

has not only to think out how to frame his questions so that they are not in leading form—but he has to decide what *not* to ask. A single injudicious query may upset a whole pile of valuable evidence. If the art of knowing what *not* to ask is important in civil cases, it is doubly so where a man is on his trial. An instance occurred only the other day at the Newcastle assizes. An officer was charged with an offence connected with recruiting. At the close of the case for the prosecution witnesses were called on the prisoner's behalf. To one of these, at the very end of his examination, counsel for the prisoner said, "Have you ever known him (the prisoner) do anything which was unworthy of the character of an officer and a gentleman?" The answer was "No." On the following morning counsel for the Crown proceeded to cross-examine, and in doing so he put in a large number of documents which reflected very seriously upon the previous character of the accused. And he was entitled to do this because the prisoner's counsel, by the question above mentioned, had put his character in issue.

SIR FREDERICK SMITH, BART.

His Majesty's Attorney-General is now in the United States on affairs of public importance. If he goes to Canada (which is likely) it may be hoped that the legal fraternity will see something of him. If he makes a speech (and he is *not* likely to remain silent) all who can do so should go to hear him. Sir Frederick Smith is the most nimble-minded speaker the English Bar can produce—never at a loss for a word—never to be vanquished in repartee. I never heard any one, be it judge, counsel, witness or "sturdy independent elector" interrupt "F. E." without coming off second best. Smith aimed high when he was called to the Bar, and got there. He started as a local barrister at Liverpool, and even in the early days his success was rapid. One of the Judges going circuit, seeing a vast new building in the centre of the town, said, "I suppose those are F. E. Smith's chambers." In fact, it was the new Corn Exchange!

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W. VALENTINE BALL.