

CODIFICATION OF THE LAWS.—CORNWALL ELECTION PETITION. [Elec. Case.]

CODIFICATION OF THE LAW OF NATIONS.

Since our last issue we have received the *Continental Herald*, containing the first day's proceedings of the International Association for the Reform and Codification of the Law of Nations. Among the members present from the United States were: Mr. David Dudley Field, Hon. Charles P. Daly, Judge Peabody, Dr. J. B. Thompson and Dr. Miles; while from England and Continental Europe were present a number of well-known publicists; and even Japan had one representative. The members of the Association were welcomed by the President of the Conseil d'Etat in a very admirable little speech, which was responded to by Mr. Field, the President of the Association. Aside from the report of the secretary, there was little done beside a considerable, apparently, desultory talk. A goodly amount of solid work was however planned for the session, and we hope it was accomplished, for however sceptical we may be about the attainment of the ultimate object in view, there can be no doubt that the two associations, whose meetings have been held this year at Geneva, are doing a good work. As was said by M. Carteret, the Cantonal President: "Whatever difficulties there may be in drawing up a good code of International Law, and above all in securing its vitality and advancement, there is room to entertain legitimate hopes in this respect. From every quarter there is something of this sort expected, and—sign of approaching moral conquests—from different quarters and under divers forms, individual or collective efforts are being made at the present moment tending in the same direction: that is to say, that law should replace force in international relationships."—*Albany Law Journal*.

CANADA REPORTS.

ONTARIO.

ELECTION CASES.

CORNWALL ELECTION PETITION.

D. BERGIN, *Petitioner*; v. A. F. MACDONALD, *Respondent*.

Common Law of Parliament.—The Common Law of England relating to Parliamentary elections is in force in this Province.

Agency.—What acts constitute a person an agent in a Parliamentary election, considered.—Canvassing combined with other acts.—An accumulation of trifling acts.—Attendance at meetings.—Entrusting a person with money for election purposes.—Canvassing in company with candidate.

Sub-agents.—When a large and general authority is given to an agent, the candidate will be held responsible for the acts of sub-agents of such person.

Corrupt practices.—Rule when there appears to have been general corruption, or only isolated cases of bribery.—Money given to sub-agents to expend without accompanying directions.—Colourable purchases.—Colourable charity and liberality.—Loans of money.—Hiring conveyances to take voters to poll.

Costs.—Costs should follow event, although the personal charges against the respondent fail, unless put in wantonly, or unless expense of trial has been thereby increased.

[CORNWALL, Sept. 3-7, 1874.—SPRAGGE, C.]

The petition contained the usual charges, but the seat was not claimed by the petitioner, who was the unsuccessful candidate. The case was tried at Cornwall before the Chancellor.

James Bethune and McIntyre appeared for the petitioner.

Harrison, Q. C., D. B. MacLennan and H. S. Macdonald, for the respondent.

SPRAGGE, C.—The enquiry divided itself into two branches. 1st. That relating to the question of agency. 2nd. That relating to the commission of corrupt practices.

With reference to the question of agency, the contention of the Counsel for the respondent, that what was known as the