the tact with which I conducted, or rather *carefully neglected to conduct*, these little cases through, and humoured the great man whilst dispensing his infallible judgments in that place, that I became a successful solicitor." There is nothing new under the sun, nor is this method of success novel. Just some such successful gentleman had Juvenal in his eye when he wrote :

—— Rides ? Majore cachinno
Concutitur : flet, si lacrimas adspexit amici :
Nec dolet. Igniculum brumae si tempore poscas,
Accipit endromidem : si dixeris, aestuo ! sudat.

Shakspeare has translated this in *Hamlet :*

Ham.—Your bonnet to its right use, 'tis for the head.
Osr.—I thank your lordship, 'tis very hot.
Ham.—No, believe me, 'tis very cold ; the wind is northerly.
Osr.—It is indifferent cold, my lord, indeed.
Ham.—But yet, methinks, it is very sultry and hot for my complexion.
Osr.—Exceedingly, my lord ; it is very sultry, as it were : I can't tell how.

A "Successful Solicitor" has also read Terence to some purpose :—

Est genus hominum, qui esse primos se omnium rerum volunt,
Nec sunt : hos consector.
Quidquid dicunt, laudo : id rursum si negant, laudo id quoque :
Negat quis ? nego : ait ? aio : postremo, imperavi egomet mihi
Omnia assentari : is quaestus nunc est multo uberrimus.

THE CASE OF MR. DE SOUZA.

To the Editor of the LEGAL NEWS :

SIR,—Owing to the unfairness of most of the reports of my case in the Ontario press, I am constrained, in the interest of the public, to appeal to your columns.

The Law Society of Upper Canada in the year 1882, for reasons which, in compassion to that body, I will now pass by, made an ordinance to exclude English barristers from practising in that province. Before taking this serious step they appointed a committee who enquired and reported (1) that it was in their power, and (2) that it was expedient.

When I arrived in Ontario I straightway applied to the Treasurer and other Benchers of the Society, who confronted me with this ordinance, and informed me that whatever right I might have formerly enjoyed, was now abolished. Thus the deviation from precedent originated not with me but with the Law Society.

Examining for myself into the question I found that the Society had erred in their estimate of their powers, and that the ordinance passed with so much affectation of pomp was ineffectual and void. It is sufficient merely to add that my view has since been confirmed by the recent statute of this year.

But, under such circumstances, I determined to disregard the Law Society and proceed upon the right which I possessed under the ancient statutes, and which has never been taken away.* The Benchers then offered privately to make an exception in my favour; but I declined the insidious proposal, the acceptance of which would have stultified me and also ratified the ordinance, which they could no longer support.

And yet it was these very Benchers who deliberately, in my hearing and in open court, instructed counsel to assert that I was attempting an unnecessary deviation from usage; and that they had never endeavoured to make rules to exclude me ! A trace of this statement appears in the resolutions of the judges, although the contrary fact was given in proof, and was common knowledge in the profession during three years past.

I went into the Court of Appeal on the 18th of March, in the form suggested by that very Court on the 3rd. I claimed to move, as of counsel for A. B., in a pending case, the court having acceded to the principle of the *Serjeants' Case*, that my right would be in issue. But on the 18th, to the surprise of all men, they declared that they were bound by the decision of the lower court, which on the former occasion they had not only disclaimed as of binding force, but had even admitted that they could not take cognizance of it. I pointed out that the resolution in question was not a matter of appeal, that they could not take notice of the reports in the newspapers, that it was impossible that my right, depending on a statute, could be conclusively decided by one court; that they, too, were bound to discuss it, in duty to themselves who had taken the objection, as well as to the suitor who had instructed me, and was entitled to

* See argument in U. C. Law Journal, 15 Feb., 1882.