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Courts of Equity of the United States and the Rules of the Supreme Court of the United States given *in haec verba*. The index, so important a part of a book of this kind, is fairly full and complete. F. C. N., Jr.

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PROBATE REPORTS ANNOTATED. By FRANK S. RICE. Vol. II. New York: Baker, Voorhis & Company. 1898.

The second volume of these reports comes to us well recommended by the first which, however, was not without some defects, as was shown in our review of that volume. The present number contains the reports of over a hundred well selected cases and some very valuable notes by the editor—only a few of which need be mentioned—"The Distinction Between Annuities and Legacies;" "Gifts Causa Mortis," a note of six pages. On page 143 of this note, in citing the definition of a gift causa mortis as laid down by the Supreme Court of Pennsylvania in *Perry's Appeal*, the number of the report and the page are omitted. While this may be a small matter, yet, in a manner, it mars a work of this kind, which is on the whole so valuable. This is only one instance of other slight defects of this character. Other notes of value are "Administration on the Estates of Living Persons;" "The Doctrine of Spendthrift Trusts," etc.

The work is a meritorious one and we trust that the slight omissions already pointed out may be supplied in the succeeding volumes.

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A TREATISE ON THE LAW OF EASEMENTS. By LEONARD A. JONES, A. B., LL. B. New York: Baker, Voorhis & Company. 1898.

Mr. Leonard A. Jones, in his latest work, entitled "A Treatise on the Law of Easements," which is in continuation of his series of works upon the law of real property, has shown the same care and thoroughness which mark his other legal publications.

The author has wisely devoted a large portion of his book, comprising nearly 300 pages, to a thorough consideration of rights of way, properly conceiving that this branch of his subject is the most important as the one most frequently in litigation and involving the most valuable property rights. Other subjects are treated at a greater or less extent, according to their practical importance. Indeed, the whole scheme of the work, as the author intimates in his preface, is to treat fully those portions of the subject which are of "general and every day use," rather than to give undue attention to theoretical questions.

It is to be noted that Mr. Jones classes rights in gross, other than profits *a prendre*, as easements, and, in justification of his classification, says: "It has sometimes been said that there is no such thing as an easement in gross; that a privilege not appurtenant to land is not an easement. The term 'easement in gross' is used because

it is a term in general use by legal writers, by judges and by the profession; and, as against such usage of the general term, it is useless to attempt to establish a refinement of definition intended to do away with the term."

If it is true that there is properly no such thing as an easement in gross—and the better opinion seems to incline to this view—the author's reason for following the other classification does not commend itself to the reader, for it is peculiarly the function of a text writer to call attention to and correct such error. The same criticism applies to the consideration of public rights of way as easements in gross, notwithstanding the able opinion of Lord Cairns in *Rangeley v. Midland Railway Company*, L. R. 3 ch. 306, 311, which points out the impropriety of such classification, and which the author notices in section 422 of his work. These faults, however, if they may be called by so serious a name, are of form rather than of substance, and do not seriously detract from the general excellence of the work.

The subject is arranged in a convenient form, each paragraph having a heavy headline to catch the eye, and the citation of authorities is full and thorough.

C. C. T.

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THE TRIAL OF EMILE ZOLA. A Detailed Report of the Fifteen Days' Proceedings in the Assize Court at Paris. New York: Benj. R. Tucker, 24 Gold St. 1898.

This "full report, from original sources," of the Zola Trial, makes most interesting reading, as may be imagined. The fugitive sketches appearing in the newspapers have already given us some idea of the way they do things in France, but the detailed account makes a much more vivid impression.

The most curious things to an Anglo-Saxon mind are the windy speeches the witnesses are allowed to make on everything but the subject at issue, the threats to the jury of the consequences if a certain verdict shall be brought in, and the continual interruptions and uproar from the audience. For example, on page 210 of the book under review appears the testimony of M. Meyer, an expert for the defence, to the effect that Major Esterhazy wrote the *bordereau*. M. Labori, of counsel for the defence, has remarked: "It is a great pity that M. Couard (an expert on the other side) is not here. It would be a pleasure to witness a discussion between him and M. Meyer, his former professor in the Ecole des Chartes."

"I ask nothing better," cried a stentorian voice from the middle of the auditorium, and through the crowd pushed M. Couard, carrying a large package. "I do not wish it to be said," he shouted, "that I have not the profoundest respect for my old teacher. But what is the Ecole des Chartes? The Ecole des Chartes, I know it; I have been through it. Do they teach anything there about the handwriting of the nineteenth century? . . . I revere M. Meyer as a professor of Roman philology but as an expert in handwriting he is like a child just born," etc., etc.