rights conceded to the people of most foreign countries under the Berne Convention, which seems a suggestion quite unworthy of a place in this controversy."

Par. 64. "The Canadian Parliament has not overlooked the interests of its authors or any other class. When it speaks, as it has done on the subject, it speaks after full consideration of all the interests involved, and which it is well able to weigh."

In meeting all the clauses of this Canadian reply "seriatim," the British Copyright Association rejoin:

Par. 63. "This might be the outcome of the isolated position Canada takes up. Canada attacks the literary property of all nations, and thus places herself outside of the arrangement of civilized society, even more than Liberia, or Hayti, and in the same paragraph (63) is shocked at the idea that her interests should not be considered more than the rest of the world."

Par. 64. "Either Canada has overlooked the interests of her authors or cannot understand them."

We contend that Canada has the right to impose impossible printing, reproducing, and publishing conditions on British, Australian, New Zealand, Indian, South African, South America, and West Indian authors and artists, yet Canada is still to retain all the privileges under the Imperial Act of 1886 which she now enjoys, and have the free unconditional run of all the Empire, merely by copyrighting in Canada. We are to be permitted to break up the Berne Convention and withdraw therefrom, to jeopardize the copyright arrangement between the United States and the British Empire by our unreasoning wilfulness, and destroy the right to copyright in the States, not only of Canadians, but other members of the Empire, and still retain all our privileges intact throughout the Empire. We wish to eat our cake and still to have it, and like naughty children must be permitted to misgovern ourselves, even though we destroy the rights and privileges of all the other members of the Empire. The reply of our Government is so artless, child-like, and bland, that one would suppose it emanated from that distinguished statesman Li Hung Chang of Eastern fame. We want no intercourse with "foreign devils." While we Canadians are content to play the unmanly role of running for protection to the British Navy without contributing a dollar or a man to its maintenance, although we will let them use our dry docks when battered in our service, because the Mother Country helped to build them, it ill-becomes some of our politicians and Librarian Lancefield to tail-twist the British lion; some day the noble beast will put down its paw and growl, when the tail-twisters will be tumbling over each other to get out of the way. Brave words should be backed up by brave deeds, or one is apt to appear ridiculous or contemptible.

As to the oft-repeated statement that our Piratical Act of 1889, having been passed unanimously by both Chambers, is the will of Canada: I state that I have interviewed several members who had voted for this Act and who petitioned the Queen for its allowance, and I found that they knew absolutely nothing about its provisions, had never read it, and I was assured that it went through the House of Commons without discussion, on the statement of the late Premier and Mr. J. D. Edgar, M.P. When its provisions were explained to them by me, they were entirely opposed to it; one of them, Senator Boulton, has since made an able speech in the Senate denouncing the Act; not one of our three city members had any knowledge whatever of the subject. Any verdict so gained by a liberal use of "suppressio veri" and "suggestio falsi" should never be flaunted as the unanimous wish of the people of Canada who do not care about or understand the question. As the Act of 1889 lapsed some years ago under the provisions of Sec. 57 of the B.N.A. Act not having been assented to within two years, it must be re-enacted. When brought up again in the House, its provisions should be explained and discussed, when it is safe to say it will not go through so swimmingly as before. The public do not wish to see the rights of Canadian authors, artists, musicians, etc., destroyed by isolating Canada, merely to allow half a dozen publishers the privilege of appropriating British, Colonial, and American novels and music on their own terms. The exasperating thing is, that the literature coveted is of the class of serial novel one sees daily in the Evening Telegram. The nearer it approaches the "penny dreadful" or "shilling shocker" style, the more popular it is and the more likely to be gobbled by our piratical publishers, and for this demoralizing trash our Canadian Act and literature is to be isolated and squelched.

Mr. Laurier, at Morristown, recently diagnosed the position as follows:

"The policy of protection," he declared, "had degraded the character of the Canadian people. The name of Canada had become a by-word and a shame by reason of the stealing and robbery which had disgraced our common country."

By the Act of 1889, we propose now to legalize piracy, and set Canada up as the literary pirate of the world, yet we are not ashamed.

In the matter of copyright and naval defence, the Australian colonies set us a manly and generous example, which it would be well for Canada to follow.

Toronto, October 15th, 1895. JOHN G. RIDOUT.

LEGAL ETHICS.

SIR,—All are aware that the great majority of our lawyers are reputable and honourable men, but it is notorious that there are a few who are below that level. Of late years there have been notable instances where barristers when defending in criminal cases, have grievously transgressed. It is an ancient saying that "all is fair in love and war," but such offenders apparently believe that "all is fair in law." Some of the painful failures of justice in criminal cases have been caused by (1) hysterical oratory, (2) misrepresenting and abusing honest witnesses, (3) and by adopting and upholding manufactured evidence after counsel have become aware of its falsity. There has been a very bad case of the latter. The Crown should prosecute.

When Courvoisier was tried about 50 years ago for murdering Lord William Russell, a Mr. Phillips—an Irish barrister—after the prisoner had confessed the crime to him, suggested to the jury that a certain servant-maid had committed the awful deed. He was severely blamed for so doing. Now-a-days a lawyer guilty of such a crime would be promptly disbarred. In the Durant case in California, counsel—without the shadow of any evidence—suggested that the pastor of the church had murdered the girl. The pillory would be a proper punishment for such a man. In England about sixty years ago there was said to be a barrister, who would, if the fee were sufficiently heavy, shed tears when addressing a jury. This is a pointer for our hysterical lawyers.

All barristers of experience have gone into court honestly believing their clients' stories, but have discovered on hearing the evidence on both sides, especially the cross-examinations, that the opposite side was in the right. The following is one of innumerable cases:—A, a machinist, occasionally went on sprees. While under such a spell he called upon B, a founder who lived a hundred miles away, and ordered certain castings. He was sober enough to give coherent orders, and B, knowing him, and also that he would often require such work, filled the order. But A, being under the influence of liquor, forgot all about it and refused payment. Both he and his lawyer looked upon it as a "plant"; but the facts were clearly proved at the Assizes and of course B obtained a verdict.

Suppose in a criminal case the friends of a prisoner manufacture false evidence which is conclusively shown to be untrue—is it right for a lawyer to hysterically appeal to the jury, and to contend that that is true which he well knows to be false? If an unbiassed and intelligent jury were asked to decide whether such an offender should be disbarred or not, all know what their verdict would be.

I respectfully submit that the Benchers should take action. If in their semi-judicial capacity they openly sided with public morality and welfare, this growing evil would be stopped. In conclusion, I respectfully maintain that the following misconduct should be dealt with:—(1) The shameful abuse of respectable witnesses. (2) Oratorical hysterics. (3) Upholding manufactured evidence as true, after discovering it to be false.

The Benchers should not sanction the misconduct of such lawyers perpetrated for market-place purposes and to advertise themselves. Such misbehaviour in many ways injures the honourable members of the profession, as also the public at large. FAIRPLAY RADICAL.

Toronto, Oct. 21.