

REVIEWS.

reduce the mass of decisions into something like shape, and the exposition of legal principles involved in the decisions, under any circumstances, must have been a work of great labor, and we are pleased to observe that in the book before us there has been a combination of unusual labor with considerable professional skill.

This is the first exhaustive work on the subject of which it treats that has been published within the past seventy years. We have often wondered that no one was found able and willing to bring out a new edition of Roberts' Treatise on the Statutes of Elizabeth, which, when published in 1800, was looked upon as a very able work. Mr. May, rather than edit a new edition of that work, has, we think, considering the multitude of cases on the statutes, very wisely decided to give us a new treatise, which we have in the book before us. There are some imperfections in the book, but this could not be otherwise than expected when we consider the difficulty of the subject. But the imperfections (attributable to humanity) are few.

The work is divided into six parts. The first treats of the general operation of the statutes of Elizabeth against fraudulent conveyances and the general distinctions between them. It is shown that while the Statute of 13 Elizabeth protects creditors, the Statute 27 Elizabeth protects purchasers; that both statutes were re-enacted in Ireland, and have been substantially re-enacted in New York; that the Statute 13 Elizabeth is declaratory of the Common Law, which in this respect is declaratory of the Civil Law; that its principles have been adapted from the Civil Law by Holland, Spain and France, but that both in principle and in practical operation the statute is distinct from the bankrupt laws; that deeds void in bankruptcy are not always void under the Statute of Elizabeth, while every conveyance void against creditors under the Statute of Elizabeth is an act of bankruptcy. The second part treats of the rights of creditors under 13 Elizabeth. It is sub-divided into eight chapters, treating, respectively, of property within the statute, voluntary conveyances as against creditors at the time, voluntary alienations as against subsequent creditors, conveyances for value as against creditors, badges of fraud in conveyances for value, continuance in possession a badge of fraud,

the Bills of Sale Registration Act, 1854, and who are entitled to rank as creditors under 13 Elizabeth. Each of these topics is dealt with exhaustively; references are made to the very latest cases, and the law enunciated, when possible, in the very words of the Judges. This part embraces no less than 150 pages of the work, and is the most important part of it. The arrangement is so good that each chapter appears to flow from its precursor, and when the last chapter is read the reader feels that all has been said that can be said on the subject. The third part treats of the rights of creditors under the twenty-seventh Elizabeth. Being a much less expansive branch of the law than the preceding, there are only two chapters in this part of the work. These discuss, respectively, the conveyances which are void against purchasers and show who are entitled to be treated as purchasers. It is explained that voluntary gifts are not void simply because voluntary, but because opposed to the interest of fair purchasers; that knowledge of the voluntary conveyance in no manner affects the purchaser so that an artificial fraud has grown out of the interpretation of the statute in this—that where there is no fraud or fraudulent intention whatever, the deed is declared fraudulent for the purposes of the Statute. But the purchaser must be shown to be a purchaser for money or other valuable consideration. The many cases as to when a man can or cannot be said to be such a purchaser, are given, and so given as to make them to some extent intelligible parts of a whole, but which standing alone are not easily understood. The fourth part of the work treats of the important question, what is a valuable consideration under the Statutes of Elizabeth? This is done in five chapters. The first deals with consideration generally, the second consideration between husband and wife, the third voluntary conveyances made good by considerations arising subsequently, the fourth the nature and extent of the consideration of marriage, which even in our metallic age is said to be "the best consideration that can be," the fifth, post-nuptial settlements, where the consideration of marriage does not extend, and other considerations are found necessary to support them. The fifth part treats of voluntary dispositions of property independently of the Statutes of Elizabeth, and as the subject,