

essions taken after that day must in like manner be filed of record within a month. We cannot close our eyes to the fact that a very great deal of fraud has been practised on creditors in this country by means of secret (often fraudulent) confessions, which enabled a particular creditor to come in at any moment and sweep away the whole of a debtor's means in fraud of his creditors generally. An individual might, to all appearances, be possessed of good means, be carrying on a large business, and thus be enabled to obtain an extensive credit, and be in fact an insolvent or liable to have all he possessed (including property he might be enabled to get from others, on the strength of his apparent credit) seized by the Sheriff under execution issued upon a judgment entered up on a secret cognovit, suspended for months over the debtor's head.

Nor had the public any means of finding out whether such confessions were in existence, and the whole credit system of the country was thus based on an unstable foundation. In England the Bankrupt laws and special provision respecting confessions of judgment kept the use of them from degenerating into abuse. The provisions of the Act to which we have referred have this object in view. A book is required to be kept in the offices of the Courts in which the debtor resides, wherein must be entered "the names of the plaintiff and defendant in every such confession or cognovit, the amount of the true debt or arrangement thereby secured, the time when judgment may be entered and execution issued thereon, and the time when such confession, or cognovit, or copy thereof is filed in the said office."

This book, called the "Cognovit Book," any one may inspect during office hours on payment of a shilling.

BOOK NOTICE.

THE MANUAL OF COSTS IN COUNTY COURTS, containing the new Tariff, together with forms of taxed bills and general points of practice. By ROBERT A. HARRISON, Esq., B.C.L., Barrister-at-Law. Maclear & Co., Toronto, Publishers.

This timely little work is deserving of unmixed praise. It has been produced with great despatch, and is yet a reliable "vade mecum" for officers and practitioners.

In addition to the Tariff framed for the County Courts by the Judges, Mr. Harrison has given in *extenso* seventeen distinct bills of costs to serve as guides in respect to the various proceedings connected with an action at law. These bills are "copied from originals now in the Courts at Osgoode Hall, and have been chosen by the Editor and approved by the Taxing Officers of the Courts as being suitable and reliable examples of what bills ought to be

when correctly prepared." The table of costs for the County Courts being framed on the same principles as that issued for the Superior Courts in 1856, these models will of course serve for both. The Manual concludes with about 15 pages of observations on general points of practice in relation to taxation of costs under a number of appropriate heads, with very numerous references to authorities.

The whole work is well calculated to facilitate a uniform practice in taxation, which was much to be desired, and thereby effect amongst other things a saving of time both to the profession and the taxing officers, to whom it will indeed be of immense value, and Mr. Harrison is entitled to great credit for so useful and so accurate a publication.

The price (2s. 6d.) is absurdly low. The book is worth \$2 to every Clerk of the Courts, and to every practitioner in respectable practice.

MONTHLY REPERTORY.

COMMON LAW.

C.P. EX PARTE BEADELL. June 1.

Railway and Canal Traffic Regulation Act, (17 & 18 Vic., cap. 31)—Admission of hackney carriages into station of railway company.

A Railway Company under an arrangement which they made with one proprietor of hackney carriages, gave him the privilege of bringing his cabs into their station for the purpose of plying for hire among the passengers arriving by the trains to the exclusion of other cab proprietors. It not being shown that the arrangement was not advantageous to the public, as well as the railway company, the Court refused a rule on the application of a hackney carriage proprietor who was excluded from plying for hire in the station, calling on the company to show cause why a writ of Injunction should not issue to admit his carriages or a writ to exclude the carriages of the proprietor with whom the company had made the above arrangement.

Q.B. EX PARTE J. H. MARSHALL (gentleman, one of, &c.)
RE J. S. WOOLER. May 25.

Taxation of costs, receipt of amount of allocatur—Professional remuneration.

An attorney ought not always to be paid by the folio, but is entitled to proper remuneration for care and skill.

The acceptance of money under an allocatur prevents an attorney from moving to review the master's taxation.

C.C.R. REG. V. EVANS. May 30.

Felony—County Court acting under pretence of process of—9 & 10 Vic., chapter 95, section 57—Letter threatening proceedings.

Upon an indictment under 9 & 10 Vic., cap. 95, sec. 57, for acting and professing to act under a false colour and pretence of County Court process, it was proved that the prisoner being a creditor of R. sent him a nonsensical letter, headed with the Royal Arms, and purporting to be signed by the Clerk of a County Court, threatening County Court proceedings. He subsequently told R.'s wife that he had ordered the County Court to send the letter, upon which she paid the debt; and whilst making out receipt he made a demand of her for the County Court expenses.

Held, (BRAMWELL, B., dissentiente) that these facts constituted an offence within the meaning of the section, and that the conviction must be supported.