

solicitor. Having regard to the very limited duties they perform, and to the mechanical character of the work coming ordinarily within their province, their office appears to be of a comparatively unimportant character, and but for the vested interests involved it is difficult to see what separate functions they carry out which could not equally well be blended elsewhere, just as our pleaders have been superseded.

It was said of a well-known deceased English solicitor, whose practice was mainly confined to criminal Courts, that he was the only one amongst us who kept no books and drew the whole of his costs beforehand (a natural precaution, perhaps, with clients who were mostly hanged or transported); but it is the regular practice to this hour in France for the *avoué* to name his *honoraires* in advance and to receive cash down. He may be guided to some extent by the knowledge that a client more readily pays while indulging in the pleasures of hope, but the reason, no doubt, mainly lies in the explanation already given, that the taxable fees recoverable from the other side are so infinitesimal that, as far as the solicitor is concerned, there is little to hope for in this direction.

As to costs generally, I consider that the French system contrasts disadvantageously with ours, as I share the views of modern reformers, who think that the wrongdoer should bear the expense attendant on his own default, and that the recent efforts made in England to throw the whole of the properly incurred costs upon him, instead of a limited portion, is a step in the right direction.

The payments to *avocats* are much less in France than in England. In a recent English case the leader's brief was marked with a fee of 1,000 guineas. This is not altogether uncommon in heavy cases here, but although I know of one action in France where a barrister received 30,000 francs (*avocats* are not too modest to suggest their own fees, and they try for an *ad valorem*), the ordinary scale is low. The average smallness of such fees abroad may not be entirely disconnected with the fact that the winning party is unable to make his adversary pay a single sou towards them!

Judicial salaries in France are in keeping with counsel's fees, the emoluments of the president of the highest Court of Appeal which is the single Court having jurisdiction over all France, being only the same as that of an English County Court judge.