

The bill alleged that the plaintiff was eighteen years of age; that she formed an acquaintance with the defendant, and that clandestine meetings took place between them, out of which an engagement to marry had arisen; and that the plaintiff had become aware of circumstances connected with the defendant, which rendered the marriage an undesirable one.

The bill then set forth the letter of the plaintiff putting an end to the engagement on the grounds stated, and that the defendant, after angrily remonstrating with the father of the plaintiff, wrote a letter, set forth in the bill, saying in effect that, if a complete retraction were not made of the insinuation contained in the plaintiff's letter, her letters written to the defendant would be published and circulated in the neighbourhood.

Jessell, Q. C. and Woodroffe, for the plaintiff.
Selwyn, Q. C. and Rozburgh, for the defendant, opposed the motion, claiming a right to get from the plaintiff a statement upon oath of her reasons for terminating the engagement, or to publish the letters.

LORD ROMILLY, M.R.—Because a young lady breaks off an engagement, she is not to be forced by a threat of publishing the letters written by her during its continuance, to state upon oath the reasons that induced her to terminate such engagement. The defendant will not be permitted, because the young lady happens to have made an affidavit (which in my opinion was unnecessary and might just as well, or even more properly, have been made by her father, or any other person acquainted with the facts) to obtain a mere conditional restraint against the publication of the letters. The injunction must be granted. Any cross-examination of the young lady that may take place is to be held before me.

REVIEW.

THE DIVISION COURTS ACT, RULES AND FORMS, with numerous Practical and Explanatory Notes, together with all other Acts and portions of Acts affecting proceedings in Division Courts, and many new and useful forms, and a Table shewing all the Division Courts in Upper Canada, their several limits and names of officers, with a complete Index. By **HENRY O'BRIEN, Esq.**, Barrister-at-Law, joint compiler of *Harrison & O'Brien's Digest*, and one of the Editors of the *Upper Canada Law Journal and Local Courts' Gazette*. Toronto: W. C. Chewett & Co. 1866. Price, \$2.

The object which the Editor of this most useful work had in view was to annotate the Division Courts Act and Rules by notes explanatory of the text, as well as practically useful to professional men and others, and particularly to the officers concerned in the administration of the courts.

The Editor has thoroughly attained his object. His notes are not merely explanatory of the text, but so practical as to be of great value to the profession and all others who in any way may find it necessary to consult the Division Courts Act. The notes are couched in language terse and to the point,

and yet so free from technicality as to be intelligible to all men who can read and understand the English language. Knowing the industry and ability of the Editor, we had formed high expectations as to his projected work, and we confess that high as were our expectations they have not been disappointed.

The Division Courts have now become local institutions of the country, presided over by the same judges who preside over our County Courts or inferior courts of record. The amount of business disposed of in the Division Courts is greater than many imagine, and so great as in several counties severely to tax the knowledge and patience of the judge, and occasionally such as to make it worth the while of professional men of good standing to appear in the courts. If some provision were made for the allowance of moderate counsel fees, we venture to believe that the judges of Division Courts would, in a short time, have, in all cases of intricacy the assistance to be derived from the ability of learned and trained counsel. This would not merely be a great aid to judges who, without such assistance, are frequently called upon to determine questions of much nicety without the benefit of proper legal discussion, but tend to raise the courts in the estimation of the profession and the public.

As it is, no professional man whose practice is at all extensive is free from the necessity of understanding the Division Courts Act. Questions of jurisdiction as between the several courts of inferior jurisdiction daily present themselves to his consideration. Applications for writs of *certiorari* are of frequent occurrence. The proper scale of costs to be followed in a particular case, as between the Division Court and the County Court, is at times a matter of considerable difficulty. Suits on Division Court bonds and covenants are often instituted, and in their disposal generally demand an accurate knowledge of Division Court jurisdiction and practice. Actions against Division Court bailiffs for things done by them in the execution of their office, and the appropriate remedies therefor, are as often subjects for consideration. Criminal prosecutions, under special provisions contained in the Division Courts Act, are not of unfrequent occurrence. — On all these and similar points, valuable information is to be found in Mr. O'Brien's work.

To clerks, bailiffs, agents, and others whose calling requires an intimate knowledge of the working of Division Courts, the book will be of incalculable value. Indeed we feel certain that as soon as its usefulness is known, no clerk, bailiff, or agent will venture to be without this book one day that can be avoided. It is not merely a guide, but a safe guide to all who stand in need of a guide. All may profit by the learning and care here bestowed; and all who become purchasers of the work and open it must profit by the use of it. The collection of decided cases is most complete and reliable. This we have tested with care,