principles, but we can safely borrow a leaf from those who are engaged in that class of business out of which arises the most fruitful causes of litigation—the domain of contract.

In such organizations as co-operative institutions, partnership concerns, and in many municipal matters, we find provision is made for settling disputes by arbitration, which, however, we regret to say, is, by the operation of our law, very often rendered a dead letter. Still the tendency is toward arbitration as the best means of adjusting differences, simply because the courts, by the ready facility they afford for appeals, have become too tedious and costly a machine for the ordinary business man to utilize as a means of determining his rights. Courts, by reason of the law and a long line of precedents, do not, after all, determine a man's rights as viewed in the light of strict justice. They deal with questions on legal and technical grounds, not on the moral convictions of right and wrong, or on business principles applied by business men to ascertain what is fair between party and party. What people want is a cheap and speedy method of determining the justice of their claims. They do not aspire to be the means of filling our legal reports with authorities on various phases of the law, to be quoted, perhaps, against themselves on the first opportunity. The courts are, however, not to blame. They are created for the purpose of administering the law as they find it, and our remarks must be construed as referring to the system alone, which is still a technical and tedious system, notwithstanding many efforts to reduce it to a common-sense basis.

As we have already suggested, this travelling from one court to another creates an immense amount of labour for the Bench. Now that the question of salaries is before Parliament, it would be well if the remuneration could be so fixed that a profitable change in the distribution and mode of work might be made at an early date. There can be no doubt that a much cheaper, simpler, and more expeditious way of doing legal business might be devised. We do not desire to lower the incomes of the body of the profession, but, as a matter of fact, under our present system, the cream of the costs of litigation goes to half a dozen leading counsel, with the natural result that the solicitors and younger members of the Bar suffer pecuniary loss. But, outside of this, one unconsciously asks, why should there be so many divisions and courts to reach a conclusion in a case? The technical walls built up between Queen's Bench, Common Pleas, and Chancery Divisions are directly opposed to the spirit of the age, and are certainly inconsistent with the whole tenor and object of the Act by which they are perpetuated. Without at present touching the question of fusion, we may ask, why, for instance, should there be a sitting of an appellate Divisional Court and also a Court of Appeal? If the Court of Appeal is equally divided, the case is just where it was, except that there has been great expense and delay for nothing. Double work for litigants, counsel, and judges has been caused, and every dollar expended has been absolutely thrown away. Why should all this extra work be imposed on the judges when there is so much complaint deservedly made that these gentlemen are overworked? Why is no attempt made to relieve them of that which is manifestly unnecessary?