

REVIEWS—ITEMS.

though not heavy, is necessarily diffuse, no less than four chapters are devoted to it. The first deals with voluntary agreements enforceable in equity, voluntary limitations in assignments for value, and shews how far formal defects are aided. The second deals with the abstruse branch of the law—gifts *inter vivos*—and is subdivided as follows: I. Attempts by legal owner to transfer the legal interest in property transferable at law. II. Gifts, without attempting to disturb the legal title. III. Attempts by legal owner to transfer legal interest not legally assignable; and IV. Legal obligation incurred without legal transfer. It is to be hoped that the reader of this chapter will, when through it, have some correct idea as to what is “a complete gift,” a thing supposed to be easily understood, but most difficult of definition. The third chapter deals generally with the questions when and to what extent the absence of a valuable consideration will invalidate dispositions of property. The fourth chapter shews when gifts may be treated as void between the parties for fraud practised by the donor. The sixth part of the work treats of points of practice and costs under the Statutes of Elizabeth the first chapter dealing with practice and the second with costs. The book would not have been complete without this. In it we find points of much interest to the practical man, which are not so succinctly found in any other treatise. The appendix, as mentioned in the title page, contains the acts and some unpublished cases from the Coxe and Melmoth MS. Reports—thirteen in number—of more or less interest, as bearing on the topics in hand.

We cannot conclude our notice of this work without saying that it reflects great credit on the publishers as well as the author. The facilities afforded by Messrs. Stevens & Haynes for the publication of treatises by rising men in our profession are deserving of all praise. We feel assured that they do not lightly lend their aid to works presented for publication, and that in consequence publication by such a firm is to some extent a guarantee of the value of the work published. Few young men have the means to publish works at their own risk. Men of means do not, as a rule, take the trouble to write books for publication. We do not know to which class Mr. May belongs, but this we can say, that he has produced a book the perusal of

which has given us sincere pleasure, and the use of which will lighten the labours of men who, like ourselves, are engaged in the active practice of an arduous and responsible profession.

LEGAL NOTES—ENGLAND.—We take the following from the “Summary of Events,” in the *American Law Review*:—

“Three acts passed in the course of last session have been the means of calling public attention to the importance of providing a better machinery for the drawing and revising of our statutes, a subject which has been ably dealt with in a book recently reviewed by you—Mr. Holland’s ‘Essays on the Form of a Law.’ One of these—the Married Woman’s Property Act—originated in the House of Commons, was then greatly cut about and modified by the House of Lords, and eventually passed, rather in a hurry, in the shape which the timid conservatism of the Lords had given it. Although it was the product of the wisdom of several eminent lawyers in the upper house, it now turns out to have brought the law into an infinitely more perplexed and doubtful condition than it was before, and produced various anomalies which can hardly have been intended. For instance, it gives a married woman the right of suing in her own name on certain contracts made by her after marriage without exposing her to the corresponding liability of being sued; and while making her separate property liable for debts contracted by her before marriage, it relieves a husband from all liability for a wife’s antenuptial debts, even in cases where the wife may have no separate estate to answer them. A second statute, the Juries Act of 1870, has proved so unworkable that a bill has already been carried through Parliament, and received the royal assent, by which some of its enactments are repealed. When such things can happen, it is clearly time that steps were taken to provide for the examination of every bill by a body of competent lawyers, who should be held responsible for its technical correctness, and the consistency and definitely of its provisions. It is some comfort to know that neither of these unlucky acts proceeded from the office of the Government draughtsman, Mr. Thring, who has rendered so much service by introducing a more uniform method of statute-drawing. The fate of the third act illustrates the perils of consolidation.”

“The Lord Chancellor’s bill for the fusion of legal and equitable procedure, is, it seems, to be introduced first into the Commons, and not, as last year, into the Lords.

Erskine rarely received a rebuff, in which particular he was more lucky than Dunning (Lord Ashburton), who, in his cross-examinations, though he sometimes gave good shots, as often got as good as he sent. Asking a witness why he lived at the very verge of the court, the ready reply was, “In the vain hope of escaping the rascally impertinence of Dunning.”