a candidate to appoint an agent, than to prevent all his friends being his agents against his will.

The statutes governing parliamentary elections in this Province are given in full, with appropriate explanatory notes; and we notice with approbation, that wherever he can, the editor has given the language of the judges as found in the reports, instead of merely stating the supposed effect of their decisions; and this, a sensible thing to do in any case, is especially so when the reports are difficult of access to the many.

The Editor, as he explains in his preface, has omitted all preliminary questions connected with the presentation of the petition, confining his attention to those which may arise upon or subsequent to the hearing. This is rather a pity as it would have been convenient to have had as much information as possible under one cover, but we trust that Mr. Brough will do this on a future occasion, when the law is a little better understood, and some doubtful points cleared up, and after any amendments in the law that would seem to be necessary have been made by the legislature. At present an interested reader should, in addition to this pamphlet and the authorities there cited, refer to the rules of court, the report of the Stormont Case published in this Journal, and our remarks on p. 201.

To conclude: though there are a few faults in arrangement and otherwise, we do not care to inspect them too closely, Mr. Brough having done wonders in the few weeks he had at command, and having produced a really useful little book, much wanted at the time, and capable of extension hereafter.

Some startling statements respecting the *Tichborne* case seem to have reached America. The *Albany Law Journal* commends to our consideration some glaring improprieties: (1) That the jury privately informed the Lord Chief Justice that they were satisfied from the evidence of the claimant himself that he was an impostor; (2) that the jury, having been allowed to return to their homes, have been subjected to influences not calculated to aid in the administration of justice; and (3) that the Chief Justice himself has stated that he expected to see the claimant transferred from the witness box to the dock. The amiability for which our contemporary gives us credit might well be disturbed at discovering such absurd credulity in a sensible periodical as belief in these rumours indicates. (1.) Before separating, the jury distinctly informed the Judge that they had formed no opinion one way or the other; (2.) No single complaint has been made of any influence whatever having been used with the jury; and (3) Whilst we should be sorry to affirm positively that the Chief Justice has not said anything which he may be rumoured to have said, we can say that no such expression of expectation as alleged escaped his Lordship in open court. But possibly our contemporary is trying to be witty. We hope not. The purity and impartiality of English justice are our pride and boast, and when we see how much of both is sacrificed in America, we are not likely to lose an atom of what we possess without a struggle. And, in justice to the jury in the *Tichborne* case, we may say that never were men assembled in a jury box more high-minded and able, and less open to the operation of improper influences. We doubt whether an American could understand what an amount of integrity is represented by a Middlesex special jury * * * The American legal journal which we have quoted above, expresses surprise that the public press in England has refrained from commenting upon the *Tichborne case*. It says, "Had the case been on trial in this country, every newspaper from Maine to Georgia would have resolved itself into a tribunal for a summary disposal of it on the merits. The rule that it is a contempt of court for a newspaper to discuss the merits of a case *sub judice*, has so long remained in abeyance among us that the press have come to regard themselves as infallible arbiters in every case, civil or criminal, worthy of their notice. This is an evil that we presume that there is little hope of escaping so long as our judges depend for a renewal of their terms of office on popular sufferage and newspaper influence."—*Law Times.*

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1. It is no reason for a new trial in a case of felony that the reasons of the absence of a witness, who should have been present, were investigated while the jurors who were to try the case were in the court room.

2. Where the defence challenges jurors as they are called, and before going into the box, the commonwealth's attorney may reserve his challenges until those of the defence are exhausted.

3. Where two are indicted for procuring an abortion, and one of the defendants just before the trial married the woman on whom it was alleged the abortion had been produced, and then demanded a separate trial, which was granted: *Held*, that the wife was a competent witness against the other defendant.

4. Altho' the general rule is that either the husband or wife is not a competent witness against the other, yet the exceptions are where the witness is called in a collateral case, where the evidence cannot be used in a suit or prosecution against the other, or where there is a separate trial of two defendants for an offence not joint, or where called to testify to personal injuries received from the other.

5. In the second case, the witness has the privilege of declining to answer such questions as will tend to criminate his or her wife or husband. — *Commonwealth* v. *Reid.* — *United States Reports.*