

CONTROVERTED ELECTIONS ACT.

articles he might have occasion to use after retiring to his room? This would be not only exempting hotel-keepers from their common law extraordinary liability, but requiring extraordinary prudence of their guests. * * The watch and pen and pencil case are certainly valuables, and might be called jewels, but, I think, should be considered a part of the traveller's personal clothing or apparel. The Legislature did not expect the traveller, after retiring, to send down his ordinary clothing or apparel, to be deposited in the safe": *Giles v. Libby*, 36 Bar, 70. It has also been held in Louisiana that the innkeeper will be liable for the necessary baggage of the traveller, his watch and personal effects, and for money which he has about him for his personal use, when stolen, notwithstanding a regulation of the inn requiring travellers to deposit certain articles of value in the safe: *Pope v. Hull*, 14 La., An. 324. The language of our own Act, and the force of the very common-sense reasoning used in *Giles v. Libby*, just cited, inclines us to think that, when it becomes necessary to decide the point, our Courts will put a construction on the Act similar to the interpretation of the New York statute by the Supreme Court of that State.

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Three bills to amend these acts were introduced this session—one by the Minister of Justice, one by Hon. J. H. Cameron, and one by Mr. Cook. The alterations proposed by the two last were eventually incorporated in the government bill. Mr. Fournier's bill commenced with one section; it next appeared with two; the other bills then each provided a section, making four. It was again amended in committee of the whole, and a fifth and sixth sections added. Again it was brought before

the House in committee, when Mr. Cameron added yet two more sections, making eight in all, and so it has been in five shapes since its birth. "There's luck in odd numbers," says Rory O'More. We print it on the supposition that it has at length reached an age when it may be said to have stopped growing. As the Minister of Justice has watched its progress from its infancy he will doubtless be able to recognize his offspring, for, otherwise, "its own mother would not know it." If the Cornwall case had been postponed a couple of months this Act would probably have saved the learned Chancellor and his brethren a vast amount of trouble.

The present aspect of the bill is as follows:

In amendment of the Act passed in the 36th year of Her Majesty's Reign, and intituled: "*An act to make better provision respecting Election Petitions, and matters relating to Controverted Elections of Members of the House of Commons*," and of the Act passed in the 37th year of Her Majesty's Reign, and intituled: "*An act to make better provision for the trial of Controverted Elections of Members of the House of Commons, and respecting matters connected therewith*," Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Whenever it appears to the Court or Judge that the respondent's presence at the trial is necessary, the trial of an election petition shall not be commenced during any Session of Parliament, and in the computation of any delay allowed for any step or proceeding in respect of any such trial, or for the commencement of such trial under the next following section, the time occupied by any such Session shall not be reckoned.

2. Subject to the provisions of the next preceding section, and except that it shall not be commenced or proceeded with during any term of the Court of which the Judge trying it is a member, and at which he by law is bound to sit, the trial of every election petition shall be commenced within six months from the time when such petition has been presented, and shall be proceeded with *de die in diem*, until the trial is over, unless on application supported by affidavit it be shewn that the requirements of justice render it necessary that a postponement