

DIARY—CONTENTS—EDITORIAL ITEMS.

DIARY FOR JUNE.

- 1. Thur.. Last day for delivering appeal books in Court of Error and Appeal.
- 3. Sat.... Easter term ends. Last day for notice for call.
- 4. SUN.. *Whit Sunday*
- 6. Tues.. Nisi Prius Sittings Co. York.
- 11. SUN.. *Trinity Sunday.*
- 13. Tues.. General Sessions and County Court Sittings, ex. York. Last day J.P.'s return convictions to Clerk of Peace.
- 15. Thur.. Court of Error and Appeal sits. Sittings of Oyer and Terminer, Co. York. Magna Charta signed 1215.
- 18. SUN.. *1st Sunday after Trinity.*
- 20. Tues.. Accession of Queen Victoria, 1837.
- 21. Wed .. Longest day.
- 25. SUN.. *2nd Sunday after Trinity.* Lord Dufferin landed at Quebec, 1872.

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THE

Canada Law Journal.

Toronto, June, 1876.

THE Court of Appeal in England does not appear entirely to possess the confidence of the Bar, at least that portion of it which follows the leadership of the *Law Times*. In speaking of the case of *Dickinson v. Dodds*, 34 L. T. Rep., N. S., 19.

that journal expressed the opinion that Vice-Chancellor Bacon had rightly decided it. The Court of Appeal—consisting of Lords Justices James and Mellish, and Justice Baggallay—however, reversed his decision, whereupon the successful appellant sang a paean over the periodical thus indirectly “sat upon.” The latter, thus challenged, declined to say anything further until seeing the judgment of the latter Court, and remarks that “In our opinion it would be going much too far to say that the decisions of the Court of Appeal, constituted as it is at present, are indisputable law.”

THE county of Lincoln will be well known in the history of election law in Ontario. The election of Mr. Neelon in 1875 gave rise to an elaborate discussion of the 66th section of the Act of 1868 by Mr. Justice Gwynne, though his very ingenious and forcible argument on that point, and the further discussion of it by the Chief Justice of the Court of Appeal, were not strictly necessary for the decision of the case. The latter held, as will be seen by a full report in another place, that the selling or giving of drink by any person, whether a tavern-keeper or not, to another, within the time and place specified in the section, avoids the election. Mr. Gwynne had decided that the only person who could infringe this section was the tavern-keeper, and consequently he could only avoid the election when he is an agent. The Court of Appeal has, in the *South Ontario case*, which we shall report next month, decided that section 66 is confined to tavern-keepers, but that if the act is done with the knowledge and consent of the candidate, avoidance ensues under sub-sec. 1 of sec. 3 of the Act of 1873; whilst Mr. Gwynne, in the first Lincoln case, limited the treating, &c., to treating with intent thereby to promote the election of the candidate. The second Lincoln case will bring up the construction of what is