

REVIEWS.

THE DOCTRINES OF THE LAW OF CONTRACT IN THEIR PRINCIPAL OUTLINES, stated, illustrated and condensed. By Joel Prentiss Bishop. St. Louis: Soule, Thomas & Wentworth. 1878. R. Carswell, Toronto.

This is in Mr. Bishop's own particular style; its merits may be assumed from the reputation of its author. It is, he tells us, the outgrowth of a plan to collect in simple and compact language, and arrange in an order of his own, the essential doctrines of the law of contract. He says he has felt in books on this subject "for the ribs in the body of the law of contract, and for the spinal column, but could not distinguish rib or backbone from muscle." He has accordingly made a skeleton in the shape of short legal propositions, arranged under the various chapters into which he has divided his matter. We do not quite agree that the arrangement of the author is in all respects the best; but it certainly has the merit of being in many ways novel. Nevertheless, whilst there is originality in every page, the reader finds when he has read a few pages that he has had firmly impressed on his mind an amount of first principles or "ribs" which make it clear to his mind that the author has something approaching a genius for evolving principles out of a maze of illustrations. It is thus a valuable book for students, for practitioners, and for the man of business. These propositions, without the authorities cited, would not be of much use to those who have to apply them to the particular case before them. We could wish to see this skeleton covered with the Canadian authorities, and so made more useful to us; the cases cited are almost exclusively American. The work is a valuable addition to the many that have been written on this most important branch of the law.

AMERICAN CRIMINAL REPORTS. By John G. Hawley, late Prosecuting Attorney at Detroit. Vol. I. Chicago, Callaghan & Co., Law Publishers, 1878. R. Carswell, Toronto.

This is the first of a series designed to contain the latest and most important criminal cases determined in the Federal

and States Courts in the United States, as well as selected cases, important to American lawyers, from the English, Irish, Scotch, and Canadian Law Reports, with notes and references.

The whole value of this series will depend upon the care and research of the compiler. As far as we, in this Dominion are concerned, it will be valuable only so far as the leading American cases are concerned. As we have access to the rest of the matter in other ways. The American cases seem, on the whole, to be selected with much care, though many of them are not applicable to the law as it stands on this side of the border, and some are curiosities in their way. The judgment in the case of *State v. Neely* is not only a curiosity, but an outrage on common sense, law and justice. The Court that pronounced it was as devoid of legal knowledge as it was filled with blind, unreasoning prejudice. The prisoner was indicted for an assault to commit rape. The evidence was simply that the prisoner saw the prosecutrix walking through a wood. He called to her to stop; she ran on and he followed her a short distance, being about seventy yards from her, until she came to a clearing, when he walked off in another direction. He was convicted on this evidence. On an appeal, this conviction was sustained. The only way we can account for such a result is, that the prisoner was a negro and the *locus in quo* was North Carolina. We notice in this volume the case of *The People v. Wilson*, which was referred to in *Reg. v. Wilkinson*. The Canadian authorities republished are *Reg. v. Belmont*, *Reg. v. Hennessey*, *Reg. v. Starr*, and *Reg. v. Smith*.

BOOKS RECEIVED.

A COMPENDIUM OF ROMAN LAW. By Gordon Campbell, M.A., of the Inner Temple, London. Stevens & Haynes, Law Publishers, Bell Yard, London. 1878. Willing & Williamson, Toronto.

MAYNE ON DAMAGES. Third edition. By J. D. Mayne and Lumley Smith.