

time use his best endeavors to promote the interests of the defendant, and would attend to and carry out all reasonable requests. Held, in an action for wrongful dismissal, before the end of the term, that a plea that the plaintiff did not, whilst in the defendant's employ, use his best endeavors to promote the interests of the defendant, according to the agreement, wherefore he was dismissed, disclosed a good defence. *Arding vs. Lomax*, 24 L. J. 80. (Exch.)

Master and servant—Seduction—Temporary visit.—The plaintiff's daughter, who had formerly been in the defendant's service, and was living with her parents, at the defendant's request, and with the consent of the plaintiff, went and resided at the defendant's house for a month, to attend to his business during the absence of his wife; and the defendant promised to pay her something for so doing; and when she left, defendant's wife gave her 8s. During the time she so resided with the defendant he seduced her: Held, that the above facts were not inconsistent with the relation the daughter held of servant to the plaintiff; and that an action for her seduction was maintainable by him. *Griffiths vs. Teetgen*, 24 L. J. 35 (C. B.)

Ship and Shipping—Policy of Assurance—Warranty—Time of sailing.—In a policy of assurance from New York to Quebec, during the ship's stay there, and thence to the United Kingdom, the ship was warranted to sail from Quebec, on or about the first of November. Held, that the policy covered the loss after the first of November, during the voyage between New York. *Baines vs. Holland*, 3 Com. L. Rep. 593, (Exch.)

NOTICES OF NEW BOOKS.

A General Digest of the Principal Matters contained in the Exchequer Reports from 1824 to 1854 inclusive. Edited by Asa I. Fish. Philadelphia: T. & J. W. Johnson. 1855. Calif, 8vo, pp. 872.

We learn from the publisher's preface to this work, that it "embraces the decisions of the Court of Exchequer, and Exchequer Chamber, from the Reports of McClelland and Younge, in 1824, to the ninth volume of Welsby, Hurlstone and Gordon, in 1854, inclusive. In its plan and

arrangement," it is said, "it does not differ materially from Wise's Index to Meeson and Welsby, which has met general approval, and which is incorporated in its pages. It is believed to present a comprehensive and accurate abstract of the decisions of the Exchequer Tribunals, during a period when commercial law has been illustrated with a copiousness, learning and ability, perhaps never equalled in Westminster Hall; and is submitted to the profession with a hope that it may meet a want which the publishers have long been requested to supply."

We have examined the "Exchequer Digest" with care, and can pronounce it to be remarkably well arranged and executed. It exhibits every evidence of accuracy and judgment on the part of the learned editor. More than this, it will not be becoming in us to say. Of the materials of the Digest, however, we can speak. The reports from which it has been compiled, are of the decisions of unquestionably the ablest Court, taking it as a whole, which England has seen for many years. Individual judges may now and then have shown more extraordinary genius, but rarely has the bench of any country exhibited a combination of men of greater acuteness, learning, good sense, and general capacity, than those who have sat in the Exchequer during the last thirty years. In that period every branch of law has come in review before them, and been discussed with equal originality, profoundness and subtlety. With a remorseless logic they have exposed their predecessors' errors, and weeded out the false doctrines which had grown up over many fields of jurisprudence. Without a thorough familiarity with the results of their labors, no man at the present day can call himself a complete lawyer. Mr. Fish's Digest is the harvest of these thirty years, and we can warmly recommend it to our readers. It will be found equally useful to those who do not, as to those who do possess a full series of these reports.

The Reporters, chronologically arranged: with occasional Remarks upon their respective Merits. By John William Wallace, Master in Chancery for the Supreme Court of Pennsylvania. Third edition, revised. Philadelphia: T. & J. W. Johnson. 1855. Calf, 8vo, pp. 424.

Bibliography, which, in other branches of literature, is somewhat more of an amusement than of practical utility—rather a pastime for leisure hours than a serious study, is really an important branch of legal science.

The principle of authority which pervades the common law, and which so often subordinates the claims of logic and natural reason to the sovereignty of "reported cases," demands for its justification a rigorous establishment of the legitimacy of its little hierarchy of decisions. A flaw in their genealogy is fatal to the validity of their pretensions, and renders them as anomalous as was the position of the last royal dynasty in France, between the Legitimists and Republicans,—claiming to belong to both, yet contradicting the fundamental principles of either. To warrant the submission of our judgment before the controlling sway of a decision, we must be informed of the Court which pronounced it, and, what is more, of the authority of the Reporter who has transmitted it to us. For unfortunately there have been many false prophets among us. Many have laid claim to a mission to which they had no proper call. In some cases, from the ignorance or carelessness of the compilers, in some from the injudicious publication, by strangers, of loose notes which were never meant to see the light, quite a large number of the books of reports which appear on the shelves of any respectable law library, are useful only to mislead. In the digests, the cases from such sources are thrown indiscriminately together with those from really authoritative reporters, and no discrimination of the tares from the wheat is made. Any one, therefore, who will sit down and investigate carefully the pretensions of the different Reporters, and fix their respective authority, must confer a great benefit upon the profession.

It is this task which Mr. Wallace proposed to himself in the useful, and at the same time very entertaining volume which is before us. Though it has been long and favorably known, our readers will doubtless thank us for calling their attention to its merits on its reappearance. Possessed of that thorough and accurate learning, which has made his treatise exhaustive and complete, Mr. Wallace is, at the same time, a very clever and graceful writer. Odd as it may sound with regard to a law book, it is really very difficult to put down the "Reporters," when one has once taken it up. It is filled with pleasant gossip and curious information, and casts, in short, upon legal literature all the side-lights which an accomplished gentleman, of very extensive reading, could by any industry obtain. No lawyer, however carefully collected his library, can deem its use safe without a guide such as this.