

consequences, no less than the present tendencies of dogma and doctrine, should be clearly and authoritatively stated, and fully and fairly laid before the public. Lawyers are commonly of a different mental calibre. With regard to law, nothing is so beneficial to the public generally as that the fact that the law is supreme should be thoroughly accepted, and that the principles, though not the technicalities of certain portions of it, should be universally understood. Lawyers, as a rule, are too sensible to object to any efforts in this direction, and the law journals, which are mostly distinguished by their unimpassioned tone, stand aloof, except to correct mistakes made in legal matters in other papers. The kind of articles, full of ability and learning, not unfrequently met with in the daily press on such subjects as bankruptcy, conspiracy, fraud, &c., and other branches of the criminal law, are often of immense assistance in clearing the views and in forming the judgment alike of electors and of legislators, and bear no kind of resemblance to the hand-books written, in popular phrase, to instruct the public rather in the technicalities than in the principles of the law. Lawyers view these kind of publications either with supreme indifference or with malignant satisfaction, feeling certain that he who reads and acts on them will assuredly be delivered, sooner or later, bound and helpless into their hands. The man who on the strength of this sort of reading, makes his own will, and draws up his own lease or conveyance, always involves himself in practical difficulties which the most ordinary professional man would have instinctively avoided. The effect on an educated man of the study of a really able work on the technical part of law is to cause a solemn determination not to encounter legal difficulties without the best legal advice; and so it is with medicine. But the members of the medical profession are not so constituted as to be open to this kind of consolation. With all the generosity, benevolence, learning and knowledge of the world, which many of them possess in an eminent degree, they have not the *sang froid* which distinguishes lawyers, and as a rule they do not like to have their proceedings and professional mysteries exposed. They argue that the indiscriminate study of medicine leads to worse or more dangerous consequences than that of law. That is doubtful. If a man by meddling in law ruins his position in life, his health generally goes too; while if a man gets on permanently ill terms with his own stomach by dabbling in medicine, it need not injure either his income or his position. An interminable law-suit, with an ever increasing bill of costs, is equal to a malignant cancer; and a wretched trustee, duped and broken in fortune by his own rash self-confidence, is as badly off as a man with a chronic liver complaint. —*American Exchange*.

ONTARIO REPORTS.

ELECTION CASES.

(Reported by HENRY O'BRIEN, Esq., Barrister-at-Law,
Reporter in Practice Court and Chambers.)

REGINA EX REL. WM. ADAMSON V. JOHN BOYD.

Municipal election—Payment of taxes by voters and candidate—When election commences—No vice to voters of candidates disqualification—Surrender of tenancy.

B. and A. were partners occupying premises as co-tenants under a yearly tenancy on the terms of an expired lease. Before the nomination day for a municipal election they dissolved partnership, B. leaving the business and premises, of which A. remained in possession. A. shortly afterwards went into partnership with S., and the new firm then took a fresh lease of the premises from same landlord.

Held, 1. That B. was not at the time of the election the co-tenant of A., the tenancy having been surrendered by operation of law.

2. That the non-payment of taxes by a candidate before the election disqualifies him.

3. That municipal elections commence with the nomination day, and the disqualification of a candidate has reference to that day.

4. If a candidate claims to be elected by reason of the disqualification of his opponent he must so distinctly claim it at the nomination, and also notify the electors that they are throwing away their votes.

[Common Law Chambers, March, 1868.]

This was a writ of summons in the nature of a *quo warranto*, calling upon John Boyd to show by what authority he exercised and enjoyed the office of Alderman for the Ward of St. David, in the City of Toronto, and why he should not be removed therefrom, and William Adamson be declared duly elected and be admitted thereto, on grounds disclosed in the statement of said William Adamson, and the affidavits and papers filed in support of the same.

The statement and relation of William Adamson of the City of Toronto, wharfinger, complained that John Boyd, of the said city, merchant, had not been duly elected and had unjustly usurped and still usurped the office of Alderman in said City of Toronto, under the pretence of an election held on Monday, the 6th day of January, 1868, at Toronto, for the Ward of St. David, in said City of Toronto, and that he, the said Adamson, was duly elected thereto and ought to have been returned at such election as Alderman for said Ward, and declared that he, the said Adamson, had an interest in said election as an elector and as a candidate for said office of Alderman, and stated the following causes why the election of the said John Boyd to said office should be declared invalid and void, and he, the said Adamson, be duly elected thereto.

1st. That said John Boyd was not possessed of the qualification required by law to enable him to be a candidate for or to be elected to the said office, inasmuch as he, the said John Boyd, had not, at the time of the election, in his own right, or the right of his wife, as proprietor or tenant, a legal or equitable freehold or leasehold, rated in his own name on the last revised assessment roll of the said City of Toronto, of the value required by law, the said John Boyd having parted with his interest in the leasehold property in which he is apparently assessed as a partner of the firm of "Boyd & Arthurs," long before the time of the said election, and not be-