

leaves little to be desired in extent of scope or fulness of detail, ably, and, as we believe, conscientiously written, with as much impartiality as human frailty admits of, after a faithful and indefatigable examination of trustworthy authorities. His style is simple and clear, preferring truth to rhetorical effect. He appears to have spared no pains to think rightly, and to say intelligently what he thinks. We can say of this volume, as of the first,—No student of Canadian history can afford to be without it.

G. W. W.

Notes on Exchanges and Legal Scrap Book.

OWNER OF VICIOUS ANIMALS.—In *Warthen v. Love*, reported in the *American Law Register*, the Supreme Court of Vermont gave judgment in regard to the liability of the owner of a vicious dog, for damage done by it to the plaintiff. The court found that the defendant knew the vicious propensities of the animal, and had kept it chained in his barn, and that it broke away and injured the plaintiff by reason of being unlawfully provoked by the latter, who had no lawful occasion to go to the barn where the dog was. The court held that the owner, knowing the dog to be vicious, has the right to keep it if he exercises proper care and diligence to secure it, so that it will not injure anyone who does not unlawfully provoke or intermeddle with it.

INSANITY AS A DEFENCE.—In *State v. Mowry*, reported in the *American Law Register*, the Supreme Court of Kansas held the following to be a proper direction to the jury in a trial for murder in the first degree where the plea of insanity was set up: "If he was labouring under such a defect of reason from disease of the mind as not to know the nature and quality of the act he was doing, or if he did know it, that he did not know that what he was doing was wrong, then the law does not hold him responsible for his act. On the other hand, if he was capable of understanding what he was doing, and had the power to know that his act was wrong, then the law will hold him criminally responsible for it. . . . If this power of discrimination exists he will not be exempted from punishment because he may be a person of weak intellect, or one whose moral perceptions are blunted or illy developed, or because his mind may be depressed or distracted from brooding over misfortune or disappointment, or because he may be wrought up to the most intense mental excitement from sentiments of jealousy, anger, or revenge. . . . The law recognizes no form of insanity, although the mental faculties may be disordered or deranged, which will furnish one immunity from punishment for an act declared by law to be criminal, so long as the person committing the act had the capacity to know