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Book Reviews

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BOOK REVIEWS

THE CASE METHOD OF STUDYING LAW. *By Jacob Henry Landman. New York: G. A. Jennings Co., 1930.*

This book is a worthwhile contribution to the literature of legal education. It reflects the reaction of a teacher to the case method of legal study. The book calls attention to the limitations to which this method of study is peculiarly subject. The author conceives the law as a social science and not altogether as a logical science, and holds that it should be covered as a social science in the same form as sociology, economics and history. There seems to be developing at the present time a large amount of approval for these new ideas, but whether they will stand the test of time and practice is yet to be determined.

ESSAYS IN THE LAW OF LIBEL. *By Leon R. Yankwich. Los Angeles: Parker, Stone & Baird Co., 1929.*

The author of this book has been for a number of years Judge of the Superior Court of Los Angeles County, California, and is there considered an authority on the law relating to newspapers. As one of the counsel for the Los Angeles Record he was responsible for obtaining from the Supreme Court of California a decision establishing a liberal rule of privilege for newspaper comments on the acts and conduct of public officials and candidates for public office.

The book is not a mere digest of decisions but contains a reasoned discussion of some of the fundamental problems in the law of civil and criminal libel. The practical newspaperman will find in this volume not only the criteria for determining what is or what is not libel or contempt, but also a discussion of some of the important problems which confront the newspaper in its relation to the law. Further, the book contains a large number of references illustrating in these particulars the law of California.

CASES ON EQUITABLE RELIEF AGAINST DEFAMATION AND INJURIES TO PERSONALITY — SUPPLEMENTARY TO CHAFEE'S CASES ON EQUITABLE RELIEF AGAINST TORTS. *Second Edition by Z. Chafee, Jr. Cambridge, Mass.: Z. Chafee, Jr., 1930.*

We have here an interesting collection of cases dealing with injunctions against libel and slander, protection of civil rights, and in particular, right of privacy, and lastly, cases which have arisen when the courts have undertaken to protect social and political relations, with a special reference to the rights of members of clubs, labor unions and similar associations. The book is to be especially commended because of the problem cases which have been added to the various sections.

HANDBOOK OF THE LAW AND PRACTICE IN BANKRUPTCY. *By Henry Campbell Black. Second Edition. St. Paul, Minn.: West Publishing Co., 1930.*

There is place in the Hornbook Series for such a volume as this, which undertakes to bring down to date the decisions in the great and important subject of bankruptcy. The appendix contains the general orders in bankruptcy, the official forms, and the text of the Bankruptcy Act as it now stands with all repealed matter stricken out and all new amendments incorporated. This is as valuable a book as we know for students' use in this subject.

BUSINESS LAW. *By E. S. Wolaver. New York: McGraw-Hill Book Company, Inc., 1930.*

An attempt has been made here to bring together the leading cases on the general subject of commercial law. The first part of the work deals with the contractual principles used in ordinary business relations, and on the whole is a satisfactory treatment of the subject; secondly, legal devices used for the purpose of affording security in the ordinary transactions of business experience, and lastly, a collection of cases dealing with the legal forms of business organization with especial refer-

ence to corporations and partnerships. In commercial schools it will be found to have much value as a mode of dealing with this subject from the standpoint of the study of leading cases.

AN INTRODUCTION TO THE SCIENCE OF LAW. *By Albert Kocourek. Boston: Little, Brown & Company, 1930.*

This book undertakes to make a survey of the scope of law and some of its ideas, methods, and problems; to further a perspective of the domain of legal science, and to aid the student who is not yet acquainted with the practical details of the law, yet wishes to acquire an outline of its leading working ideas.

This work is developed from the lectures given by the author as a member of the faculty of the Northwestern University Law School. It may be well recommended to students of jurisprudence as a valuable addition to their libraries.

A TREATISE ON THE LAW OF SALES. *By Irving Mariash. Albany, N. Y.: Matthew Bender & Company, 1930.*

Within recent years the Uniform Sales Act has been adopted by most of the commercial states in this country, and they have to a large extent accepted various amendments to the original Act proposed by the Commissioners on Sales. Consequently, many changes have been made in the common law and old decisions have been rendered obsolete. There is a place, therefore, for a new treatise on the law of sales, which will reflect the present state of the law. The old cases dealing with bills of lading and warehouse receipts must be interpreted in the light of recent decisions. The growing use of letters of credit and other foreign and domestic paper, so far as they affect the sale of goods, have altogether created a need for a book of this type.

The work is intended to meet the needs of the practising attorney and the student in the law school, and furnishes the latter an orderly, understandable exposition of the law as it exists today. Sufficient common law and historical background has been included to convey an adequate understanding of the subject matter. The

book is very well done and with Williston on Sales, will render any additional treatise unnecessary for a long time to come.

THE LAW LIBRARY IN THE CAPITOL, WASHINGTON, D. C.
By Roland Williamson. Washington, D. C.: John Byrne & Co., 1929.

This book undertakes to give the reader a general idea of the law library of Congress at the Capitol, popularly known as the Supreme Court Library. It is in the form of lectures and forms a part of a series delivered at the Law School of Georgetown University. The book will be of service not only to the law professor and the student of law but, it is believed, also to the general practitioner.

The book deals with works relating to the Constitution, the Federal reports and digests, the reports of the various states, references to the use of Shepard's Citations, textbooks and legal periodicals, and lastly, and perhaps most important of all, a valuable discussion of British laws, reports, and digests.

COMMON LEGAL PRINCIPLES. *By Francis W. Marshall. Two volumes. New York and London: Funk & Wagnalls Co., 1929.*

An attempt has been made in these volumes to give in brief form a succinct statement of the leading doctrines of the common law, covering both substantive and adjective jurisprudence based upon the opinions of the leading jurisdictions, both English and American. In this book the author has made use of those authorities which are universally recognized as having the most legal value, and to avoid so far as possible, principles that are peculiar to particular jurisdictions. The author, in conclusion, very wisely adds: "There are many elements to be taken into consideration in the correct application of a principle of law. The principles contained in this book should be used as a mariner uses the light of a guiding beacon when navigating dangerous channels."
* * * There are more things to be considered than broad

principles, and while the principles may show much light upon a dangerous field, when much is at stake an experienced and well-trained lawyer should be sought to guide the case.”

THE ORIGIN AND DEVELOPMENT OF RADIO LAW. *By William J. Donovan. New York: New York University, 1930.*

The School of Law of New York University has afforded this spring a course of four lectures on radio law and radio legislation. The volume before us is the first of these lectures, and was given by William J. Donovan, formerly Assistant Attorney General of the United States.

In his lecture he treats of the attempts which man has made in the past to find a method of communication over long distances without intervening physical contact. Only through a comprehension of the nature of electrical forces has that means of communication by radio become possible.

There next follows a discussion of radio communication as a public utility with especial reference of point to point services, and the general rules regulating broadcasting. The legislation on the subject consisting both of statutes and treaties is followed by a discussion of the decisions of general application with especial reference to the opinions of the Attorney General. Also included are decisions under the Act of 1912 and decisions rendered since the Act of 1927 was passed. The subject of state and municipal regulation of radio services is treated, but not at much length.

It is evident from this lecture, that we are in the midst of a new branch of law. The vigor of its growth evidences the effect of scientific discovery. The rapidity of that growth and its wide effect call for a resourceful adaptation of existing legal principles to our changing social and economic life.

FOR THE DEFENCE—THE LIFE OF SIR EDWARD MARSHALL HALL. *By Edward Marjoribanks. New York: The MacMillan Company, 1930.*

Lawyers' books are divided into two classes we may say in a rough way, (1) books which deal with the science of the law, either substantive or adjective, (2) books which deal with what may be called the art of the law, that is, books of legal biography and general literature which show in more or less detail how particular individuals have actually practised their calling or profession. In the present case we have a book which falls into the second class, and in the biography of Sir Edward Marshall Hall, we have as interesting a volume as has been brought to our attention for a long period of time. It will prove of value not merely to the trained lawyer who is skilled in the trial of cases before juries and courts, but also to the law student who often times feels a strong desire to see how the legal doctrines which he has learned in class have actually been applied by the courts in concrete cases.

We are told that Edward Marshall Hall was a man of remarkable appearance—well above the average height, admirably proportioned, and exceptionally handsome. He radiated vigor, courage, and personality. He was one of the most prominent advocates of his day, but in addition thereto, developed a reputation in politics, and did great service to his party in Parliament after the general election of 1906.

It is not practicable here to review in detail all of the cases with which he was connected and in which he won his reputation as the leading barrister for the defense at the English Bar. We may refer to a few of them, first, the Brides and the Bath Case. George Joseph Smith was tried for the murder of a woman who had lived with him as his wife. Upon the trial of the case, it developed that this particular offense was one of three similar offenses, all perpetrated under substantially the same conditions upon women, all resulting in death in each case, apparently perpetrated for the purpose of obtain-

ing money belonging to the woman. In each case the woman died in a bathtub while taking a bath, and was found to have been suffocated and to have died of strangulation, and in each case the woman had written a letter the night before her death in which she had referred in most affectionate terms to her husband and expressed her devotion to him. In each case the husband was the last person seen with the woman at the time of her death and the husband was the person who announced her death to those in the vicinity. In each case the woman had consulted a physician with respect to an alleged disease of the heart, which visits were shown by the state to have been entirely unnecessary. The question before the court was whether or not evidence of all of these murders was admissible to show that they were part of a general plan or scheme of the defendant, and that in each case he acted in the same way for the purpose of carrying out a previous formed intent. The court held the evidence admissible and the defendant was convicted.

Another interesting case was that of Madame Fahmy, who was tried for the murder of her husband. That in fact she killed him was self-evident whether it was done in self-defense was the question for the court to decide. The fact that the deceased was an Egyptian of most unsavory character was proved upon the trial. That he had treated his wife with great cruelty upon previous occasions was also satisfactorily established. The defendant claimed that at the time she fired the revolver, her husband was about to repeat a most outrageous assault upon her and that not knowing what she did she fired the revolver. The jury found for the defendant and she was discharged.

The book contains, among other things, a photograph of Marshall Hall's Museum of famous revolvers and knives taken from defendants for whom he appeared in criminal courts, indeed a most gruesome record.

This is in every way an absorbingly interesting book, and we venture the prediction that once taken up it will not be put aside until read completely.