

## NOTICES OF NEW BOOKS.

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 H. Bennett and Chauncey Smith, Counsellors at Law; Volume XX., containing Cases in the House of Lords, and in all the Courts of Common Law and Admiralty, during the year 1853. Boston: Little, Brown & Co. 1854, pp. 711.

The convenient distribution of these Reports into alternate volumes of Law and Equity, adds to the value, while at the same time it lessens the labor of reference and consultation. While seeking for matters purely common law, one looks only into the Law Reports, while matters in equity are to be sought in the Equity volumes. This is one of the law series, and contains many cases of great interest and professional utility. The Law of Insurance is more fully discussed than usual, in quite a number of cases; thus, *Anderson vs. Thornton*, p. 339, discusses the subject of misrepresentation in a marine policy. *Glen vs. Lewis*, p. 364, is an important case in fire insurance, where a policy was rendered void, by reason of the erection of a temporary and experimental steam-engine, though the fire did not arise from the working of the engine. *The Scottish Marine Insurance Co. vs. Turner*, p. 24, is also an important insurance case, where the subject of the insurance of freight is much discussed, and the relative rights of insurer and insured, as between themselves, very fully treated.

Admiralty and Maritime Law, always interesting and always important in a thriving commercial community like our own on the seaboard, embraces a considerable portion of this volume. *The Florence*, p. 607, discusses a new point in the law of salvage: *The Steam Navigation Co. vs. Morrison*, pp. 267 and 455—a new application of established principles in the law of collision. *Lumley vs. Gye*, p. 168, is perhaps the most important case in the book; the point discussed and held, being that an action can be maintained against one for maliciously procuring another to break his contract, to the damage of the party with whom he has contracted. The dissenting opinion of Coleridge, J., will command attention from its marked ability. Alderman Salomon's case again appears in the Exchequer Chamber, p. 353, and the judgment of the exchequer is affirmed, and a Jew cannot sit in the English Parliament, without having first taken an oath "upon the true faith of a *Christian*," unless he pays the statute penalty.

The Crown Cases Reserved form an important and leading part of this volume, but our limited space forbids any further citation of cases. It remains only to add, that these reports contain numerous and varied judgments by the first talent of Westminster Hall, in all the Courts, and hence in every department of law, and will command and deserve careful study and reference by the diligent lawyer, who means that his learning shall be both recent and sound.

The Exchequer Reports. Reports of cases argued and determined in the Courts of Exchequer and Exchequer Chamber. Vol. VIII. Trinity Vacation, 15 Vict. to Trinity Term 16 Vict., both inclusive. By W. N. Welsby, E. T. Hurlstone and J. Gordon, Esquires, Barristers at Law, with references to decisions in the American Courts. J. I. Clark Hare, Editor. Philadelphia: T. & J. W. Johnson, Law Booksellers. 1854, pp. 958.

For many years, since Baron Parke and Baron Alderson have been in the Exchequer, this Court must perhaps be considered the first common law Court in point of learning and ability, and the judgments of such a tribunal, always where the common law prevails, must be sought and studied and applied by the practitioner, and hence each new volume is looked for with unusual interest. This Court, since the time of Meeson & Welsby, has been uncommonly well reported, and no judgments that come from Westminster Hall, are more fairly presented or accurately given, than those contained in these volumes. If the profession sometimes object that the Exchequer judgments display too little regard for some cases which have no other merit than the rule of *stare decisis*, it is not to be denied but that for the thorough application of established legal principles, based upon logical deductions resolutely and uncompromisingly pursued to the uttermost, this tribunal is most remarkable. The Court of Exchequer was once considered a place of ease, and given as a sinecure to political lawyers, who were not thought strong enough for the Queen's Bench or the Common Pleas, but the men who now sit in the Queen's Exchequer, and the men who now practice at that bar, attract a mass of business within their forum, utterly unknown to the older barristers:

This particular volume contains the usual number of excellent cases; for example, *The Northern Railway Co. vs. Shepherd*, p. 30, as what constitutes a passenger's luggage; *Conturier vs. Hastie*, p. 40, where one point in the case was decided upon the authority of an American case, reported in 3 Hill's N. Y. Rep., 458, and the judgment is characterized by Parke, B. as "a very able judgment, which we entirely adopt." *Laveroni vs. Drury*, p. 166, is a curious case, and has been given to the readers of this Jour. 1 Am. Law Reg., 174. *Chew vs. Holroyd*, p. 249, and *Hills vs. Mitson*, p. 751, discusses the question of the jurisdiction of inferior Courts, and how far their jurisdiction may be inquired into by the Superior Courts. *Clay vs. Crow* treats of lost notes; *Waters vs. Sowers*, p. 401, is a case of special damage, arising from non-fulfilment of a contract; *Glen vs. Lewis*, p. 607, is one of warranty and condition in a policy; *Bagge vs. Mawby*, p. 641, second distress by landlord; *Re-neaux vs. Teakle*, as to liability of husband for wife's dresses; *Morrisson vs. The Steam Navigation Co.*, p. 732, as to negligence; *Salomons vs. Miller*, p. 778, Jewish disability; *Williams vs. Holmes*, p. 861, privilege from distress, and all deserve an attentive and careful perusal.

The notes of the American editor, Judge Hare, exhibit their usual ability. We were especially struck with those to be found on pages 96, 118, 203, 250, 298, 403, 650, 762, as combining all the best requisites of notes to reports, a sufficiently full citation of authority, and a neat and terse enunciation of principles and points.