seded, an inquisition by the coroner was held on the body. And yet this doctrine, that murder included suicide, tends to inconsistencies, and cannot be logically acted on.* It is self-evident, however, that life is not a species of property, and that the law could never vindicate suicide on the plea, that one is thereby only destroying at pleasure what is one's own. It is in every view a wrongful act, or at least one without legal excuse. Hence when one person asks another to kill him, the law views it as nothing less than a murder, for one had no right to give such a command, and the other ought to have known the same, and ought not to have acted upon it. In such an event he that is killed is deemed no suicide, but the killer is deemed a murderer.†

Again, two persons sometimes agree to kill each other and one may in the result be killed and the other not. In this event it may become necessary to ascertain in what position they stand, for it may often be difficult to decide whether one who is killed under such circumstances commits suicide, or is murdered by his confederate. This question will mainly turn on whether the person killed by his own order and contrivance contributed in a material degree to his own death, or whether the material part was contributed by his partner.‡ Each is considered the murderer of the other, and if the purpose is only partly executed, this is the footing on which the mutual guilt is judged.§

The same subject is then concluded by elaborating upon the ancient punishment of suicide, its punishment in England, and other legal consequences flowing therefrom.

This work is full of deep philosophical reasonings and historical research, whilst at the same time the details, fully introduced to illustrate the subject treated of, are so accurately laid down as to make the book one of great value as a text book for the practising lawyers. It is a work peculiar to itself, shewing the author to be a man of deep thought, great industry and power of arrangement. It is a book which like some others of a cognate nature,—such for example as Todd's Parliamentary Government,—should be plentifully used in the seminaries of learning, not merely for their intrinsic merit and as means of instruction, but for the free, brave, manly thoughts that pervade them, and marking them as fit exponents of that law open to all and favouring none, and teachers of that spirit of liberty without license, which we claim to be the heritages of our race.

We look upon this book as one of the greatest additions of the day to the library of legal literature, and we most heartily recommend our readers to lose no time in supplying themselves with it. The lessons it conveys cannot but be most beneficial to all classes.

As regards the volumes themselves, that which comes from Macmillan's press cannot be very inferior, but we would suggest that a second edition should give the matter in a little less cramped form. The size is convenient, but neither is the paper as good as it might be, nor is there enough of it.

* R. v. Burgess, 1 L. & C. 258.
† 1 Hawk. P. C. c. 27, § 6; R. v. Russell, Ry. & M. 356.
‡ 1 Hawk. P. C. c. 27, § 6; Keilw. 136; Moor, 754.
§ R. v. Alison, 8 C. & P. 418; R. v. Dyson, R. & Ry. 523.

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FLOTSAM AND JETSAM.

An exchange says: "The phrase 'privily and apart' is a corruption of the old English, 'privils and apert,' '*Apert*' is an obsolete word from the Latin, *aperio*, to open, and which meant then 'openly, publicly.' 'Privily and apert,' meant then 'privately and publicly. The phrase is twice used in this sense by Chaucer in his 'Wife of Bath's Tale.' At present it seems to be a redundant expression for private." The phrase as now understood may seem redundant, but as corrected it would be nonsense. It is used in describing the private examination of witnesses, or of a wife when executing a conveyance. An acknowledgement by a wife taken on a private examination, "*apert*" (openly or publicly,) from her husband, would hardly satisfy the statute, neither would it satisfy the rule upon which the statute is founded.