

credible witnesses have sworn one thing and three credible witnesses have sworn another to the contrary. None of them perhaps is wilfully telling an untruth—the contradictions are due to the imperfections, physical and moral, of humanity. Some of the witnesses are dull of sight, some are hard of hearing, some are stupid, some are careless, and some, almost unconsciously, are biased, and as in the case of a street brawl, for instance, or an accident, events happen so rapidly that the most acute observer may well err. Now, how can such difficulties be altogether overcome? Can you blame your solicitor or counsel if the case has turned out otherwise than he or you expected, unless indeed he has given you a positive assurance as to how it would result, an assurance that is very, very seldom given. The blame in that case would be for asserting anything positively, and in nearly all cases the wise lawyer will not do so. But there may be a time in the life of anyone where honour or reputation may force them into the Courts. He must

"Greatly find quarrel in a straw
When Honour's at the stake,"

even at the risk of losing in the quarrel, not because he is wrong, but because the case cannot be proved to the satisfaction of a disinterested party who is trying it.

Then there are questions of mixed law and fact—where the problem may be—what is reasonable? What would a prudent man do under the circumstances? What is negligence? What is a probable cause? Sometimes the burden is placed on the jury, but it may happen that the Judge has to determine them himself. Take a case of negligence. There are two questions involved: What is negligence? and does this case fall within the definition. It is hardly necessary to say there is room for great difference of opinion on such questions. I have suggested that to adjust those that depend on the interpretation of the law, we should reform the legislature and reform the language—two hard tasks truly, but to overcome the difficulties caused by the conflict of testimony we would have to eliminate such a conflict, and this could only be done by reforming or indeed making over humanity itself, so that every man would henceforth be Argus-eyed, with