

## The Legal News.

Vol. XIV. FEBRUARY 21, 1891. No. 8.

A letter of Mr. Gladstone, written to his tutor in 1830, shows what some elections were like within the time of a living politician. He refers to the Liverpool election: "The current rumor is that Ewart's expenses are £36,000, and Denison's £46,000; but my brother says Ewart's are the greater of the two, and he knows Denison's to be £41,000. Ewart's party have had no public subscription opened, and are therefore at liberty to call their expenses what they choose; but Denison's are necessarily revealed. About £19,000 has been subscribed for him. The election, they say, is absolutely *certain* to be set aside, and Denison will probably come in on the next opening." In open and shameless corruption, at least, it is not probable that our predecessors will ever be eclipsed.

The English bar do not find their quasi official series of reports much of a success. The reports are not equal to the work of the old independent reporters. In fact, notwithstanding the enormous bulk of the new publication, four other independent series still exist, and are sustained by the profession. The *Law Quarterly Review* observes:—"What is your proposition of law? the late Lord Justice James would say to a counsel who was bungling his opening with a confused statement of facts. 'What is your proposition of law?' the distracted reader of the Chancery Law Reports might well exclaim in coming upon the portentous head-note of nearly two pages of small print to *The Sheffield Building Society v. Aizlewood*, L. R. 44 Chanc. Div. 412, and the exclamation might be repeated in a 'crescendo' of despair as case after case met his eye with nearly a page of head-note. An epitome of a case is not, as the editors of the law reports seem to think, a head-note at all. A head-note is or should be the key to the

case, the clue of legal principle which we can follow as we progress through the intricacies of the report. On the clearness, the conciseness, and accuracy of the head-note, the value of the report very much, if not mainly, depends. It is, therefore, a great pity that more pains are not taken by those responsible for the law reports to give the 'legal pith' of the decision and no more."

### NEW PUBLICATION.

THE LAW OF BILLS OF EXCHANGE AND PROMISSORY NOTES, being an annotation of "The Bills of Exchange Act, 1890," by Edward H. Smythe, Q. C.—Publishers, The J. E. Bryant Company, Toronto.

The author of this work disclaims any intention of writing an exhaustive treatise upon the subject of bills and notes. He says the works of Byles, Daniel, Chitty and others, so fully cover the whole ground that at present it would seem unnecessary to do so. We find the work, therefore, compressed within the moderate limits of about 200 pages, of which the text of the Act occupies half, and only some three hundred cases are cited, the references to Quebec decisions being especially meagre and incomplete. Dr. Smythe has not, therefore, produced a work which compares with the learned and comprehensive treatise of Mr. Hodgins, noticed in a previous issue (vol. 13, p. 401). Nevertheless the reader will find some valuable features in it. The changes made by the Act in the law of Ontario are set out in detail at pp. 2, 3 and 4. The sections of the Imperial Act which formed the basis of the Canadian Act are carefully referred to in the notes, and the differences are pointed out; and under the title "Crossed Cheques" some useful information is given.

The work seems to be carefully and admirably arranged, and can be commended for use among those who desire a book free from much detail or complexity.

The publishers have done their part in an extremely creditable manner, the paper and typography being all that could be desired.