

schools it is manifestly most desirable that some compendium setting forth the underlying principles and general rules applicable to the laws of the land and its administration, including the rights and limitations of judges and the duties and responsibilities of lawyers should be part of the course of study for the youths of this country.

We are led to these observations by reading an article which recently appeared in the *Toronto Daily Globe*, criticising something that was said in the columns of this journal. The writer in the article referred to says: "No doubt the Imperial Privy Council's interpretation of the street railway agreement is in accordance with established principles of law. No doubt other principles could be cited that would sustain a reasonable interpretation. The decision shews that under the law as it is, it is impossible by any use of the English language to bind a company to a simple agreement. We cannot change the language, but can change the law."

The writer of the foregoing extract gives evidence of a strange want of knowledge of the principles of judicial decisions when he says that "the decision shews that under the law as it is, it is impossible by any use of the language to bind a company to a simple agreement." It shews nothing of the kind. But it does shew that the agreement in question, impartially construed by disinterested experts, failed to carry out what one of the parties claimed was the agreement, but which the other party denied. We are but stating what all ought to know when we say that one of the fundamental principles of jurisprudence is that judges are not to make law in the sense of making new principles of decision and they are bound by their oaths, even in new cases, to frame and base their decisions on "the established principles."

Law is difficult enough as it is; but it would become worse than a mere will o' the wisp if the courts were to be at liberty, as this writer suggests they should be, to determine cases not on "established principles," but according to the popular clamour of the moment. Surely this must be evident to any thinking person of ordinary education.