

in law was only a stranger) to pay her £300 a year to keep the children. He, failing to keep his promise, the mother brought an action to recover arrears for two and a half years. The defence was that the agreement was not in writing, and was not to be performed within a year. The Exchequer Chamber held that it was intended to be performed immediately, and that it was only an accident that it might extend beyond the year, as it might be ended by due notice. Hence the Statute of Frauds did not apply.

The Journal of Jurisprudence and Scottish Law Magazine comes to us this year with promise of greater variety and interest, not only for its readers at home, but also for those on the Continent and in America. It seeks, as its name implies, to give prominence to the discussion of the fundamental principles of the science of Jurisprudence. To this end it undertakes to furnish, as a portion of its regular matter, discussions of the leading topics of the science by a number of the most eminent of the Continental jurists. The January number contains, among other very able articles, a scholarly paper on the Development of Right and the Right of Development, by Prof. Bluntschli, late of the University of Heidelberg, and another on Marriage in the German Middle Ages, by Dr. E. Friedberg, of the University of Berlin. Trial by Jury in Civil Causes, which is to be continued, will well repay perusal.

NUISANCES IN THE REPORTING ARENA.—We entirely agree with the *American Law Review* in the following observations on a practice occasionally indulged in by reporters and others:—"The late Judge Napton, of Missouri, is said to have detested the practice of referring to the parties in a judicial opinion as the appellant and respondent. The reason of his dislike of the practice is apparent to anyone. The mind is constantly on a troublesome search in reading the opinion where the parties are thus referred to, to ascertain and keep in view which party is appellant and respondent. This practice is still kept up in the opinions of the Supreme Courts of several of the states. . . . Another practice, scarcely less to be condemned, is that of several of the states, such as Illinois and Tennessee, in actions at law, where they reverse the names of the parties as they appear in the court below, and put the party appealing or prosecuting the writ of error as the plaintiff, although he may have stood in the court below as the defendant."

The *Central Law Journal* says on the same subject:—"We fully concur with our contemporary. In its best state the law has enough and to spare of conundrums, and it is simply cruel for its chosen ministers to burden the busy and hurried practitioner with puzzling problems of personal identity. It is the custom of courts, in their opinions, to avoid the use of patronymics; hence, a judge will often describe a party as 'the plaintiff in error here, defendant in the court below,' when he means simply 'Jones,' and if he really means Jones, we think he might say Jones without material derogation from his dignity."