Judges meant that every item should be examined into, not merely to ascertain if properly allowed on principle, but to have the master's discretionary power reviewed, or to have a portion of an item struck off. The object perhaps primarily aimed at, namely the uniformity of taxation, has no doubt now been attained, and those taxing officers who did not understand the rules have now had quite enough time to learn them from inspecting revised bills; the reason ceasing let the system cease also.

A much fairer way would be to allow either party to have costs revised on payment of the fee, instead of making it compulsory.

Yours, &c.,

Solicitor.

## REVIEWS.

The Law of Negligence, being the first of a series of practical law tracts. By Robert Campbell, M. A., Advocate (Scotch Bar), and of Lincoln's Inn, Barrister-at-law, late fellow of Trinity Hall, Cambridge. London: Stevens & Hayres, Law Publishers, Bell Yard, Temple Bar; 1871.

There is no end to the law-made-easy books of this generation. Every conceivable subject is treated by some barrister, newly fledged or otherwise, who thinks it his mission to enlighten the public on legal matters.

The readers sought after in general are not those who wear the long robe, or those who provide the latter with briefs; but rather are such little books written for the supposed benefit of outsiders, who are flattered with the thought that by means thereof they will become wiser in their generation than those who apply at the fountain head. But let it not be imagined that we would speak slightingly of those who therein employ their spare time, whether indeed they really think they can say something which has not been said before, or at least say it better than others, or whether they only write to bring themselves before their professional brethren and the public by what is looked upon in England as legitimate advertising. Far otherwise—they deserve all praise for their energy and industry, and the good they do, even though they may multiply chaff instead of wheat by their labours.

But whilst the title page of the book before us, humbly calling itself a "practical law tract," leads to the foregoing train of thought, it would be a great mistake to suppose that Mr. Campbell's effort is a mere sketch, such as we have alluded to, and this any candid reader must admit. The author says in his preface that "the substance of the following essay was composed in the form of lectures or readings for pupils to relieve the dryness of our studies on the law of real property," the endeavour being to review the latest phase of judicial opinion on a familiar subject, and so to harmonise the law that so far as possible new decisions might seem to illustrate old principles, or that the extent and direction of the change, introduced by each decision might be correctly estimated.

The author commences by defining the the terms he uses in expressing his meaning, and remarking upon the terms which were used by the classical jurists and modern civilians, and those which are in general use at the present time (and often very incorrectly used) in connection with the subject on which he treats.

His sympathy is with the civil lawyers whose views are modelled upon those of the great Roman jurists, as we may see in the following remarks. After comparing the rules stated by Professor Erskine in his great Treatise on the Law of Scotland, which are virtually identical with those of the Roman Law, he says:

"I, myself, prefer to adhere exactly to the language of the classic jurists themselves, which savours of their great practical experience, and which will be found singularly to harmonise with the modern decisions of our own Courts. Indeed our modern decisions, even more than the learned discourses of Holt and Sir W. Jones (to be touched on presently) reflect the language and modes of thought of the classic jurists."

The author writies well, laying down his propositions in clear and easy language, and his authorities are the most recent, and this, though of course to be expected in any work where modern law is discussed, is especially necessary in a subject which has had so much light thrown upon it by decisions in the past few years.

In speaking of what is classed as the lowest degree of responsibility, namely, "that were more than ordinary negligence is requisite to constitute injury, "or what is more popularly known as gross negligence, after referring to the leading case of *Giblin* v. *McMullen*, L. R. 2 P. C. Ap. 319, decided on appeal from the