

ment to pay it. The agreement to cancel must be held to include a promise to do whatever shall be necessary to effect the cancellation: *The Auburn City Bank vs. Leonard*.

There is a class of cases in which it has been held that an instrument which is apparently the personal obligation of the one by whom it is signed, may by parol be shown to be the obligation of another, for whom the person signing was acting as agent. But the rule applies, it seems, exclusively to cases in which it appears in the body of the instrument, or from the signature of the person by whom it is executed, that he was acting for another, and intended to bind such other, and not himself personally: *Id.*

In such cases, where the party to whom the obligation is given, understands the character in which the party giving it is acting, parol evidence may, it seems, be given to show that the maker, or obligor, was acting in the matter as agent, merely: *Id.*

But where there is nothing of that kind either in the body of the instrument, or attached to the signature, to indicate that it was intended to be anything other than a personal obligation, such evidence is inadmissible: *Id.*

Where a promise made to A. to pay to B. a debt due the latter, has been adopted by B., it is regarded in law as a promise made to him: *Id.*

The proper office of construction is to ascertain and determine the intention of the parties. And, this is arrived at by considering the character in which the party undertakes; the nature and subject of the undertaking; and the terms employed in the instrument: *Id.*

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#### NOTICES OF NEW BOOKS.

REPORTS OF CASES HEARD AND DECIDED IN THE SUPREME COURT OF MICHIGAN. By THOMAS M. COOLEY. Vol. VII., being Volume 11. of the series. Ann Arbor: published by the Reporter.

We notice with great pleasure the very handsome appearance of the Michigan Reports. The present volume will add to Mr. Cooley's already well-earned reputation as a good reporter. The syllabus to each case is full and clear, the statement of facts ample, but not prolix, and the arguments of counsel receive a measure of justice as unusual as it is commendable. The latter fact especially, in addition to the publication of dissenting and even of concurring opinions, when the court was not unanimous, renders the complete understanding of each case attainable, and adds very greatly to the value of the reports in other states. J. T. M.

REPORTS OF CASES ARGUED AND DETERMINED IN THE SUPREME JUDICIAL COURT OF MASSACHUSETTS. By CHARLES ALLEN. Vol. V. Boston: Little, Brown & Co.

We have here the fifth volume of Mr. Allen's Reports, containing cases from October 1862, to January 1863, inclusive. The cases are many of them important, and are examined with a degree of care and study, both by court and counsel, which will render the volume valuable in other states, where similar questions arise.

The reporter seems to have performed his part of the work with creditable thoroughness and ability. We are glad to feel that the credit of the long line of Massachusetts Reports is here so successfully maintained both by the decisions and the mode in which they are presented to the profession.

We trust Mr. Allen will not long omit to present the point of his notes, at the beginning, in a single word or two. This involves some labor for the reporter, but it saves an immense amount, both of labor and perplexity, to the profession.

I. F. R.

AN ANALYTICAL DIGEST OF THE LAWS OF THE UNITED STATES. 1857—1863. Completing Brightly's United States Digest to the present time. By F. C. BRIGHTLY, Esq. Philadelphia: Kay & Bro. 1863. Price \$3.50.

The careful analysis of statutes and arrangement of their parts under the various titles of the law to which they refer, has long been known to the profession as not only the most scientific, but very much the most accessible and convenient for the working lawyer. This plan was a few years since applied by Mr. Brightly with great industry, accuracy, and skill, to the Statutes of the United States, and we have now a Supplement, bringing the digest down to the end of the session of 1863. The work is too well known to need extended notice, but we may add, that the present Supplement, comprising the laws passed from the commencement of the 35th, to the end of the 37th Congress, contains all the important legislation of the last three years upon the subject of the Rebellion. In addition to this, we have a reference, under each section, to all the cases and points decided under it, which, embracing as it does all the most recent published decisions, brings together an amount of information upon the present state of the law not obtainable in any other place without very great labor and much increased expense.

These, with a table of cases cited, and an unusually full and accurate index, covering seventy large pages, make this work indispensable to every practising lawyer, especially, since the recent legislation in the Internal Revenue and other acts, has brought the law of the National Government so much more directly in contact with its citizens.

J. T. M.