and, consequently, so far material in the inquiry before the Justices as to be capable of being made the subject of an indictment against G. for perjury: *The Queen* vs. *Gibbons, Jan.* 18, 1862.[1]

Manslaughter—Duty of Parent to Daughter—Neglect to call in Midwife in Daughter's Labor.——A young woman, who was eighteen years of age, and unmarried, and who usually supported herself by her own labor, being pregnant, and about to be confined, returned to the house of her step-father and mother. The girl was taken in labor (the step-father being absent at his work.) The mother did not take ordinary care to procure the assistance of a midwife, though she could have got one, had she chosen; and in consequence of the want of such assistance, the daughter died in her confinement. There was no evidence that her mother had any means of paying for the services of the midwife. *Held*, that there was, under the circumstances, no legal duty on the part of the mother to call in a midwife, and consequently no such breach of duty as to render her liable to be convicted of the manslaughter of her daughter: *The Queen* vs. *Sarah Shepherd, Jan.* 25, 1862.[2]

NOTICES OF NEW BOOKS.

PENNSYLVANIA STATE REPORTS. VOL. 39. Comprising Cases Adjudged in the Supreme Court of Pennsylvania. By ROBERT E. WRIGHT, State Reporter. Vol. 3. Philadelphia: Kay & Brother. 1862.

The previous volumes of Mr. Wright's series were very well done, and this is an improvement on them. It is to be hoped that the standard now reached will be maintained in the future, and that the judiciary of this State may be permanently relieved from its old incubus of careless and ignorant reporting. No matter what learning and abilities may characterize the bench, its general reputation will infallibly be affected by the style in which its decisions are brought before the public. These must, of course, be studied by the profession at home; but the task of laboring over an incomprehensible report is too irksome, and the danger of relying on an erroneous syllabus is too great, to make them often consulted by judges and lawyers elsewhere. The opprobrium, which justly belongs to the Reporter, casts a shade upon the Court.

Mr. Wright has obviously taken much pains with his task. His head notes are skilfully prepared; and they have prefixed to them a short

[1] 31 L. J., Mag. Cases, 98.

[2] 31 L. J., Mag. Cases, 102.

abstract of the subjects to which they relate, which is a great convenience and deserving of imitation by other Reporters. The statements of fact are clear, and void of unnecessary repetitions. But the most noticeable feature of this, as of the previous volumes, is the care which has been bestowed on the summary of the arguments of counsel, which has been too much neglected in this country. It would be invidious to suggest, that under our present system of low salaries, some of the best lawyers are off the bench. But we can say without offence, that there are men at the bar everywhere, whose learning and ability are such as to make their "Forensic Exercitations," to use Mr. Hargrave's ambitious phrase, as instructive as the actual judgments of the Court. We need only refer for an illustration of this to the English Reports, which, from the greater attention paid to this branch of the editor's duty, are so much more useful than most of our own, both to the student and the practitioner. Indeed, when we consider that counsel, under the stimulus of professional zeal in each particular case, and with more available time to devote to its special study, are naturally more thorough in the investigation of authorities, and more fertile in the discovery of arguments than most judges can be, it seems absurd to neglect so valuable a source of legal information, to rate it no higher. Besides, a good report of the argument, is often necessary now-a-days, in order to ascertain what was really the decision of the Court, or at least its value as a precedent. The judgments of our Courts are seldom given on the spot, and are sometimes postponed so long that the arguments of counsel seem to have evaporated from the judicial mind, or to have left at best but a mere sediment of authorities, which is not always worked up again to the best advantage. The result in such cases, is that, according to the idiosyncrasy of the judge who delivers the opinion, we are favored with an original and elaborate disquisition on the subject at large, or else with an ethereal tissue of inconclusive abstractions, which in either alternative, is apt to leave the real points in controversy untouched. To report the arguments of counsel in full, has, therefore, this advantage, that it enables us, by contrast, to reduce these judicial aberrations to their true plane, and at the same time supply a reverential check on their too frequent occurrence. For surely no judge who turns to a case reported and sees how high he has soared above, or how far he has shot aside from the humble mark, but will instinctively incline to a more accurate range for the future.

Possessing the characteristics, to which we have referred, we rank Mr. Wright's reports very high among those with which the Pennsylvania bar has been at different times favored or inflicted. H. W.