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BOOK REVIEWS

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Water Rights in the Western States. By Samuel C. Wiel, of the San Francisco Bar. Third Edition. Bancroft-Whitney Company, San Francisco.. 1911. Two Volumes, pp. xlvi, 2067.

The subject of "Water Rights" is daily becoming of more and more importance, especially in the United States, and in particular in our Western States where irrigation is being so rapidly and extensively developed. The growing importance of this branch of the law is strikingly shown by the fact that the second edition of Mr. Wiel's work on "Water Rights" was exhausted within a year and some months after issuance. It was because of the quick exhaustion of the second edition that the third edition, which is now under review, was prepared.

As a result of its rapid development, the law governing water rights is in much conflict and confusion. Consequently, to correctly and adequately formulate the law on this subject necessitates not only a thorough understanding of the subject, but also much care and thought. The aim of the volumes under present consideration is to present the law as it actually is, and not a portrayal of what it ought to be. The work is a comprehensive review of the existing law on the subject. The cases are carefully analyzed and set off one against another, and the author's conclusions as to what the law is are sharply drawn. The book is written in a very readable style. At the end of a large proportion of the chapters a section is devoted to summing up, which adds much to the clarity of the work.

The author has been extremely modest in writing this book. In his endeavor to set forth only the existing law, he has practically eliminated his own opinions from his work. This is to be regretted, for it is apparent that he is thoroughly familiar with his subject, and the purpose of a text-book is not only to state what the law is, but also to give the writer's views as to what it ought to be.

Although the book is entitled "Water Rights in the Western States," many subjects of general importance are discussed, as

pollution, riparian rights, and percolating waters. The digest of the Federal statutes and those of the Western States, and the forms in use in these States, to which are devoted some 440 pages in Volume II, will be of much value for ready reference.

We suppose the third edition has been made sufficiently large so that it will not be exhausted in so short a time as the second. There will undoubtedly be a demand for this book, which in an able manner brings up to date one of the new and fast developing subjects of the law.

H. C. C.