

NEW ONTARIO ELECTION ACT.

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Of the statutes passed during the late session of the Ontario Legislature, not the least interesting to the legal profession is that entitled "An Act to amend the Law respecting Elections of Members of the Legislative Assembly, and respecting the Trial of such Elections:" 36 Vict., cap. 2.

When the important reforms, which have been effected in the law of parliamentary elections during recent years, both in Great Britain and in this Province, were first made, many persons were of opinion that a standard of political purity was being aimed at, which it would be impossible to attain in practice. But as far as our experience of the working of the present Provincial Election Law has extended, those fears appear to have to a great extent been groundless; and the system so far has been largely successful in preventing corrupt practices, and reducing the expenses of elections. In addition, since in this, as in many other instances, our legal reforms have been preceded by corresponding legislation in England, we have had the advantage of being able to confirm the results of our own experience by observing the operation of similar laws in another country.

Those who have paid attention to recent election trials under the new system cannot have failed to observe that a conviction of the inutility of attempts to evade the law is taking possession of the minds both of candidates and of electors; and such a conviction is the best assurance of further improvement in the future. This alteration for the better may be attributed chiefly to the change in the tribunal before which election petitions are heard, and it cannot be denied that there is a strong antecedent probability that the law will be enforced with greater certainty and strictness by men, such as the Judges of the Superior

Courts, experienced in the discharge of judicial functions, than by parliamentary committees, composed of avowed political partisans, who in many cases are destitute of legal training or experience. The fear of course is that, as "familiarity breeds contempt," so new modes of evading the law will be discovered which will be difficult not only to defeat, but may not be covered by the law as it stands.

The first six sections of the new Act are in furtherance of principles already adopted, and are intended to assist in remedying certain defects which have become apparent in practice. The remainder of the statute, with the exception of a few sections of minor importance, consists of new matter, and may be roughly divided into three heads, treating respectively of election expenses and accounts—the preliminary examination of parties and production of documents—and the mode of holding a scrutiny.

With reference to the opinions expressed by a certain class of people, that although all the statutory enactments that ever have been framed, or probably ever will be framed, both have and will fail absolutely to destroy mendacity and corruption at elections, yet to those statutory enactments we must look for aid in raising the tone of public morality in political matters—for the higher that tone is raised, the nearer is the destruction of mendacity and corruption approached.

We shall next month refer briefly to the more important sections of the Act.

CRITICISMS ON THE REPORTERS.

[CONTINUED.]

In the former paper we forgot to refer to Barnewell and Alderson's reports in their proper order. It was stated in the *American Law Review* that Alderson B. was not responsible for the reports in the first term of the first volume of these reports. The writer, however, observed that he had mislaid the reference to sup-