

appeal to some court hereafter that there was some convincing element in the defence that is set up." This is a mistake. The solicitor should be as clear and definite as to the claim or the defence as he would be in endeavouring to present his argument to convince the tribunal before whom the case is tried.

Then a word or two might be said with reference to another important point, so important that one cannot deal with it properly in the short space of time which is allotted here, to a subject of this kind, and that is, the preparation for trial. The principal thing that one has to deal with is the question of witnesses and the evidence. The preparation should be thorough and careful, but not only should it be so on the part of the client, but it should be clear, thorough and careful with the individual witnesses. You will bear in mind that when a witness is called in to state his facts to the lawyer, or to state his evidence in court, he does not know or realize what all the facts are. He does not appreciate and does not realize what the effect of one fact is upon another, or one set of facts upon another set of facts may be. He does not understand the true relation of facts to each other in that particular case. He is not so familiar with the details as the solicitor or the client is, and, therefore, he may be honestly stating something which, if he knew the effect it had, would be stated in a different way, because the effect is perhaps totally different to what he then truthfully intended his evidence to be. I think it is always a safe plan, as far as one can, not to trust to a student to take the statement of facts. It is wiser to have the solicitor himself, or even his counsel, cross-examine every witness as he would cross-examine the witnesses of the opposite party, and he will thus stand the chance of getting at the real facts and will also reap this benefit, namely, when the witness goes into the box, he knows what the facts are, he is, moreover, possessed of the general bearing of the case, and without asking him to tell anything that is not true, he is enabled to give his version more intelligently and more convincingly by reason of what he has heard, and from what has come to him in his prior examination. He becomes