

merely point out the absolute necessity for the judicial mind to be continuously on the alert and stored with innumerable authorities—the good ones to guide, and the bad to warn against the many pitfalls and uncanny places on the road to judicial conclusions. All this involves extra labor, time, and mental outlay, and for this, we claim, proper compensation should be made. By reason of these things, what may have been reasonable reward for services in the past is much below what would be fair and proper remuneration for the present increased volume of work.

One result of the complex system into which our legal business has drifted, and the consequent addition of great labor to the members of the Bench, is *the want of finality in decisions*. The greater the number of courts by way of appellate jurisdiction and the more easy the means of appealing, the larger will be the volume of business for adjudication. This is evidenced by our law reports as compared with those in England. Considering the population, wealth, commerce, and general business of Ontario, on the one hand, and, on the other, the vast and innumerable interests of the English people, together with their great riches, their complicated domestic and foreign relations, and their numbers, it becomes a curious problem how and why our law reports are annually filled with nearly as many cases as those published by the English reporting staff. The cost of appealing in the first instance here is low. The facility creates the supply, and judges are engaged almost every day hearing arguments and determining appeals which in many cases ought not to go beyond a Division Court judge. The poor litigant is compelled to travel from one judge and a jury to two or, at most, three judges, from these to four judges, and from these to the six judges of the Supreme Court, with perhaps a taste of the luxury of the Privy Council of England, until, as often happens, before a conclusive judgment is reached, the final arbitrament of death is the only definite finding he gets for his trouble; and even then his representatives are forced to carry on the warfare, which too frequently leaves the matter where it began, with the mournful exception that all parties concerned are infinitely worse off than before.

This tramping from court to court, seeking a binding decision and finding none, is surely contrary to the most ordinary business principles. The best business men in the world are the members of the Boards of Trade; they are schooled in all that pertains to business; they conduct their own affairs, and indirectly the vast commercial concerns of a nation, on a basis which is the result of years of experience of the most practical nature. What is their method? When any business dispute arises between the members in relation to their dealings and contracts, a committee decides, and that decision is final. If the dissatisfied party desires to take his grievance further, he can only do so at the price of ceasing to be a member of the board. Now, these men's minds are the product of purely business methods. If, with their knowledge of the world and commercial transactions, they have arrived at the conclusion that this is the only rational way of settling difficulties, what can be said in favour of the legal plan which appears to hold out every inducement to excite appeals from court to court? It is true that [we cannot determine legal questions on purely business