uncertain operation of the Law Courts. Whatever explanation may be given of this delay, one obvious result is to aggravate the mischief of fictitious defences. A just claim is resisted because the wrong-doer knows that by resistance he can at least gain a considerable time, and this may be everything to him. At least it will give him a chance of negotiating and of worrying his adversary into a compromise.

"We have already referred to the large number of cases standing for trial and settled at the last moment. Most of these cases, probably, are simply the efforts of defendants to put off, as long as possible, the necessity of satisfying claims they cannot deny. On the other hand, some of these surrenders arise from the incapacity of the plaintiff to produce any evidence in support of his allegations, and prove even more strongly than the fictitious defences the hardship of delay. Speculative actions are among the worst abuses which can attend a judicial system. It is inevitable that there shall be found a certain number of persons ready to get up cases without much inquiry as to the good faith of the proceedings, trusting to the chances of a compromise to secure some amount of costs if a verdict should prove to be out of the question. The proportion of these speculative cases has been very much diminished by the modern County Court system, but still they exist, and however great a reproach such a class of practitioners may be to the law, they cannot be actually suppressed. Sometimes, indeed, a penniless man with a real substantial grievance makes use of them to bring his case before the Courts. Unable himself to offer security for costs, without connexions to support his assertions, such a suitor would have no attraction for the prosperous, respectable solicitor, whose time would be too well employed for him to enter into the case. His only chance is the speculative enterprise of the more doubtful section of the profession. The possibility of such cases makes it difficult to get rid of such a class, but when, as generally happens, the clients in such cases are unprincipled speculators, it is a very great hardship that if the defendant refuses to become their victim and to compromise, the crisis of his struggle with extortion should be prolonged to one sittings after another before he is able to rest in peace with the knowledge that his assailant has given up the battle and is out of Court. These long delays are a temptation not only to the tricky defendant, but to the speculative plaintiff, and no legal system that is subject to them can be satisfactory to the public, however excellent the laws, and however distinguished the Judges who apply them.

"One of the reasons of this accumulation of business is suggested to be the greater number of cases tried by juries under the provisions of the Judicature Act, with the lengthy examination of witnesses in open court. How far an unlimited power of demanding a jury should be left to suitors in civil cases may be a question. On the one hand there is very much to be said for the theory that the judgment of a man guided by the aid of counsel and by a long experience of judicial inquiry would give, in the majority of cases, results more satisfactory to the public than the verdicts of juries now supply, and there is an obvious saving of time, not only to the suitors in the greater precision with which the Judge is able to deal with the case, but also to the class from which jurors are drawn. On the other hand, the power to call for oral evidence with the right of cross-examination in many cases that would formerly have been dealt with on affidavit, though a cause of increased delay, is beyond question an advantage to the public. Time may be wasted by an abuse or an incompetent use of the power of cross-examination, and Judges may be sometimes found who lose themselves in a mass of details rather than confine counsel to the matter in hand; but these evils would arise just as often under a system of affidavits with speculative deductions. The more direct production of evidence is a reform of which we must not forget the value, though it may be one of the many causes contributing to the great mischief—the length of our law proceedings. That a remedy for that mischief is urgently needed is only too clear, but to find this remedy we should look rather to a re-arrangement of existing machinery than to any upsetting of the general principles on which the Judicature Acts are founded. Those acts introduced changes of such magnitude that their full operation cannot be immediately determined. A frank recognition of the inconveniences which arise is the first condition of improvement, and the figures given as to the last sittings will make it impossible for the most tranquil optimist to deny the evil of which we complain. The principle of reducing the number of Judges sitting *in Banc* might be applied more thoroughly than it has yet been. A fusion of certain jurisdictions still reserved to special divisions of the High Court is another expedient which might add to the judicial power. Though in theory all the Judges of the High Court have equal powers, very large exceptions are made in favor of special kinds of work formerly assigned to those Courts which exist now not as separate Courts, but as divisions of the High Court. These reservations, as of Crown business for the Queen's Bench Division, are just those which, however wise and necessary at the introduction of so great an administrative revolution, may be curtailed as the new system comes into more general working. One of the great requirements of the public to meet which the Judicature Acts were passed was to secure the speedy despatch of legal business. If the result continues to be that while great improvements in principle and method have been secured, the mass of suitors are exposed to additional delays, further changes will be insisted on; but they will be modifications, how-