

province, with his own consent, may be added to such commission, in the capacity of advising commissioner.

3. The commission shall classify, revise and consolidate the statutes of a general and permanent character of the late province of Canada, affecting the province of Quebec, and within the jurisdiction of its legislature, as also those of this province since 1867.

4. In consolidating such statutes, the commission shall only incorporate therein the provisions which they shall then deem to be in force, and the authorities on which they base their judgment as to their so being in force shall be cited by them.

They may change the phraseology of such statutes, without, however, altering the sense; all unnecessary or improper expressions shall be struck out and each provision thereof shall, as far as possible, be rendered simple, clear and precise.

5. The said commission may suggest such amendments to the law as they deem advisable, by distinctly specifying them and accompanying them with the reasons by which they support them.

6. The commission shall publish in the manner most convenient for reference, together with the consolidated statutes, or in a separate volume, according as they may deem most advisable, the general statutes which affect this province, but are not within the purview of its legislature, including imperial statutes, and the statutes of the late province of Canada.

7. They shall also publish, together with the consolidated statutes, or with the general statutes mentioned in the preceding section, as they shall deem most convenient, all orders in council, proclamations, treaties or documents, which shall be prescribed them by the lieutenant-governor in council.

8. The said commission shall, from time to time, report their proceedings and the progress of the work entrusted to them, to the lieutenant-governor in council.

In matters with respect to which no provision is made in this act, the commission shall be guided by the instructions of the lieutenant-governor in council.

9. Whenever they shall deem any portion of the work sufficiently advanced to be printed,

they shall cause the same to be printed, and transmit to the lieutenant-governor, together with their report, a sufficient number of copies.

10. When the work is completed, printed copies of the consolidated statutes, together with the reports of the commission, shall be submitted to the legislature.

## NOTES OF CASES.

### COURT OF QUEEN'S BENCH.

MONTREAL, JUNE 15, 1880.

Sir A. A. DORION, C. J., MONK, J., RAMSAY, J.,  
CROSS, J.

DILLON et al. (defts. below), Appellants, and  
BORTHWICK (plff. below), Respondent.

*Commission on sale of property—Revocation of  
mandate.*

The appeal was from a judgment of the Superior Court, Montreal (TORRANCE, J.), May 31, 1878, maintaining the action of the respondent for a commission on the sale of certain property.

The action was brought on a written contract by which the appellants agreed to "give to the Rev. J. D. Borthwick and no one else, the whole and sole sale of as much of our farm situated at Longue Pointe, and known as the Dillon Farm, as will constitute and make one hundred lots of 10,000 square feet each, &c. The said property to be sold by him in lots for the sum of \$67,000, of which we will allow him the sum of \$7,000 for costs of commission, all expenses, surveying lots and bringing the said property to sale, but the said sum of \$7,000 in *pro rata* rate at \$70 per lot, will be paid by the purchasers out of their first payment made on their respective lots," &c.

The respondent sold no lots, but on June 12, 1877, the appellants sold two lots to Mrs. Gonzalez Doutre, and the action was for \$140, the stipulated commission on these lots.

The defence was that the sale was not effected through the respondent.

The Court below maintained the action: "considering that the plaintiff by an agreement