

## REVIEWS.

separate form. But a consolidation however good, with an imperfect index, was to us as a casket without a key. Though the work of the consolidation of the statutes was all that could be desired, the index to each volume was execrable. So bad have we found it that in many instances we have had to consult the repealed Statutes in order to get information in the Consolidated Statutes, which a good index should have afforded at a glance. We have never ceased to think that those concerned in the consolidation of the Statutes were greatly to blame in not securing the services of a proper person to index the result of their labors.

It is not every man who can compile a good index. Even the best authors are sometimes the least able to do so; but most certainly the gentleman who prepared the index of the Consolidated Statutes was wholly unequal to the task—and the badness of its execution has been the cause of incalculable loss of time to those obliged to consult his (so-called) index.

What the Legislature ought to have done as a public work is now well done by private enterprise. We have carefully inspected Mr. Hancock's Index, and have so far been much pleased with the result. We look forward to considerable saving of time whenever necessary to consult the Consolidated Statutes of Canada or of Upper Canada, or statutes since passed affecting them, up to 1864 inclusive. We shall cease to approach the Statutes with dislike. The work does as much credit to the enterprising law publishers as it does to the careful and reliable author. The price, \$5, is really nothing to a man in respectable practice. The time saved in one week—perhaps in one day—by the use of it will be more than compensation for the expenditure. The volume contains nearly 500 pages octavo, well printed, and is substantially bound.

All who have occasion to make use of the Consolidated Statutes either of Canada or of Upper Canada should be provided with a copy of this Index. Indeed, the Legislature should be called upon to make reparation for its past omission either by purchasing a large edition of the work before us for gratuitous distribution to magistrates and others entitled to receive, and who have received gratuitously, the Consolidated Statutes, or by making an appropriation which would enable the author to dispose of his present edition at a reduced

price, so as to be within the reach of all to whom the Index is necessary in the discharge of professional or public duty.

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It is with great pleasure that we number this well known and able periodical among our exchanges. It has now been in existence for thirteen years, and has acquired a reputation which entitles it to rank among Law periodicals. The Editors are men of mark, viz., Hon. Isaac F. Redfield, Boston; Prof. Theodore W. Dwight, New York; Prof. Amos Dean, Albany, N. Y.; Hon. John F. Dillon, Davenport, Iowa; John A. Jameson, Esq., Chicago, Ill.; James P. Mitchell, Esq., Philadelphia. The number before us (April, 1865, or No. 7, vol. 4, N. S.; old series, vol. 13) opens with a well written paper on "Usury," which we may hereafter, with the permission of the Editors, transfer to our columns for the information of our readers. Then follow recent decisions in the Superior Courts of Iowa, Vermont, Pennsylvania and Nova Scotia, the latter being a decision on the question as to sufficiency of tender of payment in United States treasury notes, to satisfy a money demand under a lease made in Nova Scotia, payable in "dollars and cents of United States currency." It being shewn that the lease was made on the 4th May, 1860, two years before the act of Congress was passed making treasury notes a legal tender, the court very properly held the tender insufficient. Such was the ruling of our Court of Common Pleas (13 U. C. C. P. 350). But had the contract been made after the act of Congress, and at a time when treasury notes became a legal tender, and been payable either in "dollars and cents of United States currency," meaning simply United States money, or been payable in "dollars" at some place in the United States, we apprehend the *lex solutionis* would be held to govern, and treasury notes be a legal tender. Such is the conclusion which we draw from our own cases of *Niagara Bridge Company v. Great Western Railway Company*, 22 U. C. Q. B. 592; *Crawford v. Beard*, 13 U. C. C. P. 35; same case, 14 U. C. C. P. 87; *Grant v. Young*, 23 U. C. Q. B. 387; *Wood et al. v. Young*, 14 U. C. C. P. 250.