

line bounding the jurisdiction of the wardens, and to that line the owners of the fast land possess certain rights, which are beyond the control or interference of the respondents. And from all that appears in the pleadings before us, it can be as easily defined, upon the land of the petitioner as it can upon the land of any one bounded by the Delaware river, and until the contrary be shown, the presumption of law is, that an approximate, conventional line of low water mark can be defined by the Wardens, which, when settled and marked, will be treated as the true line between the petitioner and the respondents.

In answer to the sixth reason, it is sufficient to say, that of the advantages or disadvantages that would result to the navigation of the river, and to the trade and commerce of Philadelphia, we have in the determination of this question, no right to inquire, or to allow such considerations to influence in any degree, the rights of the parties to this proceeding. Being of the opinion that it is the clear right of the petitioner to build his wharf to low water mark, and this is the duty of the wardens upon the application which he presented to them, to cause to be defined that line for him, and no sufficient reason having been shown why they have not performed this duty imposed upon them by law, a peremptory mandamus is awarded, as prayed for; our practice being, instead of awarding an alternative mandamus, to hear the parties upon a rule to show cause why a peremptory mandamus should not be granted.

Rule absolute.

NOTICES OF NEW BOOKS.

ABRIDGMENT OF THE DEBATES OF CONGRESS, from 1789 to 1856. From Gale's and Seaton's Annals of Congress, from their Register of Debates, and from the official reported Debates, by John C. Rives. By the Author of the Thirty Years' View, Vol. 1. New York: D. Appleton and Company, 346 and 348 Broadway. London: 16 Little Britain, 1857. Philadelphia: J. K. Simon, Agent, No. 89 Walnut street, pr. 802.

This valuable and somewhat ponderous volume has just been laid upon our table. We have not been able as yet to examine it with as much care as we intend to, but so far as our examinations have extended, they have been most satisfactory. The work itself was needed. The historical knowledge which is to be gathered from the Congressional Debates, is at once highly instructive and most important. To no hands could it have been better confided than to Col. Benton's. By the time the second volume shall appear, we shall endeavor to give our readers some more satisfactory account of the work from a more careful perusal.