

papers before them, by referring to which they may possibly get some clue to what has been done. *Every application made and every act done should be briefly noted.*

Thus: a party prefers a charge for felony, and the magistrate thereupon issues a warrant. Afterwards he issues summonses to witnesses, hears the charge, and commits the alleged offender to a court of Quarter Sessions for trial, and then sends the papers to the County attorney. This would require the following entries to be made, with the proper dates:—

(1) Of taking the information on oath, issuing the warrant, and to whom and when delivered. (2) Of issuing the summonses, and to what witnesses. (3) Of the hearing, the sending for trial, the names of parties entering into recognizances to appear and prosecute, and the amount in which they were bound. (4) Of sending the papers to the County attorney. And so with regard to all other matters—the magistrate's note book shewing briefly all his transactions as a magistrate.

In villages the magistrates employ a clerk, and when that is the case, even more care is required in keeping such a book by the clerk; and there need be no hesitation in saying that a clerk who is unable to keep his note book of proceedings properly posted up, is quite incompetent for the more important duties of his office.

The suggestion made will, we trust, commend itself to magistrates. The plan is simple and easily carried out, and the gentleman who feels himself incapable of doing it ought to put this question to himself—If I am not able to keep a simple minute-book of proceedings, can I conscientiously hold an office in the exercise of which I may either, for preliminary enquiry or final adjudication, be required to investigate nearly every crime known to the law, and to conduct such investigation at times and in a manner, squaring not only with the broad principles of justice, but with special enactments laid down for my guidance?

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 honour and conscience to decide impartially and righteously, "without fear, favour 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 friend," 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 favour 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 them, 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 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 performance. Instances are known of such men admitting