

purchaser from the husband subsequent to the judgment be entitled to hold free from the dower of the first wife?

Having regard to the wide extent of the jurisdiction of the court and to the consequent extensive range of subjects which may be made the subject of litigation, and consequently of consent judgments, it may perhaps ere long need to be considered whether this unlimited power of granting judgments by consent now held to be vested in the Master in Chambers and Local Masters ought not in some way to be curtailed and limited so as to confine it to cases of mere money demands and judgments for accounts and inquiries, which, we are inclined to believe, is the utmost limit to which such a jurisdiction should be delegated to any judicial officer.

Not only in the case we have put, but in others that might be mentioned, a judge, we believe, would refuse to pronounce a judgment upon consent, as being contrary to public policy, and on no consideration would he pronounce a judgment declaring a marriage void except on the most plain and sufficient evidence of its invalidity. But we can conceive that some inexperienced local officer might assume that he was bound to grant a judgment in accordance with a consent, no matter what the subject-matter of it might be. For it must be remembered that under the Judicature Act no previous professional training whatever appears to be necessary for the Master's office. The occupant apparently need not even be a law student, and still less a barrister or solicitor.

Assuming a judgment by consent to be pronounced in a case where the court itself would not have pronounced judgment, it would nevertheless stand in the same position as if it had been pronounced by a judge; and it would certainly be a hardship to deprive innocent persons of rights which they had *bonâ fide* acquired on the faith of it.

COMMENTS ON CURRENT ENGLISH DECISIONS.

(August numbers of the Law Reports—continued.)

ARBITRATION—APPLICATION TO STAY PROCEEDINGS—"STEP IN THE PROCEEDINGS."

Chappell v. North (1891), 2 Q.B. 252, was an application under the Arbitration Act, 1889, to stay proceedings and to compel the reference of a counter-claim to arbitration pursuant to an agreement. The statute authorized the motion to be made "at any time after appearance and before delivering any pleadings or taking any other steps in the proceedings." After the delivery of the counter-claim, the defendant took out a summons for directions for the purpose of obtaining discovery from the plaintiff, and on the hearing of this summons the plaintiff applied for and obtained leave to administer interrogatories to the defendant. Denman and Wills, JJ., were of opinion that the plaintiff's applying for and obtaining leave to administer interrogatories was a "step in the proceedings," and consequently there was no jurisdiction to stay the proceedings.

STATUTE, CONSTRUCTION OF—ACT, WHEN RETROSPECTIVE.

In re Williams & Stepney (1891), 2 Q.B. 257, the Court of Appeal (Lord Esher, M.R., and Lopes and Kay, L.JJ.) reversed the decision of the Divisional