

FRAGMENTS.

All equal before the law.—In a country like ours, where there are men of many races and many religious faiths, it is of the utmost importance that every litigant and witness should be made to realize that all are equal before the law and that no hint of inferiority by reason of race or religious belief should be given.¹

A word to certain citizens.—It should be made very plain that it is English law practice and precedents that prevail and govern this Court. Settlers into this country must not be allowed to import any vicious practices into the administration of Justice.²

Our civilization examined.—It is unfortunate that the Courts are not given the power to relieve from harsh and unconscionable contracts made by money-lenders—a power conferred upon the Courts of most civilized countries.³

Legislatures should note.—The rule upon which this case depends has been considered capricious and not founded on good reason; however that may be, it is too firmly established to be now disregarded.⁴

One Judge to another.—We should, I think, not part with this appeal, without expressing our regret that the trial was permitted to be conducted as it was on behalf of the respondents, apparently owing to the undue complaisance of the learned Judge; I consider it a reproach to our administration of justice.⁵

Cross-examination.—The courteous and kindly Judge seems to have been overborne by the violence of the attack. He erred in giving too much latitude to counsel—probably thinking he had no power to limit the right of cross-examination. It is the duty of the Court to protect witnesses from harsh and oppressive treatment by counsel. The duty is not easy to discharge, for some witnesses are so penurious of truth that they will only part with it when torn from them by violence, but nothing can justify the treating of the religious belief of a witness with contempt.⁶

¹ 60 O.L.R. 638.

² [1927] 3 D.L.R. 760.

³ O.W.N. 26, May, 1927.

⁴ 60 O.L.R. 623.

⁵ 60 O.L.R. 637.

⁶ 60 O.L.R. 637.

Bordering on dissent.—While I concur in the conclusion arrived at by the Chief Justice, I must say that my mind is not free from doubt in the matter.⁷

A good judicial rule.—I have thought it wise to consider the matter further and to state concisely the facts of the case and to amplify somewhat my reasons.⁸

Consider your signature.—The usual cause of badly formed writing is that the writer's brain is much too active for his hand. People of great intelligence rarely have the patience to do good writing. But does it matter? Signatures ought certainly to be written with special care, no amount of intelligence will help the reader here.⁹

Leaden-heeled Justice.—We doubt whether any State in the Union can match the promptness and efficiency of the Courts of England. Until public opinion effectively insists that the practice of the law be weeded of its time-consuming technicalities, and those who practice the law be cured of their disposition to postpone and procrastinate, the Sacco-Vanzetti case will remain a scandal and reproach, and afterwards it will serve as a reminder of the day when Justice wore leaden heels.¹⁰

Keep well in mind.—The objects of the Canadian Bar Association shall be to advance the science of Jurisprudence—uphold the honour of the profession—foster harmonious relations and co-operation among the incorporated law societies of the several provinces—encourage a high standard of legal education, training and ethics, etc.¹¹

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⁷[1927] 3 D.L.R. 825.

⁸[1927] 3 D.L.R. 756.

⁹(London *Spectator*).

¹⁰(New York *Outlook*).

¹¹11-12 George V. Can. c. 79, s. 2.