

NOTICES OF NEW BOOKS.

PENNSYLVANIA STATE REPORTS, Vols. XXIX. and XXX., COMPRISING CASES ADJUDGED IN THE SUPREME COURT OF PENNSYLVANIA. By JOSEPH CASEY, State Reporter. Vols. V. and VI. Containing Cases decided in May and October Terms, 1857, and January Term, 1858. Philadelphia: Kay & Brother. 1858. Vol. V. pp. 588. Vol. VI. pp. 576.

Mr. Casey's reports have all been quite satisfactory to the bar, and these volumes are no exception. Some cases in Vol. V., deserve some special attention: thus, the case of *Denison vs. Page*, p. 420, on the law of bastardy; *Born vs. Shaw*, p. 288, as to the validity of a foreign sale and transfer; *Weaver vs. Fegeley*, p. 29, as to weights and measures; *Fife vs. Com.*, p. 429, declaration of a prisoner under arrest for felony; *Okeson vs. Patterson*, p. 22, as to easements; *Hill vs. Johnston*, p. 362, as to exemptions; *Insurance Company vs. Schell*, p. 31, as to contract of insurance; *McClintock's Appeal*, p. 360, as to interest on an unsettled account; *McIntyre vs. Kennedy*, p. 448, and *Speers vs. Sterrit*, p. 192, as to when cross demands may be set off; *Whetstone vs. Bouser*, p. 39, as to the law of water-courses; *Burford vs. Burford*, p. 221, as to signing will.

And in the 6th volume, we have specially noticed: *Robinson vs. Bickley*, p. 384, as to the finding of arbitrators; *Miller's Appeal*, p. 478, as to auditor's reports; and *Porter's Appeal*, p. 496, on the same subject; *Kupfert vs. Building Association*, p. 465, and *Hughes' Appeal*, 471, which have materially modified common professional views as to Building Associations; *Sullivan vs. Reading R. R.*, p. 234, as to passenger carrier's contract; *Cresson's Estate*, pp. 425, 437, as to charitable bequests; *Mott vs. Pennsylvania R. R.*, p. 9, as to the State's taxing power; *Briggs vs. Large*, p. 287, as to distress for rent; *Hanley vs. O'Donald*, p. 261, *Freeman vs. Smith*, p. 264, and *Harleman vs. Bush*, p. 267, on the exemption law; *Kelsey vs. Murphy*, p. 340, as to interest on judgment; *Norris' Appeal*, p. 122, mechanic's lien; *Knight vs. Beenken*, p. 372, party wall; *Rogers vs. Gilinger*, p. 185, as to what constitutes realty; *Cabeen vs. Campbell*, p. 254, as to stoppage in transitu. All these cases are worthy of study, and will attract the notice of the profession.

We are also glad to find in the well prepared indexes of these volumes a title of cases overruled, doubted, denied, commented on, &c. Also, a carefully prepared title of the statutes cited, explained or commented on. Upon a pretty careful review and perusal of these two volumes of our State Reports, we have no reason to be dissatisfied with the reporter's labors. Some of the determinations made by the court are perhaps less satisfactory than could be wished; but they cannot here be discussed. We have already, in the pages of this journal, commented upon some cases, and others deserve to be challenged before they can be admitted to professional favor.

A TREATISE ON THE RIGHT OF PERSONAL LIBERTY, AND ON THE WRIT OF HABEAS CORPUS, AND THE PRACTICE CONNECTED WITH IT. With a view of the Law of Extradition of Fugitives. By ROLLIN C. HURD. Albany: W. C. Little & Co., Law Booksellers. 1858. pp. 677.

A good book on habeas corpus has long been required for our libraries, and we have this want supplied us in an acceptable manner. The law of habeas corpus will always attract the attention of the historical and legal student both, as no less interesting in its origin, than useful in its legal application.

Before Mr. Hurd's book, but little had been done. Mr. Hill, in a note to 6 Hill's Rep. 647, and a learned writer, understood to be the author of the "American Criminal Law," in the 6 Penn. Law Jour., together with Mr. Ingersoll, in his brief but excellent pamphlet, and a very elaborate and fully annotated article in 4 American Law Register, 257, seem to be pretty much all that we have heretofore had worth any special notice.

A perusal of this book will not fail to throw a vast amount of light upon this interesting and eminently practical subject. The method and arrangement of the learned author is luminous. The chapter on the subject of "the return," is certainly much more complete than any discussion elsewhere to be found.

The third book discusses the extradition of fugitives, and is admirably prepared, embracing all the cases up to the present time, methodically arranged and placed in a clear and excellent order. We are satisfied that Mr. Hurd's labors will receive, as they well deserve, the encomiums of his legal brethren.

UNITED STATES DIGEST: Comprising a Digest of the Decisions of the Courts of Common Law, Equity, and Admiralty in the United States, and in England. By GEORGE SILSBEE HALE, of the Boston Bar. Vol. XI. Annual Digest for 1857. Boston: Little, Brown & Co. 1858. pp. 719.

The profession has been annually laid under obligations to Messrs. Little & Brown, and their learned and indefatigable editors, for the volumes of the United States Digest. It is difficult to name a more useful book, as each annual contribution contains a short note of the points in each case, throughout the whole range of American Reports. We do not see any reason to complain of the manner in which Mr. Hale has executed his most onerous and repulsive duty, in abstracting, digesting and classifying the numerous judicial denominations scattered through so many volumes. As a finger guide or index, it is most serviceable, and no student or thorough practitioner will fail to avail himself of its ample pages.

REPORTS OF CASES ARGUED AND DETERMINED IN THE SUPREME COURT OF RHODE ISLAND. By SAMUEL AMES, Chief Justice and Reporter. Vol. I. Rhode Island Reports, Vol. IV. Boston: Little, Brown & Co. 1858. pp. 651.

It is a noticeable fact that some of the smallest States in the Union have supplied us with some of our best reports. The Delaware, Maryland, New Jersey and Rhode Island reports, have always, with some few objectionable volumes, been held in esteem by the bar. This volume of Rhode Island reports is even better than its predecessors, and is decidedly one of the very best volumes of law reports that we have had occasion to look into for a long time. It is true that the learned Chief Justice chooses to report his own and his fellow judges' determinations, and it is to be expected that nothing useless would be found in his pages. We noticed as of interest, and as well discussed, *Sadler vs. Fallon*, p. 490, on assignments for creditors; *Westminster Bank vs. Pheaton*, p. 30, as to form of note of agent; *State vs. Brown*, p. 528, on the subject of bank note forgeries; *Ditson vs. Ditson*, p. 87, on the law of domicile for purposes of devise; *Hiscox vs. Lanford*, p. 30, on right to dam rivers; *Wilson vs. Conway Insurance Co.*, p. 141, and *Wilson vs. Hampden Insurance Co.*, p. 159, as to statements in reply to questions by assurer.

We notice that Rhode Island, like ourselves, devotes some pages of her reports to "Mechanic's Liens," "Rail Roads," "Taxation," and "Partners and Partnership." We have marked some few cases for our own pages, and hope to give our readers an opportunity to judge of the justice of our remarks.