

SELECTIONS.

But no lawyer will prepare himself for an oral argument unless he has reasonable assurance that he will be listened to patiently and courteously when he comes into court. Doubtless, lawyers will often talk uselessly, but better that than that they should not talk at all, and thereby the interests of justice should suffer. A court should be not only a place where cases are argued but a school where lawyers are trained to make arguments. Hence, arguments, within reason, when prepared, should be listened to, whether made by lawyers young or old. Young lawyers who are fresh from the study of foundation principles, and who have industriously studied a case, are by no means to be despised when heads are put together for the purpose of arriving at the true decision; and, besides, those who are now *young lawyers* are one day to do the important work of our courts. I would most respectfully submit to the judges before whom they practise, whether they are doing their duty if they fail to patiently hear their causes, not only for the sake of men and the causes themselves, but also for the sake of the training for future work which is thus afforded.

If the advantages of one course are great the disadvantages of an opposite one are no less marked. I need not describe to you the discomfort of a court where judges and lawyers have lost their tempers, and feel sore over treatment received. You have all seen such things. Such a state of things is unpleasant to every one, profits no one, and hurts many. It absolutely destroys the dignity of the of the court. Disrespectful and insulting remarks are often made by the judge to lawyers, and the judge who can treat his bar with disrespect and be himself treated with real respect has yet to be discovered. He may enforce the observance of a formal outward respect, but it is only outward. It presents the case of the lawyer who was threatened with a fine for expressing his want of respect for the court, and who defended himself by asserting that on the contrary he had carefully concealed that want of respect.

Is it not the duty of the judge, as well as the bar, to treat the court with respect, and are not the lawyers in attendance and transacting business a part of the

court? The court is not the mere person of the judge. Lawyers understand that when they come into court to transact the business of their clients and carry themselves properly they have just as well ascertained a standing there as anyone else. The judge is for most purposes the special organ and representative of the court, and lawyers are bound to treat him with respect, but this does not involve any obligation upon their part to forget or lay aside their manhood. If we are to have lawyers who will bring honour and dignity, and not shame and disgrace upon a court, then we must have lawyers who, coming into court as *men*, respecting themselves and demanding respect as such, shall find their claims recognized and appreciated.

Let us remember, however, always, that in things human, perfection is seldom or never attained. Let us remember the annoyances which beset bench and bar in practice. Let us remember, too, that men honest, fair, generous and courteous at heart frequently have the misfortune to possess quick tempers; and that sometimes, with men striving earnestly to do their full duty, an unexpected annoyance suddenly destroys both dignity and courtesy. I err in saying "let us remember"—lawyers do remember these things. They are of all men the most generous in forgiving errors. All they ask of those with whom they deal is honest purpose and earnest endeavour to do right. With this, the seventy times seven occasions for forgiveness or forbearance exhaust not their patience.

THE PENALTY OF DEATH.

THE division on Sir Joseph Pease's proposal to abolish the penalty of death is satisfactory, as showing that in this particular, at all events, the new House of Commons is not disposed to try rash experiments. It cannot be said that Sir Joseph Pease offered the House any great inducement to embark on his doubtful venture. His statistics may have been indisputable, but certainly they were not undisputed. Or, rather, to put it quite accurately, they were met by other statistics which pointed to the opposite conclusion. If in Belgium and the Nether-