

BOOK REVIEWS.

PRACTICAL DIRECTIONS AND FORMS FOR THE JURY ROOM, TRIAL COURT AND COURT OF APPEAL IN CRIMINAL CAUSES. By JOEL PRENTISS BISHOP, LL. D., Second Edition by Winslow Evans, Ph. D., of the Peoria, Ill., Bar. Chicago: T. H. Flood & Co., 1901.

It is but a few months since the legal world heard with great regret of the death of Dr. Bishop, whose writings are of such importance that he could justly have remarked with the Roman poet: *Exegi monumentum ære perennius.*

As a writer on criminal law, Dr. Bishop needs no introduction. The volume before us was published originally in 1885 and marked the completion of the author's Criminal-law Series. The others are "Criminal Law," two volumes; Criminal Evidence, Criminal Pleading and Criminal Practice, combined under the name of "Criminal Procedure," two volumes, and "Statutory Crimes," one volume. The editor of this second edition has made no changes in the text or forms of Dr. Bishop. He has simply brought the annotations down to date, and added a few forms, the omission of which from the first edition led to some criticism. Our consideration of the book will therefore be applied to the work as though it were the first edition.

In examining the contents and particularly the Preface to the first edition, we are at once struck by two ideas, first, the author's individuality which he impresses upon his pages in an engaging style; and secondly, his desire to be as brief and concise as is consistent with the omission of no necessities. Of this latter merit, the book itself is an example. Let us quote a sentence from the Preface, which may also illustrate our first point.

"Whether this closing installment of the series, should be condensed, as it is, to one volume, or with less labor be made to occupy more expansively two or three, and so bring to me more money and to the profession less profit, was a question settled by a sacrifice which I should be glad to know will be appreciated in my lifetime; but, if this cannot be, I rest content in the certainty of the verdict of the future."

Throughout the volume it is the author's constant aim to prune here and scarp there, and to throw out all unnecessary "lumber" and such ridiculous surplusage as "not having the fear of God before his eyes, but being moved and seduced by the instigation of the devil," "with force and arms," "to the great damage of the said," etc., "to the great displeasure of Almighty God,"

and immense quantities of other stuff of this sort. By this means the author attains both ends of keeping the forms unencumbered with useless ancient verbiage, and of compressing his work into one volume. With all this he says that he has found room for all his material, omitting not even a word deemed important, and compressing nothing to its detriment. The author concludes his Preface with an essay of several pages on piracy in legal literature, and the countenance given it by the profession. Besides its truth, the article is well worth reading in these days when plagiarism is so complacently winked at.

The book itself is primarily a collection of forms of indictments for all criminal offences both at common law and by statute. After giving general directions as to the drawing of these papers, the author takes up each offence specifically, and gives the forms necessary to each with copious notes and references to precedents and cases. By the author's commendable method, any desired information can be readily found.

After this major portion of the book comes a section entitled "Before and After." This deals with the steps by the defendant before verdict, the record and steps to procure a reversal. These subjects are treated in the same concise style.

As a whole the book forms a fitting climax to the great and valuable Criminal-law Series, the preparation of which occupied thirty-two years of an active life of uninterrupted law writing. As a specimen of this kind of work it is a model, and as a practical hand-book for every-day use it could hardly be excelled.

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