

since the publication of Mr. Preston's able work, many important alterations have been made in the law of real property, rendering necessary corresponding alterations in the views expressed by Preston—these Mr. Mayhew has not failed to notice. His work is not only more recent than Preston's work, but because it is more recent is more reliable than that work.

The work is divided into two parts. Part I. is on Merger as it affects estates in land. The following are its contents: On the objects and origin of Merger—Estates in fee—Estates tail—Estates for life—Estates for years. Part II. is on Merger of charges upon land. The following are its contents: As to tenants in fee—As to tenants in tail—As to tenants for life.

The volume is small; its execution is neat; it is carefully written. We can safely recommend it to the patronage of our readers.—Eds. L. J.

Messrs. Rollo & Adams are the agents in Toronto for the sale of the work.

THE NORTH BRITISH REVIEW—THE EDINBURGH, THE WESTMINSTER, AND THE LONDON QUARTERLIES.—The last numbers of these several standard reviews are received from the enterprising publishers, Leonard, Scott & Co., of New York. The first paper in the North British, "History and Philosophy," deals with Mr. Goldwin Smith, Regius Professor of Modern History in the University of Oxford, in no measured terms. His writings are reviewed and his talents weighed in a fearless and we think truthful manner. This gentleman, who is constantly writing on something, and of late has written a good deal about Canada, will not feel flattered by the paper. He is one of the "busy bodies" who recently have done so much towards destroying the good feeling hitherto existing between the mother country and Canada. We cannot therefore do better than give an extract from the paper before us in regard to him. Speaking of his lectures on modern history, the Reviewer says—

Three of those discourses, specially on the "Study of History," are devoted to an exposition of the theoretical views of the writer on the mode of investigating historical questions, and on the manner in which historical inquiries ought to be conducted. These lectures, which should have contained at least a tolerably satisfactory discussion of the various aspects of which the question essentially consists, are deficient alike in close analytical skill, and in that comprehensive handling which one might naturally have expected from so high an authority as an Oxford professor. But to do these discourses justice, they are written in a most engaging style. They are often brilliant, always luminous, frequently energetic. The argument is conducted usually with wonderful force, often rising into eloquence, and with a power and beauty which almost atones—if anything could atone—for the absence of those more recondite qualities in which they are conspicuously deficient. The writer is obviously a man of a vigorous and cultivated mind, a lively imagination, and an enthusiasm and fervour of spirit which oftentimes hurries him into eloquence. But there is false eloquence as well as true. When he gets hold of a sound argument, he sends it home admirably; but when a false one comes in his way, he bestrides his mock-Pegasus like a veritable rhetorician, and caracoles it out in as jaunty a manner as the most veritable villago orator. His mode of putting a thing is so exceedingly clear as sometimes to be chargeable with apparent shallowness, where no such accusation can legitimately be made against him. Depth and clearness are not contraries. He often invalidates his reasoning by starting with a false assumption, or by allowing some lurking error quietly to take the place of truth in the progress towards the conclusion. This arises, in many cases, from defective observational power. He can depict a grand scene much better than a simple one, where more heed is required. To tell a simple story simply, needs very peculiar gifts. He is not a profound reasoner, though a very vigorous one. Ad-

mirable little bits of writing occasionally turn up in those lectures; but they are too frequently marred by too much rhetoric, by too great an anxiety to say something impressive, when nothing really impressive can be said. They are exceedingly rash besides. Were it not for the elegance of his mind, and the obvious delicacy and moral beauty which he throws into almost every picture which he draws, we should be inclined to describe him as a wild bull let loose among a field of diligent cricket-players. He runs right amuck at Comte, who deserves a going; he trips up Mr. Mill; he is in the neck of Mr. Mansel; he sneers contemptuously at poor Buckle, and has a thrust at Mr. Darwin,—always anonymously and in nearly as many words as we have occupied in the telling of it. He slashes the men of science, and pities the moral philosophers; he denounces the necessitarians, and triumphs over the "positivists." Now, even though all those acts were quite legitimate and praiseworthy, Mr. Goldwin Smith has gone about the matter in so reckless a way, that we fear that he has brought a nest of hornets about his ears, that are likely to do more than buzz. Yet he has many excellences.

Mr. Smith says much on the philosophy of moral conduct and character; much also on a more sacred subject—*theology*, which, with all due respect for the Professor, had much better not have been said. The fervid excited way in which he plunges and flounders about in the bottomless spaces of those tracts of knowledge is more amusing than edifying. After belabouring the ethical philosophers soundly, he asks them the question, "Is it not rather in *character* than in *action* that morality lies?" and we hope that he will get a decisive answer to his question, though probably not one quite to his mind. Would it not have been as well if Mr. G. Smith had taken the trouble of acquainting himself with what ethical speculators had written, before he began to malign them for an omission which turns out to be no omission at all? He should recollect that no man can make any progress in moral inquiry who is always looking into "society" for his examples of moral life. Unless he has the power of silently taking to pieces the fibres of his own heart, he never will be able to go into a crowd to gather up illustrations or modifications of his pre-established theories. Morality is like anatomy; there is no progress to be made in it, in the first instance, by mingling night and day with crowds of human beings, seeing them in all manner of postures, and in all sorts of moods; but let either one or the other of those inquirers get into the inside of a man for a time, after he comes out—armed with his knowledge of bone and muscle, of blood-vessel and nerve-centre, of brain and limb and hand, or of justice and unfairness, of joy and sorrow, of excitement and equanimity—take him into a crowd and see then what he can make of it. But patient observation, we remarked a little ago, is not one of Mr. Smith's best qualities. Where "essence of morality" lies, he confesses at last, "history must wait to be taught by ethical science."

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