

NOTICES OF NEW BOOKS.

POPULAR LECTURES ON COMMERCIAL LAW : Written for the use of Merchants and Business Men. By George Sharswood. Philadelphia : Hayes & Zell, 1856.

The lectures of which this volume is composed, we are told by the preface, were prepared for the use of the pupils of "Crittenden's Philadelphia Commercial College," without any view to their publication. They were reported as delivered, and collected in a volume by the principal of the College for which they were delivered. Coming before us, therefore, as a popular as well as a strictly professional treatise, they have double claims upon our attention, and these claims they abundantly satisfy. Simple, perspicuous and accurate as they are in style and substance, they will form an invaluable aid by which the man of business can acquire those general principles of which commercial law is composed. And they go further, for by their technical precision and legal fidelity, they form both for the student and the practitioner, a hand-book which, for American commercial law, has no equal. In all these respects we cordially recommend them.

REPORTS OF CASES DETERMINED IN THE COURT OF CHANCERY; AND, ON APPEAL, IN THE COURT OF ERRORS AND APPEALS OF THE STATE OF NEW JERSEY. By John P. Stockton, Reporter, Trenton, 1856.

Legal eminence appears to be hereditary in New Jersey, if we may judge from the volume before us. Chancellor Williamson, whose decisions constitute its principal material, is the son of the former able chancellor of the same name. The reporter is the grandson of Mr. Richard Stockton, one of the most distinguished jurists of that State or of the United States. Nor has the inheritance been diminished in its transmission. The reports of Mr. Stockton indicate a well trained mind, thoroughly imbued with legal principles, so as to enable him to grasp always the real points decided in each case, and to present them clearly and concisely in the head note. He has also avoided the error which many other reporters, through slovenliness, or perhaps downright book-making, are guilty: that is of cramming his book with pleadings and records, and the other scaffolding of a case. On the contrary, his reports are always as short as possible, consistently with intelligibility, omitting any additional statement, indeed, where

one is sufficiently given by the court. Of the high authority of the decisions reported, there can of course be no question. The opinions of jurists of such standing as the Chancellor, and Chief Justice Green, must always command respect, even when they are not of binding force. The volume, moreover, contains a considerable number of cases of more than local importance, particularly in reference to the rights and duties of railroad corporations. We may instance *Kean vs. Johnson*, page 401, which establishes a limit to the control of the majority of a railway company in the disposition of its property and the arrangement of its concerns. So in *Attorney General vs. Hudson River Railroad*, page 526, will be found a consideration of some important practical points with respect to the obstruction of navigable waters by the erection of a railroad bridge. A curious and interesting question was presented in the *Morris and Essex Railroad vs. Blair*, page 635, as to the conflicting rights of two railroad companies, who were incorporated to complete independent lines across the State, no route being prescribed to either, except so far as was indicated by the termini. It was held that the prior right attached to the company which first actually surveyed and adopted a route, and filed their survey in the office of the Secretary of State. The *Newark Plank Road Company vs. Elmer*, page 755, is another decision upon the power of a road company to interfere with the navigation of a public stream, under the provisions of their charter. The case of the *Morris Canal &c. Company vs. Fisher*, page 667, contains an extremely important decision with respect to the legal character and effect of the coupon bonds, which, though not negotiable by the loan merchant, are yet held to be instruments capable of passing by delivery, so as to confer a complete title in the possessor, and hence also capable of pledge. It was also doubted whether a debtor's own obligation could be held as a pledge, or whether that of a third deposited as collateral can be sold by the pledgee, in the absence of some known usage or express agreement.

Other cases, involving interesting and novel points, have struck us in turning over the pages, but we have not space to refer to them. In conclusion, we may say, that the volume is well and clearly printed on good paper, and presents a very creditable appearance.