

RITCHIE, J. }
In Chambers. }

[April 21.]

RICHMOND, C.B., ELECTION PETITION.

FLYNN v. GILLIES.

Application for further extension of time for trial.

On the 16th day of March last, the time for the trial of the petition in this case was extended until the 30th day of April inst. Application was now made for a further extension of time until July 1st.

Held, notwithstanding it appeared that there had been a great deal of delay since the petition was filed, as it also appeared that the petitioner had not been unduly negligent in not bringing the petition to trial, the further extension of time now asked for should be granted.

Held, further, that the provisions of the Act were applicable, and that the requirements of justice rendered a further extension of time necessary.

F. T. Congdon, for petitioner.

W. B. A. Ritchie, Q.C., for respondent.

Full Court.]

THE QUEEN v. DIXON.

Crown case reserved—Threatening letter—Prima facie case—Jury allowed to compare writing in question with letter admitted to have been written by accused, and draw conclusions—Whether document once received need be tendered a second time—Proof of handwriting—Matters of form and substance—Evidence.

Indictment for sending a threatening letter to one McD. The letter purported to be signed by defendant, and was to the effect that he was in possession of evidence upon which he could have McD. fined for selling liquor after hours, and concluded with the words, "now if you like to settle the account between us it will be all right; send me a receipt for the amount by the morning, and all is well, otherwise you know what to expect." The evidence for the prosecution consisted of a letter written by defendant, in which B., the inspector of licenses, was informed of the sale of liquor after hours by McD.; a statement of the clerk who took the evidence on the trial of the charge, that, on that occasion, defendant was shown the letter upon which the present prosecution was based, and was examined in reference to it; and a statement by B. that after his arrest he had a conversation with defendant, in which the latter said he had written McD. a letter, "that if he would square up some matter between them all would be well; otherwise he would inform against him."

On this evidence the trial Judge received the letter tendered by the prosecution, being of the opinion that a prima facie case had been made out. Subsequently evidence was given for the defence showing that the letter defendant was accused of sending to McD. was the letter which the latter's counsel produced on the occasion of the former trial, and in reference to which defendant was then examined. The trial Judge, in charging the jury, after