

Division, and Herbert Stephen, Esq., LL.M., Barrister-at-Law. London and New York, Macmillan & Co. Montreal: W. Drysdale & Co.

Mr. Justice Stephen, in addition to his judicial duties, has, with wonderful energy, applied himself of late to the completion of his series of works on criminal law. We noticed in a recent issue his brilliant and elaborate history of the Criminal Law, in three considerable volumes, the most complete work of its kind. The learned Judge has also in press a new edition of his Digest of the Criminal Law, and a fourth edition of his Digest of the Law of Evidence has recently been put forth. The series is completed by the work now before us, a Digest of the Law of Criminal Procedure. It is anything but voluminous, for the entire work, including the Index, is comprised within 230 pages of fair clear type, but every lawyer knows that the labour of compiling so compendious and lucid a digest is much greater than the preparation of a bulky treatise. The arrangement is very orderly and systematic; in fact, this digest might serve the purpose of a Code. The subjects are treated in the following order:—

Part I. Extent of the Criminal law with regard to place, persons, and time.

Part II. The Constitution of the Criminal Courts.

Part III. Arrest, examination before Justices, and committal of offenders with proceedings incidental thereto.

Part IV. Extradition, Foreign offenders, and return of fugitive criminals from British possessions.

Part V. Accusation.

Part VI. Criminal Pleading.

Part VII. Arraignment—Trial—Appeal.

Part VIII. Costs—Rewards—Restitution of Property.

The work will commend itself to the lawyer. Nowhere else can be found so clear, complete and authoritative a statement of English Criminal Procedure. That the learned author should, amidst the enormous labors of an English Judge, have been able to do such good work is ground for astonishment. Mr. Herbert Stephen, his lordship's son, has aided him in the preparation of the volume.

The work is for sale by Messrs. W. Drysdale & Co., Montreal.

NOTES OF CASES.

JUDICIAL COMMITTEE OF THE PRIVY COUNCIL.

March 8, 1883.

Before LORD BLACKBURN, SIR BARNES PEACOCK, SIR ROBERT P. COLLIER, SIR RICHARD COUCH, SIR ARTHUR HOBHOUSE.

ELLIOTT et al., (plffs.) Appellants, and LORD et al., (defts.) Respondents.

Charter party—Demurrage—Prompt despatch.

Held (reversing the judgment of the Q. B., 5 L. N. 124), that want of diligence on the part of the lessees (defendants) was established, the delay which occurred in loading the vessel being caused by the deficiency of coals at the port, and not by the necessity of taking turn according to the custom of the port.

PER CURIAM. This is an appeal from a judgment of the Court of Queen's Bench for Lower Canada, in the Province of Quebec (Appeal Side), in an action by the appellants against the respondents to recover damages in the nature of demurrage for the detention of the appellants' ship, the "Gresham," at Sydney, N. S., whither she had gone to load under a charter party dated the 12th of June, 1872. Mr. Justice Torrance, as the Judge of the Superior Court for Lower Canada, Province of Quebec, District of Montreal, on the 21st May, 1880, decided that the "Gresham" was unduly detained for seventeen days, and condemned the defendants in £850 damages, with interest and costs. This decision was reversed on the 21st of March, 1882, by three of the judges of the Court of Queen's Bench (Appeal side), one Judge, Mr. Justice Cross, dissenting.

No objection was made in this appeal to the amount of the damages, and it was agreed before their Lordships by the respondents' counsel that, if the appellants are entitled to recover damages, they are to be calculated for seventeen days at the rate of £50 per day, as was adjudged by Mr. Justice Torrance.

The appellants were the owners of a steamship called the "Gresham," and the defendants were merchants trading at Montreal under the firm name of Lord, Magor & Munn. On the 12th of June, 1873, the plaintiffs, through Mr. John G. Sidey, their agent at Montreal, entered