

recklessness which is equivalent thereto: *Perkins vs. New York Central Railroad Company*.

But in respect to a gratuitous passenger it may contract for exemption from liability for any degree of negligence in its servants, other than the board of directors or managers who represent the corporation itself, for all general purposes: *Id.*

Whether the corporation is liable to a free passenger, so contracting, for negligence in the construction of the road, as upon an implied guaranty of its security, when the misconduct from which the injury resulted was that of a trackmaster who, knowingly, used rotten material in building a bridge, there being no evidence that it was known to the superior managing officers. *Quare: Id.*

*Railroad—Liability for injury to free Passengers—Who are not free Passengers.—It seems that the owner of cattle, transported for hire on a railroad, and who goes along in charge of them, under a contract that "the persons riding free to take charge of the stock do so at their own risk of personal injury from whatever cause," is not to be regarded as a gratuitous passenger. Per WRIGHT, DENIO, and DAVIES, Js.: Smith vs. New York Central Railroad Company.*

Whether, as to one who, in the manner stated, gives some consideration for being carried, a contract is valid which aims to exempt the carrier from liability for damages resulting from the negligence of his servants. *Quare: Id.*

The owner of cattle travelling in charge of them, under such a contract, and paying no independent consideration for the conveyance of himself, was injured by the gross negligence of an agent of the carrier in using an unfit and dangerous car. The carrier was held liable by a divided court, four of the judges going on the ground that the contract for exemption from liability was void, as against public policy; and the fifth, that the negligence, as it respected the machinery of transportation, is imputable to the carrier himself: *Id.*

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#### NOTICES OF NEW BOOKS.

DIGEST OF AMERICAN CASES RELATING TO PATENTS FOR INVENTIONS, COPYRIGHTS, AND TRADE-MARKS, from 1789 to 1862. By STEPHEN D. LAW, Counsellor at Law, Author of "Law's United States Courts," &c. New York: Published by the Author, 52 John Street. 1862.

STATUTE LAWS OF THE UNITED STATES RELATING TO COPYRIGHTS AND PATENTS FOR

INVENTIONS from 1790 to 1862, with Notes and References. By the same Author. Bound together in one volume. Price \$6.50.

*Compendia sunt dispēdia*, said Lord Coke; and in the sense he meant, that a lawyer who relies on a syllabus rather than go to the case itself as the fountain head, is trusting to a frail support, the maxim is even truer now than when he wrote. But the lawyer who wanders about in the present day amid a wilderness of reports, need not be told that decidedly the most useful books given to the profession are indexes and digests, and that the man who gives us a new and good book of the kind has amply discharged his debt to his profession.

It is with great satisfaction, therefore, that we notice the appearance of Mr. Law's excellent Digest of Patent and Copyright Cases. The fact that there was sufficient material for a digest of this size, is evidence enough of its necessity, but especially is this true in a department like that of patent and copyright law, where the cases are scattered through hundreds of volumes not perhaps generally found in a moderate library, and in so many instances, not anywhere in print so as to be accessible to the profession.

The plan of Mr. Law's work is excellent, the cases being systematically arranged under appropriate heads, and the substance of the decisions given briefly, yet with sufficient fulness. Of the correctness of the references there is no complete test but long use of the work, but we can say that the adoption of the only proper mode of reference, to wit, the name of the case as well as the volume and page of the Report (a mode so often neglected in such works, for the saving of space), disposes us to accept the assurance given in the preface, that no pains have been spared to attain this most important end. Another valuable feature of the Digest is the date of the decision and the name of the Judge by whom it was made, by which we may see not only the relative value of decisions perhaps apparently discordant, but also the law under which the case arose and the general current of judicial views on the subject.

In addition to the Digest itself, there is the usual table of cases alphabetically arranged, and, what are of much greater value, tables of the cases arranged under the subject-matters of which they treat, and of all the cases affirmed, explained, or overruled.

The Statutes, with Notes and Indexes, are bound with the Digest, making a handsome volume of over 800 pages, which may be considered to contain the entire American law on the subjects of Patents for Inventions, Copyright, and Trade-Marks.

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