

perty Statutes with notes and cases (if possible from the pen of such a reliable authority as Mr. Leith), a consolidated digest of the Upper Canada reports, bringing the cases down to the present time, and a new edition of Harrison's Common Law Procedure Act.

In all these, we are likely soon to be gratified. Mr. Leith's first volume has been published; the digest is well on its way to completion, and three parts of the Common Law Procedure Act have been printed.

If we remember correctly, Lord Bacon says, in some of his writings, that every man is a debtor to his profession, and if debtors, we should try to pay our debts, not certainly all by writing books—that would be as improbable as it would be appalling—but in such ways as tastes and circumstances may direct. That Mr. Leith has gone far towards paying his debt, we have all reason to testify.

It is eminently proper that those who are specially learned in any particular branch of the laws, should give the public the benefit of their research, labour, or talent. This is particularly the case where, as in this country, from local differences in legislation, the many admirable text books of the old country fail to guide us. We should, therefore, always welcome, and, as far as in us lies, encourage all that appertains to Canadian legal literature. Let it not be imagined that, as a matter of money, law books in Canada "pay;" copying at three cents a folio would earn more money, nor does it even "pay" in the way that writers in England make capital out of their works; all the more credit then, say we, to those who have sufficient courage and patience to devote their spare time and energies to an attempt, however feeble it may be, to add to the general stock of knowledge, or to save the time and labour of their fellow workers. But we are beginning to wander from the subject in hand.

Mr. Leith commences this his first volume with the recent act to amend the law of property and trusts in Upper Canada. To the various sections are appended notes, explanatory of the defects sought to be remedied, a critical examination of the result, and as to whether the desired objects have been attained, and the present state of the law as affected by the provisions of the act.

The statutes relating to the transfer of real property next engage his attention, and the short and simple, but comprehensive explana-

tions of the various clauses will be of great use to students, whilst many of the observations on Con. Stat., U. C., cap. 90, and the statutes which in the natural order of things follow it, the acts respecting short forms of conveyances, and short forms of leases, expose many mistakes which conveyancers have fallen into, and give valuable hints for future guidance. Our readers have already had the benefit of Mr. Leith's observations on the statutes respecting short forms of conveyances, as also the chapter in a subsequent part of the work on memorials as evidence.

The statutes governing the descent of freehold estates of inheritance come next, and are introduced by some observations on the common law rules of descent, thus enabling the reader better to appreciate the changes that have been made.

We have next the statutes respecting dower and the rights and conveyances of married women. As the learned author remarks in the preface:—

"The chapter on descent, and part of the chapter on dower are taken, with many alterations, from the work of the author on the commentaries of Blackstone adapted to the law of Upper Canada; a course justified by the alterations made, and the probability that that work will shortly be out of print."

There are some very valuable notes to the sections of the different acts which refer to the power of married women to acquire and dispose of their separate property, a subject always of much difficulty, and not by any means made clearer by the recent attempt to give married women greater rights and privileges.

Next comes a short chapter on wills, and then the numerous statutes to make sale of and give title to real estates under writs of execution.

The next chapter is devoted to mortgages. In speaking of the late Act of 32 Vic., cap. 9, intended to "give certainty to the right of married women jointly with their husbands, to execute certificates of discharge of mortgage," he points out some of the difficulties which he thinks a statute, extended as an enabling statute are likely to lead to, thus:—

"Since the statute consolidated by Con. Stat. ch. 73, there can be but few cases wherein, when a married woman is entitled to mortgage moneys, she is not so entitled to her separate use under that statute. As far as the author is aware, it has not been usual in practice, on obtaining from