

in which some supposed general and public good is the object of legislation. The absence of prescribed limits to this power gives ample field for refuge to any one who dares not assert his convictions of right and wrong."

The Dreyfus scandal was a clear case of the working of the doctrine of public policy. All conservative France looks upon the army as the one security against revolution. The strongest kind of Public Policy demanded that the rights of a single man should not be allowed to imperil its prestige.

If the courts are to be influenced by what Greenwood calls "the prevailing sentiment of the people," how far shall they go? How quickly responsive shall they be to this influence? In other words, where does the doctrine of public policy leave off, the yielding to clamour or "playing to the gallery" begin? Shall we defer only to a long continued public opinion; or act promptly on its freshest forms? In my opinion it is only a difference of degree, and the judge who allows himself to be led away from his grand, though simple function, by consideration either of general morality, the public interest or public opinion is only weakening himself against the day when he may have to face popular clamour or resist political influence.

I am sure that the strongest safeguard we can have against the recurrence of the judicial outrages that have disgraced our history in times of excitement and may do so again, is the maintenance in the minds of judges, the strengthening in the minds of people, of the idea that the law is a controlling system, in the administration of which the judge shall be deaf to popular opinion and powerless to carry out his own views of general morality, "political expediency" or the public interest.