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BOOK REVIEWS

HOW TO CONDUCT A CRIMINAL CASE. William Harman Black.
Third edition. New York: Prentice-Hall, Inc., 1935. Pp.
lxxvi, 483, and chart.

A reading of the third edition of Judge Black's practice book impresses one with the idea that the New York lawyer who is familiar with its contents should have no difficulty in carrying the proceedings of a criminal case to an orderly and expeditious conclusion. It would also seem that, with the book in one hand and the New York Statutes in the other, almost any person in that state could handle his own problems arising in the realm of criminal law.

From his experience as Acting District Attorney in New York City and his thirteen years of judicial work on the New York Supreme Court bench, Judge Black has drawn a complete picture of criminal procedure as it operates in that state, and has documented the work heavily with appropriate forms and judicial citations. The plan of the book follows a given hypothetical case chronologically from the time the complaining witness seeks the advice of his attorney to the ultimate conclusion of the ensuing criminal proceedings. The text is broken up to permit the author to discuss each step which might possibly be involved in the proceedings, but these "aside" passages are cautiously noted and the thread of the main discourse is carefully picked up after each such passage.

Unlike the customary practice book, the suggested forms are interspersed with the text and each form is set out in detail even down to the minutiae of showing the heading, endorsement, notary's certificate, etc., of each paper used. In this regard the work becomes cumbersome and appears padded with repetitions, but this is excusable when the author's plan of making the work available and useful to the layman is kept in mind. Primary emphasis is placed on decisions of the New York courts and the provisions of the New York Code of Criminal Procedure pertaining to the subject, but reference is occasionally made to the decisions of other jurisdictions. Since criminal procedure in most states accords well with that of New York, the book should be of much value to lawyers outside of that state.

The author has performed a remarkable task in clarifying the proceedings in a criminal case by preparing a chart which accompanies the book and a copy of this chart should be in the possession of every person, lawyer or layman, in any way connected with practice in criminal cases. A glance at the diagram will inform the reader of every step to be taken so that no proper action be overlooked, and the paragraph references noted thereon lead quickly to the appropriate text material.

The third edition also includes the amendments promulgated in 1935 to the New York Code of Criminal Procedure, and all annotations appearing in previous editions are brought down to date.

A GUIDE TO FEDERAL APPELLATE PROCEDURE. Nathan April. New York: Prentice-Hall, Inc., 1936. Pp. xxx, 522.

It would be difficult to compress into a smaller volume the information contained in this guide to Federal Appellate Procedure. The author starts with the first move to be made on appeal after a receivable order or judgment has been entered. However, before he embarks on the subject of the appeal, Mr. April, the author, first determines whether an appeal will lie, and to what court. The analysis of possibilities has been facilitated with citations and excerpts from those sections of the U. S. Code which are applicable. The book then proceeds step by step with the perfecting of the appeal, framing and printing of the record, and a discussion of the scope of the review to be covered by the briefs and arguments. Citations from cases are not abundant nor exhaustive, but are probably sufficient for leads. Where rules of various circuits differ or require different treatment of an appeal, the author has inserted such rules.

Eighty-nine model forms are introduced, some of which can only be suggestive, but others may be considered to carry essential points. The volume has an Appendix containing all the rules of the ten circuits in force as of the time of publication of the volume. No doubt this could have been eliminated and each reader left to consult the rules of his own circuit. However, since the hand-book of procedure must meet the demands of lawyers interested in appeals in more than one circuit the author's decision is no doubt justified.

The book is not a treatise but is essentially what its author,

who is a practicing attorney, designates it—a guide and a handbook. Its brevity and manual form is therefore creditable to its author.

AMERICAN FAMILY LAWS—Vol. III (Husband and Wife). Chester G. Vernier, assisted by John B. Hurlbut. Stanford University, California: Stanford University Press, 1935. Pp. xxix, 684.

Occasionally there comes across the book reviewer's desk a volume that arouses interest at the outset by its very appearance, but which fails to impress the critical reader after further perusal. The third volume of this collection of American Family Laws, however, not only arouses interest by its sensible observation of the guiding principles of the typographer's art, but it also contains so valuable a collection of statutory material on the subject that one is provoked to thought as to why others, beside the now outdated Stimson, have not attempted the same type of investigation into American laws in other fields.

Continuing the plan outlined in Volume I of the series, the authors, in this companion volume, have compiled the substance of the laws of the several states and of the District of Columbia, Alaska and Hawaii covering the rights between husband and wife and between the spouses and third persons. All laws enacted prior to and in force on January 1, 1935, have been included. Pertinent comment is appropriately given with each section of the work so that the reader can see quickly not only the uniformity, or absence thereof, in the several laws of the jurisdictions on these vital questions, but may also note the significant trends in such legislation.

This volume, like the others, is appropriately documented with tables of parallel statutes, citations of important illustrative cases, and frequent references to law review articles, case comments, and annotations. As a result the work is one of the best collections of allied materials to be found in the legal library, and should prove extremely useful to lawyer, legislator, and administrator alike. It, moreover, silently presents one of the soundest arguments yet published for the development of uniformity in legislation.

While arranging the subject around the commonly accepted divisions of antenuptial and postnuptial contracts, personal and

real property rights, dower and curtesy, and the like, the authors have also introduced highly appropriate materials dealing with modern problems arising from statutory innovations such as Family Expense statutes, Domestic Relations courts, assignments of wages, homestead rights, and the competency of the spouses to appear as witnesses for each other. No more concise yet complete and satisfying work could be found which deals with the vital laws protecting the home and the hearth.