

U. S. Rep.]

BUTLER V. HORWITZ—REVIEWS.

for payment of money generally warrants the opposite inference of an understanding between parties that such contracts may be satisfied, before or after judgment, by the tender of any lawful money.

The inference as to contracts made prior to the passage of the acts making United States notes legal tender, is strengthened by the consideration that these acts not only do not prohibit, but by strong implication sanction contracts since their passage for the payment or delivery of coin, and consequently, taken in connection with the provision of the act of 1792, concerning money on account, require the damages upon such contracts to be assessed in coin, and judgment rendered accordingly, leaving the assessment of damages for breach of other contracts to be made and judgment rendered in lawful money.

It would be unreasonable to suppose that the Legislature intended a different rule as to contracts prior to the enactment of the Currency laws, from that sanctioned by them in respect to contracts since. We are of the opinion, therefore, that assessments of damages, whether in coin or in lawful money, severally, and judgments upon such assessments, should be in conformity to the stipulation of contracts in regard to the medium of payments. It follows that in the case before us the judgment was erroneously entered. The damages should be assessed at the sum agreed to be due, with interest, in gold and silver coin, and judgment for that amount with costs.

The judgment of the Court of Common Pleas must therefore be reversed, and the cause remanded for further proceedings.

MR. JUSTICE MILLER dissented, for reasons given by him in *Bronson v. Rodes*.

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## REVIEWS.

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AMERICAN LAW REVIEW. April, 1869. Little, Brown, & Co., Boston, U. S.

The April number of this valuable legal Magazine has been received. The principal articles are, Bluntschili's International Law; The Legal Qualifications of Representatives, and a discussion on the law of Copyright. There are also the usual Digests of Cases in the American Courts, Summary of Events Notice of Law Publications, &c. It notices that our namesake, the *Canada Law Journal*, in Lower Canada, has ceased to exist. Whilst we regret that it should have been found necessary to discontinue that publication, we cannot refrain from congratulating the *Review*, that the confusion caused by two publications in this country bearing the same name, is at an end.

BENCH AND BAR. Chicago: April, 1869.

This is the name of a new legal publication intended for the present to appear quarterly, and which will be mailed free of cost to such gentlemen of the profession as will forward their names to the publishers. It is thought that by this gratuitous distribution a larger class of readers will be reached than by affixing a subscription price. From our experience of journalism, we should think this will be found very likely. The class amongst the profession, at least in this country, that prefer a *gratuitous* distribution in this respect is very large, in fact their appreciation of the system is so great that they entirely ignore any silly promises to pay they may have made in a moment of weakness. We expect, therefore, that the *Bench and Bar* will have a very extensive circulation in Ontario. We shall be happy to supply its publishers with a list of several hundred lawyers that its terms would exactly suit, particularly if the postage is prepaid. We would suggest that the publishers should, in addition, give to each of such "subscribers" an annual bonus of three to five dollars a year, payable in advance: this would tend to ensure the ultimate success of the undertaking.

In the case of the very nicely got up publication before us, the intention is probably to make it a sort of advertising medium for the publishers. But however that may be it seems to be edited with much ability. By the bye, Chicago can now boast of two novelties in the way of legal journals, the one before alluded to, and another published by the wife of one of the judges. The liberality and gallantry of our brethren south and west of us will perhaps make the latter even a greater success than the former.

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CHICAGO LEGAL NEWS.

This comes to us in an enlarged form. The energy and spirit with which the editress conducts this paper is truly appalling. She has secured the success of her novel undertaking.

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PITTSBURGH LEGAL JOURNAL.

This is also increased in size under the auspices of a company, including amongst its members a number of the bar of the neighboring country.