

THE LEGAL NEWS.

VOL. XVII.

FEBRUARY 15, 1894.

No. 4.

CURRENT TOPICS AND CASES.

The recounts demanded by the candidates defeated in the Montreal municipal elections have not changed the result materially, but a considerable amount of valuable time has been consumed. The task of a recount where twenty-three thousand ballots have to be examined, is a serious one, and it might be asked whether the duty could not be performed equally well by other than a judge of the Superior Court. The examination of the ballots, however, has disclosed woful carelessness and ignorance on the part of some of the deputy returning officers. A code of plain directions to these officials seems to be needed, to inform them as to their duties, and also to instruct them as to which ballots should be counted and which rejected, and disobedience to these instructions should be visited with heavy punishment, for it is clear that the result of an election may be changed by the fraud or neglect of a single person among a hundred.

The points decided by Mr. Justice Archibald in the course of the recount *In re McShane*, petitioner, may be concisely stated as follows:—1. Crosses irregularly or unskillfully made—Accepted, where there is no indica-