

REVIEWS—CORRESPONDENCE.

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THE LAW OF REGISTRATION OF TITLES IN ONTARIO, by Edward Herbert Tiffany, of Osgoode Hall, Barrister-at-Law, Toronto: CARSWELL & Co., Toronto.

No one who takes any interest in the legal literature of Ontario can fail to have been impressed and gratified during the last few years by its rapid progress in extent and variety. It is true that we cannot boast of great original works on the fundamental principles of law, no Story or Sugden having as yet appeared amongst us, and it will be generally conceded that our legal writers have shewn wisdom in confining themselves, as a general thing, to the less ambitious, but more immediately useful task of explaining and commenting on the more important chapters of our Provincial Statutes, and the cases decided upon them. It is somewhat remarkable that the Registry Act should have remained as long without a commentator, for there is no statute which exercises a wider or more practically important influence, lying as it does at the foundation of the whole conveyancing system of this country. Mr. Tiffany refers in his preface to two previous manuals on registration, but as they date back to 1857 and 1866 and are rarely, if ever, available for reference at the present time, the work now under review is fairly entitled to the distinction of being the first in its special field. We have not space to enter into a detailed criticism of the work before us, but have no hesitation in saying that it will be found of great value by all who are engaged in the practice of conveyancing and searching titles. It consists of full annotations of the Registry Act, R. S. O., cap. III., followed by an appendix of practical forms, a tariff of fees, &c. There is also a brief introduction, giving a condensed account of the origin and development of our provincial system of registration. There is a great deal that is exceedingly dry and formal in this Act, such as the sections relating to the appointment and duties of the registrars themselves, the manner of registering different instruments, &c.; but this fact has not hindered the author from giving a full and satisfactory account of them. It

is, however, in his tenth chapter, in which he comments on the section coming under the head of "Effect of registering or omitting to register," that Mr. Tiffany has put out most force, and his excellent discussion of the important questions raised by these sections, such as purchase for valuable consideration, and actual and constructive notice, is, we think, sufficient in itself to recommend his work to the favourable consideration of the profession.

CORRESPONDENCE.

Division Courts—Vouchers.

To the Editor of the CANADA LAW JOURNAL :

SIR,—I was surprised the other day to find that it is the practice in at least one of the Courts of this county, when a note is given to the Clerk for suit, to annex it to the original summons, and for the process server to carry it about in his pocket with other papers until service is effected. This practice strikes me as likely to lead to difficulty. What say you?

Yours, etc.,

Toronto, Sept. 6.

ATTORNEY.

[The practice spoken of certain seems open to grave objection. Vouchers of this kind should be kept by the Clerk in the safest place he can find, and that is certainly not the pocket of the person who serves papers, whether he be bailiff or bailiff's assistant. The loss of a promissory note might cause serious difficulty, perhaps entail loss on the Clerk himself, who is certainly not using due care in the preservation of papers left with him. The safest plan would be for the suitor to give to the Clerk a copy of the note and not the original, which, however, should be produced before judgment given. If, however, the note is handed to the Clerk, he should make, or call upon the plaintiff to make a copy of the note to be attached to the original summons.—EDS. L. J.]