

pay duty upon all spirits manufactured by him, not merely on such as had been measured and ascertained in the manner prescribed by 27 and 28 Victoria, cap. 3. (2) It was proved by an agent of the defendant that he sold, as agent for the defendant, at Montreal, between the days mentioned in the information, 159,608 gallons more than appeared on the credit side of the defendant's stock books, and on which duties had been paid; and a number of invoices of these sales, which were produced, represented the spirits to be 50 more than proof. Moreover, the agent said that large quantities of spirits had been consigned to him direct; and it was to be gathered from the evidence that deliveries had been made to the purchasers direct from the conveyance by which they had been sent by the defendant. Held, that from this evidence, unanswered in any way, the jury was warranted in finding against the defendant for the duty on that quantity. Held also, that sub-sec. 2, of sec. 14, of 29 Victoria, cap. 3, throwing the payment of duty on the defendant, was properly treated as applicable, though passed after the period for which duties were claimed, for it related to matter of evidence and procedure.

I have written of this case because it not only involved a much argued legal question as to onus of proof, but from the fact that so many counsel whose names are familiar, not only to the Bar, but to the Bench and public, were counsel in the case, viz., Galt, Q. C., now Sir Thomas Galt, Chief Justice of the Common Pleas Division of the High Court; Harrison, afterwards Chief Justice of the Queen's Bench; and M. C. Cameron, afterwards Sir M. C. Cameron, Chief Justice of the Common Pleas Division of the High Court of Justice; besides S. Richards, Q. C.; J. H. Cameron, Q. C.; and Mr. Anderson, all able counsel, but who never occupied seats on the Bench.

Mr. Harrison was also Counsel for the Crown in the John Anderson case, referred to fully in the life of Chief Justice McLean. Anderson was an escaped slave, whom it was sought to get back into the United States on a