

CORRESPONDENCE—REVIEWS.

the law the air of a science, who found it made available for creditors, no serious harm is done by its seizure. But, on the husband's death, having lost her supporter, cherisher and protector, assuming that her dower is all she has to look to for a maintenance (a state of affairs not infrequent), the creditors, not having availed themselves of their rights in the husband's lifetime, are precluded now from seizing her right, by assigning which, (as we shall hereafter see she may do) she may provide herself with funds in order to her support and maintainance in some degree at least. And this supposition is not at variance with the favouritism shown by the Courts to the widow in other cases even at the expense of creditors.

I shall attempt an examination of the second division of this part of the subject, namely, that relating to the consummate right, in my next letter.

E. D. A.

Toronto, Sept., 1877.

REVIEWS.

COMMENTARIES ON THE LIBERTY OF THE SUBJECT AND THE LAWS OF ENGLAND RELATING TO THE SECURITY OF THE PERSON. By James Paterson, Esq., M.A., Barrister-at-Law, 2 vols. London, Macmillan & Co., 1877.

The immortal Blackstone said "that a competent knowledge of the laws of that society in which we live is the proper accomplishment of every gentleman and scholar."

Things are very different now from what they were in his day. He wrote to the scholar and the gentleman, for from the class to which they belonged was almost exclusively taken those who were concerned in the laws either as makers or expounders. Now, however, these positions are as open practically, as they then were theoretically, to the most humble in station of Her Majesty's subjects. The luminous and elegant essays of Blackstone have held sway in various forms and editions even to the present day, and nothing has so far, as a whole, approached them in excellence. He "first gave to

a skeleton and clothed it with life." It may, however, be admitted without detracting from the fame of this great writer, that his arrangement was in many respects faulty.

Mr. Patterson whilst granting his due meed of praise to the great commentator, has not thought fit to use slavishly the model Blackstone constructed, but has, as we shall presently see, taken a line of his own quite novel and eminently in accordance with the instincts of the people to whom he writes.

Blackstone's commentaries were published in 1765, he having previously, in 1753 and subsequent years, delivered the same matter as lectures in the University of Oxford.

The giant strides made since that time in relation to the subjects of which he wrote, are well stated in the words of the writer whose book is now before us:

"During the century that has elapsed since Blackstone's work was published, hundreds of volumes of statutes, reports and disquisitions have been produced, modifying, reversing, or abandoning many false positions once thought unassailable. And during the same period all European nations have lived ages. Communities, principedoms, powers, and dominions have disappeared and reappeared under new names or new combinations. Organic changes have developed noiselessly in a night. All forms of government constitutions, systems of laws, have, more or less, been put on their trials and tested by the inexorable logic of first principles. Every timber of the vessel has felt the strain whatever, and wherever a fault existed, the fault has been seen and felt, and in not a few instances has been amended. The utilitarian has been abroad and has marked many a weak point in the armour instead of invoking the traditions of Greek or Roman ancient or mediæval civilizations to help him has found a ruder questioning all sufficient, and a convenient touch stone in every market place and vestry. A friendly echo now follows this investigator everywhere. It can scarcely fail to be apparent that explanations of processes, methods and axioms which passed current with the learned a century ago, can scarcely now claim the plaudits of our wider and more critical audience. The legislature itself, which is the vigilant sentinel to guard against the advances of corruption and revolution, contains new representatives commissioned by multitudes who were then without the pale; powers and voices, not then dreamt of, now claim an undisputed hearing. New points of departure are suggested in many a settled routine, and still an interminable procession of amendments fills up the vista of the future. And though panting time toils after these in vain yet is the hope of higher and still higher and juster laws not one jot abated. Civilization may be incapable of definition, yet it plainly involves a consciousness that advance-