

refer to the subject of settlements. There is probably scarcely an exception to the general rule that no matter what sacrifices he makes each party to a dispute is better off for having early in the proceedings effected a compromise. If, by teaching in the Law School—by the allowance of somewhat more liberal fees for making settlements—by the judges offering facilities for the friendly discussion before them of disputed points, or by any other means, the desirability and usefulness of settlements could be enforced or demonstrated, a long step would be taken in removing hardship or scandal from litigation. In many law suits, especially over estates or between relatives or former friends, the feelings of the litigants and even of their respective advocates are so strongly enlisted for their own views that success becomes desirable more for the sake of victory than for any substantial advantage to be derived, and, if legislation could be enacted which would permit the intervention of some independent third person rather as mediator than as judge, it might serve to remove from our courts a class of cases which probably gives rise to most of the criticism we hear, namely, lawsuits where the costs exceed by many times the amount in dispute.

While not aware of the extent to which this subject is discussed in the Law School, one can hardly think of any place where the methods of making a settlement could be more usefully examined. The qualities required are so largely ethical, such as fairness, conscience, good feeling, good temper and common sense, that without departing from the existing curriculum, time might well be employed in pointing out and ascertaining general classes of cases in which settlements are particularly desirable or attainable.

SHIRLEY DENISON.

UNIFORMITY OF DECISION.

The Ontario Legislature as is well known made an attempt to compel judges to follow the decisions of courts of higher or co-ordinate jurisdiction: see Ont. Jud. Act, s. 81. This provision was no doubt legislatively intended to do away with the