

## BOOK REVIEWS.

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THE LAW OF TRADE AND LABOR COMBINATIONS, AS APPLICABLE TO BOYCOTTS, STRIKES, TRADE CONSPIRACIES, MONOPOLIES, POOLS, TRUSTS AND KINDRED TOPICS. By FREDERICK H. COOKE, of the New York Bar. Chicago: Callaghan & Co. 1898.

The author, in treating of the different phases of trade and labor combinations, has divided his book into two parts, for the purpose of grouping combinations in fundamental classifications—Part I, Combinations Producing Private Injury, and Part II, Combinations Producing Public Injury. In treating of combinations under Part I, he rejects the doctrine of *intent* and *combination* as the test of illegality, and announces as the true test of civil liability for an act of trade or labor combination, *whether it is the natural incident or outgrowth of some existing lawful relation*. The author applies this test to each form of trade or labor combination in a very interesting manner, and points out the remedies, if any exist.

In Part II, after discussing the confusion in the decisions as to the basis of illegality in trusts and monopolies, he points out, as the test of liability, test of extent and the test of reasonableness. There is an Appendix, containing the constitutional and statutory provisions relating to topics discussed in the different states and in the United States. The book is an intelligent discussion of a subject of great and growing importance.

H. W. M.

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ARCHBOLD'S QUARTER SESSIONS (FIFTH EDITION). By G. SHERSTON BAKER. London: Shaw & Sons.

While it is not our custom to give books of this type much space, we feel it our duty to note the thorough, careful way in which Mr. Baker has produced this fifth edition. He calls our attention, in his short, direct preface, that he has endeavored to provide the practitioner, who attends Courts of Quarter Sessions, with a little *vade mecum*. . . . A book treating sufficiently of the practice of those courts, but at the same time not too bulky in size.

Thus, as we are led by the preface to expect, the chief value of the book lies in the time saved for the busy English practitioner. Much of the matter is condensed into tables, as of allowance to witnesses, costs of appeal, procedure on appeal, any point or stage in which may be noted at a glance by means of this tabulated form and admirable arrangement.

The book is not, nor was it intended to be, of interest to other than the English lawyer; but it may be cited to our American writers, as showing a successful method of condensing a large mass of matter in a comparatively small volume.

T. C.

THE LAW OF AGRICULTURAL HOLDINGS. BY SYLVAIN MAYER, B.A. Ph.D. London: Waterlow & Sons. 1898.

Statutes peculiarly local in their nature and affecting but a particular class of industry are not apt to be widely studied in communities without the pale of their jurisdiction. To those, however, who are interested in noting the strides which recent legislation has taken towards releasing tenants from the bonds within which the common law rules encompassed their meagre rights, this volume, though purely of English applicability, ought to be of considerable interest.

The work is intended as a commentary on the Law of Agricultural Holdings in force in England at the present day, and presents a careful analysis of the various acts governing the subject, as well as separate chapters upon the forms and procedure thereunder.

O. S.

THE BANKRUPTCY LAW OF THE UNITED STATES. By THEODOR AUB. Brooklyn, New York: Eagle Book Printing Department. 1899.

The already numerous collection of works on the National Bankruptcy Law of 1898 has been enriched by the recent volume of Theodor Aub, referee in bankruptcy in New York. Besides the complete context of the Bankruptcy Law, divided into seven chapters, each of which is subdivided into sections with appropriate captions, the book contains a tabulated index of the law alphabetically arranged as to sections, rules and forms. A time table of the Act in the order of the sections, and according to their numerical position is appended. It is supplemented by a complete set of the rules relative to bankruptcy proceedings, as adopted by the Supreme Court of the United States on November 28, 1898, and a list of approved forms. A schedule of the expenses incurred in obtaining a certificate of bankruptcy is also given. The work is a concise but complete treatise on the subject of bankruptcy and will prove of great assistance to those practicing in the Federal courts.

P. V. C.

SPECIFIC PERFORMANCE OF CONTRACTS. By WILLIAM DONALDSON RAWLINS, M. A., Q. C. Pp. 200. London and Edinburgh: Sweet & Co. 1899.

This neat and attractive volume is, the author states, an expansion of an article by him published in "The Encyclopædia of the Laws of England;" and he modestly explains in his preface that the book "does not seek to enter the lists as a competitor for the favor of the profession with the standard treatise on Specific Performance," but that it is merely "a concise text-book, which aims at discharging the modest function of a finger-post." This function it discharges very successfully, its chief merits being conciseness, and very carefully and judiciously selected authorities, compara-

tively few in number, but covering the whole field of the broad subject which the author has undertaken to discuss.

After pointing out that "specific performance appears to be a plant of distinctively English growth, and to flourish only where there is a juridical system in which the characteristic ideas and principles of English Courts of Equity have taken root," the author describes the origin and development of this branch of the jurisdiction of those courts, its extent, and the manner in which it is exercised. The book will be more useful to the student of law and to the English barrister than to the practicing attorney in the United States; although the latter, also, will find the work valuable for its citation of numerous recent leading cases decided in the courts of Great Britain and for its clear, logical and comprehensive statement of fundamental principles of equity. The chapters on "The Statute of Frauds" and on "Injunction" will prove particularly valuable to the American lawyer.

But one criticism occurs to the reviewer, namely, that in the enumeration and description of the classes of contracts, specific performance of which may be compelled, the author omits the important class of cases involving the use and enjoyment of real estate, which are discussed in Story's Equity Jurisprudence, Vol. I (Redfield's Ed.), §§ 720 to 721 a, inclusive; and concerning which Story states this rule: "That it is competent for the court to interfere to enforce the specific performance of a contract by the defendant to do definite work upon his property, in the performance of which the plaintiff has a material interest, and one which is not capable of an adequate compensation in damages." This class of contracts does not seem to be included in any of those classes enumerated by the author, although it should manifestly be included in the list.

*M. H.*