

BOOK REVIEWS.

BRADBURY'S WORKMEN'S COMPENSATION AND STATE INSURANCE LAW. Harry B. Bradbury. Second edition. Two volumes, pp. 2476. The Banks Law Publishing Company, New York, 1914.

One of the arguments most often heard and which undoubtedly rests on a sound basis is that the substitution of workmen's compensation acts for employers' liability laws will simplify procedure and save to deserving injured workmen the excessive sums which have heretofore been spent in litigation. This end undoubtedly has been attained in a large degree, but for those who are required to consider the laws of several States, the contradictory provisions relating to the same subject are confusing. The rapidity with which new laws have been adopted makes it almost impossible for the student of the subject to keep pace with legislative enactments.

Thus it happens that in the brief space of two years, Mr. Bradbury has found the first edition of his excellent work practically out of date. The development has been so rapid and persistent, indeed, that it seemed impossible to find time to give the new edition final shape so as to include all amendments to the date of publication, and the author tells us that even after the work was in press a rearrangement had to be made to admit the text of another State law. From a purely physical standpoint the task must have been enormous. The first edition, in 1912, consisted of one volume of one thousand one hundred seventy-four pages; the second edition, in 1914, consists of two volumes of two thousand four hundred seventy-six pages. When the first edition was issued, twelve States had workmen's compensation laws in effect; the second edition contains the complete text, with amendments, of twenty-three State laws, and to these have been added the text of the Federal Compensation Act, the laws adopted in the various Canadian Provinces, the British Compensation Act and the British National Insurance Act, and the complete German Workmen's Insurance Code with introductory analysis.

But it is in no sense in its volume that the value of the new edition lies. The rapid development of the subject has compelled the author to construct his second edition anew rather than merely to add to the first. New decisions have modified or amplified the old ones and these have been combined and harmonized as if the first edition had not been written. Then the variety of the decisions and definitions is well nigh limitless, for, it must be remembered, the work could not be confined to the strictly judicial interpretation of the courts alone, but had to take account of decisions by the various semi-judicial accident boards, industrial commissions and public officers whose duty it is to administer the compensation statutes of the various States. Many of these later decisions have not been published elsewhere, and Mr. Bradbury undoubtedly has added greatly to the value of his work by his thoroughness in their collection.

Naturally opinions will differ as to the relative importance of given features of any work, but anyone who has made a serious attempt to keep abreast of the developments in this remarkable economic reformation must be impressed by the great service Mr. Bradbury renders at the very beginning by devoting the introduction of his second edition to a lucid and comprehensive synopsis of the development of the compensation principle, supplemented by a readily understandable statement of two fundamental problems especially important in America,—the extra-territorial effect of compensation laws and the actuarial principles underlying State insurance laws.

Mr. Bradbury next considers the adoption of the "Elective" principle in compensation laws following the decision of the New York Court of Appeals in the now famous case of *Ives v. South Buffalo Ry. Co.*, 201 N. Y. 271

(1911), and the constitutional questions involved in such statutes. He concludes the first part of the introduction with a brief review of the American laws thus far passed.

The extra-territorial effect of the compensation acts is treated exhaustively. The author cites all the adjudicated cases on the subject which were made up to the time the book went to press, and in addition enters into a thorough discussion of the subject from his own point of view. Mr. Bradbury points out the actuarial principles underlying State Insurance Laws and indicates the real danger in a single sentence in which he says: "It is the easiest thing in the world to start an insurance company, provided adequate reserve rules are not enforced."

The chapters on "To Whom the Acts Apply", "Injuries Which Are the Basis of a Claim for Compensation and When They Arise Out of and in the Course of the Employment", and "Administration and Procedure", are exhaustive and satisfactory.

These two volumes contain a complete library on the subject of the workmen's compensation principle as it has been developed from a legal standpoint up to the present time. Anyone who masters the contents of this work may well feel confident that his education as to this particular subject is complete. Anyone desiring to understand the subject thoroughly cannot afford to cover less ground than Mr. Bradbury has covered. The lucidity of the statements of law, the table of contents prefixed to each chapter, a very complete index and table of cases make all this wealth of material easily accessible to the practitioner and the student alike.

LEGAL LORE OF THE BENCH AND BAR OF DELAWARE COUNTY. Edited by Alexander B. Geary, Esq., Chester, Pa., 1914.

This very readable volume contains many examples of the eloquence and brilliancy of the Bar of Delaware County, Pennsylvania, and several original poems of a legalistic character descriptive of well-known events and figures at that Bar. It is the collection into book form of the ceremonies attendant upon the Fiftieth Anniversaries of the admission to the Bar of three of the local leaders: David Marshall Johnson, Esq.; Hon. William B. Broomall, one of the judges of Common Pleas of the County; Hon. Oliver B. Dickinson, United States Judge for the Eastern District of Pennsylvania. This small book will be a lasting and interesting memorial of the lives and careers of these three men among their fellows and the citizens.

R. J. B.

PRINCIPLES OF CORPORATION LAW. Joseph C. France, of the University of Maryland, pp. xxii and 463. Curlander, Baltimore, 1914.

This is one of the best short statements of the fundamental principles of corporation law that has come to the writer's notice. Its chapters dealing with subjects upon which the law is well settled are concise and pointed; and in treating mooted questions the writer displays the rare gift of clearly indicating the exact points where decisions and jurisdictions differ. Naturally the brevity of the work prevents a full historical survey of any or all of the questions with which it deals, but attention is always directed to the bearing which the early law has had on the modern rule.

The statement of general principles is supplemented by a statement of the existing law of Maryland on the particular subject under discussion, inasmuch as the volume is primarily intended for the use of Maryland law-students.

The author intentionally limits himself to problems in which "the rights and duties involved are those of a fictitious person,—one that is made and not born." There is, therefore, no discussion of the conception that it is possible to generalize corporations, partnerships and other forms of association as

groups; a conception through which, to quote Mr. Justice Holmes, "philosophy may have gained," but which omits "one characteristic of the complete corporation as called into being under modern statutes," namely, the interposition of "a non-conductor, through which in matters of business, it is impossible to see the men behind." 208 U. S., at 273.

There are subjects on which the author's discussion of the general law would seem to be entirely too brief, as, for instance, *de facto* corporations, and on other subjects his analysis would not be universally accepted without important qualifications as representing the existing state of the law generally. This, however, must necessarily be true of any attempt to state so extensive a field of law as corporations in as brief a volume as the one under review. Keeping in mind the author's purpose to write a very concise students' outline, his work deserves the highest commendation.

The Uniform Stock Transfer Act and a number of useful forms appear in a short Appendix.

W. A. S.