

ers; and any matter upon which they differed was to be referred to a named umpire whose decision was to be final; and the Manitoba Arbitration Act was not to apply. Upon the defendants moving to set aside or vary the award made it was held that when there is difference of opinion between the parties as to the authority conferred on an umpire, the decision rests ultimately with the Court, but in other respects, in the absence of statutory provisions, where there is no error apparent on the face of the award, it cannot be questioned either on the facts or on the law, unless the umpire himself states that he has made a mistake of law or fact, leaving it to the Court to review his decision.

Constitutional law of Canada—Disallowance of Provincial Act—Accrued title.

Wilson and Others (appellants) and Esquimalt and Nanaimo Railway Company (1922), 1 A.C. 202 (Privy Council). This was an appeal from the Court of Appeal of British Columbia. By s. 56 of the British North America Act, the Governor-General in Council may disallow an Act passed by a Provincial Legislature within one year after receipt of a copy, as provided for, and such disallowance shall annul the act from and after the day of its signification. The defendants, in this action (appellants), had received a Crown grant of land in the Province of British Columbia in virtue of an Act passed by the Legislature of that Province. This Act was subsequently disallowed. The plaintiff (respondent) claimed under a grant from the Dominion Government in settlement of a dispute, and contended that the disallowance of the Act invalidated the title of the defendants. It was held that as to private rights completely constituted, and founded upon transactions entirely past and closed, the disallowance of a Provincial statute is inoperative.

Negligence—Public park—Poisonous shrub—Child eating poisonous berries.

Corporation of the City of Glasgow (appellants) and Taylor (respondent) 1922, 1 A.C. 44, (House of Lords.) This was an appeal from an interlocutor of the Second Division of the Court of Session in Scotland, recalling an interlocutor of the