BOOK REVIEWS.

A Treatise on the Law of Trusts and Trustees. By James Ware Perry. Fifth Edition, by John M. Gould. Little, Brown & Co., Boston, 1899. Sheep, 2 Vols.

The history of the law of trusts from its early beginnings in Fidei Commissa through the English "use" down to the present day, has been characterized by an almost continuous growth and expansion. Courts have extended the application of its general principles to almost every relation in life or course of dealing, and with the commercial progress of the present century and its attendant complexity of business and social relations this extension has been very rapid, and the subject becomes of great importance to the modern lawyer. Mr. Perry's text is too well and favorably known and too generally embodied in judicial opinions to need any commendation or praise, but as the decisions of the ten years which have elapsed since its last edition, have not only extended the field of cases to which the author's general rules are applied, but also have qualified or limited his statement of some of these rules, the present and fifth edition will be welcomed by the legal profession generally. Mr. Gould has left the text of the fourth edition unchanged, but in footnotes and citations has indicated and illustrated the lines of departure. His notes are are very full and show the great care with which the edition has been prepared.

The Law of Presumptive Evidence. By John D. Lawson, LL.D., Professor of Contract and International Law in the University of the State of Missouri. Second Edition, Revised and Enlarged. Sheep, pp. 674. Central Law Journal Co., St. Louis, 1899.

It has been frequently pointed out in the books that many presumptions commonly called rules of evidence are purely rules of substantive law. But their authority to be treated under the head of evidence rests upon prescription, and we think the distinction will continue to be noticed merely for purposes of illustration.

The author, from an exhaustive examination of cases, has deduced 139 rules which he sets forth as the law governing presumptions. Under each rule, as stated, a set of illustrations is given, taken from decided cases, with a further commentary, showing the conflict of authorities wherever it exists upon any rule.

The scheme, as developed by the author, is an original one of very great merit. The book is, practically, in form, a codification of the law on this subject.

First Steps in International Law. By Sir Sherston Baker, Bart. Little, Brown & Co., Boston, 1899. Cloth, pp. 428.

The questions of international law raised during the late war between Spain and the United States concerning the rules of warfare and the position of neutrals, together with the English claim of the right of suzerainty in the Transvaal, and the advent of our own government under the direction of the present administration into the field of colonial expansion, whether we call it according to the dictates of our own conscience, "imperialism," or "manifest destiny," has increased the desire of the intellectual American public to know more concerning the first causes of war, the position of neutrals, the sovereignty of States and the rights of independence and self-preservation.

The present treatise explains fully the great underlying principles of international law in easy language and fascinating manner, and deserves its title because of the clearness of its style for the general reader, and not because of its failure to fully elucidate the questions discussed.

To the student and members of the legal profession, the chapter relating to Prizes Courts, their Jurisdiction and Proceeding, together with the digest in the appendix of some of the more important cases, will be of special interest.

American Practice Reports. Vol. 1. Editor-in-Chief, Charles A. Ray. Washington Law Book Co., Washington, D. C., 1899. Pp. 726.

This initial volume of a series of reports is significant of a possible movement in American law practice, which may go even further than did the establishment of the New York code and the many subsequent codes of practice of the other States. The attitude of lawyers to-day is most favorable to a greater simplification of the methods of pleading and court practice, and hence a book which by compilation shows the most recent constructions of settled principles of pleading and practice is certain to suggest a still further elimination of unnecessary provisions. The value of reports of this kind is without question both for the admitted practitioner and the embryonic student of the law. The preface of Editor Ray (whose ability and reputation as Chief Justice of Indiana are acknowleged to be of the highest order) presents interesting data, showing that the average length of lawsuits in this country is from eighteen months to six years, and that no less than 38 per cent. of reversed cases, are reversed not on questions affecting the merits of the case, but on points of procedure. These are remarkable figures and their existence is certainly not evidence of the speedy administration of justice. Justice even from human agencies should come nearer infallibility than this. While the Practice Reports will be of value to both judges and lawyers as a guide and time-saver of tremendous importance, yet it stills appears as if its greatest influence would be in inducing a further reformation both of common law and code-practice. This will not be in the immediate future, in all probability, but should occur with the increasing volumes of these reports showing conclusively the many unnecessary and injurious requirements of latter-day procedure. Not the least impressive aspect of these works is the fact that almost without exception, the justices of the courts of last resort of this country have applauded and endorsed the publication, and lent to it their aid and support.

The Law of Pleading under the Codes of Civil Procedure, with an introduction briefly explaining the Common Law and Equity Systems of Pleading, and an analytical index, in which is given the code provisions as to Pleading in each of the States which has adopted the reform procedure. Second Edition. By Edwin E. Bryant, Dean of Law Faculty, University of Wisconsin. Little, Brown & Co., 1899. Cloth, pp. 400.

The title of the book as given above fully explains the scope of the work, which is as the author points out in the preface "intended rather as introductory to than a substitute for the more elaborate and exhaustive treatises on the Law of Pleading." Thus to the student intending to practice in a code State who wishes to obtain an elementary knowledge of the radical differences between common law and code pleading on which to build a foundation for the more elaborate study of code procedure, this little work will be of great value, in fact invaluable. This fact, together with the highest testimony of its true worth, has been demonstrated by its adoption as the elementary text book on code procedure by many of the leading Law schools in the country.

Commentaries on the Law of Private Corporations. By Seymour D. Thompson, LL.D. Bancroft-Whitney Co., San Francisco, 1899. Seven Volumes. Vol. II.

A supplementary volume containing recent decisions from 1895 to 1899, and also a general index of the whole work.