

REVIEWS.

York it appears a mother recovered \$1300 for the death of a daughter seven years old; and in another case a child two years old received \$1800 by way of compensation for the loss of a leg and hand.

We fear that the class of literature which is found to sell best on the cars is steadily deteriorating, and that any effort to arrest its decline would meet with failure. But though our hopes of any amelioration of the evil we have referred to, by the substitution of rational for irrational literature, are small, we would be wanting in our duty if we did not recommend to book agents, railway companies and the travelling public as a seasonable and appropriate companion for the traveller. In the little work now before us, the reader will, we venture to say, find much that is interesting and amusing, and more that is instructive, than in the popular railroad books. The traveller who is carried along in his Pullman car at the rate of 35 miles an hour, must of necessity find his interests engrossed by the analyses of the circumstances under which the railway company will be liable to indemnify him for the loss of his legs in the event of a sudden smash up. He will feel increased respect for his extremities when he finds that an individual got \$24,700 for the loss a leg from a railway company.

A perusal of this book would enable those unfortunates whose final destiny appears to be to furnish victims for accidents, to select those modes of exhibiting their peculiar propensity which are remunerative. For instance, you are told that if you stick your elbow out of the window of a railway carriage and it is broken by a passing train, you will recover nothing. A passenger has no business to make an improper use of a window, the object of which is to let light and air *in*, not heads and elbows *out*, and if he does so he must bear the penalty of his own rashness. It is much better to tumble through a hole in the wharf before going on board a vessel, or to put yourself in the way of falling rigging. If you break a limb in this way your sufferings will be alleviated by the reflection that the company will have to pay for it. The indiscreet mother will be comforted with the assurance that if an infant is inconsiderate enough to be born on ship-board, no fare can be charged for it. It

appears to be less expensive to be born on ship than to die, for the full fare is still chargeable in the latter case.

The book speaks of the wrongs and rights of travellers by boat, by stage, and by rail. Statistics show that the latter mode of travelling is relatively the least dangerous; it is, moreover, preferred by the philosophical to an accident in the water. As the reflective negro said: "When you're blowed up on de cars, thar you are! but when you are blowed up on de steamer, whar you?"

Tickets, baggage, insurance, riding, driving, in short every method of locomotion, and the rights and liabilities, the precautions and remedies incident thereto, are discussed by the author of the work before us in a lively and entertaining way. Frequent references are made to the decided cases; and, in fact, the persons of the story discourse, for the most part, in the very language of the judges who have declared the law applicable to the particular subject of discussion. We cannot do better than give a specimen selected at random to show the author's method:

"Look here, old fellow," said Tom, "your horse seems pretty skittish to-day: let us settle the law as to our mutual liability for damages before we run into anything. Who will have to pay? you don't seem very much accustomed to driving."

"Never mind that. The law is clear; as you are merely a passenger in my sleigh, you are not responsible for any misconduct of which I may be guilty while driving—you have nothing to do with the concern.* Even if I had only borrowed the turn-out, and kindly let you take the ribbons, I still would be the party responsible for negligence."†

"That's satisfactory," returned my friend. "But would it not be different if we had both hired the horse and cutter?"

"Quite correct, Mr. T. J.: your store of legal lore is rapidly accumulating. In the case you put, both of us would be equally answerable for any accident arising from the misconduct of either whilst it was under our joint care, ‡ and if we had hired the horses to draw my sleigh and had likewise obtained the services of a driver, then we would not be liable for the negligence or carelessness of that driver." §

* *Davey v. Chamberlain*, 4 Esp., 229.

† *Wheatley v. Patrick*, 2 M. & W., 650.

‡ *Davey v. Chamberlain*, 4 Esp., 229.

§ *Laugher v. Forister*, 5 B. & C., 547; *Quarman v. Burnett*, 6 M. & W., 439.