

## NOTICES OF NEW BOOKS.

DIGEST OF FIRE INSURANCE DECISIONS IN THE COURTS OF GREAT BRITAIN AND NORTH AMERICA. By H. A. LITTLETON and J. S. BLATCHLEY. Dubuque, 1862.

This is a very useful and well prepared work of its kind. It includes abstracts, it is stated, of all the reported decisions on the subject in this country, in England, and the British Provinces. It also contains a number of valuable manuscript cases. The authorities are carefully and accurately digested, so far as we can judge from the examination which we have made. The titles or subdivisions are, on the whole, well chosen for practical purposes; though if the work had been intended for professional readers alone, a more logical analysis would have been required. Any apparent defects in this respect, however, are substantially corrected by the index, and by subreferences between the different titles. We can, therefore, very willingly recommend the book, which occupies quite a new ground, to our subscribers.

While, however, we acknowledge its merits, we must regret that the time and care bestowed upon this volume had not rather been employed in the preparation of a regular treatise on the subject, which is very much needed. We confess to a great prejudice against digests, at least for general use. They are all very well in a lawyer's library, to economise, though not to dispense with, his own time and labor. But for any other purpose they are blind guides. Especially are they dangerous to those semi-professional persons who, like insurance agents and officers of insurance companies, have frequent need for legal instruction on points connected with their business. Such persons are more apt to be misled than enlightened by isolated abstracts of decisions. Even a well trained lawyer would risk much, if he attempted to acquire his knowledge of a special subject from such a source. Indeed, a thorough acquaintance with the principles of law, not merely on the special subject but on all cognate subjects, is necessary to enable any one to understand and apply correctly decided cases, even when reported at length with the *ratio decidendi* set out in full. No more false or hurtful notion exists in the public mind than that which supposes legal science to consist in congeries of precedents. These are only its accidents; its essential force lies above and beyond them. It would be as reasonable to suppose that a knowledge of medicine could be picked up from a collection of clinical cases, as that

a knowledge of law could be picked up from a collection of legal decisions.

We do not mean, as we have already said, to detract, by these observations, from the value of Messrs. Littleton & Blatchley's work. It has its proper place, which it will worthily fill. We only wish to enter our protest, as we have always done before, against the use of books of this character by those who have not had any regular legal education. It is a constant incentive to litigation; for it adds the disputes of sciolists to the controversies of the learned. It is far better for business men, if they wish to become their own lawyers, to be guided by their unaided common sense, which will, in most cases, bring them out right, than to attempt to reason from law books, which will, in most cases, lead them astray.

H. W.

REPORTS OF CASES IN LAW AND EQUITY, DETERMINED IN THE SUPREME COURT OF THE STATE OF IOWA. By THOS. F. WITHROW, Reporter. Vol. IV., being Vol. XII. of the Series. Des Moines: Mills, Brothers. 1862.

We have here the fourth volume of Mr. Withrow's Reports. In our judgment it is great praise, and well deserved by Mr. W., and, we are sorry to say, not always by others, that every page of his reports bears testimony to his laborious and faithful devotion to the work committed to his care, in preparing for publication the decisions of the highest judicial tribunal of a sovereign state. It is a trust of no small significance, and one which is not only to affect the present, but all future dwellers within its dominions. And any man not fully impressed with the grave responsibility of the charge, is certainly not fitted to undertake or to discharge it.

It is painful to see how much of the law-book making of the country is disfigured, not to say disgraced, by the penny saving and labor saving, not to the reader, but to the writer, everywhere apparent upon it. The love of ease, and the love of money, seem to have eaten out the life and the heart of this great empire; and law books, even, have, in too many instances, become a sham and a shadow in everything but the price. There is certainly quite too much of this apparent in by far the largest proportion of our state reports. From any suspicion of this fault, not to say crime, we are glad to be able to fully acquit Mr. Withrow.

It is saying all we need say in praise of this volume, that it fully sustains the established credit of its predecessors.

I. F. R.