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Book Notes

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BOOK NOTES

CASES ON THE LAW OF CONTRACTS. Arthur L. Corbin. (Second Edition.) St. Paul, Minnesota: West Publishing Company, 1933. Pp. xix, 1304.

The style of this edition is much the same as the first, but the chapters have been further subdivided to clarify the approach for the student. New chapters have been made of the subjects of Impossibility and Repudiation, and an additional chapter is included on Remedies for Breach. Some new cases are added, but the tendency has been to trim out surplus material—in all, some two hundred pages have been dropped.

A novation is the list of questions, appended to many of the cases, which will stimulate the student's thought and assist him in analysis of the cases. Footnote material is not overabundant, but it is adequate and pertinent.

Corbin's second edition is admirably adapted to class-room use. In the selection of cases and in organization of his book Professor Corbin has displayed an understanding of class-room problems both from the point of view of the student and of the professor.

CASES AND MATERIALS ON THE LAW OF TRUSTS AND ESTATES. Vol. II. Richard R. Powell. St. Paul, Minnesota: West Publishing Company, 1933. Pp. xxxvii, 1040.

This is the concluding volume of a series of cases on property of which the first volume appeared in 1932. It repeats an attempt on the part of the author to replace the courses heretofore given under the titles of trusts, future interests and wills with a single course.

The first volume dealt principally with the subject of wills. The present volume begins with an adequate treatment on the subject of taxation of intestate estates under the laws of the state of domicile and also with special reference to federal income tax.

The second part of the work deals with future interests with particular attention to rule against perpetuities. The cases on this important branch of the law are here arranged most logically beginning with Nottingham's great opinion in the Duke of Norfolk's case in 1682, and concluding with the latest decisions of the various important states.

The third section of the book deals with trusts more in detail and is a highly satisfactory treatment of this important and difficult subject.

In many respects we consider this the best collection of cases on property law, within the general scope of the subject, that has yet appeared, and it is especially valuable, because the author has carried out here the plan which he developed in his book on future interests by adding questions after many cases which compel the student to do his thinking and to find out for himself whether he understands the case which is set before him. It would be a great accomplishment if this method were established in all cases.

CASES AND MATERIALS ON VENDOR AND PURCHASER. Milton Handler. St. Paul, Minnesota: West Publishing Company, 1933. Pp. xix, 925.

This book, obviously designed for the professional curriculum, accordingly stresses the practical aspects of the law which relates to vendor and purchaser.

The cases, covering materials relating to transferability of land hitherto scattered throughout the law school curriculum, have been brought together and arranged under the general divisions of the real estate contract, the conveyance, and rights in the land of another.

Approximately one-half of the material is devoted to the real estate contract with special emphasis on the Statute of Frauds, performance of the contract, rights of parties pending transfer of title, and assignment of real estate contracts; approximately one-fourth of the material is directed to the conveyance; and there is a similar amount of material covering rights in the land of another.

Part II is directed to the conveyance proper and includes chapters on formal requisites of a conveyance, execution of the deed, recordation and conveyance by title. Part III, devoted to rights in the land of another, includes chapters on easements, licenses, covenants running with the land, and equitable servitude. Each of these topics, other than that devoted to equitable servitudes, appears to be treated in the same manner and to cover substantially the same case material as do the existing case books. The chapter on equitable servitudes contains a number of comparatively recent cases, the majority of which have not been included in previous works on this subject.

The advantage resulting from concentration of the materials in one course is obvious, but, on the other hand, the inquiry may be made whether the book can be advantageously used or whether such a course is adapted for use by students who have not previously covered the fundamental principles of real property law as presented in the conventional divisions of the subject commonly known as titles and rights in land. While it could not be satisfactorily substituted for any branch of real property law now comprising the law school curriculum, this book is well adapted for use in a course intended as an addition to the standard courses.

BOOKS RECEIVED

CASES ON CIVIL PROCEDURE. James P. McBaine. St. Paul, Minnesota: West Publishing Company, 1933.