

REVIEWS.

draws his conclusions without any of these advantages, is not less likely occasionally to err. But we observe on the part of Mr. Joyce an anxious desire "to keep within bounds." This is the more manifest from the fact that whenever he can, he gives the very words of the judge, and not his own understanding of what the judge said. His industry in the examination of cases is very great. He tells us in his preface that every case in the English Courts of Equity, where an injunction has formed any material portion of the relief asked for, has been noticed. Besides he has laid under tribute the cases on the subject of injunctions at Common Law—cases on injunctions in the House of Lords, including the Scotch cases of interdict, cases in the Privy Council and in the Irish Courts, together with a selection of American cases.

Mr. Joyce might have gone further, and made a selection from the many important cases decided by our Court of Chancery, which, for learning, will compare favourably with his selections from the Irish and United States Courts. Our reports are to be found in the library of the Middle Temple, and, if we mistake not, also in the library of Lincoln's Inn. We would advise English law authors, who write upon subjects of as much interest in the colonies as at home, to extend the field of their explorations beyond United States jurisprudence. Our decisions are, of course, not binding on courts in England; no more are United States decisions. But all are equally useful and equally valuable to the author whose aim is to expound the law of England, as best understood where it is administered. The profession in England have very little idea of the learning that adorns the Bench in some of our Colonies, and the sooner they overcome the notion that there is nothing good in the Colonies the better for themselves and for the colonists. When we find continued references to the decisions of United States Courts and no reference to the decisions of our Courts, where, to say the least, equal learning, equal ability, and equal judgment are to be found, we become somewhat nettled. Recently we have seen references to Canadian authorities in text books written by United States authors. It is full time that our English brethren should wake up to our existence. We want English authors to understand that there is such a

country as Canada. We want them to know that in Canada there are men who, though colonists, would do honour to the bench of the mother country, and we do not want English authors, when preparing works on branches of English jurisprudence, either to forget us or our decided cases. If we mistake not, Messrs. Stevens and Haynes, the publishers of the work now under review, could impart some knowledge, as to the status of the profession in Canada, that would astonish some people in London, who never having gone beyond the limits of Britain, drowsily imagine that there is nothing good in the Colonies.

We do not intend by these remarks in any manner to censure Mr. Joyce. He has done just what all English law authors before him have done, written only for England, unmindful of the fact that in Canada, whose jurisprudence is as nearly as possible the same as that of the mother country, decisions may be found as deserving of notice as Scotch, Irish, or United States decisions. It is time that, in this respect, there should be a change, and colonists will hail with pleasure an author who will treat us as deserving of as much consideration as foreigners.

Mr. Joyce's great work would be a casket without a key unless accompanied by a good index. His index to injunctions in equity is very full and well arranged. The same may be said of his index to injunctions at common law. We do not know why there are two indexes. One general index would, we think, be better. There must be a great deal of the work common alike to courts of law and equity. The division of the index has a tendency to throw the enquirer off his guard and in a future edition we would strongly recommend the author to consolidate them. Each index while alphabetical is, to a great extent, analytical, and in each the headings sub-headings, &c, are so arranged as to readily catch the eye. The two indexes together occupy no less than 180 pages. Besides, there is a table of cases (numbering 3,500) which occupies 30 pages.

We feel that this work is destined to take its place as a standard text book, and the text book on the particular subject of which it treats. The author deserves great credit for the very great labour bestowed upon it. The publishers, as usual, have acquitted