

OTTAWA CORRESPONDENCE—BOOKS RECEIVED—FLOTSAM AND JETSAM.

## OTTAWA CORRESPONDENCE.

We are glad to hear again from our correspondent at Ottawa, who, in April last, spoke of the legislation of the session :—

"I see some cases in recent numbers of your journal turning on the jurisdiction of Division Courts in cases where it depends on the amount, always a difficult question, as a mere trifle may give or take away the jurisdiction, and this in higher Courts as well as lower. The Supreme Court, in the case of *Levi v. Reed*, had a rather hard point to decide. The action in the Superior Court was for slander. Levi got judgment (without a jury) for \$1,000 damages, and costs. Reed appealed, and the Queen's Bench in appeal, reduced the damages to \$500. Levi appealed to the Supreme Court, praying that the judgment in appeal might be reversed, and that of the Superior Court restored, asking for the \$1,000, and no more, and the Court could not (by the Quebec law at any rate) give him more than he asked for. The Judges agreed that the costs could not be counted as part of the sum demanded, and if they could have been they were under \$1,000; consequently Reed, being content to abide by the judgment of the Queen's Bench and pay the \$500 damages, and the Statute 42 Vict., cap. 39, s. 8, providing that there should be no appeal in any case "wherein the matter in controversy does not amount to the sum or value of \$2,000," unless in cases where the rights in future may be bound (which they could not be in this case), or the validity of an act is called in question, it would seem that there was not jurisdiction. Yet the Court, on the exception to the jurisdiction maintained the latter, giving judgment for the \$1000 and costs. Tachereau, J. dissented, and I think he was right. You will see the case in the Reports. The matter in controversy was really only \$500: Reed declaring himself ready to pay *that* and Levi only asking \$1000. There was a case mentioned by the judges who gave the judgment (*Hart v. Joyce*), on which they relied but it does not seem quite in point, for the Court *might* have given a judgment exceeding \$2000 in amount as against the party losing: and in that case there seems to have been a difference of opinion among the judges: it was the former Taschereau, J. not the present, who joined in it, as I understand. The case was a strong one against Reed, but ~~that~~ that does not alter the law. Will Mr. Mowat's new Act avoid the difficulty as to Ontario cases?

I liked the look of my little squib about the "innocents" as you put it. It took off the stiff-

ness of Wig and Gown, and recalled something of the time when :—

"The grave Lord Keeper led the brawls,  
And Mace and Goldstick danced before him"

in the days of good Queen Bess, I suppose.

How do you like the changes in the Government? All seem to think Sir Alex. Campbell the best man for the Portfolio of Justice.

We have the Orders in Council and the Public General Acts printed off, and the Local and Private well advanced.

Dr. Todd is here with his LL. D., and his C. M. G. He won them well and may he wear them long.

## BOOKS RECEIVED.

THE LAW OF REGISTRATION OF TITLES IN ONTARIO, by Edward H. Tiffany, of Osgoode Hall, Barrister-at-Law. Carswell & Co., Law Publishers, Toronto. 1881.

THE LAW OF THE ROAD; OR, THE WRONGS AND RIGHTS OF A TRAVELLER. (English edition.) Carswell & Co., 11 St. Giles St., Edinburgh. 1881.

## FLOTSAM &amp; JETSAM.

A COMPETENT JUROR.—Lawyer—Have you any fixed opinion about any thing? Juror—No. Lawyer—Is your mind so porous that it can leach out all past facts, memory, impression and sense of justice? Juror—It can. Lawyer—Would you acknowledge on due evidence that you were not yourself, but somebody else? Juror—I would. Lawyer—Are you sure, without due legal proof, that it is I who am speaking to you now? Juror—I am not. Lawyer—You assume that this is he year 1881 A.D., but you are open to the conviction, on due and sufficient evidence, that it may be 1881 B.C., do you not? Juror—I does. Lawyer—You are of the masculine gender? Juror—I am. But on due and sufficient evidence being produced you would even in this respect be prepared to admit you were mistaken? Juror—I might. Lawyer—Swear this gentleman. He is the juror. we long have sought and mourned because we found him not.—*Graphic* (N.Y.)

The honor of Knighthood has not been confined to the Chief Justice of this the "brightest gem" in the Queen's Crown. It was also recently conferred on Charles Lilley, Esq., Chief Justice of Queensland; James Prendergast, Esq., Chief Justice of New Zealand; and John Gorrie, Esq., Chief Justice of Fiji.