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statute are always received as a *prima facie* evidence of the matters so entered.

The treasurer testified to his having performed the duty thus imposed, and that, in the book which he did produce, he entered under the years 1853 and 1854 as directed, the result, and he moreover pledges his oath to the belief in the correctness of the entries so made; to make which he had necessarily occasion to refer to the rolls in his office, including that of 1851. The entries so made show the amount entered on the collector's roll of that year as still unpaid in 1853 and 1854. This evidence, therefore, unless and until displaced, shows that there remained still as a charge upon the land, so much at least of the amount as consisted of the road tax imposed by 59 Geo. 3, ch. 8, and the accumulations thereon for interest, so that a sale was warranted within the provisions of the statute, as some portion of the tax charged upon the land was due and in arrear for the required period.

No attempt was made to displace this evidence, which no doubt would have been, if it could have been done, for this reason I am of opinion that the judgment of the Court of Appeal should be affirmed and the appeal dismissed with costs.

SOMERVILLE V. LAFLAMME.

(Judgment of TASCHEREAU, J.,* translated by E. D. A.)

The clear and precise statement of all the facts of the case and the contentions of the parties which the Chief Justice of this Court has just made, relieves me altogether from referring to them.

We all agree in saying that, of all the charges made against the respondent on account of his conduct and that of his agents, before and during the election which is in question in this cause, there is but one which can at this moment attract our attention, namely, that pointed out by the Chief Justice; and consequently the question is to ascertain whether the said Placide Robert, the alleged agent of Mr. Laflamme, was in truth such agent or not, and whether he has done an act statutorily corrupt by the Elections Act of the Dominion of Canada. What did this man Placide Robert do? This shortly: Wishing to obtain from Mr. Laflamme employment or office for his brother-in-law, Edouard Honoré Ouellette, he asks the defendant, about a year before the election, which is in question in this cause, was in contemplation, to endeavour to procure employment for his brother-in-law, Ouellette, saying to him, that he thought that that would please the family of Pierre Paré, whose son-in-law Ouellette was. Mr. Laflamme said to him that he would think of

it and that he would recollect this man, and would try to procure a place for him if a vacancy should occur. Mr. Laflamme repeats that several times, and even up to a period of from two to three weeks before the election. As judges, in the first instance, we find no serious charge to make against the respondent for having used this language—very natural towards one of his constituents, for it is beyond doubt that a representative can and may see to the well-being of the inhabitants of his county in general, and I say that to deny to a representative the patronage of his position, would be an absurdity. Note that the promise is made without condition, without promise of its fulfilment. We are all of opinion then that the respondent has incurred no responsibility in this respect; but later on this gentleman, Placide Robert, acting of his own accord solely, said several times to his brothers-in-law of the Paré family, at the approach of the election, that they had better not vote, and that advantage might be taken of their voting to refuse to procure a place for Ouellette. Here then we have the charge made against Mr. Laflamme on the ground that Placide Robert: 1. had procured some members of his family to abstain from voting or from using their influence in favour of the opposing candidate. 2. That Placide Robert was the agent of Mr. Laflamme and could compromise him.

I am of opinion that Placide Robert did not commit a corrupt act in saying confidentially in his family circle "that it would be better for them not to vote." He was expressing only an idea, an opinion, more or less rational; he was making no threat on Mr. Laflamme's part, he was doing only that which every sensible man would do in the privacy of his family, to the welfare of which he might wish to contribute as a good-natured son and brother.

I consider that to preserve the purity of elections, we need not penetrate into the bosom of families and strive to find a crime in the very natural expression in a man's home of the desire to see his brother receive a trifling employment. If we were to construe such observations, such counsels as equivalent to corruption, I will ask how many of our elections would be sheltered from such charges?

In my opinion, there are wanting in these counsels of Placide Robert, to constitute them a corrupt practice, several elements, namely, threats, rude upbraidings, exaggerated expression of the consequences of the conduct of his family, and above all, the information given to this family that Mr. Laflamme had made the promise only on the condition that they should abstain from voting. I see nothing of the kind in the evidence. I see there but the delibera-