

O'BRIEN'S DIVISION COURTS MANUAL.

of fair dealing, anxious to do right, free from passion and prejudice, and peculiarly courteous to his brethren on the bench and to the bar. By these qualities he won universal good-will, and hence it was that the leave-taking of Wednesday last was marked by signs of sincerity on all sides."

SELECTIONS.

O'BRIEN'S DIVISION COURT MANUAL (2nd Edition). Willing & Williamson, Toronto, 1879.

This is a second edition of a very useful book published some ten years ago by Mr. Henry O'Brien, Barrister-at-law, on the practice of Division Courts, and which has been received as the authoritative text book on the subject ever since. The present volume is double the size of the previous one, and the Acts and rules are much more fully annotated. We notice, for example, that some three hundred additional cases have been examined and referred to by the author. A careful examination of the work enables us to say that it will not fall short of the high expectations raised concerning it. The editor has done his work well and carefully; we are glad to see that he has not unnecessarily clogged it with cases, citing the latest authorities, and those which directly bear upon the points in question. This course saves readers from the not uncommon task imposed upon them by legal authors of having to examine for themselves a number of cases, many of which do not apply, and so, by a process of elimination, to arrive at what the law on the subject really is—a duty which ought to be performed by the author. On a comparison of the two editions, we find in the last several new Acts treated of which had no existence on the statute book when the first edition came out. The principal one of these is the law of the garnishment of debts; and when we look back at the doubt and uncertainty that prevailed on the subject, when the Act first came out, some ten years ago, we are sure the profession, and those having business in the local courts, will feel thankful to find that great light has been thrown on so many doubtful points,

and the practice in this branch made comparatively plain.

The law of replevin, as applied to the Division Courts, and the clauses allowing judgment to be entered by default, are also carefully treated and annotated. The Replevin Act is given in full, as well as a number of other Acts and parts of Acts which impose duties on Division Court clerks. It will be observed that the subject of *jurisdiction*—one of the most, if not the most, important in the book—is treated of at great length with evident care and circumspection, and with a very successful attempt to elucidate and reconcile the many apparently conflicting cases on the subject. The questions of prohibition, mandamus, and certiorari are treated of in a separate chapter—a very good idea, as they are seldom approached by clerks or the general practitioner—and are evidently handled by one quite familiar with his subject. The marginal notes will be found very useful as a means of ready reference. We feel confident that Mr. O'Brien's work will be hailed with satisfaction by clerks and other officers of Division Courts, and no less by those who either practise or do business in those courts. We see by the preface that Mr. O'Brien has been assisted in his labours by Judge Gowan and others of the most experienced of the County Court Judges, a fact which will lend large additional value to the work.—*Toronto Mail*.

The acknowledged usefulness and popularity of the first edition of this work have done much towards securing a favourable reception for the present edition. Those who are familiar with the earlier edition only, can scarcely estimate the wide scope of the present volume and the extended field covered by it. Since 1866, when the first edition was issued, much legislation has taken place in reference to Division Courts, and their jurisdiction has been very much enlarged, especially by the powers given them of garnishing debts. All the various enactments relating to these Courts were consolidated in chapter 47 of the Revised Statutes, which Mr. O'Brien has taken as the basis of the present work.