

learned counsel for the plaintiffs, that, at all events, the verdict must be for the plaintiffs for the upper mill-stone; that *Liford's case*, 11 Rep. 50, citing *Wiston's case*, Year Book, 14 Hen. 8 fol. 25, B. disposes of that point. The law is correctly stated in Amos & Ferard on Fixtures, 257, where, in speaking of things constructively annexed to the freehold, they mention a mill-stone, "which, though not annexed to the freehold, is yet essentially parcel of the mill." We think, therefore, that when the mortgagor, (who was the real owner of the inheritance,) after the date of the mortgage, annexed the fixtures in question for a permanent purpose, and for the better enjoyment of his estate, he thereby made them part of the freehold which had been vested by the mortgage deed in the mortgagee, and that consequently the plaintiffs, who are assignees of the mortgagor, cannot maintain the present action. The verdict therefore, must be entered for the defendant. *Rule absolute.*

NOV. 12, CROWDER, J. stated that he was desired by WILLES, J. to say, that that learned judge entertained serious doubts whether the articles were not chattels.

NOTICES OF NEW BOOKS.

COMMENTARIES ON THE LAW OF BILLS OF EXCHANGE, FOREIGN AND INLAND, AS ADMINISTERED IN ENGLAND AND AMERICA; With occasional Illustrations from the Commercial Law of the Nations of Continental Europe. By JOSEPH STORY, LL.D., one of the Justices of the Supreme Court of the United States, and Dane Professor of Law in Harvard University. Fourth edition, revised, corrected, and enlarged. Boston: Little, Brown & Co. 1860. pp. 642.

Judge Story's books do not seem to lose favor with the profession. In the volume before us, we have the *fourth* edition of Bills of Exchange. Perhaps the commercial lawyer is more frequently called on to advise upon this subject than any other, and good books of easy reference are most important. The learning of bills of exchange has exercised the talent of the bar, in its intricate and complicated doctrines, from an early period in the history of commerce, and it so happens that good books have always been on our shelves. Baron Bayley's work is still used, and a *tenth* edition of Chitty, attests its excellence, to say nothing of a *seventh* edition of Byles's admirable treatise.

This edition of Story on Bills is very complete; it has all the accumu-

lated cases and learning of the present day industriously gathered together, and carefully placed in their appropriate places by the learned editor. An examination of any of the points, which have been recently discussed and adjudicated, will show the reader that large additions have been made by editorial diligence; and the commercial public have a right to be guided and instructed with certainty and safety, by the aid of such good lights as Bayley, Chitty, Byles, and Story; and, perhaps, this branch of law will hereafter require nothing more in text writers than diligence and intelligent care in accumulating the cases as they pass into judgment before the courts.

THE LAW OF SALES OF PERSONAL PROPERTY. By FRANCIS HILLIARD, Author of "Law of Vendors and Purchasers of Real Property," "Law of Torts," &c. Second edition, greatly enlarged and improved. Philadelphia: T. & J. W. JOHNSON & Co., Law Booksellers and Publishers, No. 535 Chestnut street. 1860. pp. 515.

It is very true, as the learned author observes in his preface, that the subject of this book "is one second in importance to none in the law; inasmuch as the buying and selling of personal property is the occupation which, more than all others, creates or constitutes the activity of human society. Other transactions are comparatively local and occasional, but this is universal and perpetual." This volume is substantially a new book; both the matter and the plan are essentially changed from the former impression. This treatise gives us, in a compact form, a sufficiently ample discussion of the most interesting, important, and constantly recurring principles of the law of sales. It is skillfully arranged, and the subdivisions are placed at the head of the chapters in such a way as to facilitate reference and aid a search into the text. To test the value and accuracy of the author's labors, we turned to the important subject of Warrant, ch. 18, and found all the cases cited, or referred to, beginning with the oldest and coming down to the very latest Queen's Bench, Common Pleas, and Exchequer Reports in England, and the most recent cases in the commercial States of our own Union. This chapter is certainly thorough and interesting, and may be taken as a criterion of the author's labors throughout. It is also not improper to add, that our friends, the Messrs. Johnson, have printed this book on excellent white paper, and with legible type for both text and notes, that leaves nothing further to be desired in the mechanical department.