

mainder over during the life estate.—Where it appears to be the intention of the testator, making a gift for life, with remainder over, that the tenant for life shall enjoy the property in specie, the accessions to the property, such as crops, young animals, (the offspring of those originally given,) new furniture, tools, &c., &c., constructed by the labor of the property given, all belong to the tenant for life, and not to the remainderman. *Woods vs. Sullivan*, 507.

Trespass—What it is.—A peaceable entry is not one merely unaccompanied with actual violence or breach of the peace; but every entry upon the soil of another, in the absence of a lawful authority, is a trespass, and it matters not that there is no actual force, for the law in such case implies force. *Norvell vs. Gray's lessee*.

Waiver.—The mere fact that an old county, the constitutional territory of which has been invaded by the creation of a new county, has for five years failed to resist the encroachment and insist upon its jurisdiction, is not of itself a waiver of the right to be restored to its constitutional limits. *Maurj County vs. Lewis County*, 236.

Witness—Competency—Religious Opinions.—He is a competent witness who “believes in a God, and also in the Bible; but does not believe that the only punishment inflicted for wrongs in this life, are the pangs of a guilty conscience, or in a future state of rewards and punishments after death. *Bennett vs. The State*, 411.

NOTICES OF NEW BOOKS.

The General Laws of Pennsylvania, from the year 1700 to October, 1852, chronologically arranged, with notes and references to all the decisions of the Supreme Court of Pennsylvania, giving construction to said Laws; with a copious and minute index; third edition, compiled by James Dunlop, of Pittsburgh. Philadelphia, T. & J. W. Johnson, 1853.

Whether a digest of statutes ought to be arranged in an analytic or chronological form is a question of convenience which it is not easy to answer. Where the Legislature of a State has been irregular and disconnected, here an Act and there an Act, the former, perhaps, may be preferred as a labor-saving process. But in Pennsylvania, where upon all important branches of the law there are general statutes embodying a great variety of provisions, and professing in them to cover the whole subject to which they respectively refer; the difference is less material, if it exist at all. The fact that in a chronological arrangement, the whole

of each Act is given, while in the other the student is often required to seek over a thick volume for its fragments, the *disjecta membra* of legislation, has very considerable advantages; for a statute, like a will, is generally best interpreted "within its four corners." Mr. Dunlop, whose third edition is before us, has followed in its preparation this method, and, we think, in a manner to vindicate its utility. A very careful and judicious index exhibits the topography, if we may so call it, of the book, and in its incidental analysis dispenses completely with the need for any in the body of the work. The editor has also enriched it with a reference to all the decisions of the Courts on the various sections of the statutes, which he gives in brief, terse, but comprehensive notes. The typography of this, and indeed of all the Messrs. Johnsons' publications is excellent; and to eyes fatigued with the blurred type and dingy paper of some of our law books, the consultation of their clear white pages is, if the phrase is ever applicable to a study which is at best hard and irksome, quite delightful.

The Practice in Civil Actions and Proceedings in the Supreme Court of Pennsylvania, and in the District Court and Court of Common Pleas for the City and County of Philadelphia, and in the Courts of the United States: by Francis J. Troubat and William W. Haly; third edition by Francis Wharton, in two volumes. Philadelphia, Kay & Brother, 1853.

Though nominally confined to an exposition of the practice of the Supreme Court, and of the Courts of Philadelphia County, this work has been long to Pennsylvania at large, what Mr. Tidd's Practice, on which, indeed, it is founded, is to England. It is one of those absolute essentials to the practitioner, which he can as little dispense with as with the Digest of the Reports, or of the Statutes. The second edition having been long since exhausted, the preparation of the present had been entrusted to the lamented Mr. Haly; on whose melancholy and untimely death the materials collected by him were placed in the hands of Mr. Wharton. From these, and from the decisions of Judge Sharswood, in the District Court of Philadelphia, on points of practice, the present volumes are principally prepared. The decisions by the Courts of the State to the fifth volume of Mr. Harris' reports, and the Acts of Assembly to the close of the session of 1852, will be found incorporated under their proper heads. In addition to the labors of the editor, we find that chapters have been contributed by Mr. Troubat, Mr. Lex, Mr. M'Murtrie and Mr. Henry, gentlemen well known at the Philadelphia Bar, for their learning and their extensive acquaintance with the practice of the Courts.

Reports of the cases argued and determined in the Supreme Court of Tennessee, during the years 1851 and 1852, by William G. Swan, State Reporter, Volume I. Nashville. Printed by W. F. Bangs & Co., 1853, pp. 588.

We have had the pleasure of reading the sheets of this volume of Reports, and feel bound to express our satisfaction at the manner in which the Reporter has performed his duty. The volume contains numerous cases of interest and importance to the profession and to the business community, one of which we present to our readers in this number of our Journal.

This volume deserves especial commendation for the careful indices, methodical abstracts, and accurate presentation of the points of argument. In these duties the Reporter seems to have taken great labor in order to aid his professional brethren in the hurry and toil of the preparation of an argument. We think the State of Tennessee fortunate in a Reporter who adds ability to diligence. Would that we could say as much for the Reporters of all the States, whose volumes we are obliged to consult.

Reports of cases argued and determined in the Supreme Court of Rhode Island; vol. II. part I., by Thomas Durfee, Providence. George H. Whitney, 1853. pp. 222.

This is the second volume only of Rhode Island Reports, and we are under obligation to the Reporter for this fragment of his volume, all that is yet printed. Mr. Angell reported the first volume of Rhode Island Reports, and his name is a sufficient guarantee that any book to which it is attached will be practically useful to the profession. We know not that we can commend Mr. Durfee's volume by any greater praise than to say that it is quite equal to Mr. Angell's, and by calling our readers' attention to a case taken from it and printed in our present number. Some curious points are presented in *Warren vs. Harding*, p. 133, case of a sailor's will; and in *Simmons vs. Mumford*, p. 172, dedication of a highway.