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BOOK REVIEWS

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the fact that money is paid to them by the party to be expended for legitimate election expenses. Therefore, a court of equity has no jurisdiction to enjoin the chairman of such committee from changing the names of duly-elected members of the committee, or from filling vacancies on such committee with the names of persons not elected, in violation of the rules of the party. Cf. *McKane v. Adams*, 123 N. Y. 609, 25 N. E. 1057.

PROPERTY—PARTY WALLS—REVIVAL OF EASEMENT—DOUGLAS ET AL. V. COONLEY ET AL., 51 N. E. REP. (N. Y.) 283.—Plaintiffs acquired by purchase an easement to pass up and down a stairway situated between two adjoining buildings, also an easement in the party wall, which easements were suspended by the total destruction of the buildings by fire. *Held*, that by the reconstruction of the buildings, including the stairway and party wall, as they existed originally, the easement revived. Gray and Bartlett, J. J., dissenting.

PROPERTY—PERCOLATING WATER—APPROPRIATION—EASEMENT—PRESCRIPTION—LIMITATIONS—INJUNCTION—TRESPASS—CRESCENT MIN. CO. V. SILVER KING MIN. CO., 54 Pac (Utah) 244.—Defendant owned valuable mining property, and a considerable distance therefrom water to supply. He therefore dug a trench and inserted a pipe line under the surface of plaintiff's intervening land, which was unused and worthless. It appeared that the damage to plaintiff was nominal only, and that to restrain the laying of the pipe would cause defendant irreparable damage, and destroy a very large industry in the State. *Held*, plaintiff had a complete remedy at law, and would be required to resort thereto for the recovery of damages attending the alleged trespass. *Held*, further, that no easement could be acquired in the land without plaintiff's acquiescence in the alleged trespass. McCarty, Distr. J., dissenting.

PROPERTY—SUCCESSION TAX—PROPERTY SUBJECT—LEGACY TO CREDITOR. *In re GOULD'S ESTATES*, 51 N. E. Rep. (N. Y.) 287.—Mr. Jay Gould provided in his will that his son George J. should receive for his services to his business interests the sum of five million dollars, to be paid at his death by his executors and trustees. *Held*, that since George J. Gould accepted the legacy in payment of his claim as creditor, it is a transfer within the meaning of Laws 1892, c. 399, declaring that "a tax shall be and hereby is imposed upon the transfer of any property * * * when the transfer is by will."

BOOK REVIEWS.

General Digest, American and English, Annotated, New Series, Vol. V. 1898. Lawyer's Co-operative Publishing Co., Rochester, N. Y. Sheep, pp. 2093.

This Digest contains all cases officially reported, and those not to be officially reported during the first half of this year. It leaves nothing to be desired in the way of completeness, embracing the higher courts of England and the Supreme Court of Canada. The special value of this Digest, aside from its presenting the very latest law on all points, is in the excellent and thorough system of annotation. Where cases do not themselves present the precise point required, it often happens that the Court has, in its decision, cited authorities which are exactly what is wanted, either for analogy or differentiation. Such citations, embraced in the decision of the case digested, are themselves digested, thus offering all the lawyer could wish in the way of a clue upon any point.

Forms of Pleading in Actions for Legal or Equitable Relief, prepared with especial reference to the Codes of Procedure of the various States, and adapted to the present practice in many common law states. By Austin Abbot, LL.D. Completed for publication after his decease by Carlos C. Alden of the New York Bar. Two volumes. Vol. I. sheep, pp. 750. Baker, Voorhis & Co., New York, 1898.

Mr. Abbot has long been an authority on pleading and any work of his scarcely needs a recommendation to lawyers. These volumes contain forms of pleading "of recognized standing, or sustained by actual adjudication," so that the pleader, at loss for a form in any action, will here find a solution of his difficulty in the shape of established precedents.

The General Principles of Constitutional Law in the United States of America. By Thomas M. Cooley, LL.D. Third Edition by Andrew C. McLaughlin, A.M., LL.B., Professor of American History, University of Michigan.

It has been necessary to provide a new edition of this well known book of the late Judge Cooley, to fit the time, and the text of the earlier editions have been carefully revised. Some of it has been wholly rewritten by Professor McLaughlin, where this was necessitated by the different changes in constitutional law. Some of these, as in interstate commerce law, have been very marked, and many of the principles originally stated by Judge Cooley have been modified by the Supreme Court. A new chapter has been added on state constitutions, making the book more complete and admirable than ever before.

A Trustee's Handbook. By Augustus P. Loring, A.B., LL.B., of the Suffolk Bar. Little, Brown & Co., Boston, 1898, cloth, pp. 158.

This little book states tersely and clearly the fundamental principles underlying the relationship of trustee and beneficiary and serves at the same time as a condensation of well established rules of law which are applied to trust estates in their creation and management. The book will not only be exceedingly valuable to professional men as a genuine handbook, but very practical for general readers. One who finds himself a beneficiary, and wishes to know his exact status before the law, will gain all the information he needs from this book, and its possession by persons who act as trustees will save them much perplexity and perhaps prevent serious errors.

A Selection of Cases on the Law of Contracts. By William A. Keener, Kent Professor of Law and Dean of the Faculty of Law in Columbia University. Two volumes, cloth. Baker, Voorhis & Company, New York, 1898.

Professor Keener is an enthusiastic advocate of the case system of law instruction, and has collected in these volumes such cases as best illustrate the well-defined principles of the law of contracts. Whatever method the young student may employ, he will find these cases unusually helpful. They have been admirably chosen and arranged.

Selected Cases on the Law of Property in Land. By William A. Finch, Professor of Law in Cornell University College of Law. Cloth, pp. 1141. Baker, Voorhis & Company, New York, 1898.

This book will be very helpful to students in connection with lectures on the Law of Real Property. The arrangement is very good, and the book will be a valuable addition to other selections of cases on the law of Real Property.