



The Swiss Civil Code: Of December 10, 1907 (Effective January 1, 1912) (Classic Reprint)

Eugen Huber

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Excerpt from The Swiss Civil Code: Of December 10, 1907 (Effective January 1, 1912)

When the Comparative Law Bureau was inaugurated in August, 1907, as a branch of the American Bar Association, the final draft of the Swiss Civil Code had already attracted the attention of legal scholars on both sides of the Atlantic. The publicity given its preparation revealed the high mastery of its author, Professor Eugen Huber, Dr. Jur., rer. publ. et phil., of the University of Berne, in dealing with and moulding into a practical yet scientific whole a multitude of ancient, local, contradictory and seemingly irreconcilable customs and statutes, cantonal and federal, which had in the course of centuries culminated in conditions no longer tolerable by an enlightened people. The gigantic and truly remarkable product of that great Master Mind in Jurisprudence was unanimously adopted without amendment in December, 1907, by the National Council and the Council of the States, to become effective on January 1, 1912, unless rejected by referendum. So well known and popular had the work become that no referendum was demanded and for the first time Switzerland was endowed with a common federal civil law.

Lawyers in this country who had observed the progress of this codification could not overlook the many features of similarity between the Swiss conditions and those difficulties our various systems of legislation and jurisprudence have long presented and which in time will demand some like remedy. The matter being precisely within the field of the Comparative Law Bureau, a member of its Editorial Staff, the late Charles Wetherill, Esq., of the Philadelphia Bar, proposed that the Bureau publish an English translation of the Code.

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