

nothing to be desired. The fact that this stelæ is the most ancient legal writing in existence, and that withal it contains statutes which bear directly upon many modern conditions, such as irrigation and damage by overflow; failure of crops through negligence; the responsibility of common carriers and warehousemen, makes the book one of unique interest to all, and of extreme significance to lawyers and jurists the world over.

E. H. B.

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#### NOTES ON RECENT LEADING ARTICLES IN LEGAL PERIODICALS.

##### COLUMBIA LAW REVIEW.—June.

*Corporations in Two States.* Joseph H. Beale, Jr. The difficulty in determining the legal nature of the transaction when a corporation of one state becomes incorporated in another state is dealt with in this paper. The "anomalous" nature of such corporations is pointed out, and the complicated questions which arise are stated. Mr. Beale thinks that from the point of view of the business man there is no difficulty—there is in his eyes a single corporate body, differing from an ordinary corporation, if at all, only in the wider extent of its operations.

There is no attempt made to clear up the perplexities; indeed, they seem to afford Mr. Beale a good deal of intellectual pleasure as problems which are interesting in the degree of difficulty with which they may be solved.

*International Law in Legal Education.* James B. Scott. The author thinks that "The American lawyer need not perplex his head with vexed questions of the law of nature and the Roman law as a source of international law, nor need he worry himself about Mr. John Austin and his ways. He need only look to the Constitution of the United States and he finds the response to his query in no uncertain voice." The American lawyer will doubtless be glad to be delivered from "Mr. John Austin and his ways," if he has not already emancipated himself from them, and will probably agree that "it is impossible to consider the law of nations other than as a part of the common law of England, and by the Constitution of the United States, a fundamental and integral part of our jurisprudence." Having established this point, it is contended that it follows that it should be taught and studied as law, and that the methods used for the study and teaching of other branches of the law be used in the study and teaching of international law. The objection that law schools are intended for the purpose of fitting students for the practice of law, and that international law is not a practical subject, is answered by an extract from Professor Wambaugh's review of Mr. Scott's own work, the recently published cases on international law. The answer is that cases involving questions of international law may reach the practitioner at any moment and he should be prepared for them. To the question whether international law should be taught in the college or the law school Mr. Scott answers that it ceases to be law when taught in the department of liberal arts; that law can only be taught in a law school; taught elsewhere it becomes history, diplomacy, international ethics—anything but law.