

A technical and complicated system means advantage to the unscrupulous and crafty mind, but these become disadvantages when they re-act on the honour of our Profession. The keeping of one's word in litigious proceedings is essential, and I am glad to say it is the rule and not the exception. But there is a tendency on the part of too many solicitors and counsel to take paltry advantages when their opponent has made a slip, or overlooked some technical matter. So much was this the case in former days, and so unjust and contrary to the cause of right and justice that the law was amended, and made to conform to equitable principles, in order to checkmate the practice which enabled a cunning solicitor or advocate to defeat the action of the opposing party by reason of the ingenuity and craft of the sharp practitioner.

When we come to deal with the question of the honour of the Profession, as relating to the Bench, the matter becomes more difficult and delicate. How does the professional honour stand in such relation? We all wish to stand well with the judiciary, and I mean by that, to have their respect and confidence. Do we always merit this respect? The obscuring of the real issue by a multitude of authorities cited by counsel is not infrequent. The attempt to present a legal argument along untenable lines is not uncommon. The twisting of precedents and principles to meet the views of the advocate is considered fair argument by some counsel, and a strenuous contention along this line is often made in the hope that it may convince some member of the court, but it frequently results in the judge promptly placing the offender in this respect on his proper level. Confidence is weakened and suspicion is aroused, and the lawyer is carefully watched in the future lest he mislead or deceive the court. The professional honour is affected, and the innocent often has to suffer with the guilty. The statement of facts is sometimes colored; sometimes unconsciously, to suit the bias or partisanship of the advocate, or the necessities of the client's case, and the delicacy of that fine sense of honour of which we boast is dulled and vulgarized by the violation of the elemen-