branch of common law with a tendency to encroach upon equity. Half-a-dozen difficult cases in the same province of tort or contract may be brought up his staircase in as many days. With the exception of some vexatious delays at Rolls Garden, the learned gentleman has no need to waste any time. He is not obliged to wait for hours on the back benches till their Lordships have been through the Bar, or at Nisi Prius to read the newspaper *ad nauseam* till he hears that 'no other case will be taken to-day.' Most of his time is spent within reach of his book-shelves, and if he has any moments to spare from his work he feels that it his duty to bestow them on the young gentlemen in the next room. His holidays are few, and he sometimes contents himself in the long vacation with coming to Chambers an hour later, and leaving an hour earlier. We have dwelt upon the advantages which are afforded to clients by his learning and experience, but another remains to be mentioned. It often happens that the counsel retained to hold the brief upon the trial of a case is an excellent advocate but an indifferent lawyer. By engaging a pleader in the earlier stages of the cause it is possible to effect a division of labour without exciting the ill-will or jealousy which would ensue if one barrister were replaced by another. Looking at these advantages, we should be disposed to think that whatever changes in the practice of pleading have been or may yet be effected, there will always be room for a body of practitioners so eminently useful as the one which we have described. And so long as there is a reasonable demand for the services of a pleader, we cannot see why any one should object, for a time at least, to practise below the Bar. There are, it is true, a few disadvantages in postponing one's call. No matter how ancient may be the standing of a pleader, he is not eligible for several valuable appointments, including that of County Court judge. But the chance of getting practice and experience a long time earlier than is usual is a good set-off against such disabilities.—*Law Journal.*

In an interior county of Ohio, in a criminal court presided over by a judge of considerable humor, a notorious thief was on trial for larceny. The principal question of fact in the case was whether the property stolen was worth thirty-five dollars, or less than that amount. According to the statutes of that State, if the value amounted to this sum, the offence was grand larceny, and the penalty would be imprisoment in the penitentiary, where the rogue rightfully belonged. After the jury had been out for several hours, they returned into court, and said to the judge that they could not agree unless he charged them whether they should estimate the goods at the wholesale or retail price. Thereupon the judge enlightened them thus:

"Well, gentlemen, considering the way the rascal came by the goods, I don't think the court can afford to wholesale them to him.

ONTARIO REPORTS.

ELECTION CASE.

(*Reported by* Henry O'Brien, Esq., *Barrister-at-Law, Reporter to the Court.*)

Reg. ex rel. Corbett v. Jull.

Municipal election—Improper conduct of returning officer—Election by acclamation.

At a meeting called to receive nominations for municipal Councillors, one party, as they alleged, made their nominations at 12 o'clock, or a few moments after, in the presence of only two or three persons, and without any effort on the part of the returning officer to call in the people outside the place of meeting. The returning officer did not enter the names of the candidates in his book, and gave evasive answers to some of the other party who came in afterwards, as to whether any nominations had been made or not, and led some of the electors present to think that there was an hour or so to make nominations, when in fact there was less than half that time. At 1 o'clock the returning officer, without making any preliminary statement that certain persons had been nominated, and without asking whether there were any other candidates to be nominated, declared that the persons nominated at the opening of the meeting were duly elected by acclamation. The other side, who were waiting, as they alleged, to make their nominations after the other party, under the impression that no nominations had as yet been made, protested against this, and desired to nominate the opposition candidates, (of whom the relator was one,) which the returning officer, however, refused to receive as being too late.

Held, 1. That the election must be set aside, and a new election ordered.

2. That the relator was a candidate and voter within the meaning of sec. 103 of municipal act, and that the returning officer could not by his illegal acts divest him of his rights in that respect.

3. That the names of the candidates should have been submitted to the meeting *seriatim* after the hour had elapsed, and an opportunity given to the electors present to express their assent or dissent, without which there could not be said to have been an election by acclamation.

4. That the returning officer had acted improperly and contrary to the spirit of the law, and was therefore ordered to pay the costs.

[Chambers, Feb. 26th, March 8th, 1869.]

This was a *quo warranto* summons on the relation of John Corbett against Thomas Jull, as reeve of the village of Orangeville, and Thomas Jackson, Peter McNabb and Joseph Pattullo, councillors of the same village, to have their elections respectively declared invalid and void, for the following causes:

1. That the said election was not conducted according to law, in this, that the said Thomas Jull, John Anderson, Thomas Jackson, Peter McNabb and Joseph Pattullo, or any or either of them were not duly proposed and seconded according to law, nor were the said parties duly proposed and seconded at the place appointed for such by the returning officer, nor were the said parties proposed and seconded within the time required by law.

2. That the said Thomas Jull, John Anderson, Thomas Jackson, Peter McNabb and Joseph Pattullo, were not duly or legally elected or returned in this, that the said parties were not duly proposed within the proper time or at the proper place, nor were they proposed according to law.

3. That the returning officer did not wait for one hour after the last candidate had been duly proposed and seconded as is required by law so to do, but improperly and illegally declared the said parties duly elected councillors for the year 1869.