

Looking, therefore, at the scope of the acts relating to the Common Schools, the duties imposed where Trustees, the exigencies of schools, and the powers conferred upon Trustees to levy rates, we are of opinion that they are not restricted to making one levy, but may levy at any time as need requires it, and may use, and can only use, the last existing revised assessment roll for imposing the required rate. The appeal will therefore be allowed.—*Globe*.

2. WHAT IS AN ARBITRATOR ?

Is an arbitrator the agent and advocate of the person who names him to settle a dispute employed to protect and further the interests of his client, or is he a Judge—bound in honor and conscience, to decide impartially and righteously, "without fear, favor or affection," and according to the truth of the case, without reference to its being adverse or favourable to the person appointing him ?

Some may smile at the simplicity which asks such a question. All upright and intelligent men will answer that the latter definition alone describes the arbitrator proper, and that the former only suits the ignorant or dishonest man appointed to a duty for which he is wholly unfit.

We believe that by the mass of our people the true position of an arbitrator is utterly misunderstood. The common mode of settling a dispute is "to leave it to two men." Each disputant appoints 'his friends,' whom he fully expects to look wholly to his interests, to object to everything that bears against him, and to consent to nothing that may prejudice him, and the friend so appointed is generally too ready to do all this most faithfully. His opponent does just the same, and instead of two honest men sitting down to decide uprightly and impartially on the facts, without reference to the parties, we have two advocates each striving with might and main to stand by the man who named him, and with no chance of making an award except by calling in some third person, at increased expense to turn the scale in favor of one or the other.

Now, almost universal as this is in practice, it is, to say the least of it, a monstrous perversion of plain duty. An arbitrator, no matter by whom appointed, is to all intents and purposes a judge, and if he be an honest man and know his duty, he should feel as much shocked at leaning to one side or the other, or favouring one man above the other, as he would be if he saw a judge in court exhibiting favour or partiality. But this, the only true and honest view of an arbitrator's duty, seems to be little understood.

Numerous instances have occurred, and are occurring among us, of the strange misconception that prevails. Arbitrators are heard talking of "their clients," meaning those who named him, just as the lawyer speaks of the person who retained his services. Men in good social position, who would be highly indignant at the imputation of dishonesty or ignorance, so to speak, and what is worse, so act on arbitrations, not seeking even to disguise their advocacy of their client's interests and yet beyond all shadow of doubt such men are either wholly ignorant of their duties or too dishonest to regard their proper performances. Instances are known of such men admitting that they bargained for a commission or per centage on whatever amount they could get awarded to the "client"! Between such and the judge who takes a bribe to pervert his judgment, there is no moral distinction whatever.

Awards have been made intelligible on no principle deducible by an impartial mind from the facts in evidence.

Besides, men dead to the plainest dictates of duty, are generally too much alive to their own interests. The one is frequently the effect of the other. Men who scruple not to gain all they can, honestly or dishonestly, for those who employ them, seldom forget themselves. The consequence is, in many cases, not only unjust awards, but saddled with huge bills of costs in the shape of arbitrators' fees, modestly assessed by the arbitrators themselves.

It is well to call attention to this state of things. We believe there are many really honest and respectable men who misconduct themselves as arbitrators from mere ignorance of duty. The prevailing idea seems to be that an "experienced" arbitrator's duty as it generally is his practice, is on the one side to get the largest possible sum for his friend, if the friend be seeking compensation, or on the other hand, if the friend be resisting payment, to strive hard to reduce the amount to the smallest sum, or to resist it altogether.

The evil is one of a most serious kind, and any person who can succeed in attracting public attention to it will deserve the thanks of all. As a large portion of the evil results from misconception, it is only necessary, so far as honest mind is concerned, to explain the true position of the case. The legislature is constantly providing for the settlement of disputes by arbitration, and it is of the highest importance that men should rightly understand that an arbitrator is not advocate or a partizan bound to stand by his client, but that he is a judge, bound to decide with rigid impartiality, and that if he favour one side more than another, or needlessly heap

expenses on either party to the reference, he does not act the part of an honest man.—*Upper Canada Law Journal*.

VII. Papers on Literary Subjects.

1. ROYAL AUTHORS OF THE PAST AND PRESENT.

There is to-day a slight lull in the criticism on the "History of Julius Caesar." Society has almost exhausted its ideas on the preface, and is now eagerly awaiting the appearance of the work itself. The following list of crowned heads who have, like Napoleon III, also appeared before the world as authors, is published in the Paris papers : Charlemagne wrote a book against the doctrines of Felix d'Urgel, and one on the question of the worship of images ; the Emperor Frederick II. was the author of a treatise on hunting ; Maximilian I. wrote the genealogies of several illustrious men ; Charles V. wrote a treatise on art, and an account of his reign ; Chilperic celebrated the dogma of the Trinity in verse ; Alfred the Great composed hymns ; Marguerite d'Orleans, Queen of Navarre, wrote the "Marguerite des Marguerites" and the "Contes de la Reine de Navarre ;" Queen Elizabeth of England translated "Sallust" and "Sophocles ;" Mary Stuart read at Louvre a Latin discourse of her own composition, and also wrote poetry ; Charles IX. wrote a poem on Hunting ; Marguerite de Valois left behind her poems and memoirs : Henry IV. translated "Caesar's Commentaries ;" a portion of the same work was translated and published by Louis XIV. ; Henry VIII. of England obtained his title of "Defender of the Faith" for his treatise against Luther ; James I. wrote several controversial works, and his famous treatise against tobacco ; Peter the Great composed treatises on naval subjects ; the Emperor of China Hoam-Ti, who built the great wall, wrote several works ; Louis XVIII. composed anonymously comedies and tables ; Napoleon I. made some valuable annotations on the "Commentaries of Caesar ;" and Napoleon III. is the author of works on artillery and panperism in France. Now he has produced his *magnum opus*. The evening papers devote most of their spare space—that is, most of their paper—to the subject of "Julius Caesar ;" and M. Alexander Dumas, *per se*, is to lecture on the same subject tomorrow. There used to be a saying, "dead as Julius Caesar," but the Emperor has brought him to life again, and spoiled the proverb.—*Paris correspondent London Telegraph*.

2. MR. DICKENS ON THE NEWSPAPER PRESS.

Mr. Dickens presided at the annual dinner of the Newspaper Press Fund, which took place at the Freemason's Tavern, London, on the 20th. In proposing the toast of the evening, Mr. Dickens warmly supported the object of the fund. He said : I think I may say that probably not one single individual in this great company has failed to-day to hear something derived from a newspaper which was quite unknown to him or to her yesterday. (Hear, hear.) Of all those restless crowds that have this day thronged the streets of this enormous city, the same may be said as the general gigantic rule. (Hear, hear.) It may be said almost equally of the brightest and the dullest, the largest and the least provincial town in the empire, and this observe not only as to the active, the industrious, the healthy among the population, but also as to the bed-ridden, the idle, the very blind, and the deaf and dumb. (Hear, hear.) Now, if the men who provide this all-pervading presence, this wonderful ubiquitous newspaper, where every description of intelligence, or every subject of human interest, collected with immense pains and immense patience, often by the exercise of a laboriously-acquired faculty, united to a natural aptitude, much of the work done in the night, at the sacrifice of rest and sleep, and quite apart from the mental strain by the constant over-tasking of the two most delicate of the senses, sight and hearing—I say, if the men who, through the newspapers, from day to day, or from night to night, or from week to week, furnish the public with so much to remember, that ought to be remembered by the public in return. (Loud cheers.) It would be absurd, it would be actually impertinent, in such an assembly as this, if I were to attempt to expatiate upon the extraordinary combination of remarkable qualities involved in the production of any newspaper. But, assuming the majority of this associated body to be composed of reporters, because reporters, of one kind or other, compose the majority of the literary staff of almost every newspaper that is not a compilation, I would venture to remind you, if I delicately may in the august presence of members of Parliament, how much we, the public, owe to the reporters if it were only for their skill in the two great sciences of condensation and rejection. (Laughter and loud cheering.) Conceive what our sufferings, under an Imperial Parliament, however popularly constituted, under however glorious a constitution, would be if the reporters could not skip. (Much laughter.) Dr. Johnson