

LAWYERS OF ENGLAND.

Routine Through Which They Graduate.

The visitors passing along Fleet-street, London, from the direction of St. Paul's Cathedral to the point where it merges into the Strand, will find on his right a somewhat colossal building of grey, stone. As he stands gazing at its Gothic architecture he may be startled by the apparition of a human figure clad in dark, flowing robes, and wearing a curly white wig, with a short tail dangling therefrom. who, emerging suddenly from an old archway, dodges the traffic, dashes across the road and disappears into the gloomy portals of the dusky fortress opposite. It will probably be carrying in one hand a number of ponderous books strapped together, and in the other a quantity of blue documents tied with red tape. Should the stranger in his innocence, seek an explanation of this phenomenon from a passer-by, he would possibly be greeted with a stare of amused surprise. He would then be told that the apparition was merely a harmless London barrister; that the building opposite is Her Majesty's Royal Courts of Justice, and that the old archway leads from the classic precincts of the temple—from headquarters of the legal profession.

Surmising that a sketch of the facts and figures appertaining to the cradling and coaching of an English barrister might prove interesting. I took the preliminary step of securing an interview with a distinguished member of the bar. Mr. Sydney Phipson, who occupies a suite of rooms in the Inner Temple, is a high authority on "The Law of Evidence," a standard work that is gradually superseding the well-known "Digest of Evidence," by the late Mr. Justice Stephen, which, though admirable in many respects, is in too skeleton a form to be of great service to practitioners.

Mr. Phipson's private sanctum is a typical one of its kind in London. Situated in the picturesque seclusion of the Temple, under the shadow of rustling trees and historic buildings, it lies in the very heart of the legal world. My impression of its material feature are a congestion of legal document, wall made of books, and perpetual artificial light. I found the genial barrister quite resigned to the worry of an amateur cross-examination, and, to his courteous replies and lucid information I owe most of the facts here set down.

One of the first things I elicited from Mr. Phipson was that eight out of every ten barristers are college men. A university education seems to be almost a necessity. Very few successfully dispense with it. The preliminary training for the profession may be commenced at college. A barrister must have passed at least three examinations. (1) Ordinary college examinations in classics and general subjects; (2) first examination in law called "Roman Law" examination; (3) second and final law examination.

A college man will, in the usual course, secure the first of these, and by taking an "honors" degree of D. C. L. at Oxford, or LL. D. at Cambridge or London, will be excused the second or Roman law examination. If he only achieves an "ordinary" degree he must tackle the ordeal of "Roman Law." All non-collegiate, before they can study for the bar, must pass in classics and general subjects.

But, whoever they may be, or whatever they may have done, all aspirants to the honor of wig and gown, whether collegiate or non-collegiate, must, subject to their satisfying the boards of examiners in Roman law, spend a three years' probation in one or the other of the inns of court: The inns are four in number: Lincoln's Inn, Gray's Inn, the Middle Temple and the Inner Temple. They may be briefly described as societies or colleges for the study of the law, and are of ancient origin. Second to none in their jealous regard for the observance of professional tradition and etiquette, the inns maintain a strict watch over the attendance and behaviour of the students. To insure that none of them shrink the obligation of duly "serving their time," a system of checking attendance exist, commonly known as "Eating dinners in Hall."

The legal year is divided into four terms: Hilary, Easter, Trinity and Michaelmas. Three dinners in each term, or a total of 36 during the three years' probation, have to be eaten at the Inn Hall by every college man. Non-collegians must tackle twice this number, or 72 total. Attendance at these dinners is checked by the "janitors," who keep the door and tick off each man's name as he enters. In one respect these janitors are remarkable men. Long practice has trained their memories to such perfection that among all the hundreds of dinners, no member, however erratic in his intervals of attendance, is ever met with a second request for his name from the same doorkeeper.

The first two years of the residents' inn membership are occupied in general study and coaching for his final examination. He never finds much difficulty in procuring professional tuition. Many impecun-

ious members of the bar, who find time hang heavily on their hands, are only too willing to proffer their services in this direction for moderate fees.

Having duly passed his examination the student must devote the last year of his inn dwelling to the somewhat expensive pastime known as "Reading in Chambers." The explanation of this, with its rather misleading title, is simply that he secures the free run of some practising barrister's office, with liberty to scan all the briefs and watch the procedure. For this he has to pay the barrister the substantial fee of 100 guineas. At first sight it would seem safe to say that this must be a very valuable experience for the beginner. As a matter of fact, in the majority of cases, it is little better than a farce. To begin with, he generally shares the privilege with some half dozen others. The barrister as a rule is a busy man, who has little time to waste over struggling readers. The consequence is they really get precious little for their money. They are supposed to make themselves acquainted with the details of every case that comes in; but it more frequently happens that long before they have had time to properly ascertain what a brief is about, let alone master its contents, the clerk annexes it for hurried conveyance to the law courts.

Notwithstanding the somewhat farcical nature of these proceedings, 12 months' experience of them is gravely considered as duly qualifying the student for a "call to the bar." This is quite a simple affair, involving but little ceremony. On a given date the governing body of the inn, known as the benchers, assemble in the Hall. The qualified students, having received written intimation of the event, meet them there, eat and drink at the benchers' expense and afterward attend a sort of reception. The senior candidate makes a eulogistic speech, receives a courteous rejoinder, and the process is complete. Henceforth the new-fledged barrister, having provided himself with wig and gown, enjoys the freedom of Her Majesty's courts and may begin to look about for business.

The brief is a document setting forth in detail all the facts and history of a case. In big causes celebres the brief sometimes attains a prodigious bulk. The mastering of its contents is an operation associated in the public mind with much burning of midnight oil. But this is a fallacy for which novelists are largely responsible. A barrister who knows his business will master a brief, however voluminous, at one reading. Long practice enables him to extract the salient points and determine at once the proper course to be pursued. Many eminent members of the bar will read half a dozen briefs in the morning before going into court. When they have once perused and underscored them with their blue and red pencils, they may be relied upon to conduct the case in their usual masterly style with no prompting whatever. Frequently they may be seen in court studying the points in one case while conducting another.

Barristers' fees are a variable quantity. As viewed in a solicitor's bill of costs they look somewhat mysterious. A barrister's guinea is always £1 3s 6d. This is explained by the fact that he charges a supplementary fee for his clerk at the rate of 2s 6d for every guinea he earns. No fee is less than a guinea. An unwritten law, dating from the time that the guinea was a coin of the realm, decrees that barristers must not accept silver. One transgression of this rule is recorded. A somewhat impecunious member of the profession accepted a few shillings as payment from a poor client. He was promptly called before the Benches of the Inn to explain. His plea was—if he did not take gold, he at least took all the man had got, whereupon he was at once honorably acquitted. It was impossible to cavil at such a worthy upholding of all the traditions of the profession! Like physicians, barristers cannot recover their dues at law. The fee is supposed to be an "honorarium" which was not expected. There is a quaint survival of the alleged sensitiveness of barristers about fees. In their gowns may still be noticed a sort of long, narrow pocket arrangement, hanging down at the back of the left shoulder. Its occupation is gone now, but in the old time it was the recognized receptacle for the guineas which were supposed to be dropped in surreptitiously by the client. Very different is the brazen effrontery of these days, when eminent pleaders will calmly demand their fifty guineas "retainer" to induce them even to look at the proffered brief.

A career of continued prominence and success may culminate at last in a desire on the part of the barrister to exchange his stuff gown for a silk robe of "One of Her Majesty's counsel learned in the law." Now, this is an honor which, so far from being eagerly accepted as soon as offered, requires the utmost care and consideration, to use Mr. Phipson's graphic phrase, "It is a tremendous leap in the dark." A successful barrister may utterly fall as a Queen's Counsel. The change may be likened unto a doctor giving up a lucrative practice in one town for another and entirely fresh one somewhere else. It is simply a speculation. Inasmuch as the laws of professional etiquette forbid doing "Junior's" work, he has practically to

begin again and work up an entirely fresh connection. For this reason it is not uncommon for successful barristers to fight shy of the new dignity, preferring their substantial bird in the hand to any speculative ones in the bush.

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A Six Inch Shell.

A 6 inch shell came aboard at the close of a duel which took place between the "Texas" and La Socapa battery which is located at the western side of the entrance to Santiago harbor. It was the last shot fired by the battery and the only one that reached the ship. The shell entered the port side at a point just below the lower end of the anchor stick where the plating is one and one fourth inch thick passed diagonally through the compartment, and struck a heavy steel stanchion, cutting a piece a foot in length entirely out of it. The shell burst at this point and two of the larger fragments struck the starboard side bulging the stout plating several inches. The fragments swept along the side of the ship and cut through one of the heavy channel irons, massive as a railroad rail, which form the framing of the ship. In addition to these larger pieces, the shell burst into a shower of lesser fragments, which landed all over the starboard side of the compartment cutting off rivet heads, scoring the deck and plating, and wounding the crew.

A man who was standing behind the stanchion in the path of the shell was literally blown to pieces, and the flying fragments wounded eight other men, one gunner being struck with no less than 15 pieces. The dense smoke produced by the explosion added to the confusion and for some minutes the whole battery of four 6 pounder guns was practically out of action. The smoke poured down the ammunition hoists and rolled in dense volumes into the forward compartments of the ship, giving the impression that a fire must have been started.

If this much confusion and destruction can be wrought by a single 6-inch shell weighing 100 pounds, what, one asks would be the effect of a 13-inch projectile, weighing over half a ton? Moreover this was a common shell, filled with brown powder. A shell filled with high explosive would be vastly more destructive and one sickens at the thought of such diabolical missiles bursting in the thickly crowded between-decks of a modern ship. Nothing but the very highest courage, backed by perfect discipline would save a ship's company from panic under such scenes of horror as would ensue.

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The steamer Roanoke, from St Michael, arrived in Seattle on Aug. 30 with 459 passengers and \$4,000,000 in gold dust. This is said to be the most valuable cargo which has yet come from Alaska. There was a robbery on board of three sacks valued at \$25,000, just before the vessel left St. Michael and the gold was not recovered. Of the above amount \$2,000,000 belonged to the North American Transportation & Trading Company and \$600,000 to the Canadian Bank of Commerce of Dawson.

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A Question of Freight.

The people of Aroostook Co. have competing railways, the C. P. R. and the Bangor & Aroostook, the latter having been built within the past few years. It has been a complaint by the shippers of produce that they have gained little, if anything, by the new competitive route, the two railway companies having agreed on the same freight rates.

It now appears that the Boston and Maine Railway Co. which takes over the handling of produce from both lines the B. & A. and the C. P. R. have made a reduction in the rate for potatoes over their line and have notified the C. P. R. and the B. & A. that the revised rate takes effect on Sept. 1st. Now, the Presque Isle Star-Herald comes out in a leading article and after informing its readers of this reduction, which it says means a saving of \$17 on every car shipped, advises and urges the shippers to give the preference of trade, things being equal, to the B. & A. over the C. P. R. on the ground that the former is a purely American road, built largely with the money of the Aroostook people. "According to our view of the matter, on equal terms there is nothing to justify giving a single pound of Aroostook freight to the Canadian Pacific in preference to the Bangor & Aroostook." This is a matter for the Aroostook people to decide for themselves. It would be well for the C. P. R. to note all this, and do whatever it can for the interest of Carleton Co. which gives every pound of freight to the C. P. R. This great railway company can do much to aid us in the further development of this great county, and, we trust, that the management at this end will note the advice given to the people by the Aroostook press and decide to give their main attention to the development of the trade on this side of the border.

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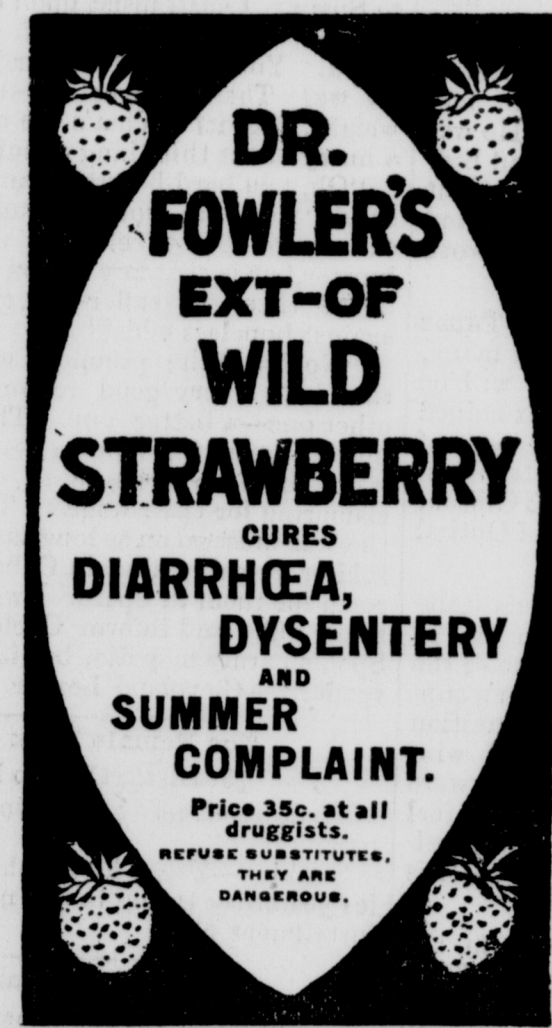
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