

trand, Adam and Hens. If promise by defendant was made that if elected by acclamation he would make the *trottoirs*, this must refer to a speech before nomination day, to influence unduly the electors, and which would have been fatal to defendant's election had he really been elected by acclamation. But the speech and promises of defendant are proved to have been without such condition of election by acclamation, and indeed at the time spoken of by Bertrand and Hens and Albert Adam, the time for election by acclamation had passed. Albert Adam at first says it was before nomination but proves it to have been after, viz.:—Thursday, which was the 25th of April, and the nomination was on the 24th. It calls for observation that the defendant, though denying having promised to make the *trottoirs*, is asked as to whether in conversation on the church *perron* with Charles Bertrand there was a question of the *trottoirs*, and he says: "je ne m'en rappelle pas du tout."

Asked whether he talked to Albert Adam, on the *perron* of the church, Bertrand present, he answers: "je ne me rappelle pas."

Asked in like way as to conversation with *Hens* relativement aux *trottoirs*, defendant answers: "je ne me rappelle pas." He does not deny.

Defendant in his factum says that petitioners had to prove, upon this question of defendant's promise to make the *trottoirs*, three things: the promise; the premium; and thirdly the fraudulent intent. The court find all these things proved. Unless we proceed upon other principles than govern the Court ordinarily; unless we arbitrarily disregard the sworn testimonies of witnesses perfectly respectable, and whose character is not attacked, we have to find the promise proved. The premium is proved. The corrupt intent is proved. The promise had a tendency to influence unduly the electors—and that is enough. The speech proved the promise in it was made corruptly to induce voting for the speaker. See p. 64, O'Malley & Hardcastle; the Cheltenham Case. The smallness of value of what is promised is of little moment, and cannot save the candidate; 2 O'Malley & Hardcastle.

The judgment was in these terms: The Court, &c., considering that at an election held in the month of May, 1878, in the electoral district of Rouville, the said S. Bertrand (the respondent)

was declared duly elected member for the electoral district of Rouville; considering that it was shown by the evidence that the said S. Bertrand was guilty of corrupt practices in making promises at the said election at different times, and to different electors, equivalent to a valuable consideration, in order to induce the electors to vote for him; doth declare and adjudge the said election to be null and void.

H. Mercier, for petitioners.

Sicotte & Co., and *Lacoste & Co.*, for respondent.

CURRENT EVENTS.

CANADA.

JUDICIAL APPOINTMENT, May 28.—Acalus Lockwood Palmer, of the City of St. John, in the Province of New Brunswick, one of Her Majesty's Counsel learned in the law, to be the Judge in Equity of the Supreme Court of New Brunswick.

THE MONTREAL BAR AND THE ONTARIO LEGISLATURE.—In the general election in Ontario, June 5th, the Hon. Alex. Morris, formerly a practising member of the Montreal Bar, was elected for Toronto East, and Mr. D. Macmaster, of the same bar, was elected for his native county of Glengarry.

BOARD OF NOTARIES.—The triennial meeting of the Board of Notaries of the judicial district of Montreal was held June 4, at Montreal, in the room occupied by the Court of Appeals. Mr. Joseph Simard, N. P., occupied the chair, and Mr. H. A. Breault, N. P., acted as Secretary.

Mr. D. E. Papineau, the President of the Board, recommended that in the election of the Board five members should be chosen from the city and four from the country districts, viz.:—two from the north and two from the south side of the river. He proposed Messrs. Lecavalier, Durand and Beaudry, who were appointed scrutineers. The following gentlemen were reported duly elected:—D. E. Papineau, Montreal; F. J. Durand, Montreal; E. A. Beaudry, Varennes; J. R. Brillon, Belœil; F. A. Bastien, Vaudreuil; J. S. Hunter, Montreal; W. A. Phillips, Montreal; N. M. LeCavalier, St. Laurent; P. Brais, Longueuil.