BOOK REVIEWS


"The basic purpose of the present volume is to make available to the legal profession a practical working tool for use in preparing for trial and in preliminary interviews with clients," says Spellman in stating the primary motive of his work. The original edition of this book was written by Samuel Deutsch and Simon Balicer. The present book is new in arrangement and in content and contains much more material, the problems of which it treats having been greatly increased in number.

This work deals with the proof of prima facie cases by the question and answer method, beginning with "Account Stated" and going alphabetically through "Work, Labor and Services." The examples are many in number covering all of the common causes of action in their various forms which arise in the practice of law. The questions and answers set forth are limited to the minimum requirements needed for proving the case.

After each set of questions and answers are short paragraphs entitled "Hints," suggesting possibilities to the lawyer of certain problems which might arise in the particular cause. Following the "Hints" are "Source" cases with citations from various jurisdictions of leading cases on the subject.

The last part of the book consists of two trials in full which set forth the questions propounded by the attorneys for the plaintiff and the defendant on direct, cross, redirect, and recross examination as well as the court's charges to the jury and the final arguments of the lawyers. Some of the questions are purposely improper in form and objections are raised to them with reasons therefor by way of illustration.

The subject with which the book deals is a difficult one indeed, particularly when an attempt is made to cover it in this manner in a single volume. Necessarily emphasis is placed upon the New York practice, which in some instances varies considerably from the practice either at common law or in other jurisdictions. For that reason too great a reliance cannot be placed upon the work as a guide to practice in other jurisdictions. The author has, however, attempted to alleviate this difficulty by an abundance of source cases. Before using the book as a guide the source cases, particularly the cases in the jurisdictions involved should be consulted.

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