

1495, represents the judges in robes of scarlet. The stern old Puritans objected to the judges "painting the town red" when they came on assize in their rubious toggery, and petitions were presented to the Protector, requesting that his judiciary should no longer be permitted to "affright the country with their blood-red robes, and their state and pomp."

Richard II. prescribed a judicial costume of green, but because the judges regarded this colour as equivocal in its symbolism, or for some reason not appearing of record, it did not remain long in vogue. If it were to be revived, however, it could be worn with excellent effect by some judges of our own times. That learned lawyer, Mr. Augustine Birrell, Q.C., says somewhere, in a vein somewhat reminiscent of *Sartor Resartus*, that "there is a great deal of relativity in a dress-suit." We ourselves would fain trespass so far upon the philosophic domain of Herr Teufelsdröckh, as to remark that there has always been a deal of *subjectivity* in the vestments of the Bench.

ENGLISH CASES.

EDITORIAL REVIEW OF CURRENT ENGLISH DECISIONS.

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ARBITRATION—STATEMENT OF CASE BY ARBITRATOR—REFUSAL OF ARBITRATOR TO STATE CASE—SETTING ASIDE AWARD—ARBITRATOR, DUTY OF—ARBITRATION ACT, 1889 (52 & 53 VICT., c. 49) ss. 10, 11, 19—(R.S.O. c. 62, ss. 11, 12, 41.)

In re Palmer (1898) 1 Q.B. 131, an application was made to the Court to set aside an award on the ground that the arbitrators had refused to state a case, as requested by the applicant. Day, J., granted the application and his order was affirmed with a slight variation by the Court of Appeal (Lindley, M.R., and Chitty, L.J.), that Court holding that s. 19 (41 of Ont. Act) impliedly confers on a party to an arbitration, the right at any stage of the proceedings to apply to the Court for an order directing the arbitrator to state in the