

## BOOK NOTICES.

*Walker on Patents.* Third edition. By Albert H. Walker of the Hartford Bar. Sheep. Price \$6.50 net, or \$6.75 delivered. Baker, Voorhis & Co., New York, 1895.

This book of 850 pages differs from all other standard American patent-law text books in being five years later than the latest of the others and in embodying the relevant points of the Judiciary Acts of 1891 and 1893. Its author has enriched it by incorporating into the text more than a thousand points of law which have been extracted from some seven hundred newly-cited decisions which have been rendered since the second edition was published. Mr. Walker's wide experience as a practitioner and his remarkable ability for clearness of expression have enabled him to state in this work in a clear and concise form, points of law which required elaborate discussions in the second edition because they were not then settled by the courts. In revising the text that it might conform to the present condition of the law some old sections have been discarded while new ones have been added. All through the author has aimed at bringing this very intricate subject into as clear, concise and practical a form as possible. The recognition of the author's books on patents as authority, is indicated by the fact that during the twelve years since the publication of the first edition, it has been cited in the Federal Courts as an authority in nearly a hundred different decisions, being a far greater number than that of any other English or American patent-law text-book. Every lawyer should have this latest standard work in his library.

*A Treatise on the Law of Former Adjudication.* A complete analysis of all the Precedents and Principles concerning the effect of Judicial Decrees, Judgments, Orders and Sentences upon the Rights of Parties, Privies and Strangers, in Other Judicial Proceedings, either Civil, Criminal or Ecclesiastical. By John M. Van Fleet, author of "Collateral Attack on Judicial Proceedings." Two volumes. Sheep. The Bowen-Merrill Company, 1895.

To discuss the law of *Res Judicata*, or, in fact, any special legal topic, in a work comprising two large quarto volumes with-

out a manifest tendency to inflate in the interest of bulk requires a comprehensive knowledge of the whole subject, in all its varied aspects. The author of these volumes gives abundant evidence of the possession of the requisite qualities. His former work along similar lines has peculiarly fitted him for the task just completed. His treatment of the subject is broad and philosophical, and is at the same time, sufficiently based upon the practical application of rules in reported cases, to be of use to the lawyer in the practice of his profession. The matter is arranged in convenient form under the following five titles: Principles, Analogies, Comparisons, Definitions and Final Judgments; The Merits in Civil Causes; Parties, Privies and Strangers; Crimes and Criminal Proceedings; Second Appeals—Pleadings in Civil Causes. Under each chapter the headings of the paragraphs are in alphabetical order, thus obviating the necessity of frequent recurrence to the index when using the work for reference purposes, although the general index is a very good one. The more important cases, notably *The Duchess of Kingston's Case*—The leading one on the subject of former adjudication—and the authorities cited therein, are stated and discussed at considerable length in the text. This feature is carried to an unusual extent, and will be appreciated by the reader who has not frequent access to a large library. The matter and form of the work are alike satisfactory, and the author may be credited with having done much toward the elucidation of a difficult subject. The pages, binding and typography are creditable to the publishers.

*A Treatise on Land Titles in the United States.* By Lewis N. Dembitz of the Louisville Bar. Two volumes. Sheep. Price \$12.00, delivered. West Publishing Co., St. Paul, Minn., 1895.

This exhaustive work upon our land titles by the author of the well-known *Treatise on Kentucky Jurisprudence*, will, we are sure, be gladly received by the American bar. It is the mature fruit of three years of unremitting toil in a field of unspeakable tangles and perplexities. It is distinctively a book for the active and busy practitioner of to-day. Leaving the origin and early developments of the law of real property to those who have preceded him, the author "undertakes to trace its growth and changes only on the western side of the Atlantic," from the time of the Colonial charters, on the one hand, and of the *régimes* of France and Spain, on the other, down to the present day. During the course of this long period, this body of our jurisprudence has undergone many and striking changes. The clear-cut unity

which we received from our English forefathers has been wrought upon, split up and well-nigh metamorphosed by the statutes and judicial determinations of more than two score of independent sovereignties, so that now the law of any given State cannot be determined by reference to the law of England or of any of the sister States. It is the special credit of Mr. Dembitz that he has thoroughly collated, and, as far as possible, harmonized all the statutes and decisions of the various States and Territories of the Union. It is to be noticed that this is not a treatise on the *general* law of real property. "It deals only with the title, or incumbrances upon it, not with the personal obligations that may arise between owner and possessor, landlord and tenant," etc. Hence the mode of regaining possession is not considered. Incorporal hereditaments, are also outside the general scope, the treatise being confined to land.

*Foster on the Constitution.* Commentaries on the Constitution of the United States, Historical and Judicial, with Observations upon the Ordinary Provisions of State Constitutions, and a Comparison with the Constitutions of other Countries. By Roger Foster, of the New York Bar, author of *A Treatise on Federal Practice*, and Lecturer on Federal Jurisprudence at the Yale Law School. Volume I., 716 pp. Sheep, \$5.00 net; cloth, \$4.50 net. The Boston Book Company, Boston, 1895.

This is at once a complete constitutional history of the United States and a compilation of all the precedents which aid in the construction of the Federal Constitution. The author narrates the proceedings in the Federal Convention leading to the adoption of the Constitution; compares it with the provisions upon the same subject in the constitutions of the different States and foreign countries; describes the historical precedents upon its construction and collects all judicial decisions upon this point. He presents fully the result of recent researches into the sources of the constitution and the intentions of its powers; and discusses at length the theories of nullification and secession, the constitutional history of the Confederate States, the reconstructive measures, and later developments bearing upon the interpretation of the constitution, all in a spirit of judicial impartiality. The first volume terminates with the subject of impeachments, and this topic is treated in a most thorough and comprehensive manner.