

REVIEWS.

The Alaska-Canada Boundary Dispute. An Historical and Legal Review. By Thomas Hodgins, M. A. Reprinted from the Contemporary Review. Wm. Tyrrell & Co., Toronto. 1903.

By the British-Russian treaty of 1825 the part of the boundary chiefly in dispute was to follow the "crest of the mountains situated parallel to the coast," and in case the mountains proved to be more than ten leagues inland, was to run "parallel to the sinuosities of the coast," and not more than ten leagues from it.

Throughout almost its whole extent the boundary is disputed, but the vital point, since the Klondike gold discoveries, is whether the line is to cross or go around various inlets of the sea, notably Lynn Canal, at whose head are the three towns which command the passes to the gold fields.

The control of these towns is the crux of the whole controversy. Hence although for settlement, or even a clear comprehension, the whole question must be discussed, Mr. Hodgins has chosen, and very properly, to confine his argument on the merits of the case to the proposition that the line should cross inlets of the sea, not encircle them. He appeals to the principle of international law that a country owns the water along its coast three miles from shore, and all channels, sounds, etc., shut in by islands, as well as inlets into the mainland. Such bodies are, in international law, he maintains, an integral part of the country, and so equivalent to land. The Lynn Canal then, in establishing the line "parallel to the sinuosities of the coast," should be regarded not as water but as land, and the boundary should be carried across the canal ten leagues from its mouth. This would throw the head of the canal into British territory.

The argument would seem to involve a very questionable application of international law. The principle invoked is a rule laid down for the benefit of the nation owning the coast. As Mr. Hodgins applies it, it works a hardship to that nation. The principle has regard to foreign ships sailing the ocean; not to an inland boundary line. That inlets are land for all purposes of international law is too broad an assumption.

Moreover the argument defeats its own purpose, for if the Lynn Canal is land, the whole of the narrow channel between the mainland and the chain of islands lining the coast is land, and it becomes as illegitimate to measure from the one as from the other. The ten league strip would have to be measured from the outer line of the whole group of islands, an absurdity which no one maintains.

The remainder of Mr. Hodgins' article is a plea for arbitration. It is strong, but his failure to fully establish his premises makes it inconclusive.

The reader feels, too, that the author hardly does justice to the case of the United States. But this is perhaps too much to demand of a lawyer in the presentation of his case. *W. M. A.*

British Rule and Jurisdiction Beyond the Seas. By Sir Henry Jenkyns, K.C.B. Clarendon Press, Oxford. 1902. pp. 300.

There was probably no man in the British Empire better fitted to write a work of this nature than the late Sir Henry Jenkyns. For thirty years he had held, either as Assistant or as Chief, the office of Parliamentary Counsel to the Treasury. As it chanced, this period of his official life was a most significant one for the English Parliament. During it, measures of the greatest importance and far reaching effect were enacted. From the nature of his office, the drafting and preparing of a great majority of these was entrusted to Sir Henry. This necessitated searching investigations of matters almost infinite in their variety, and in time constituted him, as Sir Courtenay Ilbert says in his preface, "a veritable encyclopaedia of ** information." It is to a mind thus replete with legislative knowledge and experience, and with perhaps none more fully than that relating to England and her Colonies, that we are indebted for the present volume.

For the purpose of showing its scope and value, we append a cursory outline of the work. By way of introduction, the author defines first the different classes of territories now under British jurisdiction. Having done this in a very lucid manner, he proceeds to treat of the relations existing between these Territories and the Home-Government. Colonies Self-Governing and those Not-Self-Governing are then taken up, the former being especially considered in connection with the recent Australian Commonwealth Act. Closely associated with this branch of subject is a chapter on Colonial Governors, with a careful explanation of their powers and influence. Under the heads of Extra-Territorial Jurisdiction and Consular Jurisdiction, the English courts proper and the Territorial courts are examined and their jurisdictional limits defined. Following this comes a very interesting discussion of Foreign Subjects, particularly as respects their position in British Protectorates. Appendices contain tabulated lists of the Self-Governing and Not-Self-Governing Colonies, together with various Acts and Commissions relating to the general subject. The volume concludes with a very full and complete index. *E. T. C.*

A Treatise on the Law of Intercorporate Relations. By Walter Chadwick Noyes, a Judge of the Court of Common Pleas in Connecticut. Little, Brown & Co., Boston. 1902. Sheep, pp. 703.

The fact that the first edition of this work was exhausted ten days after publication and that within a year it has been reprinted for the third time, in the case of a law book, is enough to put one upon inquiry. The cause of the popularity is not hard to discover. First, it is a new book on a subject which is rapidly developing.

Second, it appeals to the practitioner as well as to the student, for nearly half the space is taken up with foot notes citing cases down to 1901, and many times giving a digest of the law on the point under discussion as it is held in the various States. An example of this may be found on pages 84 to 89, which are practically given up to citing the statutes of the various States on the method of consolidation. Again pages 588 to 604 are given up to a summary of all the State laws against combination. Much of the text itself is given over to the discussion of specific cases and often half a page will be taken up in this way.

In very rare instances does the author express his own views, and one might almost call the work a digest of cases. It is divided into five parts, as follows: Part I, Consolidation of Corporations; Part II, Corporate Sales; Part III, Corporate Stockholding and Control; Part IV, Combinations of Corporations; Part V, Legislation Affecting Combinations.

The work is free from errors, admirably arranged and many little things, such as the printing of the date of every case cited, add to its usefulness.

C. D. L.

ACKNOWLEDGMENTS:

A COMMENTARY ON THE LAW OF MINES AND MINING RIGHTS. By Wilson I. Snyder, of the Utah Bar. T. H. Flood & Co., Chicago. 1902. 2 vols., pp. 1464, sheep. *Review will follow.*

A TREATISE ON THE LAW OF BANKS AND BANKING. By John T. Morse, Jr. 4th edition. Revised, rearranged and greatly enlarged by Frank Parsons. Little, Brown & Co., Boston. 1903. 2 vol., pp. 1490, sheep. *Review will follow.*

THE ADMINISTRATION OF DEPENDENCIES. A Study of the Evolution of the Federal Empire with Special Reference to American Colonial Problems. By Alpheus H. Snow. G. P. Putnam's Sons, New York. 1902. Cloth, pp. 619. *Review will follow.*

THE PIOUS FUND OF THE CALIFORNIAS. Report of Jackson H. Ralston, agent of the United States. With pleadings, appendix, exhibits, briefs and record of the entire proceedings before The Hague Permanent Court of Arbitration. Senate Document, No. 28, 57th Congress, 2nd session. Washington, Government Printing Office. 1902. Paper, pp. 891.

OUR NEW PEOPLES: CITIZENS, SUBJECTS, NATIONALS OR ALIENS. By Frederic R. Coudert, Jr. Reprinted from Columbia Law Review, Jan., 1903.