Ex. Ct.] GAUTHIER v. THE KING. [March 5, 1918.

Constitutional law—Provincial statute—Application to Crown in right of Dominion—Arbitration—Revocation of submission—Ontario Arbitration Act (R.S.O. [1914] c. 65, ss. 3 and 5).

A reference to the Crown, without more, in a provincial statute means the Crown in right of the Province only.

Where a liability is imposed on the Crown in right of the Dominion it must be ascertained according to the laws of the Province in which the cause of action arose in force at the time it was so imposed and cannot be added to by subsequent provincial legislation.

Section 5 of the Ontario Arbitration Act, making a submission to arbitration irrevocable except by leave of the Court, does not apply to a submission by the Crown in right of the Dominion notwithstanding sec. 3 provides that the Act shall apply to an arbitration to which His Majesty is a party.

Judgment of the Exchequer Court of Canada (15 Ex. C.R. 444) affirmed.

Appeal dismissed with costs.

McGregor Young, K.C., for appellant.

Bench and Bar

THE JUDGES AND JUDGMENTS OF THE SUPREME COURT OF CANADA.

Mr. H. M. Mowat, K.C., one of the members of the House of Commons for Toronto, when speaking on the second reading of the Supreme Court Amendment Act, made the following pertinent observations:

"I might suggest here, what has been in my mind for a long time, and that is that there is no reason why there should be six judges sitting in the Supreme Court of Canada all the time. In the greatest court in the Empire, the Judicial Committee of the Privy Council, composed of the hardest-headed and best lawyers that ever existed in any country, it does not matter how many judges sit; whether it is seven or only three, the opinion or advice of that tribunal is effective and is held in equal respect. I do not see why there should not be some such system here, whereby, say, four judges could sit equally as well as six. Furthermore, I think I represent the opinion of the vast majority of the