

MERCANTILE ARBITRATION.—We learn without surprise—and, indeed, with some measure of satisfaction—that the Cause List of the London Chamber of Arbitration is still singularly free from the state of glut which is one of the standing reproaches of the ordinary legal tribunals. The real source of the impulse which led to the establishment of the Chamber of Arbitration was not any desire on the part of the mercantile community to substitute a jurisdiction of their own creation for that of the regular courts of law, but the profound distrust with which men of business habits, to whom time and money are supremely valuable, could not fail to regard the slow and costly motions of English legal procedure. We are convinced that, with the adoption and the efficient working of the less controversial reforms recommended by the Council of Judges—the restriction of interlocutory applications and appeals, the establishment of a strong commercial court, in fact, if not in name, and the introduction of the wholesome principle of taxation that an unsuccessful litigant must pay every item of costs which his adversary has reasonably and properly incurred—"the nascent English Tribunal of Commerce," as it has been euphemistically described, will soon find its occupation gone. The settlement of disputes by arbitration is open to many serious objections. The minutely-specialized knowledge which is popularly supposed to be a permanent characteristic of private arbitrators is hardly ever to be obtained, and where its presence is undeniable its value is usually diminished by the narrow range of intellectual vision, the idiosyncrasies, and the aversion to open-minded and dispassionate discussion which it engenders. Moreover, no chamber of arbitration can ever command the confidence with which the courts of law, in spite of their manifold shortcomings, are regarded by the public. A judge is absolutely independent of the parties who come before him; he can view with perfect mental detachment the issue he has to try; and long training and practice have formed in him the habit of grasping facts rapidly, of appreciating their relative significance, and of drawing correct inferences from them with logical precision. These merits are not to be found in combination in the private arbitrator. He may be, and doubtless in most cases is, personally blameless, but he is not above suspicion, and the litigant against whom his award is given is rarely at a loss for some specious but uncomplimentary explanation of the