

NOT PROVEN.

The trial of Madeleine Smith in Glasgow, for the murder of Emilo L'Angelier, in consequence of the wide spread interest it excited, has had the effect of provoking some comparisons between the English and Scotch systems of jurisprudence as to trial by jury. According to the English law there is no verdict of "Not Proven." The jury is called upon to pronounce the accused either "guilty" or "not guilty." When the accused is tried, and a verdict pronounced, he is no longer liable to be again put upon his trial for the same offence. It now seems contrary to the general impression that the Scotch verdict of "Not Proven" is in effect the same as our verdict of "Not Guilty," and that a prisoner such as Madaleine Smith, as to whom the verdict of "Not Proven" is pronounced, may plead that verdict in bar of future proceedings for the same offence. In another place we give an extract from an article recently published in the *Law Times* of England, in which the writer conclusively establishes the legal effect of the verdict of "Not Proven" to be as we have stated.

The law of husband and wife does not fail to engage a fair share of public attention in England. Recently in Canada there was much discussion amongst newspapers upon the same topic. A Bill to amend the law as to husband and wife was introduced during the last Session of the Legislature, but did not become law. There is certainly a feeling which day by day gains strength that the law as to married women is not as it ought to be, and must be amended. In this number we offer our readers a short article from the *English Law Magazine and Law Review*, headed "The Married Woman Question."

By the obliging attention of MR. ROBINSON, the Reporter to the Court of Queen's Bench, and of MR. GRANT the Reporter to the Court of Chancery, we are enabled to publish several cases of importance in those Courts in advance of the regular series. Our Chamber Reports by MR. ENGLISH, are also continued in this number.

Trinity Term, 1857, the following gentlemen have been duly called to the Bar:—Mr. Patrick McGregor, Mr. Robert Mahon Allen, Mr. Shubael Park, Mr. G. D'Arcy Boulton, Mr. R. T. Wilkinson.

We have not been able in this number to find a place for our usual MONTHLY REPERTORY. It will however appear in our next. Owing to our change of publishers, our arrangements are not yet in all respects as complete and satisfactory as we would desire.

We find that Messrs. Armour & Co., have the American edition of Shelford on the Law of Railways, The work is noticed on this page.

This extensive firm have always early supplies of standard American Law Books, and speaking from experience we can assure our readers of their punctuality and fair dealing with customers who send orders for English or American books.

NOTICES OF LAW BOOKS.

"*The Law of Railways, including the Consolidation and other General Acts for Regulating Railways in England and Ireland, with copious notes of decided cases on their construction, including the rights and liabilities of Shareholders, allottees of Shares, and Personal Committeemen, with forms, &c., by Leonard Shelford, Esq., of the Middle Temple, Barrister at Law. First American, from the Third London Edition with copious notes and references to late English Cases; and American Statutes and Decisions, by Milo L. Bennett, LL.D., one of the Judges of the Supreme Court of Vermont.*" In two Volumes large Octavo. Published by Chauncey Goodrich, Burlington.

Although we have now Railroads in every direction, it is not more than four years since the first line of Railroad of any extent came into operation in Canada, consequently the attention of the profession has not been yet much directed to the study of the Law of Railways. With the many statutes passed by the Legislature authorizing the construction of new lines, and the numberless schemes for the like purpose before the public, it has become a matter of necessity that the profession should be thoroughly up in the Law bearing upon Railways.

The best English work upon this important topic is by Shelford. The last edition was published in 1823. The American Edition before us brings the law down to July, 1855.

Our opinion of the superior value of the American Editions of English works when produced by reliable authors is well known to the readers of this Journal, and is fully sustained by the work now before us. The original text is preserved, and the notes and additions of the learned Editor "Judge Bennett" is distinguished from Mr. Shelford's work. We have examined with care a large portion of the very copious and very valuable matter with which the American Editor has enriched the original work. No one can doubt that he thoroughly understands his subject, and possesses the peculiar talent necessary to impart the knowledge he has acquired.

It seems to have been made an objection in the United States that the work contains too many English statutes. This fact lends it peculiar value to us, in Canada, most of our statutes being *verbatim* copies from the English ones, while the American decision cover ground common to this country and the United States, which is scarcely touched on by the decisions at home, for instance, in relation to the subject of *fevces, taxes, &c.*, and many other subjects as viewed in reference to a state of things in a new country.

It is with peculiar satisfaction we recommend this edition of Shelford to our readers, and we trust they will be induced to avail themselves of the instruction which an attentive perusal cannot fail to bestow.

Messrs. Armour & Co. of Toronto, have the book for sale.