

justice to their simple virtues. There is not much law between the members of these communities who, indeed, are generally bound together by intermarriage, with the resultant affinity. But they are impatient of affront, and as personal encounters are not in fashion, the law is often resorted to for the settlement of verbal excesses. In the present instance, Turcot was a young man who had been temporarily employed by Lebeau, but being indiscreet in his attentions to some of the female members of the household he was dismissed. He sued Lebeau for wages, and while this case was pending, he resolved to take advantage of his office of collector of the offertory in the parish church, to put an affront upon his late master by rudely and pointedly omitting to present the plate to him. He called the attention of several of those present to what he was doing, and boasted of it afterwards. It was a boyish and silly trick. On the other hand, his employer would, doubtless, have acted in a more dignified manner if he had simply complained to the churchwardens of the improper conduct of the collector. He chose to seek his remedy in a court of justice. The result is not encouraging in a pecuniary point of view, for while the Court recognizes the right of action for an affront of this kind, the judgment of the judge acting as a jury is like the English verdict of a farthing damages. The plaintiff gets \$5 damages and \$5 costs, but he has to pay all his own counsel fees and expenses, less this sum of \$10. The gratification of a lawsuit will, therefore, probably cost him about a hundred dollars. The defendant pays the ten dollars and his own costs in addition.

#### A HAUNTED JUDGE.

The Supreme Consular Court of China and Japan has apparently lost a humorist in the person of its late Chief Judge, Sir Edmund Hornby, who has invented a capital ghost story for the amusement of two gentlemen who now tell the tale in the columns of the *Nineteenth Century* for the delectation of a wider circle. The uneasy spirit which haunted the Judge was that of a reporter who had just departed this life, and who came to Sir Edmund's bedside after midnight and re-

quested a *précis* of a judgment which was to be delivered on the following morning. It is at first blush appalling to discover that there are newspapers published in the other world, and that weary reporters are set to work *instantly* at their old trade as soon as they have shuffled off this mortal coil. But it is consoling to note that the toil in this instance lasted but two or three minutes. A few moments of purgatory sufficed to purge the soul of the reporter, and the Judge was haunted no more.

#### NOTES OF CASES.

##### COURT OF QUEEN'S BENCH.

[In Chambers.]

MONTREAL, August 2, 1884.

Before RAMSAY, J.

Ex parte LEFEBVRE, Petitioner for writ of Habeas Corpus.

*Keeping a disorderly house*—32-33 Vict. chap. 29, sec. 79.

*The petitioner was convicted in the Recorder's Court under the Summary Trial by consent Act (32-33 Vict. c. 32), of keeping a disorderly house within the police limits of the City of Montreal. Held, that the commitment (which followed the terms of the conviction) set forth no offence of which the Recorder could take cognizance, and that sec. 79 of 32-33 Vict. c. 29, was not applicable here, the said section applying only to cases tried on indictment, and where there has been a verdict.*

RAMSAY, J. The petitioner was convicted "pour avoir le 22ième jour de juin courant, en la dite cité (Montréal), et depuis un mois, tenu une maison de désordre dans les limites de police de la dite cité," etc.

It was contended that this commitment was not sufficient, for that keeping a disorderly house was innocent in itself, and was at most only culpable as being the consequence of illegal acts. In a word that the offence depended on the kind of disorder.

It seems to be admitted that if there be no statute affecting criminal pleading to help the conviction, the charge is insufficiently set forth; but it is argued that if an offence is described in the language creating it or in