

and was entitled to have them cancelled. Two of the judges dissented from the conclusion of the majority.

It has frequently been remarked that in the development of countries certain classes of litigation from time to time prevail. In this country we have arrived at the damages-for-negligence epoch. An increasing number of these actions in proportion to other litigation are tried every year. This is not to be wondered at considering the extraordinary activity in the use of machinery, rapid production of manufactured articles, and new means of transit. In addition to actions of this nature of a legitimate character, there are, of course, many which are purely speculative; and in this connection one is compelled to recognize the fact that certain members of our profession degrade its honorable traditions by being parties to proceedings which should never have been taken, and which partake of the nature of blackmail. An instance of this kind recently came before an English judge. The action was by a child against a cab owner for negligence. The verdict was for the defendant, whose counsel had no hesitation in saying that the suit was obviously brought in the interests of the solicitor. The judge, being apparently of the same opinion, eventually put the solicitor in the witness box, with the result that he was ordered to pay the costs instead of his client. This seemed a practical way pour encourager les autres. A drastic measure of this sort even in this country, where we may justly claim for our brethren quite as high an average standard of morals as even amongst English solicitors, might sometimes be beneficial.

The *Law Times* in its issue of February 10, in commenting on this order of Mr. Justice Darling, says that it will be of far-reaching effect, and should not be accepted without some hesitation. However salutary such an order might seem to be, it involves grave results, for it is very difficult for any solicitor under certain circumstances to be at all certain as to the result of an action which may appear to have its meritorious side, and there are cases which must be largely speculative. The writer instances a foreign governess, who was wrongfully dismissed without salary, her luggage detained, and herself thrown on the streets with no means,