

largely dependent upon the circumstances existing at the time of default.

If the contract is what is known as a continuing contract to be performed in instalments, the weight of authority is that a default as to one instalment will authorize an abandonment of the entire contract, although the late New Jersey case of *Gerli v. Poidebard Silk Mfg. Co.*, 30 L. R. A. 61, holds that when the seller of goods has agreed to deliver them in instalments, and the buyer has agreed to pay the price in instalments which are proportioned to and payable on the delivery of each instalment, default of either party with reference to any one instalment will not ordinarily entitle the other party to abrogate the contract.—*Case and Comment.*

THE TEACHING OF ENGLISH LAW AT UNIVERSITIES.

[Concluded, from p. 335.]

THE YEAR-BOOKS.

Before I pass on, let me say, as if in a parenthesis, a word or two more about the Year-books. These great repositories of our mediæval law have been the subject of many cheap and foolish observations, as to their mustiness and mouldiness; but never, so far as I know, from persons who had any considerable acquaintance with them. It has dwarfed and hurt our law that research has usually stopped short about three centuries back; as to what went before, it has been the fashion to accept Coke as the epitome, or to take the summaries in the Abridgments. Back of Coke, these ill-printed, unedited, untranslated folios, the Year-books, have stood like a wall, repelling for most men any further search. But not all scholars have been deterred; and those who have gone through these volumes have found a rich reward. Amidst their quaint and antiquated learning is found the key to many a modern anomaly; and the reader observes with delight the vigorous growth of the law from age to age by just the same processes which work in it to-day in our latest reports. There, as well as here, together with much that is petty and narrow, one remarks not only well-digested learning and thoughtful conservatism giving its reasons, but also growth, the vigour of original thought, liberal ideas, and the breaking out of what we call the modern spirit.