

GENERAL CORRESPONDENCE—REVIEWS.

TO THE EDITORS OF THE CANADA LAW JOURNAL.

GENTLEMEN,—My attention has been directed to a letter in the last number of the *Law Journal*, signed "L.L.B.," criticising, in very questionable spirit and tone, the report of the case, "*In re Moore v. Luce*," contained in the current volume of the Common Pleas Reports. I may not be doing more than I am called upon, in answer to your querulous correspondent, when I say that the report in question was submitted, before publication, for the approval of the same able and pains-taking judge who wrote and delivered the judgment of the court in the case, and who did not deem it necessary that the judgment of the County Court (the omission of which, as you say, forms the gravamen of the complaint made) should be given in any more extended form than it was.

There may be a redundancy of statement in one part of the report, as your correspondent charges, but that is, after all, a matter of opinion; and there may be an inaccuracy as to the disposition of the costs in the court below, though my sources of information ought to have been as reliable as your correspondent's, which appear to have been mere hearsay; but there being no question of the kind before the appellate tribunal, it was just as unimportant as if it had been stated that the judge below delivered his judgment in a standing instead of a sitting posture.

There is, I believe, another exception taken to the report, which seems to be equally trifling.

As to the judgment itself, from which your correspondent makes several quotations, and complains that the reporter "does not explain" this (!) and "does make the judge say" that (!!); as it would have been the height of presumption, on the reporter's part, to have done either the one or the other, it would be equally presumptuous now, were I to attempt a defence either of the worth or the phraseology of that judgment, both of which your correspondent is bold enough to call in question, though safely enough, to be sure, under his anonymous subscription. No doubt, however, the court itself will, if its attention is called to his letter, at once see the error it has fallen into in both respects, and, if possible, take the earliest opportunity and means of putting itself right.

Inaccuracies, as well of the pen as of the tongue, are more easily detected than avoided,

as your correspondent, with his hypercritical acumen, will no doubt find *on carefully revising his own letter*. As you truly observe, the work of reporting is no easy matter, and errors will creep in, however great the care bestowed upon it, though to none can this be more annoying than to the reporter himself. It is so with the leading reports in England, as may be seen by the numerous *errata* at the end of some of the volumes of the present series of "Law Reports," as well as by examining the text itself, inaccuracies in which have in many instances been overlooked altogether. Where, however, there is, on the whole, an honest desire evinced on the reporter's part to do his work well, a profession distinguished, *as a rule*, for its generosity, should extend to him, as it no doubt will, that indulgence and forbearance—in the case, at any rate, of unimportant defects—which he ought to feel himself entitled to expect.

I am, Gentlemen, yours, &c.,

S. J. VAN KOUGHNET,

Toronto, Nov. 1868.

Reporter C. P.

REVIEWS.

GEORGIA REPORTS, vol. 35. December Term 1866; and a Table of Cases, reported in the first 31 volumes of the Georgia Reports; By L. E. Bleckley, Esq., late Reporter of the Supreme Court of Georgia. Atlantic Ga., 1868.

We have to acknowledge the above through the courtesy of Mr. Bleckley.

The cases seem to be carefully reported, and many of them decide points of interest, more especially to the American people—such, for example, as the case of *Clarke v. The State of Georgia*, which is an authority, founded on an act of the Legislature, that persons of color are competent witnesses in all cases, just as white persons are; a proposition which to us seems sufficiently reasonable, and beyond discussion, though the lesson has been a difficult and a bitter one for Southerners to learn.

The reporter gives, in an appendix, some decisions of Judge Erskine, of the same State. The first of these must have been felt as a relief to the exasperated feelings of honorable men in the South, whatever the ultimate result of it may have been. In *Ex parte William Lavo*, he held that an attorney or