

entry had been made by B. after the first examination, and it was proved that the book was accessible to him.

Held, that the counsel who had appeared for B. at the examinations before the magistrate, might be examined as to whether the book contained the entry on the first examination. It is no ground for a new trial that the judge who tried the cause has pressed any particular part of the evidence strongly on the jury.

Q. B. O'TOOLE v. POTTS. Nov. 25, Jan. 14.

Practice—Arbitration on cause and all matters in difference—Time for signing judgment—Common Law Procedure Act, 1852, sec. 122, Reg. Gen. Hil. T. 1853, sec. 170.

Where, by order of *Nisi Prius*, a verdict has been taken subject to a reference of the cause and all matters in difference, the successful party may sign judgment, notwithstanding the time for moving to set aside the award has not elapsed.

B. C. RUSSELL v. DOEL AND ANOTHER. Jan. 30.

Practice—Attachment for not answering interrogatories—Personal service.

An attachment for not answering interrogatories under the Common Law Procedure Act, 1854, will not under any circumstances be granted, unless it appear that personal service of the rule *Nisi* has been effected.

C. C. R. REGINA v. GARBUFF. Jan. 31.

Larceny as servant—Embezzlement—Evidence—11 & 15 Vic., cap. 100, sec. 13.

Where upon an indictment against a defendant as servant for stealing there was no count for embezzlement, but there was evidence of embezzlement, but not of stealing, and the jury found a general verdict of guilty, this count quashed the conviction.

NOTICES OF NEW LAW BOOKS.

THE PRINCIPLES OF THE LAW OF REAL PROPERTY, intended as a first book for the use of Students in Conveyancing, by JOSHUA WILLIAMS, Esq., of Lincoln's Inn, Barrister-at-Law: Second American, from the fourth English, edition, with notes and references to American decisions by WILLIAM HENRY RAWLE, Author of a Treatise on Covenants for Title.

Of the merits of this excellent work we need say nothing—it is so well known as to need no commendation at our hands. The edition before us has an advantage over English editions in being carefully annotated by Mr. Rawle, and the American cases on the subject collected and arranged in the notes. The American Editor, keeping in view the original plan of the work, has not attempted to compile local Statutes, but has endeavored, and successfully, to illustrate the general principles of real property in the United States.

We have no hesitation in recommending this edition to Students and members of the profession. Mr. Rawle has added largely to the value of the work by his learned notes, and they give it peculiar value to us in Canada, the circumstances of both countries (Canada and the United States) in respect to real property and its conveyance, being so much alike.

CORRESPONDENCE.

To the Editor of the U. C. Law Journal.

Sir,—I notice in the last two numbers of the *Law Journal* that several cases are published as having been reported by me, which were in reality reported by the late Mr. Talbot; and I deem it but due to his memory to correct the mistake.

Many of these cases were collected and sent by me to Mr. Harrison, subsequently to Mr. Talbot's decease; and hence, perhaps, the supposition that they were reported by me.

I cite you a list of the cases referred to, in order that, should any collection of these labours of Mr. Talbot be made hereafter, his memory may receive the credit to which his ability was so well entitled.

The following cases, published in the December number of the *Journal*, were reported by Mr. Talbot, viz.:

Chard v. Lout, Oct. 8, 1856; *Rosse v. Cumming*, Oct. 4, 1856; *Metropolitan Building Society v. McPherson*, Oct. 3 and 4, 1856; *Keilly v. Clark*, Oct. 6 and 7, 1856; *Carruthers v. Dickey*, Sept. 16, 1856; *Moberly v. Baines*, Sept. 18, 1856; *Swan v. Cleland*, Sept. 20, 1856; and in the January number, the following: *Street v. Cuthbert*, Oct. 4, 1856.

Absence from home is my reason for not having made this correction before now.

I am your obedient servant,

OSCOODE HALL, }
February 9th, 1857. }

T. MOORE BENSON.

[Mr. Benson naturally feels sensitive, as every honourable mind would, on the subject to which he refers. We very willingly insert his letter, and regret the mistake into which we inadvertently fell.—Eds. L. J.]

THE DIVISION COURT DIRECTORY.

Intended to show the number, limits and extent, of the several Division Courts of Upper Canada, with the names and addresses of the Officers—Clerk and Bailiff,—of each Division Court.†

COUNTY OF BRANT.

Judge of County and Division Courts, STEPHEN JAMES JONES, Brantford.

First Division Court.—Clerk, Henry Racey—Brantford P. O.; *Bailiffs*, William Young and Daniel Costello, Brantford P. O.; *Limits*—The town of Brantford, and that part of the township of Brantford not included in the other Divisions thereafter mentioned.

Second Division Court.—Clerk, John A. Penton—Paris P. O.; *Bailiff*, Roger Brookbanks—Paris P. O.; *Limits*—The town of Paris, that part of South Dumfries, west of Lots 18 in the several concessions, and that part of the first concession of Brantford, and of the Gore between South Dumfries and Brantford lying south of the above described portion of South Dumfries.

Third Division Court.—Clerk, Samuel Stanton—St. George P. O.; *Bailiff*, Albert Huson—St. George P. O.; *Limits*—The remainder of South Dumfries and of the first concession and Gore of Brantford.

Fourth Division Court.—Clerk, Leander D. Marks—Burford P. O.; *Bailiff*, William H. Serple—Burford P. O.; *Limits*—The ten northern concessions of Burford, and the first ten lots in 2nd, 3rd, 4th and 5th concessions Brantford, and that part of the Kerr tract immediately south thereof.

Fifth Division Court.—Clerk, James Malcolm—Scotland P. O.; *Bailiff*, Andrew Malcolm—Scotland P. O.; *Limits*—The township of Oakland, the remainder of the township of Burford, and the first five lots in the ranges east and west of the Mount Pleasant Road in the township of Brantford.

Sixth Division Court.—Clerk, Robert Wade—Tuscarora P. O.; *Bailiff*, James Spencer—Tuscarora P. O.; *Limits*—The townships of Onondaga and Tuscarora, and that part of the township of Brantford south of the Hamilton Road, and east of Fairchild's Creek.

† Vide observations ante page 196, Vol. I., on the utility and necessity of this Directory.