

Where a guarantor warranted the faithful performance by his principal of certain duties stipulated in a contract, among which was the duty of making returns of sales; the failure by the guarantee to notify the guarantor of his principal's default, and permitting the principal to make returns in a manner different from the stipulated mode, cannot afford sufficient evidence of the abandonment of the contract and the substitution of another: *Id.*

UNITED STATES COURTS.

Federal Question.—A bill was filed by A., as creditor, against B., his debtor, and C., to set aside as fraudulent a sale by B. to C., and to attach the goods sold; the court found there was no fraud and dismissed the bill; A. then appealed to the Supreme Court, and pending the appeal both B. and C. were discharged in bankruptcy. The Supreme Court reversed the decree of the court below and entered a decree against C., and refused to open the case or to send it back to the court below to allow C. to plead his discharge: *Held*, no federal question was raised in the case: *Wolf et al. v. Stix*, S. C. U. S., Oct. Term 1877.

VERDICT.

Special—Insufficiency of.—Special verdicts should be positive, direct and intelligible answers to single, direct and plain questions; and indirect, evasive, uncertain or unmeaning answers should not be received: *Carroll v. Bohan*, 43 Wis.

In an action *de bonis asportatis*, where defendant, claiming under a chattel mortgage, sets up an equitable counterclaim for reformation of the mortgage so as to make it cover a certain part of the goods in dispute, it is not only the proper practice, but seems imperative, that the equitable issue be first tried; and the two issues should not be tried indiscriminately by a jury: *Id.*

To the question, whether the parties intended the mortgage to cover the mortgagor's entire stock of goods, the jury answered, as to the plaintiff, yes; as to the defendant, no. They also answered another question affirmatively upon a certain hypothesis, giving no answer to it upon any other hypothesis. *Held*, that the verdict was insufficient; and a judgment upon it was reversed for that reason: *Id.*

LIST OF THE PRINCIPAL LAW BOOKS RECENTLY PUBLISHED.

ABBOTT.—Digest of the Reports of the United States Courts, and of Acts of Congress. By BENJ. V. ABBOTT. Vol. 7, Nov. 1874—July 1877, being the third supplement to Abbott's National Digest. New York: Ward & Pouloubet. Shp. \$5.50.

AMERICAN DECISIONS, containing all the cases of general value and authority decided in the courts of the several states, from the earliest issue of the State Reports till the year 1869. Compiled and annotated by JOHN PROFFAT, LL.B. Vols. 1 and 2. San Francisco: A. L. Bancroft & Co. \$5.50 each.

BANNING.—A Concise Treatise on the Statute Law of the Limitation of Actions; with an Appendix of Statutes, copious references to English and American cases and to the French Code, and a very full Index. By HENRY THOMAS BANNING, M. A. London: Stevens & Haynes.

BARTON.—Practice in Civil Cases. Founded on Robinson's Practice. By R. T. BARTON. 8vo. Richmond: J. W. Randolph & English. Shp., \$6.

BENJAMIN.—The Law of Sales of Personal Property. By J. P. BENJAMIN, Q. C. 2d Am. ed., with Notes by J. C. PERKINS, LL.D. 8vo. New York: Hurd & Houghton. Shp., \$7.50.

BENNETT.—A Collection of all the Reported Cases on Fire Insurance, in England, Ireland, Scotland and America. By EDMUND H. BENNETT. Vol. 5, 1865-1875. Boston: H. O. Houghton & Co. Shp., \$7.50.

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CHASE.—Blackstone's Commentaries, Abridged so as to retain all portions of the original which are of Historical or Practical value; with Notes and References for the use of American Students. By GEORGE CHASE, LL.B., Assistant Professor of Municipal Law in Columbia College. 8vo., pp. 1069. New York: Banks & Bros. Shp., \$5.

CLEMENS.—The Law of Corporate Securities, as decided in the Federal Courts. By G. C. CLEMENS, of the Topeka Bar. 8vo., pp. 283. St. Louis: W. J. Gilbert. Shp., \$3.50.

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DELAWARE.—Reports of Cases in the Court of Chancery. By D. M. BATES, Vol. 2, containing cases from 1833 to 1865, selected from Notes of Chancellors Johns, Jr., and Harrington. Philadelphia: T. & J. W. Johnson & Co. Shp., \$8.

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PATERSON.—Commentaries on the Liberty of the Subject and the Laws of England relating to the Security of the Person. By JAMES PATERSON, Barrister at Law. 2 vols. 12mo. London and New York: Macmillan & Co. Cl., \$10.

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