

providing that on compliance with these terms the purchaser should be entitled to a deed, and by a subsequent contract these terms were altered, but no change was made in the certificate. *Held*, that a subsequent purchaser from the county's vendee was bound by the altered terms: *Jasper County v. Tavis*, 76 Mo.

WARRANTY. See *Sale*.

WILL. See *Trust*.

Construction of.—A testator, by his will, directed that all his property be sold. By one of the clauses of said will, he bequeathed to T. B. H., as guardian of his son Arthur, \$1500 of the proceeds, to be expended in the education of his said son in such manner as the guardian might in his judgment think right and proper. The will contained among others the following clause: "I will and direct that the balance of said proceeds, after deducting said several sums herein-before named; if any, be divided equally between my brothers J. R. N. and D. B. N." *Held*, that a balance of said sum of \$1500 remaining unexpended in the hands of the guardian on the arrival at age of the testator's son Arthur, did not pass under the will to the testator's brothers; nor did it belong, as undisposed of by the will, to the testator's next of kin; but belonged to the son, on his arrival at age: *Nyce v. Nyce*, 59 Md.

Foreign Probate as Evidence.—The probate of a will in another state is a judicial proceeding, to the record of which full faith and credit is to be given, when authenticated as required by the act of Congress; and it is not necessary to the admission of such will with the probate thereof in evidence that they shall have been recorded in the state when offered: *Bradstreet v. Kinsella*, 76 Mo.

WITNESS.

Privilege—Right to Refuse to Answer—Question as to Reason of Refusal.—Where a witness on cross-examination, being asked questions which, if answered affirmatively, would tend to degrade and disgrace him, avails himself of the privilege accorded him by the court, and declines to answer, he cannot rightly be asked, "why do you decline to answer these questions?" When he has declined to answer he has done all that the rule of law requires him to do: *Merluzzi v. Gleeson*, 59 Md.

LIST OF THE PRINCIPAL NEW LAW BOOKS.

ADDISON.—A Treatise on the Law of Contracts. By C. G. ADDISON. 8th ed., by H. SMITH. With American Notes, by B. V. ABBOTT. 2 vols. 8vo., pp. 1921. Boston: Soule & Bugbee.

ALEXANDER AND EASTON.—Report of the Proceedings in the Case of The United States v. Charles J. Guiteau, tried in the Supreme Court of the District of Columbia, holding a Criminal Term, and beginning November 14th

1881. By H. H. ALEXANDER and E. D. EASTON. 3 vols. 8vo., pp. 2681. Washington: Government Printing Office.

BARTON.—Pleading and Practice in the Courts of Chancery. By R. T. BARTON. 2 vols. 8vo., pp. 1325. Richmond: J. W. Randolph & English.

BATEMAN.—A Practical Treatise on the Law of Auctions; with Forms and Directions to Auctioneers. By JOSEPH BATEMAN. 6th ed., by O. SMITH and P. F. EVANS. 1st Am. ed., with Notes and Laws of the several States, by H. N. SHELDON. 8vo., pp. 509. Boston: Soule & Bugbee.

BISHOP.—Commentaries on the Law of Statutory Crimes; Including the Written Laws and their Interpretation in General; what is Special to the Criminal Law, and the Specific Statutory Offences as to both Law and Procedure. By J. P. BISHOP. 2d ed., rewritten and enlarged. 8vo., pp. 845. Boston: Little, Brown & Co.

BUCKALEW.—An examination of the Constitution of Pennsylvania. Exhibiting the Derivation and History of its several Provisions, with Observations and occasional Notes thereon, References to Judicial and other Opinions upon their construction and application, to Statutes for their Enforcement, and to Parallel Provisions in the Constitutions of other American States. By C. R. BUCKALEW. 8vo., pp. 349. Philadelphia: Kay & Bro.

HEARD.—A Treatise adapted to the Law and Practice of the Superior and Inferior Courts in Criminal Cases. With Forms in Criminal Proceedings, and Precedents of Complaints, Indictments and Special Pleas, adapted to all of the United States. By F. F. HEARD. 2d ed., revised. 8vo., pp. 686. Boston: Little, Brown & Co.

JUSTINIAN.—Imperatoris Justiniani Institutionum Libri Quattuor. With Introductions, Commentary, Excursus and Translation. By J. P. MOYLE. 2 vols. 8vo., pp. 877. Oxford: Clarendon Press.

LAWSON.—A Concordance of Words and Phrases construed in the Judicial Reports, and of Legal Definitions contained therein. By J. D. LAWSON. 8vo., pp. 773. St. Louis: F. H. Thomas & Co.

MORRISON.—The Mining Reports. A series containing the cases on the Law of Mines found in the American and English Reports, arranged alphabetically and by subjects, with Notes and References. By R. S. MORRISON. Vol. I. 8vo., pp. 741. Chicago: Callaghan & Co.

ROGERS.—The Law of Expert Testimony. By HENRY WADE ROGERS. 8vo., pp. 297. St. Louis: W. H. Stevenson.

SHIRLEY.—A Selection of the Leading Cases in the Common Law. With Notes. By W. S. SHIRLEY. 2d ed. 8vo. pp. 440. Boston: Soule & Bugbee.

SMITH.—The Powers, Duties and Liabilities of Sheriffs, Coroners and Constables, with Notes of Judicial Decisions and Practical Forms, adapted to all the States. By BORDON D. SMITH. 8vo., pp. 946. Albany: Weare C. Little & Co.

WOOD.—A Practical Treatise on the Law of Nuisances in their Various Forms; including Remedies therefor at Law and in Equity. By H. G. WOOD. 2d ed., 8vo., pp. 1071. Albany: John D. Parsons, Jr.