

RECENT SUPREME COURT DECISIONS.

Dominion Controverted Election—Railway Pass—37 Vict., Cap. 9, Secs. 92, 96, 98 and 100.—In appeal, four charges of bribery were relied upon, three of which were dismissed in the Court below, because there was not sufficient evidence that the electors had been bribed by an agent of the candidate. The fourth charge was known as the Lamarche case. The facts were as follows: One L, the agent of C, the respondent, gave to certain electors employed on certain steamboats, tickets over the North Shore Railroad, to enable them to go without paying any fare from Montreal to Berthier, to vote at the Berthier election, the voters having accepted the tickets without any promise being exacted from or given by them. The tickets or passes showed on their face that they had been paid for, but there was evidence that L had received them gratuitously from one of the officers of the Company. The learned judge who tried the case found as a fact that the tickets had not been paid for, and were given unconditionally, and therefore held it was not a corrupt act.

Held (1) Fournier and Henry, JJ., dissenting, that the taking unconditionally and gratuitously of a voter to the poll by a railway company or an individual, whatever his occupation may be, or giving a voter a free pass over a railway, or by boat, or other conveyance, if unaccompanied by any conditions or stipulations that shall affect the voter's action in reference to the vote to be given, is not prohibited by 39 Vict., Cap. 9 (D). (2) That if a ticket, although given unconditionally to a voter by an agent of the candidate, has been paid for, then such a practice would be unlawful under section 96, and by virtue of section 98 a corrupt practice, and would avoid the election. (3) Fournier, J., dissenting, that an appellate court will not reverse the decision of the judge who tried the case on a question of fact, without its being made apparent that his decision was clearly wrong.—*Berthier Election Case, Genereux v. Cuthbert.*

GENERAL NOTES.

The Hon. George Irvine, Q.C., has been appointed by the Imperial Government, Judge of the Vice-Admiralty Court of Quebec, in the place of the late Mr. O'Kill Stuart.

In 1883 the total collections from law fees reached \$86,609, of which Montreal paid \$47,762, or more than one-half; and from licenses \$272,423 was obtained, Montreal contributing \$176,772 and all the rest of the province only \$96,651.

The banquet offered by the bar and other friends to Mr. J. J. Maclaren on the 26th April, on the occasion of his departure for Toronto, was enthusiastic and most gratifying. We do not share the misgivings which were expressed by one or two (non-legal) speakers, and think it safe to predict that Mr. Maclaren will take an honorable position at the bar of the sister province.

Chief Justice Hagarty has been appointed Chief Justice of Ontario, in the place of the late Chief Justice Spragge, and it is understood that Chief Justice Wilson of the Common Pleas will take the place vacant by the acceptance of the post of president of the Court of Appeal by Judge Hagarty, and that Mr. Justice M. C. Cameron will take the place vacated by Judge Wilson.

Lord Coleridge is delighting his English friends with stories of his American visit, and among them was this:—He was at Mount Vernon with Mr. Evarts, and, talking about Washington, said: "I have heard that he was a very strong man physically, and that, standing on the lawn here, he could throw a dollar right across the river to the other bank." Mr. Evarts paused a moment to measure the breadth of the river with his eye. It seemed rather a "tall" story, but it was not for him to belittle the Father of the Country in the eyes of a foreigner. "Don't you believe it?" asked Lord Coleridge. "Yes," Mr. Evarts replied, "I think it's very likely to be true. You know a dollar would go farther in those days than it does now."—*Ex.*

In the *March Century* the author of the "Broad Winners," in answer to the accusation of his critics that "It is a base and craven thing to publish a book anonymously" says: "My motive in withholding my name is simple enough. I am engaged in business in which my standing would be seriously compromised if it were known that I had written a novel. I am sure that my practical efficacy is not lessened by this act; but I am equally sure that I could never recover from the injury it would occasion me if known among my own colleagues. For that positive reason, and for the negative one that I do not care for publicity, I resolved to keep the knowledge of my little venture in authorship restricted to as small a circle as possible. Only two persons besides myself know who wrote 'The Broad Winners.'" This seems to indicate an unfounded prejudice against writers of fiction. What would such people say to Disraeli, Lytton, Scott?