

But, while this is the view apparently supported by the weight of American authority, and certainly by the text-book writers, there is not wanting the best of authority on the other side: *In re Asiatic Banking Corporation*, L. R. 4 Ch. App. 352; *Calumet Paper Co. v. Stotts Inv. Co.*, (Ia.), 64 N. W. 782. And one California case has decided that a corporation may be created for the express purpose of dealing in stocks, in which case it may, of course, purchase and hold them: *Market St. Ry. Co. v. Hellman*, 109 Cal. 571, 42 Pac. 225.

BOOK REVIEWS.

HAND-BOOK OF THE LAW OF PARTNERSHIP. By WILLIAM GEORGE. Hornbook Series. St. Paul, Minn. : West Publishing Co.

This work is one of the latest products of that inexhaustible mine of legal publications, the West Publishing Co. As a concise and probably accurate summary, in a series of legal propositions, of nearly five thousand cases, it has its value. It is not, however, a book for the jurist or the student, both of whom demand a more scientific and historical discussion of the cases.

As a contribution to the science of the law, this volume is not worth the paper it is printed on, but, as a guide-book to the leading cases on the subject, and a *vade mecum* for the cramming student, it will, no doubt, be useful to many. R. R. F.

A TREATISE ON MECHANICS' LIENS. By LOUIS BOISOT, Jr., A.B., LL. B., of the Chicago Bar. St. Paul, Minn. : West Publishing Company.

It seems almost a hopeless task to embody in a treatise a subject so entirely statutory as that of Mechanics' Liens. The law of different jurisdictions is so contradictory and so subject to change, that one can never be sure what it really is. A considerable part of the Pennsylvania law, for example, as given by Mr. Boisot, is ancient history already.

The nature of the subject also puts unfortunate limitations on the author's style. The expressions, "where the statute provides," "under a statute requiring," etc., etc., are used to a wearisome extent, occurring as often as half a dozen times to the page. On page 408, § 418, it is said, "Where the statute expressly requires the claim to set forth the times when the material was furnished, or the labor performed, an omission of such allegations renders the lien void. . . . But, where the statute does not expressly require the claim to give the dates of the account, such dates need not be

stated." These sentences, chosen at random, furnish a fair sample of the prevailing style of the book.

As a digest of the law on Mechanic's Liens, as it existed at the time of writing, the work is of great value. Its arrangement is excellent, its treatment exhaustive, and typographically it is perfect.

R. W.

THE EVOLUTION OF THE CONSTITUTION OF THE UNITED STATES.
By SYDNEY GEORGE FISHER. Philadelphia: J. B. Lippincott
Co. 1897.

The above volume, as the author states, is devoted to the exposition of our Constitution as a development of progressive history, and not an isolated document struck off at a given time or an imitation of English or Dutch forms of Government.

Mr. Fisher shows, in a very interesting and convincing way, that the different provisions of the constitutions are the direct result of the experience of the people of the Colonies in attempting to govern themselves. For this purpose he traces the forms of government from the original trading corporations with their extremely simple machinery, to the developed and comparatively perfect colonial constitutions of 1776. The author shows how every provision of importance in the national constitution was foreshadowed in some of the earlier documents, and was given a practical test by the colonies. He shows, further, that these provisions were not copies of the expedients of other foreign governments but were worked out independently and to meet given needs as they arose. He thinks that, in a majority of the instances, where our institutions are similar to those of England the similarity is a coincidence and not an imitation. The book is scholarly, thoughtful and convincing, and may serve to unsettle some of the accepted canons of constitutional interpretation. It shows a vast amount of investigation and study of a literature which is in itself none too attractive, and a careful comparison and summary of it for the benefit of those who have neither the time nor the facilities for consulting it. *O. J. R.*