

lawyers would answer quite conscientiously, that the case against his client must be proved according to law, and that his duty is to present the best possible phase of the matter on his part, and not to help the opposing counsel, or his client, in the conduct of his action. Let me put a case.—Suppose that a lawyer knew of a fact capable of proof, which, if known to the court or jury, would have brought about a totally different verdict, and that he not only concealed the fact, but kept back witnesses on his own side who would have proved it, would he say that such an act tends to uphold the honour of his Profession? And yet, we nearly always consider what we shall prove or withhold, and the reputation of counsel often depends on his skill in this kind of mental and professional warfare. If we examine the matter more closely, we can readily find the reason. The cause of this is egoism, the desire to win, and the flattering sensation of winning, due more to our personal vanity than to anything else. The reputation we make, and the consequent profits have an equally egoistic influence. It has nothing whatever to do with the question of right or wrong from an ethical point of view. It is the result of the system and practice of law as applicable to the individual. I am not prepared to answer what should be done in such cases, as I am illustrating, but I do know that it would add greatly to our professional honour, if we all united in endeavouring to approach a more ideal position on this point than we occupy at present. About one thing there is no doubt, the attempts, sometimes successful, at sharp practice, are a most objectionable part of a lawyer's professional conduct. Lawyers who are guilty of this, consider it clever and a mark of astuteness on their part. They are mistaken. No truly great lawyer was ever guilty of sharp practice, and the men who are guilty of it command neither the esteem, nor the confidence of their brethren. Good tactics are worthy of praise. Sharp practice is bad tactics and disreputable. We cannot hope to raise or keep our Profession at a high level unless its members are fair and broad-minded men. The complex system of law and procedure has much to do with the matter I am discussing.