

REVIEWS—MONTHLY REPERTORY.

reference to the very full, complete and well arranged Index, which is given at the end of the book. We should have thought, as a matter of convenience, that it would have been better to have placed at the head of each page the name of the subject treated of in the page beneath, but the Index makes this a matter of no great consequence.

The Addenda contains further matter of information, on points not directly connected with the criminal law of the country, besides a chapter on evidence, which, though of necessity short, embraces all the principal points that a magistrate should be acquainted with in conducting an investigation.

Upon the whole we must congratulate Mr. McNab upon having produced a very useful book, and one, we doubt not, that will find a ready sale among magistrates and others concerned in the administration of justice. The experience of the author, in his office of County Attorney, must have been a great assistance in the preparation of the book, and would enable him to point out many things that might escape the attention of a merely professional man, however competent otherwise for the task.

The "Magistrate's Manual" is got up in Messrs. Chewett & Co.'s best style, the paper and binding being good and substantial, and the type evidently new. The price is \$4.

THE LOWER CANADA LAW JOURNAL. Conducted by James Kirby, M. A., B. C. L. Printed and published by Penny, Wilx & Co., Notre Dame Street, Montreal.

We welcome the first number of this new publication. It is designed to supply a want for a long time felt in Lower Canada. While the profession there had the Lower Canada reports and the *Jurist*, affording all requisite information as to decided cases, there was no channel of communication between members of the profession, no legal publication of any kind containing original articles of interest to the profession. The *Lower Canada Law Journal* is intended to supply this want, and so far as we can judge from the number before us, is well calculated to carry out the intention. There need be no rivalry between it and the *Reports* and the *Jurist*. It occupies ground that neither of them touches, and if well conducted would do those publications more good than harm. It is in size and form nearly the same as the *Upper Canada Law Journal*, which in these respects is made its model. The number before us opens with a "Proem," wherein it is stated that the first number is not as good as will be its successors. We can only say, that if its successors prove as good as the first number our brethren in Lower Canada will not have much cause of complaint. In it is contained an article on "Commission to the Bar of Lower Canada," and some remarks by George W. Stephens, advocating the establishment of a Law Reform

Society in Lower Canada. Then follow some remarks on the remarkable case of Dr. Gubourin, a gentleman in good position who was prosecuted criminally for stealing a promissory note made by himself and swallowing it in order to escape detection, and who, owing to the bad character of the prosecutor as compared with his own good character, was acquitted, and other editorial matter. There are besides a review of a digested index to the reported cases in Lower Canada, which, according to the review, must be a useful publication; correspondence, selections and reports of decided cases, the whole making a number containing forty neatly printed pages of matter, each page in size equal to the page of the *Upper Canada Law Journal*. For the present the publication is to be a quarterly one. We hope soon to see it a monthly, commanding increased and increasing support. It merits success.

GODEY'S LADY BOOK, for August, is received.

The embellishments in this number are numerous, viz.: The Fair Haymaker, a line engraving; a colored fashion plate containing six figures; a Thorny Path; a humorous engraving; a promenade suit for second mourning; Robe Jardiniere, Robe and Paletot (both from the establishment of A. P. Stewart & Co. of New York); the Tagres Talma from Brodie's emporium, and about sixteen other engravings. The letter press is equally full and entertaining, viz.: Mint, Anise and Cummin, by Marion Borland; El Dorado, a poem; Charlie, or how I gained my wish, by the authoress of "Notes of Hospital Life;" How to make Home Beautiful; The Casket of Memory, a poem by Wm. E. Pubor; The Beautiful Unknown, another poem, by Harwood G. Robertson; A Day's Journey, and what came of it; Passion and Principle, by Mrs. J. V. Noel, and many other pieces of poetry and prose too numerous to mention. The number is really a superb one, and all that can in reason be desired or required by the ladies, for whose information and delight this Magazine is so well designed.

MONTHLY REPERTORY.

COMMON LAW.

VIDAL V. BANK OF UPPER CANADA.

Affidavit of merite prope form of—Must disclose defence, except in interpleader case.

The proper form of the general affidavit of merits is, that the defendant has "a good defence to the action on the merits." *Held*, therefore, that an affidavit by the attorney which stated that in his "opinion the defendants had a sure and certain defence legally and equitably" was insufficient.

Held, also, that on an application to set aside a verdict and grant a new trial, on the ground of