ions. They strike me as direct and conclusive on the question now discussed.

One word more on *The Monck Case*, the earlier exposition of the ballot law by Blake, V. C.

The Dominion Act of 1874, sec. 55, required the deputy returning officer to reject all ballot papers not similar to those supplied by him or contained in envelopes not similar to those supplied by him. A previous section, 53, directed him to put his initials on each ballot paper before giving it to the voter—that was evidently one method by which the officer, before counting the ballot, could know whether it had been issued by him, but it was not necessarily the only method; and the statute did not direct a ballot to be rejected in the absence of his initials; to do so would therefore have been going *beyond* the letter of the statute. The Court was asked to do this, but the learned Vice Chancellor gave convincing reasons for not doing so—for not *lightly* disfranchising electors. That was, however, a different matter from counting votes which the statute in plain language directed to be rejected, and on the duty of a court on that subject, his later judgment gives no uncertain sound—"*Except for the Act of 1879 these votes must necessarily have been rejected.*"

There is no "Act of 1879" to save such ballots cast at the late election.

Your obedient servant,

N. A. D.

August 8th, 1882.

[We willingly give space to the communication of our correspondent, without, of course, endorsing his views on its subject, as we think that it presents a carefully considered view of a question which has public, as well as professional interest, as is evidenced by numerous articles and letters which appeared in leading journals after the holding of the recent Dominion elections.—EDS. L. J.]

ARTICLES OF INTEREST IN COTEMPORARY JOURNALS.

Rectifying mistakes in wills.—*Eng. L. J.*, July 15.

The liability of building owners.—*Ib.*, July 29.

Distress for rent.—*Ib.*

Restrictive covenants as to land.—*Irish L. T.*, July 22. (From *Justice of the Peace.*)

Presumptions of life and death.—*Irish L. T.*, July 29, Aug. 5.

Cruelty warranting divorce—Accusing wife of unchastity.—*Albany L. J.*, July 29.

A reverie on a warranty deed.—*Ib.*

Ordinary prudence in false pretences.—*Ib.*, Aug. 5.

Alteration of written instruments.—*Central L. J.*, July 28.

Books of science as evidence.—*Ib.*, Aug. 4.

The rights of pew-holders.—*Ib.*, Aug. 11.

Expert testimony—Examination of written documents.—*American Law Register*, Aug.

Malicious prosecution.—*American Law Mag.*, Aug.

Lawyers *vs.* Bookmakers.—*Ib.*

FLOTSAM AND JETSAM.

QUOTATIONS IN COURT.—It is dangerous to quote in Courts of law, even when the quotation is familiar. In the course of the trial of *Doherty* v. *Lowther*, Baron Huddleston remarked that he would have to interpret the rules of racing and of the Jockey Club, however incompetent to do so. Whereupon the defendant's counsel said gallantly, "'I would not hear your enemy say so,' my lord," quoting Hamlet's protest against Horatio's self-imputed "truant disposition." This was reported as "I do not hear, my lord, your enemies say so;" as if the judge had enemies who went about saying that he knew too much about racing, whereas, in truth and in fact, the learned baron has no enemies at all. Next day the report was corrected by substituting, "I would not hear your enemies say so," which scarcely mends the matter. It is hard that misquotations shoud be suffered at the hands of brother reporters by an eminent law reporter; for such Shakespeare, amongst other things, appears to have been, as one, at least, of his cases is preserved, and is confirmed by the report of Plowden.—*Law Journal.*

The appointment of Mr. Thomas Hughes to a County Court judgeship may perhaps do something to weaken the prejudice that literature is incompatible with law. It was proof against the practical test of a man of letters becoming Lord Chancellor, which produced the sarcasm that Lord Brougham would know a little of everything if he knew a little law. When Samuel Warren brought out his 'Ten Thousand a Year' his friends professed to be anxious to know who wrote the law in it. Yet Brougham was a good though not a great, lawyer; and Warren, at least, made an efficient master in lunacy. Probably Sir Walter Scott, who never rose in the law beyond a subordinate post in the Court of Session suffered through his fame as a writer. The County Court bench has hitherto been free from the suspicion of letters, but the author of 'Tom Brown' may find a precedent in the case of the author of Tom Jones.' Fielding was an admirable police magistrate, and his novels gained from his experience in Court, while his law was probably not the worse for his having an imagination.—*Law Journal.*