

C. L. C.)

NOTES OF CASES—REVIEWS.

money, and the persons making the advance therefore entitled to a charge on the lands.

The word "family," in the connection in which it was used by the testator, meant "children."

COMMON LAW CHAMBERS.

Hagarty, C. J.]

[May 14.

IN RE McCracken v. Creswick.

Division Court Act, 1880—Prohibition—Jurisdiction—Interest—Promissory note.

Plaintiff sued on a promissory note for \$73.14, dated 1st April, 1875, payable six weeks after date, with interest at seven per cent. The principal and interest together amounted to \$103.44.

Held, that under the Division Court Act, 1880, the amount of fixed legal damages in the nature of interest for non-payment of a promissory note need not be under the signature of the defendant, and the above claim could therefore be recovered in a Division Court.

Holman, for plaintiff.

Perdue, for defendant.

Hagarty, C. J.]

[May 20.

IN RE DRINKWATER v. CLARRIDGE.

Division Court—Negotiable instrument—Judgment—Mandamus.

In a suit in a Division Court upon a negotiable instrument, where the defendant does not dispute the claim, the plaintiff is entitled to enter judgment for the amount claimed, without the production or filing of the instrument sued upon.

Stonehouse, for plaintiff.

Perdue, for the Division Court Clerk.

REVIEWS.

PRINCIPLES OF THE CRIMINAL LAW.—A concise exposition of the nature of crime, the various offences punishable by the English law, the law of criminal procedure, &c. &c., by Seymour F. Harris, B. C. L., M. A. Second Edition. Revised by the author and F. P. Tomlinson, M. A., of the Inner Temple London. Stevens & Hagues, Law Publishers, Bell Yard, Temple Bar, London, 1881.

The first edition was only published in 1877. It was received with much favor, being a compact, clearly expressed statement of the subject treated of. As we have already noticed this excellent work we shall not now speak of it at any length. The last edition does not differ materially from the first. The most important act passed in England within the purview of the book since 1877 is the Summary Jurisdiction Act, 1879. This is discussed in the chapter on summary convictions. In other respects the necessary corrections appear to have been made to make the book accord with such other changes as have been made.

THE LAW AND PRACTICE OF JOINT STOCK COMPANIES, UNDER THE CANADIAN ACTS, by Charles Henry Stephens, of the Montreal Bar, Author of the Quebec Law Digest. Toronto, Carswell & Co., Law Publishers, 1881.

This book assumes to be "a practical treatise on the law of Commercial and Joint Stock Associations, in the form of a commentary on the Canada Joint Stock Companies Act, 1877; with which is included most of the other Companies' Acts, both general and local; as also a number of forms relating to the management of such companies."

The author commences with an introduction, which is interesting as an historical resumé of the birth and growth of corporations and companies. He then speaks of joint stock companies, in reference to their definition, promotion, formation, incorporation, organization, management, and dissolution. This introduction is, we think, the best part of the book.