

infraction of which the law guards jealously. Wigram, in the Justices' Note-Book, says "That a search-warrant is issued on an information upon oath." Addison on Torts says "That if a warrant is issued, and a search made without due authority on the part of the magistrate, it amounts to a trespass." In *Curzon v. Cundy*, 9 D. & R. 224, a constable was held to be a trespasser for taking some goods of the prosecutor's which were not mentioned in the warrant. Other authorities supported the same view. The contention of the defendants, that they were in a position similar to that of an officer who arrests a person on suspicion of felony, was not sustained. No stolen goods were found upon the premises; and, in the opinion of the learned judge, the constables had no reasonable cause to suspect that the goods stolen from F. were in the plaintiff's possession.

THE FUSION OF THE LEGAL PROFESSIONS.—Our English and Irish contemporaries are engaged in a discussion about the fusion of the legal professions. The suggested change has its warm advocates, and its earnest, almost bitter, opponents. The Solicitor-General, in a speech at Birmingham, urged the advantages of the suggested union, basing his advocacy on the ground that the present system is so expensive that it amounts to a positive denial of justice to all who have not abundance of money. It is contended by the supporters of fusion that it would be much cheaper for the poor man to employ a solicitor, having the right to represent him in all the courts, than to see an advocate too. This need not take away from the rich man desirous of having an advocate of long experience and high standing, the privilege of being represented by counsel as at present. On the other hand it is contended that the effect of the proposal, if carried out, will be to cut down the bar to a few practitioners who have gained distinction as advocates, to secure for the rich man the practised advocate, and to leave the poor man to content himself with a solicitor insufficiently experienced in forensic work. It is asserted that, if the privileges of the bar are abolished, the poor man will have no advocate, because without those privileges few would care to adopt the bar as a profession.

To us in Canada, who have had long experience of the benefits resulting from the union of the functions of barrister and solicitor, the discussion is a reminder that the people of the old land have yet some problems to work out which were long ago successfully solved in the colonies.

The contention implied, if not expressed, that the present arrangement can secure for the poor man as able advocacy as can be obtained by his wealthy opponent, is contrary to experience and utterly untenable. The duality of the profession signally fails to do that, and it must materially increase the expense of litigation. It is interesting to note, too, that the discussion shows a growing sentiment in favour of brushing away the cobwebs, and laying bare gross cases of delay and injustice.

The profession and the legal publications, notably the *English Law Journal* and the *Irish Law Times*, have given much attention to the controversy. *Punch* has seized on the comical aspect of the evils feared by the opponents of a united