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BOOK REVIEWS

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CONFLICT OF LAWS; OR, PRIVATE INTERNATIONAL LAW. By *Raleigh C. Minor*, M.A., B.L., Professor of Law in the University of Virginia. Boston: Little, Brown & Co., 1901. 1 Vol., pp. 575.

"The exception is the rule" pithily phrases and suggestively frames the moving cause of the confusion in law which Professor Minor's work seeks to remedy. The conflict of law in the various States, while being gradually adjusted in certain directions, through such commissions, for instance, as State boards for promoting uniformity, is yet the puzzle of students, and the cause of frequent misapprehension by the courts. A work, therefore, that will explain and reconcile this conflict is obviously opportune. *Situs* is the principle, and through this the author focuses his complete subject. "Every point that may come up before a court for its decision must have a *situs* somewhere, and each point that arises will in general be governed by the law of the State where that *situs* is ascertained to be." Noting five exceptions the author applies this yard-stick formula to the body of the law, the result of which is a clear cut idea of the relation and reason of the "proper law," or weight of authority, and the law of the particular place.

DISEASES CAUSED BY ACCIDENTS. *Golebiewski*. Translated from the German by *Pearce Bailey*, M. D. W. B. Saunders & Co., Philadelphia, 1900.

This work is one of a series known as "Saunders' Medical Hand Atlases," published by W. B. Saunders & Co. of Philadelphia.

The original work seems to have been suggested by the Workman's Accident Insurance Law of Germany. Its purpose is to present a systematic description of the sequels of injuries caused by accident, and in addition the probable percentage which the earning capacity is decreased by any given accident. This latter is obtained by averaging a large number of similar cases, consideration being given the vitality of the subject as well as the nature of the injury. The insurers in Germany are an association of employers, and the aim of the system is to approximate exact justice between employer and employee, as nearly as may be. In awarding compensation to the injured employee, this work, presenting as it does the resultants of a vast number of cases, in the form of percentages of decrease of earning capacity, enables the courts to attain an accuracy not excelled by that which the insurance companies arrive at through the use of the mortality tables.

We have no employers' insurance law in this country in which this work could afford any aid in its application. But that fact, and in view of the nebulous condition of the law as to the liability of employers for injuries received by employees, only adds to the interest with which the work will be read. Much of the difficulty in the United States is due to State policy. In a recent case, a railway employee recovered \$8000 in the Massachusetts courts for an injury occurring in Connecticut. The consensus of Connecticut lawyers is that under the facts of the case the damages which could have been recovered in Connecticut would have been merely nominal. All this is farcical. Probably in neither State was justice even approximated. The German system of which this work is an exposition offers a means of obviating just such difficulties as the above. The employers are only called on to supply the deficiency in earning capacity caused by the injury. If that increases, the amount for which the

employing insurers are called on diminishes, and *vice versa*,—readjustments being made for that purpose. Exact justice of course cannot be attained, but it is approximated as near as may be, and hoodling operations against employers and miscarriage of justice to employees actually disabled, is impossible. This work offers to the legislatures of every State of the Union a scheme for a more just determination of the rights and liabilities of employers and employees and its interest to the legal and medical professions is universal.

The book is fully illustrated and very readable, the literary translation being by Dr. Marion McD. Grady.

The following books have been received and will be reviewed later :

THE LAW AND PROCEDURE OF THE UNITED STATES COURTS. By *John W. Dwyer*. George Wahr, Ann Arbor, Mich.

COMMENTARIES ON THE LAW OF STATUTORY CRIMES. *Joel P. Bishop*. Third Edition by *Marion C. Early*. T. H. Flood & Co., Chicago.

A TREATISE ON COVENANTS WHICH RUN WITH THE LAND OTHER THAN COVENANTS FOR TITLE. By *Henry Upson Sims*. Callaghan & Co., Chicago.

A SELECTION OF CASES AND STATUTES ON THE PRINCIPLES OF CODE PLEADING, WITH NOTES. By *Chas. M. Hepburn*. W. H. Anderson & Co., Cincinnati, Ohio.