Races, Nations and Classes, by Herbert Adolphus Miller

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their original lodging places in the various volumes of *Social England* does not make them accessible to the general public or even to most members of the legal profession, it seems that Professor Colby has done a real service in collecting them and presenting them in a single volume with appropriate notes and an appendix giving a good deal of interesting and helpful historical matter. It is true that we have Professor Jenks' "A Short History of English Law." In view of its length there could hardly be a more scholarly and thorough piece of work than this. And yet this volume containing articles by Maitland and Montague has a real place in English legal history. Professor Jenks' book is somewhat hard reading and while it is brief, it is so far scholarly as to treat the different matters involved with technical accuracy and in a strictly professional manner. These papers by Maitland and Montague however are even more brief in their summary treatment of English legal history and in addition to this they are very easy reading. The ideas are set forth as one would expect them to be considered in a book of general literature rather than with the formation which, for better or for worse, we have come to expect as essential parts of legal works. The book makes excellent reading. One who has had pretty thorough training in legal history will delight to read it through and will get a new understanding of familiar ground through the delightful interpretation which is here presented. For the lawyer who has not had time for a thorough work in legal history the reviewer feels that this book will prove invaluable. Without the forced attention which we have come to regard as incidental to "study," the reader may gain from this book an extraordinary amount of accurate information and understanding. For instance the discussion of development of equity and of the criminal law gives a picture of these two branches of legal history which only a master could produce in so short a space.

The reviewer is inclined to feel that students and lawyers often deceive themselves in their knowledge of legal history. They may do considerable work in the field and conclude that they must have a rather adequate knowledge because they have gone through the form of working in the field. In other words, there is likely to be a certain amount of forced application which may not result in actual understanding of the matters involved. It is suggested therefore that the reader can go through this book with the reasonable assurance that he can pursue it with real profit and then proceed with greater safety and advantage in the consideration of Jenks, Pollock and Maitland, and the crowning work of Holdsworth.


It seems to the reviewer that this is a most timely book. Perhaps this will be no news to the reader since the book has been out several years now and since it has been reviewed in a most favorable way in other periodicals. If the reader, however, has not read the book he has a valuable and pleasurable experience in store for him. It may well be that the book was even more opportune in 1924 when it was published since it came at the height of the Ku Klux Klan difficulties in America and the ambitions of nationalistic groups in Europe.

Professor Miller's entire presentation seems to be scholarly and impartial. This is high tribute when we consider that he is dealing with imme-
diate social phenomena that involved current passions and prejudices. Professor Miller's impartiality, furthermore, is not the current, detached kind; he seems to be impartial from a familiar knowledge of all the elements involved and a real sympathy with each of the opposing factions within a single nation or among different nations. His outlook seems to be singularly admirable when he is dealing with religion and social factors that are highly delicate and that some have felt could not be presented impartially.

The book contains chapters on the different groups within the several nations considered from religious, political, social and psychological points of view. In general, however, the author discussed the difficult situation that obtains in Central Europe and the problems of the Irish, the Negro, and the Jew as they appear in several countries and under different situations. He also deals with immigration and Americanization in this country in a manner that is altogether refreshing for its sanity and its broad understanding.

The book is impressive to the reviewer, who is peculiarly ignorant of the many factors that it contains, especially because it analyzes many of the political groups that he has hitherto been inclined to think of as unities. For instance, Professor Miller sets forth the different social and economic groups in Poland from which he finds an explanation for their tendency to democracy on the one hand and the tendency to imperialistic conquest on the other. It is submitted that only when general, popular ignorance on broad political questions has been alleviated, so that we can entertain opinions with regard to the different elements in a country rather than indiscriminately for the whole country, can we expect an intelligent basis for avoiding needless conflicts, whether between economic and social classes or between religious, economic and nationalistic groups.


This little book should be invaluable for lawyers in England since it comments upon the extraordinary changes that have come about through the English land law legislation that culminated with the real property act of 1925. It may be said that the book deals mainly with the functions of administration although it has some exposition of the settled land doctrines and the new rules governing heirs and next of kin. The book does not contain the English statutes themselves which involve the changes that it discusses. Perhaps these acts are too long for inclusion in such a small book although it seems that direct reference to them in an appendix would have been helpful.

The book is of especial indirect interest to American lawyers since it causes us to consider how long it will be before the law of intestacy in our several states will be subjected to a general overhauling and what provisions we should wish to enact into statute when that time comes.

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