

deavoring to exercise a right which, if it exist at all in this particular case, belongs exclusively to and can alone be exercised by the municipal authorities of Maisonneuve, and, in their default, if at all, solely by a public officer properly authorized to represent and act for the general public, and not in any case by a private individual in plaintiff's position, and in consequence the injunction is dissolved.

This case being before the court only on the writ of injunction, and evidence and argument on the questions raised by the principal action having been gone into only for the purpose of establishing whether or not plaintiff's case was *prima facie* sufficiently strong on the merits to justify the issue of the writ of injunction, and the court having reached the above conclusion as regards the absence of the right to the injunction, however strong plaintiff's case on the merits, the court is not merely not called upon in this case, but has no right to pronounce any opinion upon the numerous other important questions raised by the pleadings.

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#### *EFFECT OF CULTURE ON VITALITY.*

So far from intellectual work diminishing vitality, the chiefs of all intellectual professions are, and in recent times have been, men who have passed the ordinary term of years with undiminished powers. In politics, the principal leaders whom this generation have known, have been Earl Russell, Lord Palmerston, Lord Beaconsfield and Mr. Gladstone, and every one of the three was at seventy in full vigor, while the last, at eighty-three, is coercing a reluctant party to endorse a policy which the people of England determinately reject. The great statesman of the continent, Prince Bismarck, remains at seventy-eight a force with which his government has to reckon; while the will of Leo XIII, an exceptionally intellectual pope, at eighty-three, is felt in every corner of the world. The most intellectual and successful soldier of our time, the man who has really thought out victories, Marshal von Moltke, was an unbroken man at ninety and more years. No men dare compare themselves in literary power with Tennyson or Carlyle, Victor Hugo or Von Ranke, and they all reached the age which the author of Ecclesiastes declared to be marked only by labour and sorrow, as also did Professor Owen, whose