

The Legal News.

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We had occasion to notice recently the changes and appointments which occurred in the Court of Appeal in the month of September. October has brought some change also in the bench of the Superior Court. On the 19th instant Mr. Justice Doherty on taking his seat in the Practice division announced to the bar that he had tendered his resignation, and that it had been accepted. Mr. Justice Doherty was appointed to the bench of the Superior Court in 1873. For several years he was the resident judge for the district of St. Francis. Five or six years ago he was transferred to the Montreal district, where since the death of Mr. Justice Torrance he has been the senior puisne justice of the Superior Court. During the illness of Mr. Justice Church, Mr. Justice Doherty has also sat as an assistant judge of the Court of Appeal. The learned judge's judicial opinions have been characterized by shrewd perception of the merits of the controversy, and while not given to elaborate discussions of legal points or voluminous citation of authority, it may be said that he has seldom taken an erroneous view, or been reversed by a higher court. He retires after eighteen years' service, and carries with him the best wishes of the bar that he may long be spared to enjoy the rest to which he is so well entitled.

It is rather an unusual circumstance that the place vacated by the father should be taken by the son. In this case, however, it is a mere coincidence, it being understood that the position was first tendered to Mr. J. J. Curran, Q.C., the member for Montreal Centre in the Dominion Parliament. Mr. Curran having declined to accept judicial office at present, the position fell to Mr. C. J. Doherty, Q.C., son of the ex-judge, who, although but 36 years of age, has for a long time held a distinguished place at the Montreal bar. Youth is far from being a disqualification for the duties of the Superior

Court, as the work taxes the physical endurance as well as the intellectual powers. Mr. Doherty's nomination has been received with much satisfaction, and we are confident that the anticipations of good work from him are not unfounded.

The corporation of Maidstone, in England, have passed a by-law which prohibits street processions of the Salvation Army or of any other religious body. As the Salvationists are not disposed to comply with by-laws which forbid processions, considerable trouble is expected to arise in the enforcement of the ordinance. The *London Law Journal* remarks that the subject is becoming one of such vital importance to all lovers of peace and quiet, especially on a Sunday, that imperial legislation will probably be demanded.

COURT OF QUEEN'S BENCH—MONTREAL.*

Conseil de Ville—Mode d'ordonner le prélèvement des deniers requis pour payer dettes de la ville—Villes incorporées par acte spécial contribuent à la construction de la bâtisse servant à la Cour Circuit du comté—Appel—40 Vict. (Q), ch. 29—C. M. arts. 513, 514 et 515.

Jugé:—10. Qu'un conseil de ville, en vertu de l'acte des clauses générales des villes, peut, par une résolution, ordonner au secrétaire-trésorier de prélever une somme déterminée pour acquitter une dette de la corporation, ce que le secrétaire-trésorier fera par un rôle spécial de perception ;

20. Que les villes constituées en corporation par acte spécial sont tenues de contribuer au coût de l'achat d'un terrain et de la construction sur icelui d'une bâtisse pour servir à la Cour de Circuit et au bureau d'enregistrement du comté dans lequel elles sont situées ;

30. Que la part à contribuer par chacune de ces villes sera établie par le conseil de comté d'après toutefois le montant total de l'évaluation des biens imposables de cette ville, ce montant total étant fourni au con-

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