

## BOOK REVIEWS.

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CONDITIONAL SALES AND BAILMENTS WITH FORMS. By WILLIAM W. MORRILL, of the Troy (N. Y.), Bar. Pp. 136. Albany: Matthew Bender, 1901. \$1.50.

With the increase of the installment business in recent years, it has become more and more of importance to the vendor to know how to effect a contract by which he can retain title to the chattel in himself and thereby protect himself against the insolvency of the vendee.

However much we may deprecate the effects of this installment business socially, legally it must be accepted as a fact and provision made for it. It must be admitted also that such sales are often of value to both vendor and vendee, in the course of regular trade.

The publisher claims for this manual that it gives the law which will enable a vendor in one jurisdiction to make valid contracts with respect to articles to be delivered in other jurisdictions, and to protect himself thereunder.

The states are arranged alphabetically and under each is given the text of the statute regulating such sales, if any; expressions of opinion by local attorneys, and forms for such contracts. In so far then as it gives the vendor's attorney an outline guide to use in constructing the contract of sale, it would seem to fulfill the publisher's claim.

It is believed that the book would be more confusing than helpful to the average lay vendor because of its succinctness. But it is commended as a suggestive help to attorneys.

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THE LIABILITY OF MUNICIPAL CORPORATIONS FOR TORT, TREATING FULLY MUNICIPAL LIABILITY FOR NEGLIGENCE. By WATERMAN L. WILLIAMS. Pp. 345 and xxxix. Boston: Little, Brown & Co., 1901.

The law of Torts presents a broad field for original work, whether it be along the line of theoretical speculation or of practical classification.

The best work, however, is not done along either of these lines as opposed to the other, for speculation alone may be interesting, but it is not convincing; and classification without theory is no classification. It is by classification carefully based on theory, and deductions wisely made from classification that the greatest advance in the legal science comes.

In his classification the author of the subject of this review has done admirable work. The 3,000 (*circa*) cases which he cites

are well arranged under the various heads into which he has divided the subject. He treats first of the general principles of the tort liability of municipal corporations. Then in the subsequent chapters he illustrates and amplifies that liability in its varying phases and relations, *e. g.*, ultra vires torts, acts of officers and agents, liability as property owner, and in relation to bridges, highways, drains, etc.

Many American decisions are cited and their effect is given. On account of the nature of the subject English decisions are not given as authority. The work is exclusively a treatise on this branch of the law as it exists in the United States.

The author disarms criticism of his failure to deduce any very general proposition on the subject, at the outset, by the plea of impossibility. This he claims, upon good authority, is generally conceded. It is submitted that its impossibility renders the problem all the more worthy of attack. Though, perhaps, this sort of a treatise would better leave the problem unassailed.

At all events, it is believed that the volume will prove extremely useful. The style is clear and conclusive. The footnotes are full and valuable. Worthy of especial comment is the excellent plan of giving the citation as well as the name of the case in the Table of Cases. There is a good subject index, and a clear outline in the Table of Contents. The book upon the shelves of any lawyer will prove its own best commendation.

T. M. P.

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LESSONS IN LAW FOR WOMEN. By WALTER S. COX. Pp. 368 and xi. New York: Brentano, 1900.

With the exception of the title and short introduction, this little book might well be simply entitled "Lessons in Law." There is nothing in the text to distinguish it as a book especially for women, or from the usual attempt to state the elementary principles of the law in a form which will be comprehensible to the minds of men who have not been trained in legal study. In the attempt to do the latter the author has been successful. His statements are clear, concise and comprehensible, and generally made in the simple language he claims to have chosen. He does, however, frequently use terms which are found in actual experience most confusing to persons not accustomed to them. For example, he uses the terms, "*Cestui qui Use*," "*Cestui qui Trust*," "*Feoffee to Uses*," without a clear explanation as to their meaning, for it cannot be expected that a person entirely unacquainted with legal phraseology should understand an explanation given almost entirely in legal terms.

The fact seems to be that under the present state of the law it is no longer necessary to write books on law for women as a

class, and that it never has been possible to write books on law, for men or women, which, however elementary, are not liable to involve the untrained mind in perplexity, and possibly lead it into error.

If such books are to be written, it would seem that the beginning should be at the other end. The man or woman of business, the teacher, the artist, the journalist, does not as a rule thirst for the general principles of the law. They do not, however, wish to be ignorant of certain things in regard to their business, their property, their right to be protected against certain forms of wrong, and their right of redress when such wrong has been committed against them. The book which shall tell a woman what she has to do when she rents a house, and when she wants to give it up; explain the bewildering things that a widow may have to do when the death of her husband throws her suddenly into the business world, with property both real and personal to manage; which will give her some practical idea of the legal claims which may encumber it, and the things which she will have to do in regard to them, might also be elementary and misleading, but it would answer some of the questions which she must ask, and to which she does not always get an answer that satisfies her. Such a book would be far more difficult to write than it is to set forth the general principles of the law. Perhaps this is the reason that we get, instead, these books, excellent in their way, but which, after all, do little more than attempt to modernize and simplify Blackstone.

*M. C. K.*