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GRANT v. *BEAUDRY.*

It appears that Mr. Justice Gwynne did say that the decision of the Court of Queen's Bench on the merits of this suit was "extra-judicial and unwarranted," and therefore the special correspondent was justified in saying that the learned judge had *censured* the Court of Queen's Bench. It is difficult to conceive expressions more offensive.

The effect of such a denunciation will probably, however, be less striking than Mr. Justice Gwynne expected. It will not hurt the reputation of that Court, and it cannot well hurt his. It suggests, however, two reflections. The first is, why so much passion? The decision of the Court of Queen's Bench only declares the Orange association to be illegal in the Province of Quebec; so that an Orangeman might sit in judgment in the case of *Grant* v. *Beaudry* without fear of recusation, provided he confined the demonstrations of his Orangeism to the western bank of the Ottawa.

The second reflection is that in declaring that the decision of the Court of Queen's Bench, as to the merits of *Grant* v. *Beaudry*, was extra-judicial and unwarranted, Mr. Justice Gwynne blundered in his law, as is his wont.

The general rule is, that all the issues in a suit are within the jurisdiction of the Court. So even in the Roman law where the judge was charged by a formulary, he could go beyond it, with the consent of parties. Pothier, Pandectes. Bréard Neuville 3, p. 560. § *de re jud. l.* 26.

And it is only by exception that the Court abstains from exercising its full power. "*Cum multa sunt capita, non tenetur simul de omnibus sententiam dicere.*" *C. de sent. et interloc. l.* 15.

The Supreme Court was therefore acting within its right when it abstained from judging on the merits; but to say that it would have been extra-judicial to decide on the merits is simply nonsense.

As to the opportunity of deciding the question, since it was within the jurisdiction of the Court, it is unnecessary to argue. The parties desired it, the Court was fully prepared on the point, and since the Supreme Court has not ventured to say the decision was wrong, it remains as a warning to the ill-affected—a warning, the good effect of which, the Supreme Court has had the tact to impair, if it has not had the courage to destroy.

R.

STRANGE TRANSLATIONS.

The laborious striving, on the part of certain French Canadians settling in the United States, after a literal rendering into English of their names, or, in some cases, the mere sound of their names, shows that their aim is to translate and not to change. A New York correspondent says he is acquainted with one Magloire Vincent who now rejoices in the appellation of "My Glory Twenty Hundred!" A Pierre Chabot has become "Peter Catshoe" (why not "Puss in Boots?"); Noel Vien subscribes himself "Christmas Coming"; Joseph Marchterre is now "Joseph Sidewalk"; Noel Prairie is "Christmas Meadow"; Toussaint Coté, "All Saints Side": Joachim Poulin, "Washington Colt"; Noel Trudeau, "Christmas Waterhole"; Jean Phaneuf, "Jack Makes-nine"; Vincent Archambault "Twenty hundred Arch in beauty." Magloire Benoit has evidently been hard pressed for a translation, and has turned his name into "My Glory by Night!", which sounds like a bad pun on his patronymic.

Mark Twain has recently learned, from a decision of the United States Circuit Court, that his *nom de plume* may be stolen with impunity. An author who does not protect himself by obtaining a copyright cannot complain if his books are republished with his own name or his *nom de plume* on the title page. Imagine the feelings of "My Glory by Night" if, having gone to bed in the happy conviction that he was the sole possessor of the name, he should wake up to find that somebody had arrayed himself in the borrowed splendour of a similar title!

THE TAKING OF EVIDENCE.

At a meeting of the General Council of the Bar, held at Quebec on the 2nd instant, it was decided to recommend to Government that regular court stenographers should be appointed at fixed salaries, and that a number of copies of the evidence should be made by means of type-writers for the use of judges and lawyers in appeal cases, these official stenographers to