

BOOK REVIEWS.

THE RIGHT TO AND THE CAUSE FOR ACTION. By HIRAM L. SIBLEY, LL. D. (Circuit Judge in the Fourth Circuit of Ohio.) Cincinnati: W. H. Anderson & Co.

This book presents an effort to arrive at a clear conception of the two legal concepts expressed in its title. The right to action, according to the author includes two essential elements, viz: (1) "the existence of a legal wrong, and (2) that part of the law which provides the means for its redress." The cause for action, on the other hand, it is contended, is simply and solely the wrong done: "But if a wrong be done, by the operation and effect of the remedial law, a right to action arises:" "*Simul et semel*, the same facts show the commission of a legal wrong and also a cause for action." These views are thoroughly developed; first by an independent discussion on principle, then by an analysis and criticism of the views of text writers, and finally by a review of the adjudged cases bearing upon the question. The book presents a careful and thorough effort to arrive at a distinct and definite conception of the meaning of these phrases, and is valuable as a help to accuracy in the use of legal terms, the neglect of which has always been a source of much confusion in the weighing of adjudged cases. The treatise is of particular value in connection with the Code system, but includes also a consideration of the same question at common law.

H. W. B.

A TREATISE ON THE LAW OF ATTACHMENTS, GARNISHMENTS, JUDGMENTS AND EXECUTIONS. By JOHN R. ROOD.

This volume was prepared to answer a dual purpose, viz: To supply the needs of young men beginning the study of law under the tutelage of the author and to furnish assistance to active practitioners. The author has succeeded in both, but particularly in the former. He has not attempted an exhaustive treatment but, as he points out in his preface, he has confined himself to the outlines of the subject, which firmly impressed upon the mind of the student will equip him for a search after more intricate parts in volumes of greater minuteness.

The book is divided into two parts. The first, consisting of 183 pages is a text containing a brief but comprehensive and well written discussion of the leading principles concerning its subject matter as expressed in its title. "The Nature and Essentials

of Judgments," pp. 37-61; with a valuable discussion of the subject of "Collateral Attack," constitutes the opening section. This is followed by an enumeration of the various kinds of judgments and by succinct treatments of "The Record of the Judgment," "Vacating, Amending and Modifying Judgments," "The Effect of Judgments" and a more extended discussion of "Satisfactions."

The second part of the work consists of a collection of edited cases arranged for the use of students in connection with the foregoing text. These cases are collected under the same sub-heads as the text matter and will also be of much assistance to practitioners in search of authorities. The cases under the title "Satisfaction" are much more numerous than the others and constitute a very complete and valuable collection.

To make the work of greater value to the practitioner it contains an exceptionally complete and well-edited index.

T. R. W.