It has been the complaint in England for years past that the administration of justice there is in a very unsatisfactory condition, and that considerable changes must be made and more money spent if the country is to have speedy and efficient justice. The Attorney-General has promised that the many reforms suggested in the recent debate on the subject as being necessary will be taken into consideration and it is thought that the evils may to a great extent be remedied by the increase in the number of their judges and the remodelling of their circuit system. As a Court of Criminal Appeal has been decided upon, that will impose further serious duties upon the Bench and will, it is supposed, occupy the time of at least three judges. As a preliminary the House of Commons has passed a motion praying His Majesty to appoint an additional judge for the King's Bench Division.

THE POWER OF APPELLATE COURTS TO CUT DOWN EXCESSIVE VERDICTS.

The action of many of our Appellate Courts in cutting down verdicts of juries as excessive is worthy of careful consideration. It would seem that, in the connection many of our Courts have almost lost sight of the underlying maxim of our jury system that "Ad questionem facti non respondent judices, ad questionem juris non respondent juratores." That this maxim is not of universal application was clearly pointed out by Professor Thayer.[1] That it did apply in the case of verdicts rendered by juries, where the element of passion or prejudice was not shewn to have entered, and no mistake of law alleged, was unquestioned until the last few years. Theoretically the power of the Courts in this respect is the same to-day, unless changed by statute, as it was a century ago. The change that has taken place in practice is well illustrated by extracts from decisions rendered at different periods in our judicial history. In the case of *Townsend* v. *Hughes*,[2] decided in the time of Charles II., a new trial

[1] "Preliminary Treatise on Evidence at the Common Law," c. 5.

[2] 2 Mod. 150.