

and clothing, it is evident that the possibilities of future expansion of trade with them are as unlimited as their teeming populations, or at least as our capacity for utilizing the tropical products which they may have to send us in exchange. Such a result is well worth every legitimate effort that can be put forth to attain it. One serious difficulty, however, suggests itself. The very fact that these Eastern lands are swarming with myriads of inhabitants, insomuch that an immigration as large as the whole population of Canada might cross to our shores almost without being missed, and orientalize our Dominion, is one that may well give us pause. Of course, it would be in our power at any time to adopt the policy with which the United States is so often reproached. But could we expect to carry on a great and growing trade with a country while denying its people the hospitality which we extend to all others? Herein, it seems to us, lies the chief difficulty. We mention it, not with any desire to dampen the enthusiasm of those who are sanguine in regard to this trade, but in the hope that Mr. Shaughnessy or some other competent observer who has visited the East and sounded, to some extent, the feeling of the people, may tell us whether there is in their opinion a real danger in the direction indicated. For our own part, we have never been able to understand why the chief objection to the Chinese as citizens might not be in a large degree met, not by an invidious poll-tax or arbitrary prohibition, but by the enforcement of such sanitary and other regulations as would compel all immigrants to adopt a mode of living comparable in cost and external morality to that of our own native citizens.

THE term "British Justice" has long been a synonym for a type of judicial procedure which, if not ideally perfect, was supposed to be about the nearest approach to it that has yet been made in this imperfect world. But from recent outspoken complaints in such newspapers as the *Times* and the *Telegraph* it appears that there is still large room for improvement, not so much in the constitution of the courts or the *personnel* of the Judiciary, as in the working of the machinery. The chief complaint, so far as the courts proper are concerned, is of the intolerable length of time often consumed in reaching a verdict. This criticism applies it seems in England exclusively to civil cases. There is no reasonable ground of complaint in regard to criminal prosecutions, in which, the *Spectator* tells us, the decision is invariably reached within two or three months of the beginning of proceedings. If by the "beginning of proceedings" is meant the committal of the accused parties for trial, it might be well for our courts or Parliament to make a note of the fact, for, though it is our proud boast that our Canadian judicial system is patterned closely after that of the Mother Country, it is certain—witness the recent Hancock case, in which the accused was kept in prison for nearly five months on what proved on trial to be utterly insufficient evidence—that the delay even in criminal cases is often much greater in our procedure. But to return to England, and we notice the matter mainly because our practice does so closely follow that of England in most respects, the two chief grounds of dissatisfaction are the intolerable delay and the enormous expense of litigation, consequent in part on the delay. This delay appears to be due in some measure to the leisurely habits of the judges and their rigid observance of the prescribed dates in the matter of closing the sessions, though it is hinted that they are by no means so painfully punctual in regard to the opening; but it is due chiefly to the accumulation of arrears owing to insufficiency in the number of judges. The remedy for this is of course obvious and easy. It is simply to increase the number of judges. Whether and to what extent the same causes demand the same remedy in Canada, we leave to the judgment of those who are better informed in regard to the facts. In so far as the expense is swelled by the slowness in reaching a trial, the remedy would likewise be found in the removal of the chief cause of the delay. As to the other main cause of inordinate cost, viz., the desire of litigants to have the services of famous counsel, there is obviously no call for sympathy. As the *Spectator* observes: "If suitors will insist on having Sir Charles Russell or Sir Richard Webster as their counsel, they must pay for their fancy." Unless, indeed, as a second thought suggests, the fact should be that when one of the litigants has retained Sir Charles Russell, the other party knows from observation or experience that he must have Sir Richard Webster or some other legal celebrity, or find the chances very heavily against his success.

BUT if the Bench has not wholly escaped unfriendly comment, the Bar has been subjected to a much more fiery criticism. Most of the complaints in this case are directed against the etiquette of a profession which is more governed by etiquette and has a stricter and more inflexible code than any other profession. Two points may be specially adverted to. The one, and it is one which contributes largely to the costliness so much complained of, is that unwritten rule which makes it in a manner unprofessional for the barrister in charge of a case to plead in person in the court. This of course at once implies a double fee, and greatly increases the cost of litigation. There are some indications of a tendency to break through the meshes of this custom, though it was noted as an act of great courage on the part of a barrister who the other day had the temerity to dispense with the services of an attorney and plead in person the cause of his client. When the possibility of such a course has been a few times demonstrated, the pressure of clients and the self-interest of lawyers will probably do the rest. The second grievance is of a still graver character and is one which may be urged with at least equal force against the practice of the Canadian Bar. We refer to the liberty, sometimes degenerating into license and occasionally into positive outrage, which is taken in cross-examination. Bitter complaint has been made on a few recent occasions of the reckless determination of counsel to damage their opponent's case, by foul means if not by fair, by insinuation couched in the shape of irrelevant questions. Public opinion has become pretty well aroused on the subject and has found expression in terms which it is hoped the profession will deem it well to heed. It seems to be generally admitted that it would be dangerous to narrow the powers of cross-examination, and that the remedy must be sought through the influence of public opinion brought to bear upon the lawyers themselves. An English journal before us says that "it augurs ill for the success of this means—an appeal to the unwritten code of professional etiquette—that the greatest offenders in recent cases have been men at the top of their profession." Yet it thinks that the body as a whole cannot resist the influence of public opinion. But the gravest of all accusations brought against the English Bar is contained in the letter of one of themselves. A barrister of twelve years' standing writes to the *London Times* as follows:—

There would not be such an outcry against us barristers if we were to leave off whining in public about the "honour of the Bar." The "honour of the Bar" allows us to receive and keep heavy fees for work we have not done. This same honour kindly also allows us to receive fees for work which we know that in all probability we shall not be able to do. It allows us to support a weak case by making accusations against innocent people to shelter our own clients. It allows us to make horrible insinuations which we know we cannot prove, but which we hope will have weight with the jury, and only to withdraw them when we find that they will not pay.

These are serious charges, affecting not merely the etiquette but the morals of the profession. Its members may be left to defend themselves as best they can. The fact is that there are so many nice and difficult ethical questions connected with the practice of this profession, noble and attractive as it is in some of its aspects, that it might not be amiss if its members could see their way to laying down an ethical code for the satisfaction of the public and enforcing it with the same strictness with which they enforce the laws, written or unwritten, of their professional etiquette.

MR. BLAINE'S somewhat unexpected announcement that he is not a candidate for the Presidency of the United States, and that his name will not be brought before the Republican Convention in that capacity, if it is *bona fide*, will simplify matters very much for that Party in regard to the approaching contest. That it will improve the Party's prospects of success by no means follows. Mr. Blaine is at present in all probability the most popular man in the Republican ranks. We were about to say "in the Republic," and perhaps might safely have done so. His withdrawal from the field makes President Harrison's renomination almost certain, but by no means ensures his re-election. In fact, if the Democrats unite on a popular candidate their chances of success will be undoubtedly good, for it is clear that the President lacks both the commanding personality and the power of filling the popular imagination which are characteristic of his Secretary of State. It seems to be generally believed that Mr. Blaine's "No" means "No" in this case, though there was a time, as most of our readers will remember, when it

proved not to have that meaning. Few questions of simple fact have given rise to more doubt and mystery, or have been more vehemently canvassed, than that concerning the real state of Mr. Blaine's health during the last six months, but it may now be regarded as pretty certain that it is so precarious as to positively unfit him for the terrible strain of a campaign for the Presidency. The reply which he is said to have made to some one who urged him to allow himself to be put in nomination, "I prefer to live," has in it a good deal of the pathetic, as coming from the lips of a man of his towering ambition. But it settles a question of tremendous importance in the eyes of a vast number of the citizens of the great Republic.

FRANCE is now in full enjoyment of her new tariff, and, if the reports which reach us by cable may be relied on, her enemies may wish her joy of it. As single indications of the blessings it is likely to bring down upon the heads of her poor, it is said that the price of mutton, the meat mostly used by her people, has already increased twenty-five per cent., and that the importation of beef from Switzerland, of which over six thousand head used to be brought across the frontier every day, has been suddenly stopped. Well, if the theories of the protectionists hold good, internal competition will soon supply the deficiency and bring down the prices to the former level, or below it, though how the mere fact of cutting off importation can enable the French farmer to procure and feed his cattle more cheaply than before, passes ordinary comprehension. Be that as it may, the prospects of another great convulsion in unhappy France, as the result of the artificial hard times created by the wisdom of the Government, are ominous. If one could only, by some feat of legerdemain, raise himself for a few years above the regions in which one is necessarily affected by such mundane trifles as increase in the cost of the necessaries and comforts of this poor life, and give himself wholly to the contemplation of the effects of human wisdom and folly in increasing and diminishing the cost and supply of these upon the nations, he would in all probability find an interesting field of study in observing the operation of various experiments in tariff legislation during the next few years. It is probably fortunate for the poor that the experiments are being entered upon with so much spirit and zest. It is very likely true that a single week of high tariff in France has done more to educate Europe in the beauty and beneficence of the pure protectionism than years of argument. Let the good work go on. It may perhaps require several years of trial to convince both Europe and America that this world is constructed on such principles that, whether in the case of the nation or of the individual, unmitigated selfishness as a working policy tends only to impoverishment in everything which makes life worth living, but the lesson will no doubt be learned sooner or later, though it may have to be studied in the dear school of experience.

A GOOD deal has been said and written upon the subject of the dehorning of cattle since we last referred to it, but the evidence is so strangely conflicting that the question of the cruelty of the operation is as far from being settled as ever. Opinions not only diverse, but diametrically opposed to each other, seem to have been formed by those who have had about equally good opportunities for observation. Both in the court and in the newspapers some men of undoubted candour and probity who have performed the operation, or witnessed its effects, declare their belief that the animals operated on suffer excruciating pain for a lengthened period, and even that their health and spirits are permanently affected; only to be contradicted by others whose reputations for veracity are equally good, whose opportunities for forming opinions have been no less favourable, and who are sure that the pain of the operation is quickly over, leaving behind it results beneficial in every way. Some of the latter even go so far as to advocate dehorning not only on the ground of economy, but on that of humanity. These make an attempt to steal the thunder of their opponents by arguing that the suffering inflicted by sawing or clipping off the horns is really much less than that which is often inflicted by the animals upon each other by the use of these formidable weapons of offence. Probably the best means of deciding—we do not say *settling*—this vexed and important question may be a Government enquiry, which has been suggested, and which Premier Mowat intimated to a deputation which waited upon him the other day the Government would be quite willing to have made. The choice of the proper persons to conduct such an enquiry would,