The Legal Hews.

Vol. IX.

JUNE 5, 1886.

No. 23.

Satisfaction, in which we largely share, is universally expressed at the honour of knighthood conferred upon the ex-Chief Justice of the Superior Court of Quebec. It is just five years since we ventured to suggest the fitness of such a distinction (4 Leg. News, 169). Three years later the General Council of the Bar, in a formal resolution, made a similar recommendation (7 Leg. News, 129). Since that time Chief Justice Meredith, to the great regret of the profession, has thought proper to claim the relief from official duties to which his long service upon the bench so fully entitled him (7 Leg. News, 289). Sir William Collis Meredith was born in Ireland, 23rd May, 1812. He studied law in Montreal, and was called to the bar in 1836. Created a Q. C. in 1844. For some years he was head of the firm of Meredith, Bethune & Dunkin, which enjoyed a very large and important practice in the city of Montreal. He declined office on various occasions in the administrations of the time, but in December, 1849, accepted a judgeship of the Superior Court. On the 12th March, 1859, he was appointed to the Court of Queen's Bench, a position which he filled with marked ability. In 1866 he succeeded the late Chief Justice Bowen as Chief Justice of the Superior Court of Lower Canada, and continued in office until about two years ago, when the Government with great regret acquiesced in his desire for retirement. The decisions of the ex-Chief Justice have done much to build up the jurisprudence in force in this Province, and none are cited with greater deference in our courts. Sir William Meredith has received the hearty congratulations of his late colleagues on the well-merited distinction conferred upon him, and we express simply the general feeling when we hope he may long be spared to enjoy the honours so worthily conferred.

Notwithstanding the progress made in the March Appeal Term at Montreal, the May Term commenced with 112 cases set down for argument, an increase of 8 over the March list. The number in May 1885 was only 89. The Court sat eleven days, an extra day being taken to make up for the Queen's Birthday. The business done was as follows:—29 cases argued, 1 dismissed (there being no appearance), and 1 settled. Total, 31, leaving 81 standing over. A bill before the legislature proposes to make some changes in the sittings with the object of facilitating the progress of business.

The Law Journal (London), says :- "Some interest attaches at the moment to the law in regard to persons declaring their intention to resist by force of arms the execution of an Act of Parliament if it should be passed. If the Act of Parliament pass, anyone who commits an overt act in furtherance of such an intention is undoubtedly guilty of high treason, and what he may have done before the passing of the Act is evidence against him so long as an overt act after its passing is proved. Meanwhile, no treason is now committed by acting in such a way as to show that in a certain event treason is intended. The statute 36 Geo. III. c. 7, s. 1, made perpetual twenty years afterwards, provides, so far as applicable to the case, that 'If any person shall devise or intend to levy war against His Majesty within this realm in order by force or constraint to compel him to change his measures or counsels or in order to put any force or constraint upon or to intimidate or overawe both Houses or either House of Parliament, and such devices or intentions shall express by any writing or overt act, he shall be deemed to be a traitor.' Any action which may amount to intimidation of the Queen or Parliament is, of course, treason under this statute, but resistance to the execution of a law must be in regard to an existing not a contemplated law to amount to treason by levying war for the purpose of forcing a change of measures or counsels on the Sovereign or Parliament."