment would have been reversed. Not being permitted this indulgence, your President must be allowed to give as follows in writing what he would have done orally before a higher tribunal.

Case-HARDENED JUDGES.

The judgment rendered in the Division Court case reported above presents a humorous aspect as showing how the whole machinery of the law may be diverted for several days, employing two County Court judges and two barristers; and detaining a whole host of fretting attorneys and witnesses, in order to decide judicially but wrongfully what any business man of fair intelligence and experience would have decided practically but righteously in a few minutes. This judgment, really rendered by two County Court judges of Ontario, residing in Ottawa, because their views thereon are known to coincide, furnishes also a melancholy example of the evils resulting from a long familiarity with technicalities rather than principles. Evils springing from want of a sound professional training in the law; a training which would encourage reflexion and give the power, and confer the habit of thinking and judging for oneself, and not relying blindly on the judgment of others. An education which would teach the fact that cases in law when decided only establish principles and not iron rules. Legal training in Ontario now-a-days is apt to produce students of narrow views, practitioners of quirks, quibbles and subterfuges, and *case*-hardened judges. *Revenons a nos moutons* or to the case of Masson (rather McCulloch or Code), vs Wicksteed, as decided lately by Judge Lyon, in the Division Court of Ottawa.

The Defendant, president of an incorporated company, in obedience to a resolution of the Directors, draws a cheque in the form and manner usual to most companies, in favour of McCulloch, a former servant of the company, and post-dates it. Masson discounts the cheque; but when it is presented at the bank, the answer "no funds" is returned. Masson is paid cash by McCulloch, and the cheque is returned to McCulloch. McCulloch by his solicitor, Mr. Code, should then have sued the company on the cheque or for work and labor done, etc., because, irrespective of the manner in which the cheque was drawn out, the cheque had been accepted all through as being that of the company, by McCulloch, Code, Masson, the Bank and the Directors of the Company.

But the Company was virtually insolvent, and the President was a better bird to pluck. So McCulloch, Code, and the Directors, through