

BOOK REVIEWS.

REPORT OF THE VIRGINIA STATE BAR ASSOCIATION. Vol. 21, 1908.

This volume of the Virginia State Bar Association is notable for the number and excellence of the addresses which were given at the meeting of the association and which are incorporated in the Report.

"The Man and the Corporation", by the Hon. William Lindsay, of Kentucky, is an excellent review of the present relations between the great corporations and the citizen. He quotes the words of James Wilson, "Monopoly, superstition and ignorance have been the natural offspring of literary, religious and commercial corporations", and notes that "the interference of monied combinations in politics is more potent and aggravated now than ever before". He says that we boast that we are a "world power with war ships ploughing every sea", but he does not note that our merchant marine no longer ploughs the sea to an extent that can be productive of any boasts. He advocates the taking up of the question by the lawyers; the manifest duty and unquestioned power of the States to deal with it; the prompt action of the States in regulating the matter, and predicts that the victory will be with "the man".

"The Administration of Justice—Its Speeding and Cheapening", by the Hon. William H. Taft, is an argument for the simplification of judicial procedure. Mr. Taft recognizes the inequality of the burden which rests upon the poor litigant who has to bear delays which are practically ruinous to him, while the richer man or corporation can afford to wait. Delay is to the advantage of the litigant with the longer purse. Mr. Taft, therefore, would limit the opportunity of appeal on questions of procedure, and "the adoption of special methods and systems for the settling of class controversies".

"Federal Control of Intrastate Commerce", by Hon. Wyndham R. Meredith. This is an elaborate review of the question, leading up to the conclusion that there is no advantage to be gained over the present dual control and division of commerce by concentrating it in Federal hands, and that there should be no centralization of that control in the hands of Congress.

"The Legal Foundations of Socialism", by the Hon. Armistead C. Gordon, is a very well-reasoned article in which Mr. Gordon argues that State Socialism, the practical and meaning phase of the socialistic movement in America, is the accompaniment or the result of centralization and of protectionism. Wherever it appears in Democracy, it does so as a protestant against a condition of things that is ceasing to be democratic.

"The Old County Court System of Virginia: Its Place in History", by the Hon. Holmes Conrad. This paper is a history and an historical eulogy of the county court system, not only of Virginia, but of that court from its first beginnings. It is also a plea for the reinstatement of that court among the courts of the Virginian Commonwealth.

"Some Misapprehensions as to Federal Procedure and Jurisdiction", by Judge Henry C. McDowell. This is a detailed and very comprehensive analysis and explanation as to the practice of the Federal courts.

The "Bar Association Reports" are very valuable in that they contain so many admirable monographs upon subjects of unfailing interest; but it is not often that one report contains so many addresses of more than average interest, which are also treated with such conspicuous ability.

MODERN CONSTITUTIONS: By Walter Fairleigh Todd. Chicago: University of Chicago Press. 1909. Two volumes. Pp. 663.

The book consists of excellent translations of the most important modern constitutions, twenty-three in number. In the cases of Austria, Hungary, Austria-Hungary and France, where there is, strictly speaking, no formal Constitution, the Constitutional or Fundamental Laws are substituted by the editor. Mr. Todd has taken particular care with the matter of translation, and has in each case before publication submitted his translation to a competent person for review. By this means he has succeeded remarkably well in finding English equivalents for the technical political words of other languages; and has further secured a text which has not, as have most translations, an all-pervading flavor of the original tongue. The book is intended to serve as one of reference for the student of comparative constitutional law, and is therefore prefaced by a short bibliography of English, French, German and Spanish works on that subject. Each Constitution is also introduced by a brief historical and constitutional sketch of the

country, and by an individual bibliography. The devisions and subdivisions in the text, *e. g.*, "The Legislative Power", "The Executive Power", "The Ministers", etc., etc., and the index, make it an easy matter to trace any particular proposition thro' all of the various Constitutions. The Constitutions, or Constitutional Laws of the following countries are included: Argentine Nation, Australia, Austria, Hungary, Austria-Hungary, Belgium, Brazil, Canada, Chile, Denmark, France, Germany, Italy, Japan, Mexico, Netherlands, Norway, Portugal, Russia, Spain, Sweden, Switzerland, and United States. Changes and amendments (through 1906) are supplied by foot-notes.

S. L.

INTERCORPORATE RELATIONS. By Walter Chadwick Noyes, United States Circuit Judge for the Second Circuit. Boston: Little, Brown, and Company. 1909. Pp. lx., 924. Second Edition.

The appeal to interest in the second edition of a book already favorably known to the legal profession, is its treatment of the distinctively new modern attitude toward combinations of capital. We meet on the first page the remark, inevitable from every writer in sympathy with prevailing philosophical tenets, that modern life demands co-operation, and discourages competition. We are hearing, Hail, co-operation, and Avaunt, *Laisser-faire*, to such an extent, of late, that there is some danger of our tiring of the principle and dropping our oyster shells in the urn of ostracism, as the Greeks did for Aristides—wearied of hearing him called "The Just".

This is not to speak slightly of Mr. Noyes' very valuable contribution to corporation legal literature. The author's analyses of cases are clear and direct—his mind is keenly logical and his arguments are presented forcibly—in other words, we are considering a treatise, and not a collection of cases—*rara avis hujus aetatis*. The discussions on the refusal of courts to enforce contracts, for illegal contracts, disclose that there are plenty of effective common-law means of "curbing predatory wealth".

Mr. Noyes has given the profession a learned and valuable work; on the subjects treated, it is exhaustive, and the classification is admirable.

G. F. D.

