

BOOK REVIEWS.

TREATISE ON THE LAW OF INSURANCE, including Fire, Life, Accident, Guarantee and other Non-marine Risks. By ARTHUR BIDDLE, M.A. Two volumes. Philadelphia: Kay & Brother, 1893.

BIDDLE on Insurance is a welcome addition to the literature of this vast and undefined branch of law. There is no other satisfactory book which aims to cover all or even a considerable portion of the field. PORTER on Insurance is defective in arrangement and the author occasionally allows himself to be carried away by his "hobbies," so that his work cannot be regarded as altogether reliable. RICHARDS on Insurance, while admirable in its way, is written *in usum tyronum* and makes no claim to be considered as an exhaustive treatise upon insurance law. Other works exist but they are, in general, either special treatises upon particular kinds of insurance or they are works which have now become antiquated and have been swept away in the rapid current of modern judicial decisions.

Mr. BIDDLE'S work "is an attempt to develop the principles applicable to all branches of non-marine insurance, by regarding the contract of insurance as the fundamental idea of the work, and then by proceeding to consider its structure, the essential elements in its formation, the rights that accrue to the parties to it after it is formed, the capacity to avoid it, its performance, the consequences dependent upon its breach, and the measure of damage." In pursuance of the plan thus outlined, the work is divided into six books. Book I deals with the Formation of the Contract. In this book, Chapter I deals with the Form of the Contract; Chapter II, with the Parties; Chapter III, with Mutual Assent; Chapter IV, with Insurable Interest; and Chapter V, with the Consideration or Premium. In Book II, the author discusses the Rights of the Parties in the Contract before the Contingency Insured against occurs. This book is divided into two parts—Part I deals with the Rights of the Insured, and Part II with the Rights of the Insurer. In the former part is set forth the law respecting Alienation or Diminution of the Insured's Interest, Title to the Policy in Respect of Property, on Sale, Lease, etc.; Assignment, Cancellation and Renewal, and the Right to Receive a Paid-up Policy and Dividends. In the latter part, the author treats of Cancellation, Re-Insurance, Novation and Amalgamation. The Avoidance of the Contract forms the subject of Book III, wherein are considered Fraud, Illegality, Mistake and Failure of Consideration; while Book IV is occupied with a discussion of the Performance of the Contract. This book is divided into three parts, the first of which concerns the Duties of the Insured. The chapter headings in this part are as follows: Conditions, Warranties and Representations; Description of the Insurance Intended; Vacancy and Disuse; Title and Incumbrances; Overvaluation at the Inception of the Contract, and Agreement to take Inventories; Increase of Risk in Insurance in Respect of Property; Hazardous

Risks in Insurance in Respect of Life, and Accident to the Person; Additional Insurance; Premiums and Assessments; Duty of the Insured at a Fire; and Notice and Proof of Loss, Death, &c. Part II is concerned with the Duties of the Insurer—Adjustment, Payment and Re-Instating. Part III treats of Estoppel and Waiver, the three chapters being devoted respectively to Preliminary Remarks, Estoppel and Waiver of the Insurer and Estoppel and Waiver of the Insured. Book V, on the Breach of the Contract is also divided into three parts, the Remedies and Defences of the Insured, Remedies and Defences of the Insurer and Remedies and Defences of Third Parties. Book VI treats of the Measure of Damage.

It is obvious that this classification is the result of much thought and careful analysis. It is in many respects absolutely original and an examination of it gives the reader an idea of the broad scope of Mr. BIDDLE'S work. The treatment of all the subjects is full and the two volumes together contain some 1400 pages, while the table of cases cited (printed in double columns) covers about ninety pages.

Several questions will suggest themselves to the critical reader who examines the forgoing analysis with care. He will ask himself whether it would not have been more logical to postpone a discussion of the Avoidance of the Contract (the subject-matter of Book III) until after treating of the Performance of the Contract. He will also question the propriety of treating the important subject of the Duties of the Insured in respect of Conditions, Warranties and Representations as a subdivision of Book IV, on the Performance of the Contract. It is true that in a certain sense the insured, in performing conditions, in complying with warranties and in making good representations, is performing his side of the contract; but it is submitted that, according to the method of treatment adopted by the author, these topics should be classified as Preliminaries and Inducements to the Contract—since many of the representations and warranties are (like some warranties for title) broken, if at all, as soon as made, and since the distinguishing characteristic of all of them is that they prescribe the basis upon which the parties forthwith proceed to contract.

Again, the reader may at first feel inclined to criticise Mr. BIDDLE for having included in his work a discussion of many topics which are in no sense peculiar to insurance law. It may be said with some justice that a discussion of Equity Jurisprudence in relation to Fraud and Mistake and in relation to Waiver and Estoppel is out of place in such a work as this, since the principles discussed are applicable to all contracts, not merely to contracts of insurance. So, also, of the chapter on the Mutual Assent, in the course of which the author discusses the subject of Contracts by Correspondence, and the mooted questions raised by *Dunlop v. Higgins*, *Adams v. Lindsell* and *McCulloch v. Eagle Insurance Co.* To such a criticism the author would doubtless reply that in order to make his work as practical and as useful as possible he had, after deliberation, decided to include within it a discussion of all legal principles which are applicable to contracts of insurance, irrespective of whether or not the principles discussed are of wider application; and that he had deliberately discarded that view of the ideal treatise on the law of insur-

ance which would lead him to omit much of the matter which his volumes now contain. Such considerations have much force and it is natural that they should have a controlling influence with an author who is not prepared wholly to disregard the popular demand for a book which shall combine in itself the characteristic features of Monograph, Text-book and Digest.

The book is written in a style that is admirably clear. The author has evidently mastered his subject long before he began to put his work into its final form and the result is that the reader is not troubled and perplexed by the constant transition from one principle to another which constitutes so disagreeable a feature in the ordinary text-book. The author has not adopted the historical method in the treatment of his subject, that is to say, he does not approach the consideration of a given doctrine by tracing the development of it through the leading cases examined in chronological order. One of the most admirable features of his work, however, is the consistent manner in which he constantly recurs to the state of the law as it stood before the Insurance Statutes of 19 George II and 14 George III, in order properly to determine what was the effect of those Statutes. It is in this connection as much as in any other, that one is able to perceive the superiority of his method of treatment as compared with that adopted by Mr. PORTER.

Mr. BIDDLE, in the discussion of a given topic, generally states the general principles which are applicable to the subject in hand and then examines the decisions of particular cases either in the order of their importance or in some order other than the chronological. Occasionally, however, he allows himself to begin a dissertation with the statement of some particular decision which has no claim to so prominent a position. For example, Chapter II of Book IV, on "Payment and Re-Instating by the Insurer," begins with this paragraph:—"1031, An Agreement by the insurer to pay the policy money in gold coin must be complied with as it is a contract to pay a special commodity." This paragraph stands by itself and is unconnected in thought with the paragraph which immediately follows. Such instances as this are, however, rare and the work, as a rule, is remarkable for clearness and smoothness of treatment as well as for the manner in which the author has preserved the perspective of his work in subordinating the discussion of particular cases to the statement of general principles.

The book is admirably printed and presents an attractive appearance. The reviewer has observed but few typographical errors, and such as there are have been for the most part corrected in the table of *errata*. In the second edition of the work the publisher will doubtless see to it that the necessary correction is made in printing the running head line—"Warranties and Representations"—in Book IV, Chapter I. For three forms (pp. 481 to 529) the head line reads "*Warrants* and Representations."

Upon the whole, the thanks of the profession—and indeed of all persons whose business brings them face to face with the problems of insurance law—are due to Mr. BIDDLE for putting within our reach in so agreeable a form the results of wide reading, careful research and clear thought.

G. W. P.

ADDISON ON TORTS, BEING A TREATISE ON WRONGS AND THEIR REMEDIES. Seventh Edition. By HORACE SMITH, Bencher of the Inner Temple, etc., and A. PERCEVAL KEEP, M.A. London: Stevens & Sons, Limited, 1893.

A SELECTION OF CASES ON THE LAW OF TORTS. By JAMES BARR AMES and JEREMIAH SMITH, Professors of Law in Harvard University. Two volumes. Cambridge: Printed by John Wilson & Son, 1893.

By special arrangement with Stevens & Sons, Messrs. Little, Brown & Co., of Boston, are in receipt of the new revised English edition of "Addison on Torts"—a work which will doubtless receive a warm welcome on this side of the water. The edition which is thus laid before the profession in this country represents a revision of the entire work, and comprises more than four hundred new cases. The Editors state that they have omitted much obsolete matter, however, and the result is that the number of pages is substantially the same as in the former edition.

The law of torts seems to possess peculiar attractions for writers of the highest ability both in England and in this country. The literature of torts is, at the present time, of unusual richness and excellence. In England the works of POLLOCK and of CLERK and LINDSELL, as well as the work before us, are entitled to the highest commendation. In the United States COOLEY's exhaustive treatise and BIGELOW's valuable hand-book unquestionably deserve honorable mention; while BIGELOW's admirable collection of leading cases, with annotations thereto, is second in value only to the collection now before us, which represents the result of deep study and thorough research on the part of Professor AMES and Professor SMITH of the Harvard Law School. Of these two volumes, the first is the work of Professor AMES, while the second was prepared by Professor SMITH. The first volume comprises the subjects of Tresspass; Disseisin Conversion; Defamation; Malicious Prosecution; Malicious Injury to the Plaintiff by Influencing the Conduct of a Third Person; Malicious Injury to the Plaintiff by Means of a Tort to a Third Person; Malicious Use of One's Property in Order to Injure the Plaintiff; and Malicious Conspiracy. Volume II contains Cases upon Legal Cause; Whether Plaintiff's Action is Barred by his Own Wrong; Negligence in Relations not arising directly out of Contract; Contributory Negligence; Imputed Negligence; Whether Negligence of Maker or Vendor of Chattels may Make him Liable to Persons other than those Contracting with him; Duty of Care on the part of Occupiers of Land or Buildings; Extra-hazardous Occupations; Liability for Fire or Explosives; Liability of Owner or Keeper of Animals; Deceit; Merger or Suspension of Civil Remedy in Case of Felony; Whether Action Lies at Common Law for Causing Death; Private Action for Damage Caused by Public Nuisance; Immunity of Judicial Officers from Civil Actions; Joint Wrong-doers; and Distinction between Tort and Breach of Contract.

It is interesting to compare this admirable method of division with

the classification adopted by ADDISON. In ADDISON'S work the grand divisions of the subject are: The Nature of Torts; The Justification of Torts; The Discharge of Torts; Of Remedies; Of Tort-feasors; Injuries to the Person; Injuries to Reputation; Injuries to Rights of Property; Injuries to Domestic Rights; Injuries to Public Rights; Duties of Public Officers; of Fraud; of Statutory Compensation; Notice of Action; and of Costs. Each of these outlines is, of course, elaborately sub-divided. Many of the differences of classification are due to the essential differences between the two works. The text-book, while keeping the history of the subject in view, aims above all things to reduce the law to a system. The case-books, on the other hand, have for their especial mission the setting forth of the historical development of the law, and in any case where alternative modes of classification suggest themselves, that one has been adopted which best illustrates the order in which the various problems have actually come before the courts. The reviewer, however, is inclined to think that the classification adopted in the American work is distinctly superior to the other in the matter of the treatment of Malicious Injuries to the Plaintiff by Influencing the Conduct of a Third Person and by Means of a Tort to a Third Person. ADDISON adopts the more familiar method of classifying the most important of the problems which arise in this branch of the law under the general head, "Injuries to Domestic Rights." The beauty of the division adopted by Professor AMES, however, becomes obvious when one examines the subdivision of this topic, which is as follows: Malicious Injury to the Plaintiff by Influencing the Conduct of a Third Person. Section I—By Inducing or Aiding a Third Person to Commit a Breach of a Legal duty to the Plaintiff: (a) The Duty of a Servant to his Master; (b) The Duty of a Wife to her Husband; (c) The Duty of a Contractor; (d) The Duty of an Individual not to Commit a Tort. Section II—By Influencing a Third Person who owes No Legal Duty to the Plaintiff; (a) By Slander of Title and Disparagement of Goods; (b) By Fraud; (c) By Force or Threats; and (d) By Maintenance. The reviewer also questions the propriety of treating as (ADDISON does) the subject of Deceit under the head of Fraud. Deceit, as the cases show, has undergone a separate and independent development, and it is not perceived that anything is to be gained by ignoring this fact, and by attempting an assimilation of the principles which underlie it to those principles applicable in miscellaneous cases of fraud.

As to the way in which the authors of these two works have fulfilled the promises contained in their respective outlines, the reviewer has nothing to say except by way of commendation. The selection of cases which Professor AMES and Professor SMITH have made is admirable, while the merits of ADDISON'S work are too well known to require comment here. Both works should find a place upon the shelves of every member of the bar.

G. W. P.

COMPARATIVE ADMINISTRATIVE LAW. An Analysis of the Administrative Systems, National and Local, of the United States, England, France and Germany. Vol. I, Organization; Vol. II, Administration. By FRANK J. GOODNOW, A.M., LL.D. New York and London: G. P. Putnam's Sons, 1893.

It was with great pleasure that we received the first work in English on the important subject of Administrative Law. As a people we seem to have been heretofore so taken up with establishing popular government that we have neglected to regard, as worthy of special treatment, the question of how the officers of government should execute the laws or how the officers should be held up to their work. Mr. GOODNOW makes a very good beginning. As he says himself, in his preface, he has not attempted to treat the subject exhaustively. His intention has been to set forth in the first place the methods of administrative organization adopted in the four countries whose law is considered; namely, the United States, England, France and Germany; and to state, in the second place, the means of holding this organization up to its work, and of preventing it from encroaching on those rights which have been guaranteed to the individual by the constitution or laws.

The first volume treats of the question of the organization of the administrative departments of the central and local governments; and the second volume of the way in which the individual can obtain redress for wrongs inflicted upon him by the administrative officer.

The whole forms an excellent introduction to a more particular study of the subjects treated. As is the intention of the author, at no point is the discussion full and exhaustive. and, therefore, the interest which the work will excite in the minds of the readers will depend largely upon his previous acquaintance with the particular subject under discussion. For instance, where the author treats of *mandamus*, what is said is very good, but it is necessarily too cursory to be of interest or of value to the lawyer. On the other hand, few lawyers will fail to be interested and benefited by the short and concise account of the administrative courts of France and Germany. It is not that the discussion is any more full in the one case than in the other, but that in treating of administration in continental countries, he treats of something which is entirely new to ninety-nine hundredths of the members of our bar. In the same way the local administrative government of Germany and France is intensely interesting, while most lawyers will skip the account of the office of President of the United States.

It must be remembered that we are reviewing the book simply from the standpoint of a lawyer, and not from that of the general reading public. To the lawyer the book as a whole would be more interesting if the author had confined himself to administration in the foreign continental countries, that is, France and Germany. This, however, would have marred its usefulness in colleges, into which it will doubtless be largely introduced; both because it is the only English work on Comparative Administrative Law, and as an excellent introduction to the more minute study of the subjects treated.

W. D. L.

A TREATISE ON THE WRIT OF HABEAS CORPUS, WITH PRACTICE AND FORMS. By WILLIAM S. CHURCH. San Francisco: Bancroft-Whitney Co., 1893.

As far as the writer knows the only other work exclusively devoted to this subject is Judge HURD'S Treatise, the last edition of which appeared in 1876. Mr. CHURCH'S book was first published in 1884. Since that date considerable change has been effected in the law of the writ of habeas corpus, particularly in the Federal Courts, by the passage of the Appellate Courts Act of March 3, 1891, which fact, together with the large number of recently decided cases on the subject, render a fresh appearance of the work particularly acceptable.

Two new chapters have been added; one on the "Nature of the Writ," the other on "Appellate Practice." The former, which begins with an elaborate definition of the writ, serves as an excellent introduction to the succeeding chapters, embracing almost the entire general treatment of the subject, with the exception of the historical side. The chapter on "Appellate Practice" is a useful if not necessary addition to the work, treating fully of the nature of an appeal in habeas corpus cases, as well as summarizing the instances under which the appeal can be taken.

By no means the least interesting and important feature of the treatise is the writ historically considered. The author admirably traces his subject from the Roman interdiction "De libero homine exhibendo" through Magna Charta to the famous statute of Charles II. To this subject he devotes a chapter. Continuing, he gives us the general history of the writ in the colonies and subsequently in the United States, and adds a separate chapter containing the more important Federal statutes.

The work concludes with a convenient collection of the various forms used in the habeas corpus proceedings from the petition to the return, as well as miscellaneous forms.

The author's style is much to be admired. It is clear and exceptionally intelligible even to the lay mind, and for that reason none the less valuable to the professional man. The discussions are liberally and aptly illustrated, and plentifully supplied with references and notes. The notes on the chapter devoted to the evidence are especially of value.

We wish we could say as much for the physical structure of the work as its literary character unquestionably deserves.

A thousand pages are too many to be crowded into one volume, especially in the case of a text-book, which, more than any other book, a lawyer finds occasion to take home with him. Besides, the lack of durability of very thick books is familiar to all lawyers. The work should have been divided into two volumes. The printing, too, is thin, and at times indistinct, although the headings, with which the sections are distinguished, are clear enough. A list of more than 3000 cases is appended.

W. S. E.

LECTURES IN SANITARY LAW. By A. WYNTER BLYTH. London and New York: MacMillan and Co., 1893.

This work contains twelve lectures on Sanitary Law delivered by the author at the College of State Medicine, England, as a part of the usual course of instruction in Sanitary Law and Science; and while not directly applicable to the condition of things existing in this country, it is interesting and valuable to all cultivating this branch of jurisprudence. To members of State legislatures and to aldermen and health officers in our cities, it would be invaluable, could they be persuaded to read it, as embodying the experience of an old and enlightened State and affording valuable suggestions for legislation in this country.

MARSHALL D. EWELL,
The Kent Law School of Chicago.

THE LAW OF CONTRACTS. By THEOPHILUS PARSONS, LL.D. Eighth edition. Edited by SAMUEL WILLISTON. 3 vols. Boston: Little, Brown & Co.

Professor PARSONS' already valuable work is rendered additionally valuable by the copious accurate and clear notes added to this edition by Mr. Williston, of Harvard. It is singularly appropriate that the work of the man who did so much to establish the reputation of the Harvard Law School should be edited by a member of the present faculty of that School. Mr. Williston has left the text practically untouched, save for certain slight omissions rendered necessary by recent changes and developments of the law of contracts; he has also retained the greater part of the author's original notes, omitting only certain extracts from the opinions in various cases which have ceased to be of authority; he has, however, discarded the notes of all previous editors with the exception of a few by Mr. Keller, editor of the seventh edition, to which, in every instance, his initial is attached. The author's notes are printed in parallel columns while the notes of the editor extend across the page, so that it is at once apparent to whose authority each note owes its weight. While Mr. Williston's notes are throughout clear, accurate and learned, they are especially full in the first part of the work, that devoted to consideration of the obligation assumed by the parties—the notes upon Agency, Bills and Notes and Consideration being more especially copious, valuable and scholarly. He has carefully avoided the common temptation of annotators to indulge in controversial writing, and while in every case where the text is ambiguous, or through a change in the law has become misleading, the doubt is cleared away or the error corrected, the notes remain notes upon the original work and not a series of controversial essays. The modern cases have been exhaustively examined and their effect clearly stated. In short, the whole work shows care, learning and respect and reverence for the author's work, and is a very useful and able exposition of the result of modern cases upon the subject matter.

F. H. B.

RAILWAY INJURIES, WITH SPECIAL REFERENCE TO THOSE OF THE BACK AND NERVOUS SYSTEM IN THEIR MEDICO-LEGAL AND CLINICAL ASPECTS. By HERBERT W. PAGE, M.A. (Reprinted from Wood's Medical and Surgical Monographs.) New York: William Wood & Co., 1892.

The above-named work is one well known to both the legal and medical professions and its merits are such as to need no commendation at our hands. To one investigating a case simply of "railway spine" it is indispensable.

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THE AMERICAN DIGEST (Annual, 1893). Prepared and edited by the Editorial Staff of the National Reporter System. St. Paul, Minnesota: West Publishing Co., 1893.

The Digest of the West Publishing Company is too well known by the profession, and its great usefulness has been too often illustrated to the thousands of lawyers who possess it to need any commendation from us. The volume before us, containing more than three thousand pages, is what it pretends to be, a complete digest of all the decisions of the United States Supreme Court, all the United States Circuit and District Courts, the Courts of Last Resort of all the States and Territories and the Intermediate Courts of New York State, Pennsylvania, Ohio, Illinois, Indiana, Missouri and Colorado, besides the United States Court of Claims and the Supreme Court of the District of Columbia. The arrangement, the system of cross-reference, etc., is excellent. Nothing seems to have been omitted which could aid the rapid finding of cases. One cannot but admire the organization and system which in the short space of six weeks edited and printed such an enormous tome. There is only one thing which the possessor of a series of these annuals will need as time goes on, and this want will undoubtedly be supplied by the enterprising company which has done so much for the profession. Many of the cases are reported in the National Reporter System long before they appear in the official reports. As a necessity, therefore, the reference to the official reports is frequently omitted, because the case is not yet reported. In a few years, however, one looking over the Digest will need a supplement containing the official citations of those cases reported in previous numbers of the Annual, and to which no official citation is attached.

To us this Digest is invaluable. It has the great merit—the greatest, perhaps, which any book can have—of doing well what it starts out to do.

W. D. L.

THE LAW OF WILLS. By JOHN B. CASSODAY, LL.D. Being a series of lectures on the subject of "Wills" delivered before the College of Law in the University of Wisconsin. St. Paul, Minn.: West Publishing Co., 1893.

This book, as the explanation accompanying its title indicates, is an elementary work more particularly for the use of students at law. It is not an ambitious work, and does not rank with the larger text-books upon the same subject, but as a ground-plan for future development in the same line it is admirable.

It is conveniently divided into seven chapters, three of them, or one-third of the volume, being devoted to the execution of wills—certainly an over-goodly portion. Numerous cases to date are cited, and plenty of space given to them, and the paragraphs and annotations are arranged in such a plain and machine-like manner as to make the work an easy reference manual when the reader is utilizing time.

To the student it is a zealous aid in making the way clear, and to the lawyer a compact collection of recent authorities.

A. D. L.

THE PRINCIPLES OF EQUITY. A TREATISE ON THE SYSTEM OF JUSTICE ADMINISTERED IN COURTS OF CHANCERY. By GEO. TUCKER BISPHAM, Professor of Equity Jurisprudence in the University of Pennsylvania. Fifth edition. Philadelphia: Kay & Brother, 1893.

The changes in equity jurisprudence that are taking place from day to day are strikingly brought to mind by this new edition of Professor BISPHAM'S excellent text-book. The fourth edition is but six years old when a fifth is required, with about fifteen hundred new cases and important revisions in the text. The principal changes, in the author's own words, are made in the chapters that treat of Precatory Trusts, Charities, Gifts Causa Mortis, Mistake of Law, Deceit and Mandatory Injunctions.

That the author intends his work to keep pace with the productive and creative faculty of equity jurisprudence is shown by the fact that he has not hesitated to discard some familiar illustrative cases from the text and to replace them by newer decisions which are better exponents of the changes which have taken place in recent years.

Any lengthened criticism of a work so well known, one in fact which has taken its place as a standard text-book in the country, would be idle. It will be sufficient to say that in this edition we recognize the author's well-known reserve and caution in the treatment of the cases which seem to indorse a departure from old standards; and the new matter, of which there is considerable, is stated with that clearness and simplicity which is, indeed, the chief charm of his style. We might add that this work on equity fills a unique position among text-books, for the practicing attorney as well as the student can read it with both pleasure and profit.

THE INFRINGEMENT OF PATENTS FOR INVENTIONS, NOT INCLUDING DESIGNS. By THOS. B. HALL, of the Cleveland Bar. Cincinnati: Robert Clarke & Co., 1893. 275 pages.

This work is practically a digest of all reported Supreme Court decisions relating to patents for inventions, to the end of October Term, 1892, of the Supreme Court. There has never been a complete digest of these decisions in a single volume, and the work will therefore commend itself very favorably to the patent practitioner. The sections of the various heads are in effect, if not in fact, a reproduction or reprint of the syllabi of the reported cases, and the reference to the page and volume where reported is contained in a foot note on each page. The foot note references are reproduced at the end of the book as a table of cases in addition to a table of contents and index of the subject matters of the decisions. A valuable feature of the table of cases at the end of the book is the classification of them under the various heads and subdivisions as stated in the table of contents. The matter is divided and classified under four general heads, License, Identity of Invention, Validity of Patent and Damages. The volume presents a digest of the Supreme Court cases in the most convenient form in which they have ever been issued, and will be a valuable addition to the working library of every patent lawyer, lightening his labors by the ease and facility with which, by its aid, he may make citations of authorities on any particular question relating to patents for inventions.

HECTOR T. FENTON.

BANK COLLECTIONS. By ALBERT S. BOLLES. New York: Homans' Publishing Company, 1893.

While the title of the above work fully indicates its character and importance, it may be better to indicate by a few headings of chapters and paragraphs the whole scope of the treatise upon this practical business portion of the mercantile law. The first two chapters treat of the ownership of paper endorsed either specially or in blank and deposited for collection, and it is only just to compliment the author as to this part of his work upon the methodical weeding out of the manifold and embarrassing cases upon these points—cases not so important in themselves, and only valuable to the ordinary hunter after precedents of similar facts and circumstances. In fact, Mr. BOLLES has accomplished the delicate task of clearly stating the principles of the law without clogging the book with useless citations of well-established decisions—the *impedimenta* of so many so-called legal treatises.

Chapter III, without possessing the fault of being a mere digest, contains a very comprehensive account of the law and mode of making collections and the attendant details; and Chapter VI is especially timely in its discussion of the law upon the reception of deposits by a bank when in an insolvent condition. In Chapter VIII, which treats of mistake and forgery, the author has presented an important list of cases

to date and stated the facts of each in a succinct manner, carefully sifting the valuable decisions from those which are of small importance.

The whole book shows good work upon the subject matter treated of and will be of valuable service to the working lawyer as well as to the thinking banker in the lines laid down therein.

We could wish that Mr. BOLLES' work had been presented in a more correct and attractive form from the point of view of typography, but there is no doubt but that the treatise will be a handy and serviceable addition to the library of the practitioner in the more active litigation with which it deals.

A. D. L.