

## BOOK REVIEWS

*Die Hauptfragen des internationalen Privatrechts.* F. Meili, Breslau, 1910. J. U. Kern's Verlag.

In this reprint of an article in the "*Zeitschrift für Völkerrecht und Bundesstaatsrecht*," originally an address before the Cologne Society to promote legal and political science, Professor Meili, of Zurich, has essayed to put into sixty pages a discussion of the great questions of International Private Law, as respects civil rights and remedies.

At the outset he calls attention to their growing importance in this new era of rapid and varied means of international intercourse. The Hague Conventions have made some things certain for some nations, but this requires every lawyer who deals with any of them to add one field more in determining the scope of his investigations, and to keep a still sharper lookout for the decisions of the courts.

The prevalent rule in Europe that the civil status and rights of foreigners residing in a country continue largely under the control of their own sovereign, Dr. Meili thinks, calls for limitations where they constitute a considerable part of the population. Germany may afford to give its general adhesion to the doctrine, when out of the millions in Berlin not 50,000 are aliens; but how is it in his own city with a third of its inhabitants foreigners, or in the city of Geneva, where over forty per cent are?

The Anglo-American doctrine as to contracts with foreign minors is stated, with too little reserve, as importing that the *lex loci contractus* governs in all cases, so that a Swiss, who is of age at twenty, could not be held on a contract made in an American State, where the age of majority was twenty-one. This is by no means to be admitted. The author is not particularly pleased with the effect so given this rule in respect to marriages. England, he says, has become the resort of all in Continental Europe who would not be permitted to marry at home.

Considerable space is justly given to the work of the four Hague Conferences for the promotion of private international

law, and confidence is expressed in its permanently affecting the course of international jurisprudence.

S. E. B.

*The Statute and Case Law of the State of New Jersey Relating to Business Companies.* By James B. Dill, Judge of the Court of Errors and Appeals of New Jersey. Edition of 1910. Sinnickson, Chew & Sons Company, Camden, N. J.

The author of this book has presented to us the law of New Jersey as it is, and so has compiled a work of direct practical value to practitioners. Containing, as it does, a complete statement of the act of 1896 relative to business companies, with all amendments and changes, and appending to each section of the statute the decisions in construction thereof, the work embodies reliably the corporation law of our greatest corporation State.

The plan of the book is to combine decisions directly with statute sections for convenient reference. Each section of the general corporation act is followed by concise and clear statements of the principles deduced by the courts from those statutory provisions. The cases cited are few and select. By cross-references it is easy to consult relevant sections and decisions. A further advantage is that the book contains not only the usual catalogue of cases and index of contents, but also a complete set of the forms required for the various legal applications, notices and certificates.

When we turn from an analysis of the mere method of composition and come to consider the general scope of this work of law, we are impressed by the simple, yet thorough treatment. We do not look in a reference work for a full discussion of theories. The book before us is a supplement to a well-versed lawyer rather than a text-book for the novice. Yet the expression in such narrow compass of so many principles tends to display rather than repress the spirit of fine judicial scholarship of Judge Dill.

While our corporation law continues to be expanded and reformed, it is essential that members of the bar be kept abreast of the changes. The best corporation text-books are destined to become early obsolete. Statutes are enlarged; decisions are re-

versed; and the courts of some states, as in New Jersey, may be in the process of a gradual change of attitude on pivotal questions. It becomes necessary to hear the latest principles expounded from the summit of authority.

W. E. C.

*The Legislation of the Empire.* 1898-1907. Edited under the direction of the Society of Comparative Legislation by C. E. A. Bedwell, Librarian to the Honorable Society of the Middle Temple. With a Preface by the Rt. Hon. the Earl of Rosebery, K.G., K.T., D.C.L., LL.D., F.R.S., President of the Society of Comparative Legislation. And an introduction by Sir John Macdonell, C.B., LL.D., one of the Masters of the Supreme Court, London. Butterworth & Co. 1909. 4 vols., pp. xxxv.

The Society of Comparative Legislation, to which the credit for the publication of this work belongs, was established in London in 1895. The late Lord Herschell was the first president of the society, and it at once received general recognition from the English Bar. In addition to these volumes it has published an annual journal, which is regarded as an invaluable aid to Parliament as well as to judges and barristers throughout the United Kingdom.

The French Bar set an example to other countries as respects publications of this sort by establishing as early as 1869 the *Société de Législation Comparée*, and by publishing its bulletins monthly, which contain comments on leading discussions, important legislation, book reviews and articles on special subjects treated comparatively from the historical and modern standpoints. The society holds conferences once each month and has a library of 40,000 volumes. Its members are said to be among the foremost men of the French Bar.

In Germany in 1905 the Berlin Society for the Study of Comparative Jurisprudence and Political Economy—*Vereinigung für vergleichende Rechtswissenschaft und Volkswirtschaftslehre*—commenced publishing supplemental *Blätter* devoted to the bibliography of current legal literature and discussions of new legislation in foreign countries.

In the United States, in 1907, the American Bar Association authorized the organization of the *Comparative Law Bureau*. The *Bureau* publishes an *Annual Bulletin*, containing a review of legislation and bibliography of each of the important countries of the world. In Brussels, in 1908, there was organized the *Institut de Droit Comparé*, which publishes *Revue* of merit.

In Spain, in 1908, there was established at Madrid the *Institute Ibero-Americano de Derecho Positivo Comparado*, which publishes the *Revista de Legislación*.

The New York State Library has published for some years a *Year Book of Legislation*, which gives a review of legislation of other states and foreign countries. In Wisconsin and Pennsylvania a somewhat similar work is being carried on.

It is evident, therefore, that in various countries and in recent years the lawyers and the members of law-making bodies have become aroused to the importance and advantage of knowing what is being done in other states and countries than their own in the matter of legislation.

These volumes on the *Legislation of the Empire, 1898-1907*, constitute the most important single publication appearing since the movement in this direction has gotten under way. Their publication will give almost as much satisfaction in the United States as in the British Empire itself. The books will, without doubt, speedily find their way not only to all the State Librarians, but to all important law libraries in the country.

The books contain an index and summaries of the chief legislation in all British dominions in each of the years covered, as well as summaries of the principal statutes and ordinances of all parliaments and legislative assemblies in the British Empire. In these ten years there were passed some 25,000 statutes and ordinances, filling some 60,000 pages and representing the work of some eighty legislative bodies, governing some four hundred millions of men and women, "the largest number of persons living under one political organization."

The ten years covered by these volumes have been eventful ones for England, as well as for some of the colonies. It has

been, as Lord Rosebery has said, an era of construction. The laws which have been passed have been largely laws which have been aimed at moulding society in a particular direction. As certain tendencies in British legislation have also been manifested in our own country, it is of very great importance to American lawyers and American legislators to know what the British Parliament and the parliaments of the colonies have been doing in the same direction, and how far their measures have succeeded and how far they have failed.

The first volume of this work covers the legislation of the British Isles (including the United Kingdom, the Isle of Man, Jersey, Guernsey), the North American Provinces, (Canada, Alberta, British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Prince Edward Island, Quebec, Saskatchewan, Northwest Territories, Yukon Territory, New Foundland, Bermuda); and that of the Commonwealth of Australia, New South Wales and Queensland.

The second volume includes the legislation of South Australia, Tasmania, Victoria, Western Australia, Territory of Papua, Dominion of New Zealand, and the ordinances of the Legislation Council of Fiji, as well as the legislation of South Africa (Cape of Good Hope, Natal, Orange River Colony, Southern Rhodesia and the Transvaal).

The third volume contains the legislation of British India (Bengal, Bombay, Burma, Eastern Bengal and Assam, Madras, Punjab, United Provinces); that of the Eastern Colonies (Ceylon, Hong Kong, Straits Settlements, Federated Malay States, Mauritius, Seychelles and Wei-hai-Wei); that of Central and East Africa (Nyassaland Protectorate, East Africa, Somaliland and Uganda); that of West Africa (Gambia, Gold Coast, Ashanti and Northern Territories, Northern Nigeria, Southern Nigeria and Sierra Leone); that of the West Indies (Bahamas, Barbados, Jamaica, Leeward Islands, Antigua, Dominica, Montserrat, St. Christopher and Nevis, Virgin Islands, Trinidad and Tobago, Windward Islands, Grenada, St. Lucia, St. Vincent); that of the South Atlantic (British Guiana, British Honduras, Falkland Islands, and St. Helena); and that of the Mediterranean Colonies (Cyprus, Gibraltar and Malta).

The fourth volume is devoted exclusively to the Index.

No one can examine this work without being strongly impressed with the fact that the years covered by these volumes have been in a remarkable degree prolific in new laws on novel topics. The work contains much of international interest on such subjects as Betting, Children's Courts, the Employment of Children, the Medical Inspection of Children, the Care of Dependent Children, Corporal Punishment, Cremation, the Regulation of Dairies, Electricity, Employer's Liability, Factory Legislation, Adulteration of Foods, Forestry, Habitual Criminals, Income Tax, Industrial Arbitration, Industrial Schools, Insect Pests, Intoxicating Liquors, Land Registration, the Legal and Medical Professions, Locomotives on Highways, Motors, Old Age Pensions, Prevention of Diseases of Plants, Railways, Succession Duties, Teachers' Pensions, Telegraphs and Telephones, Sale of Tobacco to Juveniles, Trustees and Trustees' Investments, Vaccination, Wages and Wages Boards, and Wireless Telegraphy. There is also a large amount of legislation in regard to crime.

An examination shows that many statutes have been passed curtailing liberty. There are scarcely any acts facilitating or extending the right to divorce, and the fact has been commented upon that in this respect there is a marked difference between the Colonial legislation and that of our own states. The tendency of legislation respecting the sale of alcohol is drastic and the liquor trade has been treated everywhere as a more or less dangerous trade. The evil which, next to drinking, has received the most attention of the law-makers has been betting. The money-lender has also received a very large share of the attention of the law-makers. There has been much legislation looking to the protection of the public health, and also a very large amount of labor legislation and much of it of a most interesting character.

The work is handsomely printed, the paper being good, and the type large. The Cromarty Law Book Company, of Philadelphia, are the sole agents for the sale of the work in the United States. The price is \$12.00, cloth binding.

*H. W. R.*