

plained of was one of \$85 poundage allowed by the clerk on taxation on a value of six thousand dollars placed on the locomotive. The application was under ss. 356 and 358 of the Judicature Ordinance. It was contended on behalf of the sheriff that the defendants having proceeded by way of taxation could not now apply to a Judge to have the costs reduced, and that such reduction could not be made by way of appeal from taxation.

Held, that the defendants had not, by submitting to taxation, waived their right to apply for a reduction, and that a reduction could be made on this application, that under the provisions of ss. 356 and 358 an application can be made to a Judge without any taxation, or after taxation by way of appeal therefrom.

Held, that there being no English rule similar to s. 356, the English practice allowing poundage only on amounts realized does not apply.

Held, however, that the sheriff should not be allowed full poundage but only a reasonable amount according to the circumstances, and order made reducing the amount to be allowed to \$40.

Wadsworth v. Bell, 8 P.R. 478 (decided under the Ontario rule, similar to s. 356) cited and approved.

Short, for sheriff.

Muir, Q.C., for defendants.

BOOK REVIEWS.

Blackstone's Commentaries, by HON. WM. DRAPER LEWIS, Ph.D. Philadelphia, 1897, Rees, Welsh & Co. Canada Law Journal Co., Toronto, Canadian agents.

The first of the twelve numbers of this new Blackstone series, which will be complete by December, 1897, has just appeared, and covers the first volume of the original Blackstone text, which is reprinted complete, copious and well selected notes being subjoined. The succeeding three numbers are to conclude the text, after which will follow a complete analysis of English and American law in eight numbers. So far the work is admirable, and it is safe to predict its entire success from the well known reputation of the author, who has already edited Greenleaf on Evidence, and Notes to Wharton's Criminal Law. Dr. Lewis is the well known Dean of the Law Department of the University of Pennsylvania.

The Law of Evidence in Civil Cases, by BURR W. JONES, of the Wisconsin Bar, Lecturer on the Law of Evidence, etc., in the Law School of Wisconsin University, in three volumes. San Francisco: Bancroft Whitney Co., Law Publishers, 1896.

This book in its scope and shape is in some respects a new departure. The object of the author is to furnish a convenient text book for trial lawyers, stating tersely the rules of law which govern in the trial of civil cases. It follows the general style of Roscoe, and seems to be an up-to-date practical, and, within its compass, a full summary of the law which it lays down. It is divided into three volumes, thereby being convenient for counsel for carriage in modern brief bags.