

2-1928

## Interstate Succession in Scotland, by James Walker

Paul L. Sayre

*Indiana University School of Law*

Follow this and additional works at: <http://www.repository.law.indiana.edu/ilj>



Part of the [Common Law Commons](#), and the [Comparative and Foreign Law Commons](#)

### Recommended Citation

Sayre, Paul L. (1928) "Interstate Succession in Scotland, by James Walker," *Indiana Law Journal*: Vol. 3: Iss. 5, Article 8.  
Available at: <http://www.repository.law.indiana.edu/ilj/vol3/iss5/8>

This Book Review is brought to you for free and open access by the Law School Journals at Digital Repository @ Maurer Law. It has been accepted for inclusion in *Indiana Law Journal* by an authorized administrator of Digital Repository @ Maurer Law. For more information, please contact [wattn@indiana.edu](mailto:wattn@indiana.edu).



**JEROME HALL LAW LIBRARY**

INDIANA UNIVERSITY  
Maurer School of Law  
Bloomington

*Interstate Succession in Scotland*, by James Walker. William Hodges & Co., Ltd.: Edinboro. 1927. Pp. 188. Price 15 shillings.

This is an admirable book. The American reader must feel that the book would be of real usefulness to the legal profession in Scotland while he himself is grateful to have such a work before him for comparative study. Since the civil law prevails in Scotland, though in a much diluted form, the law of intestacy in that country in its contrast with the law of intestacy of England is a very interesting subject. We see here the workings of the common law theories of inheritance with the retention of many of the old Roman law terms, and at the same time, see the incursions of the common law theory and the certain amount of compromise between the two systems. The common law extends itself slowly but it takes a tenacious hold upon any territory which it has once invaded. Thus in Scotland, the invasion by the common law had been somewhat limited, but it seems fair to say that its conquest will be permanent. This is not true merely because it brings all the civil law in Scotland or interprets the common law changes in the high courts of the British Empire but also because of the nature of the common law itself.

American lawyers should find great interest in this book. Not only in England but in other leading countries of the world there has occurred a very considerable change in the law of inheritance within recent years; he would have considerable hardihood who alleged that no extensive though different overhauling of the law of inheritance would occur in our states in the near future. When changes in this field are demanded, it is of the first importance that our lawyers should be familiar with the efforts and the principles and the achievements that have occurred elsewhere, not that we may copy their work but that we may learn from it and proceed in our own work more effectively.