

Held, following *Newbolt v. Bingham* (1895) 72 L.T.R. 852, that no third party having intervened, plaintiff was entitled to relief against non-forfeiture, and that the case coming within Rule 976 of the Supreme Court Rules, 190 , plaintiff should also get the costs of the action.

Observations on the effect of s. 20, s-s. 7, Supreme Court Act.

Decision of HUNTER, C.J., affirmed.

Sir S. H. Tupper, K.C., for respondent. *Joseph Martin*, K.C., for respondent.

Book Reviews.

The Criminal Code and the Law of Criminal Evidence. By W. J. TREMEEAR, of the Toronto Bar. Toronto: Canada Law Book Co., Limited, Law Book Publishers, 32 Toronto St. Philadelphia: Cromarty Law Book Co., 1112 Chestnut St. 1908. 1030 pp.

As stated in the title page this is an annotation of the Criminal Code of Canada and of the Canada Evidence Act; with special reference to the law of evidence and the procedure in Criminal Courts, including the practice before justices and on certiorari and habeas corpus.

This second edition comes really in answer to a demand therefor by the profession who have evidenced their desire not merely by letters to that effect, but by the fact that the first edition was in a very few years exhausted. Moreover there was a necessity for a second edition in view of the re-arrangement of the sections of the Criminal Code by the revision of the statutes of Canada in 1906, and the many changes made in both the Code and the Canada Evidence Act since the first edition.

The volume before us is larger by several hundred pages than the first edition, and an examination of its contents shews that the whole work has been thoroughly re-written, and that much additional information is now given on subjects which were sparingly dealt with in the former edition. A noticeable feature is the addition of many new forms.

Mr. Tremear has established his reputation as a careful and methodical compiler, and he shews that familiarity with the principles of criminal law and procedure necessary for one who undertakes to give others full information on the subject.

The mechanical arrangement and the typographical execution of the book is of the highest character. A great improvement has been made by giving marginal notes, following in this particular the best specimens of English law books.