sole benefit of those Provinces, and in which neither Great Britain, nor any body in it, has the slightest interest, is to be construed by the municipal law (not of Great Britain, for there is no such uniform municipal law) but of England; and I think it is pretty clear that it is not in the law of that country that we are to seek the rules of interpretation. Then, with respect to the law of the late Province of Canada, contained in the Interpretation Act, it is restricted in terms to the Statutes of the Parliament of that Province, and cannot be extended to control or interpret a Statute of the Imperial Parliament: and it may safely be affirmed, both of this law and of the law of England, that if either could apply, it would settle nothing essential to the result of this enquiry. Lastly, there are the two systems of municipal law, one for Ontario and the other for Quebec. They perhaps do not differ very much upon the subject under consideration, but still the question remains, which of them is to be considered authoritative and paramount to the others and therefore entitled to furnish the rule of construction? Now it seems to me that in the perplexity of this question, whether the Law of England, the Law of the Province of Canada, the Law of Quebec, or the Law of Ontario is to prevail, the only safe and indeed the necessary conclusion is that they are all inapplicable, and that the words of the Act must be accepted and followed in their obvious meaning. They should be so followed, with an absolute rejection of modification and forced construction by rules of municipal law which have grown out of and are intended for cases of an entirely different and inferior class. I can easily understand why the Courts should have said that when persons are appointed for the purpose of valuing leather under the Excise law, or of making local assessments for a common sewer, or of administering the affairs of a Water Works Company, or of executing the duties of Bailiffs, or of performing other public functions of a similar nature, that in order to secure promptness and efficiency in the discharge of such duties, the majority can act; but what possible analogy such cases and such powers have with the great public duty of settling conflicting rights between quasi-independent Proivnces, I am unable to understand. Yet, all the cases cited by the Counsel for Ontario and by Mr. Gray relate to the subjects indicated above, and they are really without any legal bearing upon the subject matter of this case, which might here be safely left.

King vs. Whitaker, 6 B and C, 648.
Carter vs. Kent W. Works, B & C., 332.
Grundey vs. Baker, 1 Bo and Pul, 229.
King vs. Benton 37. R. 592.
Coke upon Lit. 181 (b).
Roll. ab. 329.

It may be thought proper, however, although the task seems to me superfluous, to follow the question upon the narrower grounds on which the two Arbitrators have pretended to sustain it, and this I now proceed to do.

1st. The first of the specific questions is whether upon a hearing before the three Arbitrators two of them could legally render a decision in the absence of the third.

The formal opinion pronounced by the two Arbitrators on the twenty-first July, goes no further than to declare that a majority could decide upon a matter heard before the three. It does not touch the question of the absence of the third at all. It might therefore be passed over without particular examination or pronouncing upon its character.

As it was, however, the first of a series of grave mistakes, a few observations ought to be made upon it in connexion with the words of the B. N. A. Act. It may be safely affirmed that these words, as found in Section