

the intention of the parties, and the court must look at all the circumstances under which it was made: *Id.*

The plaintiff took down the gate, defendant sued him in trespass before an alderman and obtained judgment against him. *Held*, not to be a bar to an action for the obstruction: *Id.*

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#### LIST OF NEW LAW BOOKS

**BENEDICT.** Reports of Cases in the United States District Courts of the Second Circuit. By R. D. BENEDICT. Vol. 5. New York: Baker, Voorhies & Co.

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**CALIFORNIA.** Reports of Cases in the Supreme Court. Vol. 45. By C. A. TUTTLE. San Francisco: S. Whitney & Co. and A. L. Bancroft & Co.

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**PENNSYLVANIA.** Reports of Cases in the Supreme Court. Vol. 72. By P. FRAZER SMITH. Philadelphia: Kay & Bro.

**TRIAL OF EMIL LOWENSTEIN** for the Murder of John D. Weston, before the Court of Oyer and Terminer at Albany, January 1874. Pp. 352. Albany: Wm. Gould & Son.

**WALLACE.** Reports of Cases in the Supreme Court of the United States. By JNO. WM. WALLACE. Vol. 17. Washington: W. H. & O. H. Morrison.