

the tariff and the practice of the Courts. Especially does the law forbid any agreement for the lawyer to share in the proceeds of a litigated claim, as compensation for his services. Such a transaction is in contravention of the statute relating to champerty, and it is also a violation of the solemn engagement entered into by the barrister upon his call to the Bar.

The effect of the agreement first made is that the solicitor and client embark in a joint speculation to be prosecuted in the Court for their joint advantage—the client bringing in his claim for injuries and the lawyer contributing his skill and services. When the professional man becomes a covert co-litigant, instead of an independent adviser, many are the temptations to secure success by unworthy means. But I need not dwell on the ethical aspect; enough that the solicitor's action is contrary to the law and in violation of his oath of office.

There may be some laxity of opinion, and perhaps of practice, in the careful observance of a high standard of honour in the stress and struggle of modern life, but while the profession is constituted as it is practitioners must not be allowed to violate with impunity the safeguards which exist for the well-being of society. True it is that in some, or perhaps many, of the neighbouring States it is permissible to drive such bargains and to conduct cases on the footing of contingent fees, but many eminent lawyers lament the professional degradation which it involves. One who was ambassador at the British Court spoke at a recent bar association meeting of the fatal and pernicious change made several generations ago by statute by which lawyers and clients are permitted to make any agreement they please as to compensation—so that contingent fees, contracts for shares, and even contracts to pay all the expenses and take half the results, are permissible. . . . And at an earlier day the point was more tersely put by Webster: "I never engage on contingencies merely, for that would make me a mere party to a lawsuit."

Things have gone from bad to worse on the downward grade, for now the American "ambulance-chaser" has become a visible factor of so-called professional life. His function is to hustle after injured sufferers, with shameless solicitation, to coach witnesses, interview jurymen, compass in some way a favourable verdict, and enjoy some generous share of the spoils. Already in more than one State statutes