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THE DOMINION CONTROVERTED ELECTIONS ACT.

The Supreme Court of Canada, on the 28th ultimo, affirmed the judgment of Chief Justice Meredith in *Langlois* v. *Valin*, 5 Q. L. R. 1, in which the learned Chief Justice decided that the Dominion Controverted Elections Act of 1874 is not *ultra vires* in making the Superior Court of Lower Canada a Court for the trial of petitions respecting elections to the House of Commons. That judgment was given after the case of *Bruneau et al.* v. *Massue*, in which the Court of Queen's Bench sitting in appeal unanimously ruled in the same sense. (See 2 Legal News, p. 38; 23 L. C. J. 60). The judgment in *Bruneau* v. *Massue* was rendered on the 18th December last. In January, however, in the case of *Belanger* v. *Caron*, 5 Q. L. R. p. 19, Mr. Justice Stuart, though his attention, apparently, had been called to the case of *Bruneau* v. *Massue*, held that the Dominion Controverted Elections Act of 1874 is *ultra vires*. Mr. Justice Caron, in another case decided about the same time, *Dubuc* v. *Vallée*, 5 Q. L. R. p. 34, agreed with the Court of Appeal and with Chief Justice Meredith.

Under the circumstances the Supreme Court exercises a useful function in settling the jurisprudence on the point, that is to say, if the decision of the federal tribunal be universally accepted as authority, which it may be hoped will be the case. The Supreme Court, we may remark, was unanimous. The judgment of Chief Justice Ritchie will be found in another column.

LEGISLATION OF LAST SESSION.

A question was raised as to the validity of the Acts of the Province of Quebec, assented to by the Lieutenant-Governor on the 11th of September last. These Acts had been assented to during an adjournment of the Legislative Assembly, in the presence of the Legislative Council, but the Assembly was represented by the Speaker and Clerk only. This was contrary to usage, but the step was prompted by the importance of putting the Acts in force without delay. When the Legislative Assembly met on the 28th ult., the then Solicitor-General Mr. Mercier, and Mr. Wurtele both introduced bills to remove the doubt which existed as to the validity of the assent given in the absence of the Legislative Assembly. The difficulty, however, was solved by the present administration advising the Lieutenant-Governor to assent to the Acts again in the presence of both Houses.

FRIVOLOUS APPEALS.

Mr. Justice Johnson, presiding in the Court of Review, in pronouncing the judgment of the Court in a case on the 31st ult., censured rather severely the practice of taking cases to Review where the facts were really so plain as to admit of no doubt. It would also appear that the papers filed in suits are open to objection on the score of neatness and legibility. The learned Judge concluded his judgment as follows: "On the whole, it is impossible to doubt that the unquestionable duty of the Judge below was to rule as he did. Now, with reference to this case, which is unfortunately only a specimen of a numerous class of cases that come before this Court, we feel constrained to say that it ceases to be a matter of surprise that the list in Review should show some 80 cases in a term. Yet all this stuff has to be examined and disposed of by three Judges, who must, each for himself, deal with the unclean and disorderly mess of papers, for the most part in two different languages, and illegible in either, except by an expert, that makes up the average record in the Superior Court for Lower Canada. Judgment confirmed with entire unanimity and considerable disgust."

RIGHTS OF FIRST REGISTERED MORTGAGEE OF A VESSEL.

In the case of *Ross* v. *Smith, & Cantin*, opposant, noted in the present issue, Mr. Justice Jetté has reviewed the decisions of our Courts with reference to the rights of duly registered mortgagees of ships under the Merchant Shipping Act, and arrived at the same conclusion as Mr. Justice Sicotte in the case of *Kempt* v. *Smith, & Cantin*, opposant (2 Legal News, p. 190). The law is held to be that a judgment creditor has no right