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Book Reviews

William F. Zacharias

Ernest E. Tupes

J. Stanley

James R. Hemingway

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BOOK REVIEWS

AMERICAN FAMILY LAWS. 1938 Supplement, Sections 1-311.
Chester G. Vernier, assisted by Richard A. Frank. Stanford
University, California: Stanford University Press, 1938.
Pp. xxiii, 178.

The worker in the field of family law now has available in the earlier volumes of *American Family Laws* and the present supplement a complete record of the existing statutory materials dealing with the domestic relationship. The supplement follows the original plan and annotates to each section the additional materials, if any, which have been developed during the seven years since the initial volume came from the press.

The bulk of the text is confined to tabulating statutory changes and furnishing additional reference materials, hence, while the supplement serves a valuable purpose, it does not purport to be much more than an appendix. A prefatory comment, however, should be brought to the attention of legislators everywhere, as it points to many a needed reform even as it records current trends in family law.

The author and his assistants are to be congratulated on the completion of a tremendous task in such fine fashion. The high standard they have set will serve for many years as a gauge of the quality of other similar efforts.

WILLIAM F. ZACHARIAS

PREDICTING CRIMINALITY. Ferris F. Laune. Evanston, Illinois:
Northwestern University, 1936. Pp. 163.

The problem of whom to parole and when has bothered parole boards and penal officials since the conditional release from incarceration was first developed in the nineteenth century. Waves of public criticism over what appear to be "hit or miss" methods of parole indicate that little seems to have been accomplished toward putting so important a social question on a reliable basis. Sociological studies have led to attempts at organizing the business of granting parole with the hope that the promise inherent in the system may be performed. The day when society can rest assured that the released offender will not be found to

be in fact a menace still seems far off, but struggle toward that end has not ceased.

Comes now Dr. Laune, sociologist and actuary of the Illinois State Penitentiary at Joliet, with fresh evidence that science is still seeking an answer to the problem and laboring mightily in experimentation. In his study of forecasting behavior on parole, the author, assisted by a group of inmates of the penitentiary, has endeavored to set up a questionnaire method by which the applicant for parole can demonstrate his own ability to respond favorably or unfavorably toward the demands society would make on him if he were fortunate enough to gain early freedom.

The study details the procedure followed in applying this method, the results obtained, the basis for checking the several findings, and the materials necessary for the adoption of similar methods by other penal institutions. One thing, unfortunately, is lacking—the plan has not yet been checked against actual practice, as the men who submitted to the test are still inmates of the penitentiary and, so the author states, from three to five years must elapse before the group, if paroled, could verify the paper predictions. Approximately one-half the study contains a discussion of the plan, while the remainder consists of appendices, tables, etc., of the actual tests conducted. While not of general interest to the legal profession, studies of this sort need recognition.

WILLIAM F. ZACHARIAS

READINGS ON PERSONAL PROPERTY. Edited by William T. Fryer. St. Paul, Minnesota: West Publishing Company, 1938, Third Edition. Pp. xxxii, 1184.

This work is neither a casebook nor a text but is a comprehensive collection of study material confined to a carefully selected compilation of law-review articles arranged under the orthodox classification of topics adopted by the seven case books on personal property now in more or less general use. Although this is the third edition, it is the first prepared for general distribution among students as a source book of the legal literature on personal property.

The value of law-review articles as a supplement to case books is generally recognized, particularly where, by reason of lack

of space, important doctrines are frequently illustrated by a single case, and to that extent the case book is little, if any, better than a text. The law-review articles on the more important personal property topics are scattered through approximately forty-five leading periodicals. The time and labor involved in preparing a list of these articles for direction of the students imposes a heavy burden upon instructors. This burden has been made relatively light by the bringing together under one cover of 380 items, of which 36 are leading articles, 40 are case notes and comments, and the remainder are largely reprints of student notes and comments gathered from the leading law periodicals. In addition to a copious index there is an elaborate table of cases and numerous footnotes. The table of cases includes all of the cases mentioned in the articles and comments and in the footnotes as well as 550 other cases to be found in the available case books edited by Bigelow, Fraser, Kennedy, Larremore, Roberts, Walsh, and Warren.

The book appears to have been carefully and painstakingly edited and includes all of the material on important topics that is reasonably necessary for student use. The work could well serve as a model for similar readings in other branches of the law. It is predicted that this volume will be generally adopted as a source book for students and that students and instructors making use of it will have a feeling of gratitude to the editor and compiler whose labor has made available an enormous amount of important material in a form which can be utilized with a saving of time and an inspiration to further investigation.

ERNEST E. TUPES

TRADE ASSOCIATIONS IN LAW AND BUSINESS. Benjamin S. Kirsh and Harold Roland Shapiro. New York: Central Book Company, 1938. Pp. 399.

This book attempts and achieves within the limitations imposed in space to picture and evaluate the trade association movement. It sets out the functions and aims of trade associations in different business activities and tells what the law does, and may do, to both.

By virtue of its pattern the book achieves some successes. The

business picture takes life before the law is applied; hence the law gains vitality. To the reader a broader understanding results. Some failures similarly obtain. Perhaps to the lawyer there is insufficient legal analysis and to the business man insufficient economic analysis.

However, the authors do not pretend to exhaust their topic. It is their hope that "the book will be of practical value to executives, counsel, university scholars, and some members of the judiciary." It should prove helpful and practical. Where the reader finds his particular interest insufficiently explored, adequate footnotes give direction to his steps.

Style in writing, which has apparently been considered by most American legal writers of small importance as compared with the burden of their brief, here has importance. The easy flow of the sentences is a stimulating surprise.

Though the authors approach their subject with what may be termed a liberal point of view, as regards socially desirable ends, they have to a marked degree maintained a restrained position commendable in a work of this sort. Their scholarship is good, and their conclusions are supported by judicial authority and business practice. In their last chapter, *Foreign Trade Functions*, they venture on relatively untrod paths.

Chapters, in addition to that on *Foreign Trade Functions*, deal with the following topics: *Statistical Reporting Service*; *Uniform Cost Accounting Methods*; *Trade Relations*; *Standardization*; *Credit Bureau Functions*; *Boycotts and Defensive Combinations*; *Patent Interchange and Cross-License Agreements*; *Uniform Basing Point Systems*; and *Collective Purchasing Functions*.

Criticism might be directed toward the discussion of the English labor cases in the chapter on *Boycotts and Defensive Combinations* on the ground of unsatisfactory analysis and toward the chapter on *Uniform Basing Point Systems* for insufficient development and perhaps inadequate references.

It was a surprise to find Judge Learned Hand elevated to the rank of Justice (p. 319) and Mr. Justice Stone discriminatingly deprived of his first title (p. 93).

On the whole the book is well worth the reading and better worth the keeping.

J. STANLEY

SELECTIONS FROM WILLISTON'S TREATISE ON THE LAW OF CONTRACTS (Revised Edition). Samuel Williston and George J. Thompson. New York: Baker, Voorhis, & Co., 1938. Pp. xli. 1049.

Designed for the use of the student, this one-volume edition is an abbreviation of the eight-volume revised edition. It is made up of selected sections lifted without change or reduction of text from the full work. Space is saved principally by reducing footnotes to one or two cases and by summarizing the material from certain of the chapters, as the material on capacity of parties, part of Chapter XVI on the Statute of Frauds, and part of Chapter LIII on certain of the methods of discharge. A table of cases cited and a general index will be appreciated by the user.

If any criticism can be offered at all, it is not to the material contained in the volume but to the material omitted. No doubt any student using Williston's case book would not be inconvenienced, because the material herein follows the pattern of the case book fairly accurately. But the student whose course included more fully the subjects of the Statute of Frauds and illegality might wish that the materials on those subjects had been retained in full and that the chapters on damages had been omitted. There is not even a summary of Chapters XLIX to LII on illegality.

Despite these omissions, however, every student of contract law will find the single volume of selected materials a valuable assistant to his case book.

JAMES R. HEMINGWAY