criminal law, the attention of the Commission was naturally called to the draft criminal code appended to the report of the Royal Commission appointed in 1878 by Her Majesty, to consider the law relating to indictable offences, and to the bill to establish a code of indictable offences, founded on the draft code and submitted to the Imperial Parliament in 1879 and 1880. In considering the draft code and comparing it with the provisions of the present Criminal Law of Canada, it was thought advisable to prepare and submit, for the consideration of Parliament, a Bill to constitute a code of indictable offences for Canada, in the preparation of which advantage could be taken of the labours of the English Commission." These remarks suggest to one how useful it would be if, in consolidating those Acts which relate to matters of law, strictly so-called, rather than to matters of administration, the commissioners were to make a marginal reference to any corresponding English enactments. The same remark applies to our Ontario Statutes. We have few enactments on our statute books relating to matter of pure law which are not taken from some English statute; though, in certain acts, such as those relating to patents, America has furnished, to some extent, a model. It would be a great assistance to the practising lawyer if, in consolidating these statutes, as well as in the original volumes in which they are first published, there was a marginal reference to the source from which they come. It is needless to dwell upon the facility this would give in finding authorities bearing upon their construction.

RECENT ENGLISH DECISIONS.

The May number of the *Law Reports* comprise 12 Q. B. D. pp. 309-489; 9 P. D. 45, 66; and 25 Ch. D. pp. 663-786.

Arbitrator—Revocation of authority—R. S. O. c. 50, s. 216.

In the first of these the first case, *In re an arbitration between Fraser & Co., and Ehrensperger and Eckenstein*, was the subject of some remarks which will be found at p. 164 of the May 1st number of this Journal. The point decided may be again briefly stated here, viz.: that where there is an agreement to refer a dispute to two arbitrators, one to be appointed by each party, but no agreement to make the submission a rule of court, and the submission has not been made a rule of court, and, one of the parties having failed to appoint an arbitrator, the other party by virtue of s. 13 of the Common Law Procedure Act, 1854, (R. S. O. c. 50, s. 216) appoints his arbitrator to act as sole arbitrator, the authority of such arbitrator may be revoked by either party before an award is made. The M. R. points out that an arbitrator so appointed to act alone is not a judge, but a mandatory, what may be called "a statutory mandatory," and as much an arbitrator as any other arbitrator, and equally liable as any other to have his authority revoked, there being nothing in the statute prohibiting this being done.

Appellate court—Longstanding decision.

Before leaving this case attention may also be called to a *dictum* of the M. R. with reference to Appellate Courts reviewing decisions of inferior courts which are of old standing, and have been frequently acted upon. Referring to the decision in *re Rouse and Meier*, L. R. 6 C. P. 212, he says: "We have, it is true, the power of reviewing that decision, but where there is a decision as that is on the course of procedure which has been made more than twelve years ago, and which therefore