

2. Then the second question is what the solicitor should be, in dealing with his case. The answer follows as a matter of course from what I have briefly indicated. It is quite clear that his mind should be absolutely calm, not agitated or affected by any consideration other than the subject that he has in hand, and if he is actuated by the subject in hand, his mind will naturally be calm. Then he should be clear. If there is any doubt, he should resolve that doubt in some way or another, so that he can clearly make up his mind as to what he should do. If he has any doubt, any step is dangerous. He should be as far as possible, judicial, that is, he should take a view of both sides of the case; he should place himself in that position which he hopes some day to attain to, and he will find far greater benefit in exercising that faculty than he will in looking forward to a judgeship. He should not be satisfied with the mere story, but he ought to find out from the man he is acting for and his witnesses, the whole details of the matter.

3. What he should remember. There is no question that the bulk of cases run in grooves. I venture to say that there is not a counsel in the city of Toronto, or in Canada, who has had a long experience, and there is scarcely a judge on the Bench, who would dispute the fact that the bulk of cases do run in grooves. There are facts, and many of them, common to all cases. I should imagine although I have never had the pleasure or the honour of sitting as a judge, between man and man—but I should imagine that a judge sitting on the Bench, when the hand touches the central or crucial point of the case, his mind at once is seized, not of the individual facts, but of the general character of the case in a very singular and forcible way, because he knows from his experience, that what has happened in 98 cases is going to happen in the 99th. You take, for instance, a case of negligence where a man meets with an accident in a factory, and you will invariably find the witness coming forward who has at some time in the past, perhaps within a month or two of the accident, told the superintendent or somebody else in connection with the factory that the knife was