

of precaution, so easy of evasion as to be quite inoperative. A practising attorney who should desire to flourish in history as a "terrorist," would always find an accomplice ready to lend his name, and to sign all the requisite papers—the very case supposed by Gastier in 1665.

Could you but "*lay down a rule*" to prevent the rich suitor from grinding the poor—could you but interpose, by any means, between the pettyfogger and his victim—what a public benefactor you would become.

19. "Serpillon's opinion (cited by the Respondent), is of little weight. He refers to no decisions of the Courts, and his reasoning is strongly against his opinion. He says a lawyer ought to be paid for his work. This granted, what answer could be given to a shopman or mechanic, claiming to be indemnified for loss of time? What amount could the Judge allow? Certainly not the fees given by the tariff, which were never intended to indemnify a party to the suit for his loss of time."

Your above written reasoning is not convincing nor indeed quite intelligible. Does the Statute exclude an attorney from being plaintiff or defendant? Is he less an attorney because he is plaintiff or defendant? Is there not a tariff of fees for attorneys, and is there a like tariff for traders and mechanics? Is a practising attorney prohibited by law from holding real estate? And should he, as holding real estate, be dragged into Court, and be kept there for nearly ten years, is he to be stigmatized as "the terror of his neighbors" because he defends himself successfully?

Mr. Justice Duval, the power of an attorney for evil is controlled by the power of the Court for good. The attorney can be at all times restrained by the Court, always promptly and effectually restrained: but the Judge is scarcely within the reach of any human tribunal. Without the intervention of the Royal prerogative of mercy, Gray, whom you condemned to death at Montreal, would have been hanged! And the enquiry into the failure of justice in the case of Corrigan having been effectually stifled, the manes of that martyr are not yet appeased.

Your eyes then might have been profitably turned in another direction, but had I been a practising attorney I durst not have compromised the interests of my clients by such an enormity as in dissecting your opinion you will hold me to have committed. I am not at all insensible to the losses, the difficulties and the dangers attending the vindica-