

The Legal News.

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The *Canada Gazette* of Oct. 6, contains the appointment of Joseph Guillaume Bossé, Esq., Q.C., to be a puisné Judge of the Court of Queen's Bench, *vice* the Hon. Samuel Cornwallis Monk, resigned. The Hon. Marcus Doherty is gazetted Assistant Judge of the same Court during the absence of Mr. Justice Baby.

The disallowance of "The Act to amend the law respecting District Magistrates," by order-in-council of date, Ottawa, Sept. 7, 1888, is proclaimed by the Lieutenant-Governor of Quebec in an *Extra* of the *Quebec Official Gazette*, issued on the 2nd instant. The same *Extra* contains a proclamation establishing a "Magistrates' Court for the city of Montreal," under 37 Vict. ch. 8. This tribunal will have concurrent jurisdiction with the Circuit Court in cases not exceeding \$50.

Among judicial changes of interest is the removal of Mr. Justice Wurtele from Aylmer to Montreal, as one of the judges of the Superior Court. Mr. Justice Wurtele will remain at Aylmer for a short time, in order that the examination of witnesses in election cases before him may be completed.

Judge Waite, of Chicago, in a paper entitled "Who were voters in the early history of this country?" shows that the right of suffrage was without distinction of sex in Massachusetts for 160 years; in Rhode Island for about 180 years; in Connecticut for nearly 180 years; in New York for over 120 years; in New Jersey, by the Constitution for 170 years, and by the laws for over 100 years; in Pennsylvania, by the Constitution nearly 200 years, by the laws for over 100 years; in Delaware, by the Constitution for 130 years, and by the laws over 100 years; in Maryland nearly 100 years; in Virginia, by Charter and Constitution 170 years, and by the laws nearly 100 years; in South Carolina

for nearly 200 years; in North Carolina, 150 years; in Georgia for nearly 100 years; in New Hampshire, until the Constitution of 1784; in Vermont, by law for nearly 50 years, and by the Constitution until the present time; in Tennessee for over 70 years; and in Texas, under the Constitution of the citizen Republic of Texas, thus remaining until, by admission into the Union, Texas became a part of the male Republic of the United States. He adds that, "next to negro slavery, the denying to the women their right to the elective franchise which they had in England by the common law, has been the great political crime of the age. And the Federal Government has made itself a party to the crime, by providing in the Reconstruction Act of 1867, 14 U. S. Stat., p. 428, that the ten States therein specified should be reconstructed by the male citizens only, and by substantially directing those States to put the word 'male' in their new Constitution."

SUPREME COURT OF CANADA.

OTTAWA, June 14, 1888.

British Columbia.

JOHN V. THE QUEEN.

Criminal Law—Rape—Indictment—Conviction for assault with intent to commit.

An indictment for rape charged that the prisoner "violently and feloniously did make an assault, and her the said R. then violently and against her will, feloniously did ravish and carnally know against the form, &c."

Held, Affirming the judgment of the Court below on writ of error, that on this indictment the prisoner could be convicted of assault with intent to commit rape.

Appeal dismissed with costs.

Robinson, Q. C., for the appellant.

Dr. McMichael, Q. C., for the respondent.

Ontario.]

BICKFORD V. CANADA SOUTHERN RAILWAY.

Contract for hire—Rolling stock—Agreement to purchase railway—Appeal.

B., the contractor for building the E. & H. railway and, practically, the owner thereof, negotiated with the solicitor of the C. S. R. for the sale to the latter of the E. & H. Railway