ment should certainly not be reported. And every judgment, whether considered or not, which is given without reasons, should not be reported. Such is the opinion of Jessel, M.R., in *Fitzgerald* v. *Chapman*, 24 W.R. 131. No doubt it is well for judges to state or write out the reasons which influence them in coming to the conclusion which they do arrive at, and this for the main reason so well expressed by Lord Eldon in *Wright* v. *Ritchie*: 2 Dow. 383, in which he says: "If pronounced by a judge from whose decision there lay an appeal, counsel and the advisers of parties had an opportunity of weighing well the grounds of the decision; and when the matter came to the court of last resort, where the principles were settled which must regulate the decisions of inferior tribunals, it was their duty to consider all the principles to which facts in all their varieties might afterwards be applied." But it would be a grand mistake to report all such cases where the decisions are mere repetitions of former cases, or where the conclusion depends upon the particular facts of the case.

It is well to have a record of all cases decided such as is supplied in England by the Weekly Notes, and such as is being and will be supplied here, we trust, by the Notes of Cases published from time to time in this journal, under the direction of the Law Society. But it would be a mere accumulation of useless matter to insist that every such judgment should be reported *in extenso*.

One grievous fault in many reports is the lack of condensation, especially in the statement of facts. The Common Bench reports, as issued under the auspices of Mr. Scott, are notable illustrations of this vice, and he is not without imitators in some of the Ontario Reports. Another fault is the entire absence of any statement of facts, except what is to be collected from the references and allusions in the judgment. The facts of the case should be succinctly stated, and separated from the judge's decision upon those facts. To borrow the quaint admonition of Sidney Smith: "The reporter should think on Noah, and be brief. The ark should constantly remind him of the little time there is left for reading; and he should learn, as they did in the ark, to crush a great deal of matter into a very little compass."

CANADA REPORTS.

ELECTION CASE.

(Reported by Henry O'Brien, Esq., *Barrister-at-Law.)*

South Ontario Election Petition.

Abram Farewell, (*Petitioner*) *Appellant*, v. Nicholas W. Brown, (*Respondent*) *Respondent.*

32 *Vict. cap.* 21, *sec.* 66—*Treating.*

Held, 1. That the above section is limited in its effect to tavern-keepers, &c., who alone can sell or give liquor so as to avoid the election. Draper, C.J., dissented, holding that sec. 66 extends to all persons who sell or give liquor in a tavern.

2. That the words of the section "Municipalities in which the polls are held," and "within the limits of such municipality," are not confined to the municipality in which are held the polls at which the voters who are treated are entitled to vote. The prohibition extends to the selling or giving liquor within the limits of any municipality of the Riding in which a poll is being held, irrespective of the person to whom the liquor is sold or given.

[January 22, 1876.]

This petition was tried before Mr. Justice Wilson, at Whitby, on May 11th, 12th and 13th, 1875. He gave judgment dismissing the petition. From this judgment the petitioner appealed.

The first ground of appeal was, that the keeper of the hotel called 'Ray's hotel,' in the town of Whitby, was guilty of a corrupt practice in giving spirituous or fermented liquors at his tavern on the day of polling, and during the hours appointed for polling, to divers persons, and that the respondent was present when liquor was given as aforesaid and consented thereto.

In the particulars delivered this charge was formulated thus: "That the respondent, on the said day of polling, and during the hours appointed for polling, gave spirituous and fermented liquor to and drank with divers electors, to the petitioner unknown, at Ray's hotel, in Whitby." Their Lordships declined to entertain this as a ground of appeal, as the allegations therein differed in a material point from the charge in the particulars, and it was not