

BOOK REVIEWS

A Treatise on the Law of Corporations Having a Capital Stock.
By William W. Cook. Seventh edition. Boston: Little,
Brown and Company. Five volumes. Pp. lxii, 4984.

This work is so well and favorably known to the profession that it is unnecessary to point out its merits in the field intended to be covered by the author. In the earlier editions it has been used profitably by practicing lawyers, and the seventh edition is a successful and complete extension of the work by the citation and consideration of the latest decisions, thereby adding three hundred and sixty-five pages to the text. The author adheres to the plan that has made his book a standard of reference in corporation law. An accurate statement of the law, rather than a theoretical discussion of principles, has been his aim and it is this that has helped to make the book of such great practical benefit. Authorities from every jurisdiction may be found carefully digested in the voluminous notes, the total number of cases thus considered totaling sixty thousand.

The last volume of the new edition contains a collection of forms which will doubtless prove of service. The forms are ninety-one in number and include copies of the papers used by a number of the great industrial combinations and corporations.

It can be said without qualification that *Cook on Corporations* presents the most complete statement of corporation law in the United States.

P. R. B.

Commentaries on the Law of Evidence in Civil Cases. By Burr W. Jones. Rewritten and Annotated by L. Horwitz, of the San Francisco Bar. Pp. Vol. I. xxxvi 1031, Vol. II, x 1071, Vol. III, x 1036, Vol. IV, ix 976, Vol. V, vi 1157. Bancroft-Whitney, San Francisco. 1913-14.

It is perhaps a safe presumption that any book that runs through two editions has some merit. The first edition of Professor Jones' work appeared in 1896 and was followed by that of 1908 and three years later by a pocket edition, all of which are well known to the profession. As to form and substance it is somewhat difficult to recognize in this five-volume work—the Blue Book of Evidence, as it is called—the older editions, for it

is monumental in its scope, covering over six thousand pages, with citations to approximately fifty thousand leading cases.

The work is practically an encyclopedia of the law of evidence and will be valuable chiefly to practicing lawyers in the trial of civil cases. It is thorough in that all phases of the subject are treated and are fortified with citations from many jurisdictions.

But it is *not* a commentary. In that the title is misleading. No one need turn to it with the expectation of finding therein a disquisition upon the reasons for or the merits of the rules of evidence. The author states the rules as they are applied in the courts and probably that is all that is necessary or all that can be expected. But the title should be modified in this respect.

The title is also misleading in another particular. It purports to be a treatise on the Law of Evidence in Civil Cases, while as a matter of fact numerous phases of Criminal Evidence are taken up in detail, and in many instances the citations supporting a rule purely applicable to one branch of the law are indiscriminately placed together. Neither of these defects is of vital consequence, but it is submitted that the title should so far as possible inform the reader correctly as to the nature and scope of the contents.

It has been said by one of the prominent teachers of the Law of Evidence that the worth of a treatise upon the subject may be judged by its treatment of the famous case of *Sugden v. St. Leonards*. That case did not decide that *subsequent* statements of a testator are admissible to prove the contents of a lost will. It was not necessary to the decision of the case that it should touch upon that point at all, and whatever was said as to subsequent statements was purely *obiter*. This, however, many courts and writers have failed to note and the case has often been cited as authority for that point. Mr. Horwitz has unfortunately committed this same error.

In spite, however, of the faults that have been pointed out, the work is really an excellent one, and the practising lawyer who wishes the last word upon the numerous topics covered will find it extremely valuable.

H. S.

Bradbury's Workmen's Compensation and State Insurance Laws.

By Harry B. Bradbury, of the New York Bar. Second Edition. Vol. I, lxxxii, No. 1052,—Vol. II, 1053-2476. Banks Law Publishing Co. New York. 1914.

This enlarged and modernized edition of the author's former work is a thoroughly good and valuable contribution toward the clarification of a subject that has caused no end of confusion not only among employers and workmen, but also among the judges and lawyers. The economic reasons for the enactment of compensation laws are intelligibly discussed, the historical development is clearly traced, and the modern results are admirably set forth. The latest statutes of all of the states, together with those of England and the Colonies, are quoted, explained section by section, and made of practical value by citations to adjudicated cases. A large number of approved forms is also a noteworthy feature of the book. Mr. Bradbury has rendered a service to the profession that can hardly be over-estimated, and his book is invaluable to the practising lawyer who hopes to keep abreast of modern legislation upon this vitally important subject.

H. S.

Handbook of the Law of Municipal Corporations. By Roger W. Cooley. (Hornbook Series.) Pp. xii, 711. St. Paul, Minn.: West Publishing Company.

The law of municipal corporations does not provide an easy task to the text-book writer who must limit the statement and consideration of principles. This book is intended primarily for students and it will doubtless prove of value as a summary of a branch of the law which is still in a somewhat unsettled state. While some of the principles stated might be prevented from misinterpretation by the student if qualified or explained to a greater extent than the author attempts, the book may be said to be a successful summary of a branch of the law that does not lend itself readily to brief treatment.

Landmarks of a Lawyer's Lifetime. By Theron G. Strong. New York: Dodd, Mead and Company. Pp. 552.

This is a very interesting account of the intimate associations and experiences of a lawyer who attained prominence at the New York Bar. The author inherited his attachment for the law as a profession, his father and grandfather having served their state upon the bench. In the course of his professional career he came in contact with the leaders of the Bar and the author's reminiscences of Evarts, O'Connor and other famous lawyers of

an earlier day, form the most interesting part of his book. It is clearly written from a broad experience by one who has taken a kindly interest in the struggles of his fellows. There is much sound advice for the young lawyer to be found in its pages and it is to be hoped that the book finds its way into the hands of those who need stimulation and encouragement on the highway toward professional success.

Principles of Corporation Law. By Joseph C. France. Baltimore: M. Curlander. Pp. xxii, 463.

It was the intention of the author to prepare a rather brief but thorough summary of the principles of corporation law, with particular reference to the law of Maryland. The author is Lecturer on the Law of Corporations in the University of Maryland and he has done his work well, this being the second edition of his book. It presents a very clear analysis of some of the points in corporation law that prove baffling to the student, and while first consideration is given to the law of his jurisdiction, the book could be successfully adapted to the use of students in other states.

Great Jurists of the World. Edited by Sir John MacDonald and Edward Manson, with an introduction by Van Vechten Veeder. Boston: Little, Brown and Company. Pp. xxxii, 607.

This work covers a period of nearly 2,000 years and shows the influence exerted by each of the men whose careers are considered upon the development of jurisprudence. It virtually forms a biographical outline of the history of jurisprudence, dealing with the lines and careers of twenty-six men who have contributed to the philosophy of the law, from Gaius to Von Ihering.

There are obvious difficulties in compiling a work of this kind, but the result shows the attempt to have been well worth while.

A Treatise On the American Law Relating to Mines and Mineral Lands. By Curtis H. Lindley of the San Francisco Bar. San Francisco: Bancroft, Whitney Company. Vol. I, pp. cclii, 1-730; Vol. II, 731-1685; Vol III, 1687-2813.

The mining laws of the United States have been treated in several texts with more or less success, but the merit of this work was quickly recognized in its first edition. The author ranks as

one of the foremost authorities on mining law, and his expert knowledge was applied in the preparation of this book. This edition, the third, deals finally with many questions of mining law which rested upon an uncertain basis at the time the early editions were prepared. The consideration given to the leading decision in mining law appears to be uniformly good, and the author indicates various shortcomings of our mining statutes, as well as the benefits that accompany the system of such vital importance in the western states. No particular jurisdiction is favored at the expense of another in the author's treatment of his subject, but the mining laws in their most general application are specifically discussed and considered, with the citation of decisions from all jurisdictions where the Federal laws prevail.

The new edition will certainly be of benefit to those dealing with the intricate problems of mining law.

