

## BOOK REVIEWS.

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**HAND BOOK ON THE CONSTRUCTION AND INTERPRETATION OF THE LAWS**, Second Edition, Henry Campbell Black, West Publishing Co., St. Paul, Minn., 1911.

It is a notable fact that legal hermeneutics, the science of interpretation and construction in law, although a favorite theme of Continental writers on jurisprudence, has never been a popular subject of study in England or America; the literature relating thereto is mostly modern, and, compared with common law topics, meagre; it is seldom taken into account in the curriculum of the student. The great expansion of legislation in modern times, a process that shows every sign of increasing rather than diminishing, has, however, forced upon the legal profession a somewhat reluctant attention to the principles of statutory construction. No better illustration of this could be found than in the bewildered attitude of the public toward the "rule of reason" so forcefully referred to in the recent trust decisions of the Supreme Court. If English and American text writers have contributed little to the scientific discussion of the problems of hermeneutics, their newer works show at least a decided improvement over the older ones in the exposition of accepted rules. Mr. Black in accordance with the general plan of the Hornbook series presents a condensed statement of the maxims and rules followed by the courts in the construction and interpretation of written law. That his method and arrangement was, for its purpose, practical and satisfactory is evidenced by the fact that a new edition is called for. In this edition many parts of the work have been expanded and rewritten in the light of the important cases decided in the years that have elapsed since the first publication of the work. The number of additional citations is very large and the key numbers of the National Reporter system are introduced in the notes as an aid to the brief maker, who must have the last word on the subject. In the black-letter summaries of principles at the heads of the respective sections the author shows great ingenuity in condensation, while the text is fortified by copious quotations from the reports of cases.

*W. H. L.*

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**THE PANAMA CANAL.** By Harmodie Arias, B. A., L. L. B. London: P. S. King and Son. 1911.

To the student of international law, interested in tracing the diplomatic history of inter-oceanic transit, this book will prove interesting and valuable. As the author, himself, states, it is an endeavor to answer the questions relating to the legal status of the canal and the interest which all nations have in the question of transit. Variations in the policy of the United States with respect to the control of the canal are discussed, as well as the efforts of the United States to abrogate the Clayton-Bulwer Treaty, which were finally successful in 1901, when the Hay-Pauncefote Treaty suspended it and provided for the construction of the canal "under the auspices of the United States." Being written from the English standpoint, the author inclines to the view that the Monroe Doctrine has been used not so much to prevent European interference as to increase the power of the United States. He admits, however, that the doctrine is a principle of self-preservation, which is a right that subordinates itself to no other.

An interesting parallel is drawn between the Suez and Panama Canals, and it is shown how the Convention of Constantinople was adopted by the

Hay-Pauncefote Treaty. This latter Treaty, it is confidently asserted, neutralizes the canal of the future, and the erection of fortifications is thought not to be incompatible with this neutralization.

The author's research is to be commended. Considerable originality has been displayed in the expression of views upon the problems that may arise upon the operation of the canal.

*W. J. C.*

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**CAPTURE IN WAR ON LAND AND SEA.** By Hans Wehberg. London: P. S. King & Son. 1911.

**CASES ON THE LAW OF TRUSTS, (American Case Book Series).** By Thaddeus Davis Kenneson. St. Paul: West Pub. Company. 1911.

**CASES ON MUNICIPAL CORPORATIONS.** By John E. Macy. Boston: Little, Brown & Co. 1911.

**CORPORATIONS AND THE STATE.** By Theodore E. Burton. New York: D. Appleton and Co. 1911.

**HISTORY OF THE AMERICAN BAR.** By Charles Warren. Boston: Little, Brown & Co. 1911.

**THE INDIVIDUALIZATION OF PUNISHMENT.** By Raymond Saleilles. Boston: Little, Brown & Co. 1911.