one affected by the nomination or withdrawal, it is as though that candidate had never been proposed and seconded at all; for he does not continue to be to the close of the meeting, and is not then, a "person proposed" for the office. That this is the construction put upon the statute in practice, is very clear; for nothing is more common than for a number of candidates to be proposed, where there is no intention on the part of any one that they should contest the election; and upon their withdrawal, it has never, that I know of, been suggested until now, that it may be demanded, after the meeting, that their names shall be entered in the poll-books.

From the nature of the proceeding, the electors and the returning officer are entitled to know, at the close of the meeting, who are the candidates; for in case there is but one candidate, the returning officer is to declare him elected; and in case there are more candidates than one, the returning officer, on the day following the nomination, is to post up the names of the candidates. So that I do not understand how Mr. Haggart's or Mr. Coyne's communications with the returning officer after the nomination day can affect this proceeding. But suppose the first case had happened, and Mr. Chisholm had been the only candidate remaining; then the returning officer, with the assent of all the other candidates, their proposers and seconders, and of the electors present at the meeting, would on the spot have returned Mr. Chisholm as reeve. If it is asserted that an election so conducted would be void, I must say that only judicial decision could make me assent to it. I have been speaking of the statute as though the relator here were an elector, not present at the meeting, who had afterwards voted at the election for Mr. Haggart. His position would, in my opinion, be very different from that of Mr. Coyne; for if I am wrong in supposing that the proceedings at the election were legal, there are still reasons which apply *ad hominem* to prevent Mr. Coyne from setting up the objection. It was urged, upon the argument, that this proceeding was so much in the interest of the electors, that the truth of the facts must alone be regarded, and that the conduct of the relator or of Mr. Haggart could not here be set up to exclude the truth. But the cases cited by Mr. Harrison and Mr. Kerr are quite clear on the point that the conduct of the relator may waive objections otherwise good, or may estop him from alleging them. Indeed he is regarded as any other plaintiff, claiming in his private right.

Now, Mr. Coyne was present throughout the whole proceedings at the meeting. He must have heard the withdrawal of all the candidates but Mr. Clark and Mr. Chisholm; he must have heard the returning officer announce that they were the only candidates remaining; and yet he allowed the meeting to close—all present supposing such to be the fact—without expressing objection or dissent. I think he must be bound by the rule in *Pickard* v. *Sears*, 6 A. & E. 649, and the kindred cases. Surely this is estoppel by conduct. It is very easy to suppose cases where such a course would completely throw the electors—especially those opposed to Mr. Haggart—off their guard, if they were to find, the next morning, that Mr. Haggart was still in the field. I think the course taken in this election was legal; and that if otherwise, neither Mr. Haggart nor Mr. Coyne can be heard to urge this objection. I think there should be judgment for the defendant with costs.

REVIEWS.

La Revue Critique de Legislation et de Jurisprudence. Montreal: Dawson, Bros. January and April, 1871.

We welcome this publication with no ordinary pleasure. It is of much promise, and the articles carefully selected and well written.

The prospectus, referring to the work, says, that "the editing committee have imposed upon themselves the task of combating, without hesitation, the errors and chief faults which present themselves in legislation or jurisprudence;" and it was, we understand, with especial reference to various unsatisfactory features in the conduct of business by their own judiciary that this Review was first thought of. Among its contributors, and those who have promised their support, we notice the names of the best men at the bar in Lower Canada.

It is a difficult and invidious task for individual members of the bar to call to account persons holding judicial positions with whom they are daily thrown in contact, nor is it pleasant to feel that a Judge who has the decision of your case in his hands, above suspicion of any ill feeling though he may be, may perhaps still be smarting under a severe criticism of his law, or remarks on his want of attention or industry.

So far as Upper Canada is concerned, there has never been anything of this kind; but the Bench of the Lower Province has never, we think we may safely say, equalled ours either in industry, mental force, dignity, or general eminence. We have never felt any pressing need of sharp criticism on the conduct of our Judges. Some of them, of course, have been more dignified, learned or talented than others; but all, to the best of their ability with more or less laborious research, have, with most commendable diligence, endeavoured to discharge their duties faithfully to the public, and have done so with credit to themselves and to their profession, ever keeping in view the high honour and dignity of their office.

It is reported that all this cannot be said of their brethren to the east of us, though nothing is farther from our thoughts than to