

course of their retrial, but time did not permit, and we left them to visit one of the district courts, where a defendant was being tried for larceny.

IN A BUSINESSLIKE ATMOSPHERE.

Again we found three judges, the Crown prosecutor, and the reporter, and the same arrangement as in the appellate court. The defendant was testifying in his own behalf. He stood directly in front of the presiding judge, not ten feet distant from him, and answered his questions in a clear voice, without any apparent hesitation. The judge seemed conversant with the case, for he put questions rapidly, giving a funny little grunt of acquiescence after every answer. Occasionally one of the associates wrote a suggestion and handed it to the president, and once or twice the defendant's counsel asked the court to put a certain inquiry. The whole proceeding—and the same may be said of those in several other courts I visited—was conducted in a quiet, colloquial way. In every instance I was impressed with the simple businesslike atmosphere. The judges were proceeding without any fuss; the counsel while respectful in manner, were very direct and easy in speech, making but few suggestions, and the whole burden of conducting the case seemed to fall on the presiding judge, even his associates seldom interfering.

Some of the Japanese lawyers with whom I have talked say that they feel that very often the court does not elicit all the facts, and that our system of having witnesses questioned by counsel would be better; but, on the other hand, some lawyers maintain that better results are realised by the system, which puts upon the court the duty of getting at the truth, maintaining that the witnesses are more apt to talk frankly to the court than to the lawyer for the opposite side who is engaged, as they think, in trying to make them out liars. Of course, as I could not understand the language, I could only get a general impression derived from closely scanning the faces and the manner of the participants in the trials. In all of the eight or ten courts