

as to ensure uniformity in taxation, and to feel at all times able to resist the importunity of those who are in daily intercourse with them.

A very great benefit to clients arose when, a good many years ago, the Court of Chancery required that all bills in that court should be submitted for revision.

The immediate effect was, probably, to reduce costs one-third, but now the views of the revising officer are so accurately known that a careful solicitor will probably not lose, on an average, more than three or four dollars on the taxation even of a large bill, and I should prefer myself to see all bills of costs revised at Toronto where the action has proceeded to trial, or was at issue.

To accomplish this, it would practically only be necessary to exclude bills of costs where judgment is entered either by default, or upon a motion for speedy judgment.

Again, why cannot the originating summons, as is the case in England, be introduced, and thus often save the very useless costs of an action where the only point that requires decision is the construction of a clause in a will, or the construction of a commercial document, or, in fact, the construction of any document where the point involved is simply the law applicable to the document itself?

If the originating summons be introduced into our practice, a very large saving in the way of costs would ultimately be the outcome to the unsuccessful client, and he is really the person who should be protected from being saddled with unnecessary costs. In my view the great difficulty that the profession now contends with is the reluctance of people in moderate circumstances to resort to litigation. It may be that for such people no litigation is desirable, and, if that be the case, matters may well remain in regard to practice as at present.

As a matter of fact, the only persons resorting to litigation at the present time are those to whom costs are really no great object, such as wealthy individuals and corporations, and those who are execution proof. This latter class will never be eliminated as long as there are lawyers who practically take cases upon speculation, but there is a third and a large class who are now simply deterred from litigation by the ruinous results of an adverse decision in the way of costs. My view, and I believe it