

# American Family Laws, Vol. III (Husband and Wife), by Chester G. Vernier

Robert L. Piper

Follow this and additional works at: <http://scholarship.law.marquette.edu/mulr>



Part of the [Law Commons](#)

---

### Repository Citation

Robert L. Piper, *American Family Laws, Vol. III (Husband and Wife)*, by Chester G. Vernier, 20 Marq. L. Rev. 205 (1936).  
Available at: <http://scholarship.law.marquette.edu/mulr/vol20/iss4/14>

This Article is brought to you for free and open access by the Journals at Marquette Law Scholarly Commons. It has been accepted for inclusion in Marquette Law Review by an authorized administrator of Marquette Law Scholarly Commons. For more information, please contact [megan.obrien@marquette.edu](mailto:megan.obrien@marquette.edu).

## BOOK NOTES

*The Canon Law of Wills* by Jerome Daniel Hannan. The Dolphin Press, Philadelphia, 1935, 517 pages.

This is an unusual book judged from the viewpoint of the lawyer schooled in the common law. The author says in his foreword: "The conclusions that will be presented in the subsequent pages are the result of a serious attempt to compare the principles of Roman law, modern law, and canon law, with a view to establishing a rather complete juridical theory of wills under the canons. \* \* \* An attempt is made to present a thorough view of the statutes, and the theories behind the statutes, that often defeat bequests to charity. These statutes are shown to be of three kinds. Some invalidate all charitable bequests made within a definite period antecedent to the testator's death. A second group restricts the amount of property that a charitable institute may possess. A third prohibits the bequeathing to charity of more than a prescribed ratio of the decedent's estate."

How well he has presented the Roman law and the canon law only a student of those systems can judge but it is safe to say that if his accomplishment in this direction may be judged by the accuracy of his treatment of the common law and the statutory modifications of the law of wills and charities the work is well worthy of praise. A check of the statutes cited from Wisconsin reveals them to be accurate and to the point. The table of Wisconsin cases on the law of charities showing the development of this subject and likewise the discussion upon them is very much to the point. These betray a knowledge of the subject that could only be the result of careful study. It seems that if this part is trustworthy, the work as a whole is also. There can be no doubt of the value of this book as a symposium of the Roman law, the canon law, the common law and the statutes of the various states.

WILLIS E. LANG.

---

*American Family Laws*, Vol. III (Husband and Wife), by Chester G. Vernier. The Stanford University Press, California, 1935, pp.xxix—684.

This is the third volume in Mr. Vernier's five volume set on American Family Laws. The work is a comparative study of the family law of the forty-eight states, Alaska, the District of Columbia, and Hawaii. This volume deals with the varied laws as affecting the marital status. Starting with the common law doctrine of the unity of husband and wife, Mr. Vernier shows how by decision and legislation this doctrine has been discarded. The existing conflicts and discrepancies of the various laws are criticized.

The purpose of the work is to: 1) make a brief summary of the common law; 2) state the statutory law, first in summary form, second in detail, showing variations, resemblances, and omissions; 3) add such comment and criticism as seems pertinent; 4) collect under each head a selected list of references, including texts, casebooks, annotations, reports, articles and case notes from law magazines. Wherever it seemed helpful, comparative tables have been used. Since the purpose has been capably accomplished, this volume is of practical value as a source book to the busy lawyer. The work is something of a commentary, a digest, an annotation and a work of reference.

Briefly its contents are: a discussion of the general legislation on the "equality of women;" the wife's debts and contracts in general; the wife's torts;

family expenses; the duty of support, considering both criminal and civil liability; the domicile of the wife; the crimes of the wife; the wife's property and the husband's property, both real and personal; the wife's power to will and to convey; dower; curtesy; descent and distribution; homestead and family allowance; the statute of limitations; various miscellaneous provisions dealing with marital rights.

ROBERT L. PIPER.