

CURRENT LEGAL PERIODICALS AND BOOK REVIEWS.

FARNHAM ON THE LAW OF WATERS AND WATER RIGHTS, INTERNATIONAL, NATIONAL, STATE, MUNICIPAL, AND INDIVIDUAL, INCLUDING IRRIGATION, DRAINAGE, AND MUNICIPAL WATER SUPPLY. Three volumes. Pp. clxxx+2956. By HENRY PHILIP FARNHAM, M.L. (Yale). Rochester: The Lawyers' Co-operative Publishing Company. 1904.

This work, to quote an announcement respecting it, presents the subject of "Waters" in "every one of its numberless ramifications."

Its plan provides for a statement of principles in a general view, followed chiefly in notes by a statement of them in such detailed application as the author deemed well. It is a method which compels some repetition, and which it was probably found impracticable to observe throughout the work.

Chapter XVII, on "Unsafe Streets and Premises," begins with a section entitled "Liability for Injury because of Water in Streets." Instead of outlining first the general principles applicable, the second sentence states the specific instance of pits in highways. The third reverts to general statement, while the fourth recurs to a pit or hole. The chapter is an interesting and valuable one; but this reviewer's opinion is that, unlike most of the work, it is subject to the criticism of separating principles too far apart by the interjection of instances.

The treatment in this chapter suggests the thought that the notes could have been printed as the text and the text as the notes.

Another feature which strikes the reader of Chapter XVII is the omission to distinguish the decisions as those of supreme or lower tribunals. In some instances this distinction would be of interest. Thus we have the statement without discrimination of *Lehman v. Brooklyn*, 29 Barb. 234. The author cites that case in the following language: "But the liability of a city for the death of a child is not shown by the fact that the city maintained a well in its streets, with an opening level with the sidewalks, covered with a lid on leather hinges; and that the child, who was of tender age, was found in the well." The criticism at this place is the more important for the reason that the case seems to be one concerning a well-cover which a young child could lift. The reader's mind reverts at once to the turntable cases, and he might well expect either a criticism of

the decision or else a vindication of it by a more pertinent statement of it. So at page 1512 the reader would like to know whether *Jessup v. Bamford Mfg. Co.*, 66 N. J. Law, 641, was a decision by the highest court in New Jersey or not. The case is thus presented: "There is a New Jersey case which is out of harmony with the decisions elsewhere. In it the owner of a lot sloping towards a street erected a building thereon upon a walk, through which holes were left to allow the water to escape. The result was that water flowed from the holes across the walk and in cold weather formed ice. A traveller on the walk, having fallen upon such ice and having been injured, brought an action against the property owner, who was held not liable on the ground that the altered transmission of surface water, caused by the erection of a building upon land over which it is accustomed to flow, affords no ground of action to a person who suffers injury by reason thereof. This decision cannot be sustained on principle. The water was concentrated into channels, and cast directly upon the walk in such a way that injury must almost necessarily result in freezing weather. Such conduct must be regarded as a nuisance rendering the one creating it liable for the consequences. Had the ice been caused to form merely because of an alteration in the grade between the street and the abutting property, the principle laid down in that case would have been applicable, and the abutting owner would not have been liable; but the principle is not applicable to the facts of the case." The presentation is commendable in that the author points out therein what certainly does appear to be error. It is liable to criticism because the principle on which the court went should have been clearly stated by the author. As it is, the reader is left to his own reflections, which probably convince him that the court must have had in mind the thought that the lot-owner is not liable for injury through natural drainage.

Something in the way of reference to legislation might well have been given in Chapter XVII. A later edition will doubtless supply this need.

Part I of the work is devoted to "Rights of States and Nations." Chapter I relates to "International Rights." The plan of the work is not strictly followed in this part. Matters between state and citizen cannot be looked on as of international character, and portions of Chapter I will no doubt be transported to another chapter in a later edition. The right of *The Harriet* to the bounty allowed the vessels employed at sea in the cod-fisheries, based on the fact that she was out of the limits of a port or harbor, was not an "international right" and has no place on page 5, where it is found. The same criticism is to be made as respects the note on the same page as to

U. S. v. Smith, 1 Mason, 147. The note states that a vessel may be at sea, within the meaning of the act prescribing punishment for revolts on the high seas, although within the three-mile limit. This was not an international affair, and the note belongs in another place. At page 21 the English law is stated to be that a vessel accepting compulsorily a pilot is not liable for the pilot's negligence; yet one would prefer a statement of the American law on that subject. Curiously enough, it is not given. The omission is the greater as in *The China*, 7 Wall. 53, the vessel was held liable, although the owners are not: *Homer Ramsdell Co. v. La Compagnie Generale Transatlantique*, 182 U. S. 406. Comment may likewise be made on the weakness of the assertion of jurisdiction over American waters like the Delaware Bay.

The modern rule as to rivers flowing through several countries is stated at page 29. The passage of the river is there said to be "their common property." "Each is entitled to its navigation throughout its whole extent, so far as it can be exercised without injury to the rights of others." It would have added to the interest of this section had some account been given of the growth of this rule, which, after all, is based on comity or treaty. The authorities on International Law are not even yet wholly agreed on this question, although it is safe to say that unneighborly conduct towards other nations herein would be looked on as offensive. Some historical account would have been of interest in this connection. The excitement in the West over the right to navigate the Mississippi when New Orleans was held by Spain is even yet vividly remembered. The dispute was ended in 1795 by the Treaty of San Lorenzo el Real. The Treaty of 1854 between the United States and Great Britain secured to Americans the free navigation of the St. Lawrence in return for freedom to British subjects to navigate Lake Michigan, the British Government retaining the right to revocation. The Treaty of Washington of 1871 threw open the navigation of the St. Lawrence to Americans "forever." Lawrence, in his "Principles of International Law," second edition, gives these and other instances.

The occupation of the coasts along the New Jersey and New England shores for water-resorts has reached such a degree that even now the work of "reclaiming" tide-lands has begun, and at no distant day many a legal adviser will doubtless turn to those parts of Mr. Farnham's work wherein he treats of "Tidal Lands." He gives quite a treatise to this subject.

The author is not one of those who are awed by great names. He thinks that Lord Coke utterly misconceived Chapter XVI of "Magna Charta," prohibiting, with some exceptions, guards or

interference with navigation and not to grants of private fisheries. He disapproves sadly of *Shrunk v. The Schuylkill Navigation Co.* in 14 S. and R., sustaining an enactment prohibiting the Schuylkill Navigation Company from building a dam in the Schuylkill River to the interference with a shad fishery which plaintiff claimed by reason of ownership of the river front at that place, a few miles above the mouth of the river. The plaintiff claimed that the stream was a non-tidal one and that his ownership ran to mid-channel.

The court held that the common law of England did not apply to the navigable streams of Pennsylvania even above tide-water. The author certainly does cite an imposing array of states holding to the English common law. He exclaims against the uncertainty in title which he says must exist in the case of non-tidal streams suddenly shifting their courses. The Pennsylvania lawyer, however, as he thinks of the noble rivers which are a glory of his commonwealth, will prefer the doctrine of the Pennsylvania court. There is some unevenness of style in these two chapters which probably grows out of the plan of separate statement of principles in introductions. A smooth, good literary style suddenly gives way to a jolting, laborious travel among particular cases. Take Section 408 as an example. There is a constant repetition in one form or another of the expression, "wrongful fishing." One general expression covering all the sentences would have reduced the size of the section by half, and would have improved its literary tone.

Another of the minor criticisms of Chapter XIV is the separation of sections relative to procedure. They should be together, and condensed by comprehensive statements. The author seems to misapprehend a case which he mentions with strong condemnation. The city of Waterville, in the state of Maine, was indebted even beyond the constitutional limit. The legislature created a special water district, and authorized the district to erect water works and to give its bonds therefor. Because the water district embraced a portion of the city, the author protests against the decision sustaining the charter. *Kennebec Water District v. Waterville*, 96 Maine, 234. A reference to the report of the case shows that the district included only a part of the city so indebted, and included also two other towns, besides outlying country parts. The population and wealth of these towns were not given, and, moreover, the opinion of the court states that the charter of the water district gave no authority to tax either people or property within the limits of the city of Waterville.

If we turn over the pages of this work, passing from subject to subject, it is evident that we have before us an invaluable

study, admirably performed, but with expressions of opinion with which the reader will sometimes disagree. If here and there in the chapter on "International Law" there is an omission of historical matter, or a scant treatment of subjects which have excited great political discussions, and an inclusion of matters belonging under other heads, these are not serious faults; for those who have recourse to the law or history in such matters will hardly resort to books on waters, or if they do, they will not stop with these books.

Glances through the work at large have created the impression that here is a work exceedingly thorough, written for the most part in good, fresh style, abounding in interesting illustrations which do not bear down the text, and well indexed. Pennsylvania cases, such as the celebrated Sanderson decisions, and the Meadville and other water-supply cases, have been given their due place. The last decision in the Sanderson case meets with the author's disapproval. It is well to have the academic view, although it is true that practical responsibility must create the best judgment. The Pennsylvania lawyer will here again prefer the doctrine of the judicial tribunal. As Chief Justice Paxson said, the landowner bought in what he knew was a mining region, made his improvements in that knowledge, and must conform to the necessities of that vital industry.

Luther E. Hewitt.

A HISTORY OF MATRIMONIAL INSTITUTIONS. By GEORGE ELLIOTT HOWARD, PH.D. Three volumes. Pp. xv+473 +449+497. Chicago: The University Press, Callaghan & Co. London: T. Fisher Unwin, Paternoster Square. 1904.

While Mr. Howard claims to distrust "phrase-making," his phrase that "History is past sociology and sociology present history" so completely characterizes his work that it would be an injustice to him not to use it. The sociological point of view dominates everywhere and is obvious throughout the book. It is not so much a history of the facts with which we are presented as a picture of the conditions which arise from a certain set of facts.

The first volume gives an analysis of the theories which have been formulated concerning the primitive matrimonial institutions, and includes an examination of the literature upon the subject. As each theory claims to have historical support and to be deduced from a critical study of the life of primitive man, we get the history of these early institutions as it appears through the medium of minds strongly colored with some—usually preconceived—theory, which theory they are strongly

desirous of maintaining through this appeal to history. No one of the varied theories is apparently adopted by Mr. Howard, so that he is able to give a very fair and unbiassed exposition of all in turn. He also, in his chapters on the "Monogamous Family," the "Rise of the Marriage Contract," and the "Early History of Divorce," presents the facts with great fairness and impartiality. The "Matrimonial Institutions of England" are treated in something more of the historical manner and the style has more of continuity and clearness. This first volume alone presents a very fair view of the subject, even if not read in connection with its companion volumes.

The remaining two volumes contain matter of direct practical interest to the legal practitioner. The subjects of marriage and divorce are so treated as to afford a complete survey of the legislation concerning them in the United States from 1776 to the present time, one volume being almost entirely devoted to the subject of the divorce laws for that period.

The work shows an indefatigable industry in the collection of data, the bibliography alone covering nearly one hundred and fifty pages. The immense amount of material gathered by years of patient acquisition forms a most valuable mass of statistics and is a monument of the enthusiasm and zeal of the collector. If the same length of time had been given to the proper presentation of the matter so patiently collected, and the same care taken to make the matter readily accessible that was given to its acquisition, the work would have had an appreciably greater value. The author is capable of something better than the mere piling of bare fact upon bare fact, as he shows when he allows his interest in some one phase of the question to carry him beyond merely mechanical statements and in the summing up in the final chapter of the book. In view of this fact it is regrettable that since he devoted so much time to the gathering of valuable facts he did not devote more time to the presentation of them, which would have insured to him an interested and appreciative audience. As it is, he has accomplished the task mentioned in his preface of "gathering the materials and planning the work," not for "more detailed investigations," as he hopes, but for those who will find in his investigations a mine of facts for presentation in a more attractive manner.

In the chapter on the "Problems of Marriage and the Family," which forms the concluding chapter of the book, the style is clear and attractive. The author is again on that sociological ground where he finds himself completely at home. Here we are given a glimpse of his mental qualities and of the purposes and beliefs which animated him in the preparation of his material. Those who do not accept his optimistic con-

clusions and disagree with his belief that the changes of the last half century in the relative positions of the two parties to the matrimonial contract have been almost wholly beneficial, and who cannot agree with his opinions upon the general advancement of women during that period, may still find his arguments of interest, while those who do agree with him will be glad that their beliefs have found so strong and optimistic a champion.

M. C. K.

STREET RAILROAD ACCIDENT LAW.—A Complete Treatise on the Principles and Rules of Law Applied by the Courts and Territories of the United States and Canada in Determining the Liability of Street Railroads, for Injuries to the Person and Property by Accidents to Passengers, Employees, and Travellers on the Public Streets and Highways, and on the Pleading and Practice in the Various Jurisdictions in Street Railroad Accident Litigation. By ANDREW J. NELLIS, of the Albany, N. Y., Bar, and Author of "The Law of Street Surface Railroads." Pp. 711. Albany, N. Y.: Matthew Bender, Publisher. 1904.

It has been truly said that perhaps one-third of the cases which are tried in the Common Pleas Courts in this country are claims for damages arising from injuries caused by the negligence of transportation companies. To the average practising lawyer, then, thorough acquaintance with a branch of the law so productive of litigation will readily be seen to be of prime importance. And although the general field of negligence law may be said to be fairly well covered by treatises of decided authority on the subject, there are as yet but few works which are devoted exclusively to the consideration of the law of negligence and damages as applied to street railways. A volume on this subject—so important both to the student and the lawyer and yet of such comparatively recent growth—is presented in Mr. Andrew J. Nellis's "Street Railway Accident Law."

It has been the author's endeavor to state the general principles and rules of law as applied to street railways, and also to give in clear and compact form a statement of the precedents established. Mr. Nellis claims that "the application of general principles and rules must determine cases where exact precedents are not to be found." Yet as liability must depend ultimately on but one question,—negligence,—it cannot well be said that the subject is one which presents as much opportunity for a discussion of general principles as would be afforded by a broader division of law. Allowance for this limitation of the subject must be made in estimating the value of the book,

which, indeed, from its unavoidably narrow scope, we cannot, perhaps, reasonably expect to be a liberal exposition of principles or theories of law, but rather a collection of circumstances arising out of the multifariousness of human affairs, in which it has been held that the defendant street railway company has or has not been guilty of the negligence which resulted in the plaintiff's injury. If fault is to be found with the book, it is on this score: it is too much in the nature of a compilation of abstracts of cases; but since there is but one test of liability,—namely, negligence,—this may be unavoidable, as has been already suggested.

It is evident that the book has been logically and systematically planned, and that it has been written in a thorough and painstaking manner. It is no exaggeration to say that thousands of decisions have been taken, analyzed, classified, and arranged, and given to the reader in a form convenient for ready reference and use, together with a full presentation of the facts, reasons upon which the decisions are based, and copious notes thereto. Not the least valuable part of the work are the chapters on "Pleading," "Presumptions," "Burden of Proof," "Evidence," "Elements and Measure of Damages," and other questions of practice.

The book may well be said to be an exhaustive and accurate treatment of "Street Railway Accident Law" and one which will justify the preparation of and will satisfy the demand which has existed for the preparation of a volume devoted exclusively to negligence cases against street railways.

F. H. S.

ELEMENTS OF CORPORATION LAW. By JOSEPH C. FRANCE.
Pp. xxi+499. Baltimore: M. Curlander. 1904.

This is a text-book of corporation law adapted primarily to the use of students, and has been prepared more especially for the use of those who expect to practise in the state of Maryland. The author states his aim as follows: "First, to present the underlying conceptions and something of the history of corporations; second, to indicate the leading views on important controverted questions; third, to deal, more at length, with the decisions of the United States Supreme Court and with the law of Maryland." Where the law of Maryland differs from that established by the weight of authority a note is made thereof. The book is a somewhat condensed presentation of a very large and complex subject, but is well proportioned and has the advantage of being concise. An appendix of forms containing form of certificate of incorporation under the general

law of Maryland, form of stock certificates, of assignment and power of transfer, and a specimen page of transfer book is added. The work is divided into seven parts, dealing respectively with the nature of corporations, how and when corporate life begins, what a corporation may do, how the corporate powers are exercised, the consequences of unauthorized acts, capital stock, and, lastly, the corporation and the state.

The volume will be of most value to the student who intends to practise in Maryland, but it also presents the principles of the law in a way which will also meet the needs of the great majority of students.

B. O. F.

PROBATE REPORTS ANNOTATED: Containing Recent Cases of General Value Decided in the Courts of the Several States on Points of Probate Law. With Notes and References. By GEORGE A. CLEMENT, of the New York Bar, Author of "Clement's Digest of Fire Insurance Decisions," and "A Treatise on Fire Insurance as a Valid Contract." Volume VIII, with index to Volumes I to VIII, inclusive. Pp. li+838. New York: Baker, Voorhis & Company. 1904.

The present series, of which this is the eighth volume, supersedes eight volumes of "American Probate Reports" (1881 to 1896), and was started in 1897. The volumes are produced about a year apart, and contain each one hundred or more recent cases bearing on the passing of property because of the death of the former owner.

As may well be appreciated, the subject is of immense practical importance, as each incoming generation succeeds to the entire real and personal property of its predecessors, four-fifths of which, it is said, passes through the Probate Courts.

Ordinarily no higher mark of confidence could be given a lawyer than the commission of preparing in legal form the instrument which is to determine the disposition of a man's entire estate after he shall have passed away from the scenes of its accumulation. The privileges of a man to direct what shall be done with his wealth after he has gone is now almost universally recognized, in a more or less restricted form, and is one of the most cherished rights of an ordinary man. Unhappily, too often is the intent of the testator defeated because of an ill-consideration of the legal requisites or inapt or obscure language. As the effects of a man's decease on his property are so complex and varied, and present one of the most common heads of judicial inquiry, every lawyer should be as familiar as possible with the law relating thereto.

Nothing can take the place of constant reference to recent

decisions of the courts on any subject of the law, but the mass of decisions is so great that a good index is essential to open up intelligible paths. This is the purpose of "Probate Reports Annotated." The recent and important decisions of all the states are carefully examined and reported *while they are fresh from the bench*. A comprehensive index lays before each inquirer the particular subject he is seeking, with references to each of the eight volumes now issued. The cases themselves are reported in no particular rotation—in fact, the plan is similar to an ordinary volume of state reports, with these important exceptions: *First*, the index incorporates all topics touched upon in any of the preceding volumes, thus constantly enlarging a collection of decisions bearing on all the more complex cases coming before a Court of Probate jurisdiction; *second*, there are frequent NOTES in each volume, inserted where a conflicts centres on a particular point of law, or where a matter of unusual interest or importance is presented, or where a compendium of kindred topics is desirable; *third*, the reports, as stated, are taken, not from one state, but from *all* the states; and this is a provision that seems to be of the utmost ultimate consequence in the development of the law and of the greatest present value where a point is left unsettled in the lawyer's particular state.

As Pope has it,

"'Tis with our judgments as our watches, none
Go just alike, yet each believes his own,"

which may be supplemented by Suckling's version,

"But where an authentic watch is shown,
Each man-winds up and rectifies his own,
So, in our very judgments . . ."

It is believed that the more light that can be shed on any controversy, the more nearly just will be its determination; and the more a comparison may be had of the learned and respectable views entertained by the several courts of our country respectively, the more will the law tend to uniformity.

The work thus outlined is carried on with ability by the present editor, Mr. Clement, of the New York Bar. It is of great practical moment, being a valuable symposium of legal opinion on one of our most common sources of litigation.

E. S. R.

A SHORT CONSIDERATION OF THE LAW OF NEGLIGENCE. BY ALFRED SINGTON, Barrister-at-Law, of the Inner Temple and of the Northern Circuit. Pp. xxxvii + 422. London: William Clowes & Sons, Limited, 1903.

This is not, by any means, a complete work on negligence, nor, indeed, is it intended to be. As announced by the author in his "Introductory Chapter," the purpose is rather to present a compendious treatise of the subject, adhering strictly to the subject proper, without diverging into the numerous and illusive by-paths offered at every turn.

"There is no such thing as negligence in the abstract," says the author, quoting Lord Justice Bowen; for negligence is simply the absence of the care which the law requires to be used in reference to the particular circumstances of the case. A complete work on negligence, therefore, there never was, nor ever will be, so long as life is filled with such complex and changing influences. To consider the law with accuracy, therefore, it is necessary to apply it to given facts, and then the inquiry will be, what duty does the law demand of a man placed in that situation?

It is sufficiently obvious that no scheme of treatment can cover and provide for all the possible complications arising from as many combinations of facts as there are cases reported. Even when a fairly typical state of facts occurs, it is distracting to attempt to reconcile the numerous cases apparently applicable, and the many more which shade more or less perceptibly into them. Disclaiming such a task, as gigantic as it is futile, the author confines himself to about six hundred of the principal cases on the subject (with an exception, here and there, all are English), selecting those which lay down the guiding principles which have been relied upon by the courts in determining a great quantity of cases presenting different, yet similar, facts. This is, perhaps, all it is practicable for any lawyer to be familiar with, and while it will be found essential, in a given case, to search much more deeply into the subject, and to pursue the subtler shades of distinctions drawn by the courts, yet there is always the danger, in descending into detail, of overlooking the controlling principles around which other considerations should centre.

The author has in no case broken loose from the reported cases and indulged in a prolonged dissertation of theories which the subject invites, but, on the contrary, has kept very closely (and evidently more briefly than the subject and his inclination prompted) to the discussion of the leading authorities. The cases are not merely stated, but are compared and collected in groups closely connected with each other, so that the whole

forms a close, consecutive exposition of the law in a very perspicuous manner. Many of the disputed points have been illumined by an assembly of authorities and a comment more cautious than the matter warrants. The so-called doctrine of "Identification" is thus discussed, as are also the "Degrees of Negligence," with conclusions so clearly presented as to seem inevitable.

The work admirably represents what it was apparently intended that it should—a consideration of the Law of Negligence, and not an exhaustive collection of authorities on the subject. The benefit of such a treatment cannot be doubted. If there is any subject more necessarily dependent on the particular facts of each case, it would be equally conducive to clearness and certainty to have it displayed in as excellent a mode as is exemplified by this work of Mr. Sington. A work such as this induces thought, by which alone one can discover the reason of the law, and, as we are told by Lord Coke, "The Law is unknown to him that knoweth not the Reason thereof, and the known Certaintie of the Law is the Safetie of all."

E. S. R.

ABBOTT'S TRIAL-BRIEF ON THE PLEADINGS. By AUSTIN ABBOTT. Volume I, Demurrer. Volume II, Issues of Fact. Second Edition. Pp. xxxiii+xiii+2120. Rochester: The Lawyers' Co-operative Publishing Company. 1904.

This work of Mr. Abbott's first appeared in one volume thirteen years ago, and has received considerable commendation ever since. The purpose in mind was to aid court and counsel in "getting readily at . . . contests on the merits of the cause;" to offer some work which would help "to reduce the number of mistrials below," an aid which would at once "diminish the discouraging and deterrent effect which such experiences have upon clients, and diminish the number of appeals to crowd the calendars of the courts of last resort."

The new edition appears in two volumes, each larger than the original volume. The revision consists chiefly in bringing the subject down to date in the light of the great number of recent decisions. Some few topics have been developed more fully, both by means of more extended examination of old authorities and also careful work on new. There are many new additions, especially a full and helpful chapter on "Amendments of Pleadings," and each chapter has been extended by several sections, covering points in many cases not mentioned in the first edition.

No book exists which has treated so exhaustively the details

of court procedure and the practice of drawing papers properly and skilfully, and the importance of these subjects amply justifies careful attention to a work devoted wholly to their elucidation and methodical treatment.

E. H. B.

LAW OF PRIVATE CORPORATIONS: A SUMMARY. By LESLIE J. TOMPKINS. Pp. xxxi+264. New York: Baker, Voorhis & Co. 1904.

This book might be termed not inappropriately a "Digest of a Digest," so comprehensive is its subject and so condensed is the treatment here given. It is not primarily for the student, for it would mislead him if he failed to refer to the cases cited. For example, Section 202, under the heading "Gifts Mortis Causa" (in respect of shares of stock), says: "Mere delivery of the certificate of shares with intention to donate, without any indorsement on the back, will constitute a valid gift *mortis causa*; so, too, the delivery of the keys of the depository of the stock is sufficient, or the delivery of the depository itself."

For the most part the language used is taken from the decisions cited; indeed *in toto* the work of the author has been twofold, to select extracts illustrating his thought, and to make a thoughtful arrangement of these selections.

We are unable to think out its reason for being.

E. H. B.

AN EXPOSITION OF THE CONSTITUTION OF THE UNITED STATES. By HENRY FLANDERS. Fifth Edition, Revised and Enlarged. Pp. xii + 326. Philadelphia: T. & J. W. Johnson & Co., 1904.

Mr. Flanders's little book on the U. S. Constitution is too widely known and used to need additional commendation now. Its circulation bespeaks its merits. Such a book will always be in demand—one in which essentials are the body of the work, and one in which elaboration is sacrificed for facts. An accurate knowledge of the theory and practical character of the Federal Constitution should be part of that knowledge which is the working capital of every citizen, and just such a book as this is offered to be every citizen's book. It is clear, accurate, to the point, and noticeably concise. In its preparation the author has done the following: (1) set forth the reasons upon which each clause of the constitution rests; (2) shown "the interpretation that has been given to these clauses by the authoritative exposition of the courts (and so far as practicable,