

BENCH AND BAR.

The defendant is the editor and proprietor of a newspaper published in the town of Cornwall, which, in the same issue that gives a report of the trial of the case, makes the following editorial comment:

"Several years ago a series of editorials, levelled at the Chancery ring, appeared in the *Toronto Daily Telegraph*, and created then some sensation. Mr. Blake—now V. C.—came in for no small share of the criticisms, which, from all accounts, he did not appreciate. In delivering his judgment in *Pringle v. Macdonald*, is it probable that there was a lively recollection of one of the reputed authors of those editorials?"

It appears that at the time spoken of in the above paragraph the defendant in *Pringle v. Macdonald* was a student in the office of the firm of which the present Vice-Chancellor was a member. We pass by for the present the questionable propriety of a student discussing in the public papers the professional conduct or standing of his master for the time being; but for the latter to assert, and expect people to believe, that the adverse judgment in the case recently tried at Cornwall was the result of spite, would almost go to prove that the defendant is as devoid of sense as he is of decency. We are not even driven to take the judgment of the Vice-Chancellor, though no judge on the Bench is more competent to form an accurate opinion on a question of fact than Mr. Blake, for the evidence given in the local papers is amply sufficient to warrant the finding.

Under a recent statute, 39 Vict. cap. 31, sec. 1, the Law Society may make all necessary rules and regulations relating to the "interior discipline and honour of the members of the Bar." The Benchers had probably power, without that Act, to purge the profession of objectionable members. They have never, we make bold to assert, been fully alive to the duty they owe to their brethren in such matters; and we go further, and say that the judges

themselves are not free from blame in allowing this evil to go so far. It is time to call things by their right names, and to apply a sharp remedy to a dangerous and insidious disease. Men who bring discredit upon their order, should be made an example of, for otherwise their brethren cannot complain if the public speak of all in the same category.

The case already spoken of is, unfortunately, not the only case of the kind. In *Gilleland v. Wadsworth*, 23 Grant, 547, the Chancellor ordered a rule to issue, calling on another solicitor, there referred to, to show cause why he should not be struck off the rolls for malfeasance; and we might here inquire if the Society propose to take any action as to the conduct of another barrister, once also a solicitor, now awaiting sentence for having obtained money under false pretences.

It is all very well to say that men who could be guilty of such conduct as we have alluded to are beneath contempt and that it is not worth while taking any action. If a limb mortifies it is worth while to cut it off, and it is worth while to let the public know, in the most decided manner, that we will not allow those who have been proved guilty of such things to remain members of a body which for complete usefulness ought to be, and which boasts that it is, like Cæsar's wife, above suspicion.

In England the Incorporated Law Society deals, we understand, with matters affecting the honour of the profession. There ought to be in this country a committee of the Benchers to enquire into all cases of this sort which might come under their notice. It should be their duty to do it, and they should be responsible for its being done. Until some step of this kind is taken we are not likely to see much effect given to the recent statute, and one of the supposed advantages of Convocation will be a dead letter.