

permitted, to the extent of that balance, to come upon the separate estate, and have a *pro rata* portion thereof with the separate creditors, inasmuch as the balance so found due is substantially a debt due from the deceased to the surviving partner. *Busby's Adm'r vs. Chenault & Co.*

NOTICES OF NEW BOOKS.

The Law of Nisi Prius; comprising the Declarations and other Pleadings in Personal Actions, and the Evidence necessary to support them: with an Introduction, stating the whole of the Practice at Nisi Prius. By John Frederick Archbold, Esq. Third American, from the Second London Edition, with Notes referring to the Latest American Decisions. By John K. Findlay. In two vols. Philadelphia: T & J. W. Johnson, 1853.

This book has always commanded the approbation of the profession, as two editions in England, and three here, abundantly testify. Nisi Prius books are emphatically among the working ones of the student and practitioner, being of constant daily use and reference; and hence they have always commanded a sale from their earliest introduction. None has, heretofore, been so very satisfactory as this recent work, by an accomplished and practised elementary law writer. The arrangement is excellent, the matter compactly and accurately stated, and the cases fully cited, which is all that can reasonably be asked of a compiler.

The Introduction, which was added to the Second Edition, is useful to the student and younger practitioner, as furnishing a kind of knowledge not readily reached in any other way than by the consultation of numerous scattered authorities.

This edition is rendered much more useful than either of the former, by reason of the extended and well considered notes of Judge Findlay. The experience acquired by the editor, while in the discharge of his judicial duties, has rendered him, in a special manner, fitted to the task of annotating a Nisi Prius book. While it would have been easy to have encumbered these volumes with voluminous notes and cases, borrowed from the digests, it was not easy to present, in a brief, terse, and accurate shape, the many points and cases furnished his readers by the editor, in these two very handsomely printed volumes. We think many of these notes

models in the most essential element of all annotation—brevity and accuracy; and we trust that this will not be the only legal labor which the learned editor will present for the instruction of his professional brethren.

Reports of Cases Argued and Determined in the English Courts of Common Law, with Tables of the Cases and Principal Matters Edited by Hon. George Sharswood. Vol. LXX., containing Cases in the Court of Common Pleas, in Michaelmas Term and Vacation, 1850, and Hilary and Easter Terms, 1851. Philadelphia, T. J. & J. W. Johnson, 1853.

Common Bench Reports. Cases argued and determined in the Court of Common Pleas, in Michaelmas Term and Vacation, 1850, and Hilary and Easter Terms, 1851. With Tables of the Names of Cases Argued, and of the Principal Matters. By John Scott, Esq., of the Inner Temple, Barrister-at-Law. Vol. 10. Philadelphia; T. & J. W. Johnson, 1853.

This is the tenth volume of the Common Bench Reports, and the first volume reported by John Scott, Esq. It resembles in most particulars, its various predecessors—so far as the English author's labors are concerned; but for the American lawyer, it has a greatly increased value, by the addition of notes from the pen of Judge Sharswood, of this city. Our friends, the publishers, have judged wisely in adding notes to their reprints of the English Common Law Series. This Series has now been before the profession for many years, and is the only mode the American lawyer has, of obtaining full, accurate, and authentic reports of the judgments of Westminster Hall. The reporters of this Series, take ample time to prepare their cases, and have usually access to the briefs of counsel, and not unfrequently the aid of the Judges, in the preparation of the arguments and opinions, and they are thus enabled to present to the bar reported cases, bearing the sanction of the Court. This is an advantage that not any of the reports enjoy prepared and printed very soon after decision is pronounced, and which reports are eminently useful, not to say indispensable to the active practitioner, at the time they are issued, yet they cannot, in the nature of things, have an entire accuracy. Cases prepared to be consulted by the lawyers of all coming time, should not be hastily presented, and in that shape perpetuated in the authoritative and standard volumes of our libraries.

It is an act of simple justice, to the American annotator of this volume, to say, that some of the notes are elaborate—for example, *Spartali vs. Benecke*, p. 227, and *Austin vs. The Railway Co.*, p. 476—and exhaust the particular learning of the point considered. We are pleased to learn, that the addition of these notes has already added to the widely extended circulation which this series has enjoyed for many years.

English Reports in Law and Equity, containing Reports of Cases in the House of Lords, Privy Council, Courts of Equity and Common Law, and in the Admiralty and Ecclesiastical Courts, including also Cases in Bankruptcy and Crown Cases Reserved. Edited by Edmund K. Bennett and Chauncey Smith, Counsellors at Law. Volume 12. Containing Cases in all the Courts of Equity and Common Law during the year 1852. Boston: Little, Brown & Co., 1853.

This series is now so well established, that no further notice is required at our hands, than to announce its publication. It is certainly a most useful reprint, furnishing, at a small cost, cases which, in their original English volumes, are very voluminous and yet more costly. This Series, together with the English Common Law Series, published by the Messrs. Johnson, of this city, leave little to be desired by the profession; and, taken together, make a collection of English cases, both very recent and carefully reported.

A Treatise on Crimes and Misdemeanors, by Sir William Oldnall Russell, Knt. ; late Chief Justice of Bengal. By Charles Springell Greaves, Esq., of Lincoln's Inn, &c., &c. Seventh American, from the third London Edition. With the Notes and References contained in the former American Editions, by Daniel Davis and Theron Metcalf, Esqs. ; and with additional Notes and References by George Sharswood. 2 vols. Philadelphia: T. & W. Johnson, pp. 905: 1105.

This is a new edition of a book which has always borne the highest reputation as a practical work on criminal law. The Notes of Judge Sharswood, and of the former editor, have enriched it with the principal cases in the United States, and their names furnish an ample guaranty for the correctness and care with which it has been prepared.