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CURRENT LEGAL PERIODICALS AND BOOK REVIEWS.

A TREATISE ON THE CONFLICT OF LAWS OR PRIVATE INTERNATIONAL LAW. By FRANCIS WHARTON, LL.D., Member of the Institute of International Law, Author of Treatises on Criminal Law, on Evidence, on Negligence, and on Agency. Third edition. By GEORGE H. PARMELE, of the Publisher's Editorial Staff. In two volumes, pp. cxxiv+1830. Rochester, N. Y.: The Lawyers' Co-operative Publishing Co. 1905.

The first edition of this work appeared in 1872. At that time the number of American decisions on the subject considered by the treatise was comparatively small and Dr. Wharton was induced to refer to European literature for material to aid him in the deduction of the general principles of the Conflict of Laws. Although the number of cases relating to the subject was doubled in this country during the nine years which elapsed before he rewrote his work and produced the second edition, still his method of treatment was the same

which he had adopted in the first edition. Many jurists had written monographs on the various phases of private international law. Dr. Wharton carefully analyzed these and presented to the American Bar the fundamental principles which he had gathered from these and from the decisions of the courts.

The third and present edition has been prepared by Mr. George H. Parmele. The editor has preserved intact the text and notes of the second edition, together with its system of sectional numbering. The matter which has been added is distinguished by a wider spacing, so that the continuity of the former edition may be restored by omitting the spaced portions. To Dr. Wharton's invaluable discussion of general principles has been added the results of the editor's research through the reports of the modern American and English decisions. Many specific questions have grown to be important which were not considered by Dr. Wharton.

The term "Conflict of Laws" has a wider meaning than the one adopted in the treatise. Here it is used to refer to the conflict which arises under the principles of private international law because of the diversity in location or situs of the different elements entering into a question. It does not refer to the conflict which arises because of the co-existence of two systems of jurisprudence over the same jurisdiction.

The two volumes are divided into fourteen chapters. The first of these is devoted to the establishment of "Preliminary Principles." This chapter is practically unaltered. "Domicil" is treated of in the second chapter. The editor has added a consideration of the principles of "Taxation" as affected by the situs of property, debts, etc. The next chapter deals with the general principles of "Personal Capacity." The effect of the Conflict of Laws upon "Marriage" and "Divorce" is the topic next considered. The editor has made many important additions in this chapter. The following two chapters are entitled "Parental Relations" and "Guardianship." Under chapter seven the "Law of Things" is discussed. Here the most valuable addition to the original text is a consideration of the effect of extraterritorial assignments of movables. The second volume opens with the chapter on "Obligations and Contracts." Here the chief additions are discussions on the *lex loci contractus*, on conflicts arising in the interpretation of insurance policies and bills of lading, and of obligations bearing interest. The titles of the remaining chapters are "Succession, Wills, and Administration," "Foreign Judgments," "Practice," "Bankruptcy," "Criminal Jurisdiction," and "Extradition."

The present edition of Wharton on the Conflict of Laws is an important contribution to our legal literature. It embodies