

tent of their amount, would restrict the bank's power of circulating notes.

In earlier banking days there was a practice of assuming that a small percentage of such notes had been destroyed, and writing off that amount of the bank's circulation liabilities. Under that practice such assumed losses became an addition to the bank's profits. A few years ago, however, this practice was condemned as unsound, and an understanding was come to between the banks and the Finance Department that, once a bank note was issued, unless there was positive and indisputable evidence of its destruction, it must stand as a part of the bank's liabilities to the public, and such, no doubt, is the practice today.

Even where a bank is being wound up, its missing notes are not allowed to be a source of profit to its shareholders. The existence of the notes is still assumed, and the liquidator must deposit with the Government a sum equal to the amount of unredeemed notes, so that if they ever turn up their redemption is provided for. If they never turn up the Dominion treasury is so much the gainer.

Church and State

THE trouble over the state funeral of Sir Charles Tupper is not to be allowed to subside. At a meeting of the Presbytery of Halifax, a few days ago, the following resolution was adopted:

"Whereas an insidious distinction was made between the various religious bodies on the occasion of the state funeral of Sir Charles Tupper, therefore be it resolved that this Presbytery overture the General Assembly to take such steps as will insure the removal of the grievance."

This means that the matter is to be formally laid before the General Assembly—the high court of the Presbyterian Church—at its next meeting. No doubt similar action will be taken by several of the other bodies from which complaint has come. While, as we have already said, there are much more important matters demanding attention at this time, it is evident that this religious question will not down, and those in authority will have to take it up seriously at no distant day.

Copper

THE war brings strange conditions. If there is one thing more than another for which the Englishman has been disposed to contend it is the free play of the law of demand and supply. With ports open for the introduction of supplies from the wide world, the Englishman's idea was that the fair price of anything was whatever price it could command in open competition. But that doctrine has been found inconvenient in war time. Britain has found it necessary in a number of instances to regulate commodities and prices. At present the Government are endeavoring to control the price of copper, a very important item in the making of munitions. A few years ago, in peace times, copper sold as high as 25 and 26 cents per pound. Over production and falling demand brought the price down as low as about 13 cents. Later there was a considerable advance, but only very recently has the quotation approached the old high figures. The British Government, finding the holders of copper demanding high prices, and the Government corner the

per pound—and that nobody should be allowed to buy more than fifty tons at a time. The result of this movement will be watched with much interest. The fixing of a price is within the power of the Government, and where the article is produced in Great Britain the whole situation may be brought under Government control. But where Britain is dependent, as in this case, upon foreign countries for the supply of the article, the position becomes more difficult. In the face of the British Government's action, copper has advanced in the New York market to 25 cents, or a little more, and buyers are readily found at this figure. If the British Government adhere to their price limit of 21 cents the British manufacturers of munitions may not be able to obtain copper. In that case the British factories will have to close, and the orders for munitions will have to be sent to the United States and Canada, where manufacturers are free to buy their copper in such quantities and at such prices as the market conditions may allow. Such a result would not meet the purposes which the Government had in view. They desired to guard against the excessive price of an article absolutely necessary in the production of munitions. They may have to come to the conclusion that it is better to have copper at a high price than not to have it at all.

British Columbia's Agent General

THERE seems to be much confusion respecting the office of Agent General for British Columbia in London. Mr. Turner, who has held the office for many years, stated to a London correspondent that he had not resigned. The British Columbia official Gazette contains the appointment of Sir Richard McBride as Agent General in the place of Mr. Turner, resigned, and Sir Richard McBride has gone to London to take over the position which Mr. Turner says he has not resigned. If Mr. Turner has not resigned, the appointment of Sir Richard is illegal, since the British Columbia Act respecting the office provides that the Agent General can be removed only upon an address from the Legislature. A Western contemporary says the question whether Mr. Turner resigned is one of fact, and not of opinion. The official announcement is that the resignation has been received and accepted, and that a successor has been appointed. But this is by no means as simple and conclusive as on the surface it seems to be. The matter would be much clearer if Mr. Turner's alleged letter of resignation were printed. If it is a distinct and unqualified resignation the matter is simple enough. But Mr. Turner's remarks to the correspondent in London certainly are at variance with this. What has probably occurred is that Mr. Turner has intimated his willingness to resign if allowed a satisfactory pension. No pension has been provided and none can be provided until the Legislature meets. In the meantime the question of the legality of the appointment of Sir Richard McBride remains unsettled. In view of the conflicting statements that have been made it is strange that Mr. Turner's letter of resignation has not been made public.

There is a revival, down at Halifax, of the call for socks for our soldiers at the front. The call should not be necessary, and we hope it is not. Surely the Militia Department will not leave our soldiers dependent upon private liberality for such a necessary part of the soldier's equipment.

The Lawyer's Ethics

JUST how far a lawyer is justified in defending a man charged with crime has always been a question of interest. That a lawyer or anybody else should defend a man of whose guilt there seems no doubt has to many non-legal minds seemed an extraordinary thing. The other side of the question is that a man is presumed to be innocent until his guilt has been established by the final authority, and that in the meantime every effort to set him free is fully justified. But suppose the accused has privately confessed to his counsel his guilt, what then? Is his counsel justified in still defending him? In this form the question troubled the mind of the British Bar Committee at Shanghai, and an appeal for advice was made to the General Council of the English Bar. The Council sent a reply approved by Sir Edward Carson, who was at the time Attorney General, and by Sir Robert Finlay, K.C., one of the most eminent lawyers in Parliament. The reply, which will be of much interest to lawyers everywhere, is thus summarized in the English press:

"This reply is published in the annual statement which will be presented at a general meeting of the Bar on Jan. 18. It lays down that if the confession has been made before the proceedings have been commenced, it is most undesirable that an advocate to whom it was made should undertake the defence, and no harm could be done to the accused by requesting him to retain another advocate. Other considerations apply in cases in which the confession has been made during the proceedings, or in such circumstances that the advocate cannot retire from the case without seriously compromising the position of the accused. Counsel's duty is to protect his client as far as possible from being convicted, except upon legal evidence sufficient to support a conviction, and the mere fact that the prisoner confessed to his counsel is no bar to that advocate continuing to appear in his defence, nor does the confession release the advocate from his imperative duty to do all that he honourably can for his client. The Council add: 'But such a confession imposes very strict limitations on the conduct of his defence. An advocate may not assert that which he knows to be a lie. He may not connive at, much less attempt to substantiate, a fraud.' Thus it would be wrong, for example, to suggest that some other person had committed the offence charged, or to call evidence in support of an alibi."

If Senator Nathaniel Curry has any spare time, after attending to his shell contracts, he may have occasion to enter an action for libel against the Calgary News-Telegram, which, in connection with possible inquiries into munition contracts, remarks that "Senator Curry, of the Canada Car Co., and other members of the Upper Chamber engaged on war contracts, happen to be among the Liberal appointees to the Senate." But that is not all. The worst is yet to come. The same journal, in a later issue, informs the public that Senator Curry is a member of the Liberal "Advisory Committee" at Ottawa.