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BOOK REVIEWS

Law Office Management, by Dwight G. McCarty, A.M., LL.B.
386 pp. 6x9 inches. Published by Prentice-Hall, Inc., New York.
\$5.00.

(Reviewed by LEOLA M. HIRSCHMAN)

System in the law office! Shades of ancient jurists and the long ago! Truly the march of progress is on!

System, the cry of the age—analysis, order, standardization, all leading to that efficiency upon which modern business prides itself. And modern business becomes articulate and functions principally through a well-equipped and thoroughly systematized office with a well-trained force.

The law office is no exception to the general rule of modern methods in the transaction of business, although it is only within the last few years that the legal profession has permitted its daily routine to be characterized as "business."

Law Office Management by Dwight G. McCarty of the Iowa Bar—"the first manual on 'running the law office'"—touches upon a subject which, except in isolated instances, has received scant attention. Law offices, like Topsy, frequently have "just growed"—developed from the early days of semi-starvation by the young practitioner, through the lean years of struggle, toward the goal of success which every ambitious lawyer visions for himself. As the business from its simple beginning becomes greater in scope, as partnerships, perhaps, are formed, young attorneys and assistants added to the rapidly increasing force, with the necessary accompaniment of stenographers, bookkeepers, telephone operators, clerks and messengers, methods in vogue before the business attained its present size and volume, become obsolete and insufficient to take care adequately of the increased demands.

It is toward such condition in the larger law offices, as well as an orderly and evolutionary development of routine and efficient methods in the smaller office, that the manual is directed.

A mass of material, gathered out of the wealth of the experience of those who are sufficiently altruistic to give the benefit of the result of such experience to others, presents ample opportunity for development to the highest possible point of efficiency along lines best adapted to the needs of the particular office or business under consideration.

Important subjects are treated in the book, and those chapters that deal with simplification of detail and time saving methods are of great value to the average lawyer who perhaps has neither the time nor the genius to evolve original ideas of equal merit in his efforts to attain "system."

Up-to-date methods of docketing, charting, filing, etc., are analyzed. Discussion of an efficient accounting system for the law office is of interest and value, and the suggestion for the conduct of a law office on a cost basis method with "overhead" scientifically determined is refreshing, even if somewhat novel and not generally in vogue. In that behalf, it might be interesting as an abstract proposition of academic interest merely, to conduct a piece of research for the purpose of ascertaining whether the "H.C.L." (high cost of the law) would be increased or reduced if lawyers' charges on a strict cost accounting basis were the rule.

The chapter on "The Reception of Callers" is full of excellent suggestions as is also the chapter on "The Employees" with its ideals of co-operation and high standards.

The volume contains much valuable material for the consideration of the lawyer who attempts to run his own office, and for the executive charged with such responsibility on behalf of an employing firm. Whether one follows to the letter the suggestions contained in the manual or works along original lines after study of the book is of little moment if efficiency is increased, and this purpose, no doubt, will be served for the student of law office psychology.

Ballantine's Problems in Law, West Publishing Company, St. Paul, Minn. Pp. 1110.

Professors as well as students at law schools appreciate a well prepared quizzer. Many quizzers have found their way into the hands of law students in the past. Some were prepared by bar examiners of long experience and some by students. The West Publishing Company in its past issues of *The American Law School Journal* rendered a valuable service along this line by publishing in its columns model quizzes for law students prepared by law professors of long experience from the leading law schools of the country. In the past, also, some of the leading law schools published, in pamphlet form, the final examination questions given to their students at the end of their courses, all of which have been very helpful.

A quizzer on the law when used by students paralleling courses given in the law school by the case system is a real detriment to the worth of the case method of the study of law, for the quizzer with its solutions does the thinking for the student. The case method is designed to teach the student to do his own thinking, and all artificial or text means to aid the student in his original thinking and which makes easy the hard task of growing strong by wrestling with the cases themselves is a positive harm to the student.

However, for the purposes of a review of the subject at the end of the course, or as a final review in preparation for the bar examination, a law quizzer has its value. The Ballantine Quizzer, in the mind of the writer, is the best ever prepared for this purpose, and we trust that the student will not abuse it, and will not use it as a mere "pony" in his courses. Professor Ballantine has had the help of twenty-six law teachers from twenty-six of the leading law schools of the country assist him in the preparation of this work. The Table of Contents, the elaborate Index and the references to the topics and sections of the key number digests of the American Digest System are a great aid and add much to the value of this quizzer.

A general quizzer of this kind, however, illustrates the great difficulty of answering questions with reference to a particular jurisdiction, necessarily because of the fact that this quizzer aims to be a general work. This difficulty cannot be avoided. The solutions to the questions propounded in the quizzer are full of exceptions, by reason of the conflict in the authorities in the various jurisdictions, and statutory enactments. To a student in a given jurisdiction seeking an answer doubt and confusion arises. Perhaps when the great work of the re-statement of the law is finally accomplished and established as authority in all jurisdictions, and uniform legislative acts are general throughout the forty-eight states of our Union, a general quizzer on the law will be even more helpful. Yet this quizzer is the best possible under this unfortunate situation in our law.

MAX SCHOETZ JR

Work of Corporate Trust Departments. By R. G. Page and Payson G. Gates of the Banker's Trust Company. Prentice-Hall Publishing Co. 1926. pp. 460.

This book is deserving of great praise, for it will, no doubt, prove invaluable to the specialized field of banking which deals with such important matters as corporate mortgages and the trustees' relations with mortgagors, bondholders, and others with reference to bond issues, sinking funds, redemption of bonds, care of pledged securities, defaults and remedies.

Financial institutions today are tending toward specialization, and this book, as a treatise on the Corporate Trust Departments, is the culmination of intensive study of the special problems not fully covered either in the standard books on banking practice or in the text books on investments and corporate finance. The practicability of the author's work cannot be doubted. It is based on observation and illustrates by actual situations the operative viewpoints and methods of others in the same field.

Legally, however, the book is not complete. It tells how the various situations are to be handled, and often gives the reasons, but no authoritative discussion of the legal questions are carried to any length. However, the references, citations, and quotations from authoritative legal sources are sufficient to assist the reader to an understanding of the point involved.

It makes particularly clear the process of reorganization and readjustment of corporations from the viewpoint of the despositary; the technicalities of stock transfers, the details of registration of stocks and bonds, the proper methods of handling payments of coupons, dividends and registered interest, suggestions as to fees for trust services and other topics.

HOWARD KALUPSKE.

American Bar Association Gives Constitution Bibliography. For the benefit of our readers, we reprint the following, recently issued by the Special Committee on "Reference Books on the Constitution," appointed at the last meeting of the American Bar Association.

The following report is the result of a suggestion made by Mr. Harry Chandler, of the Los Angeles *Times*, to the Executive Committee of the American Bar Association which met in Los Angeles, in January, 1926, setting forth the need of a reference library on the Constitution for the million and a half students who engage in the great newspaper oratorical contest.

President Long, of the Association, appointed this committee. So many lawyers showed interest in the work of the committee, and asked for its report, that it is now sent to each member without cost to the Association.

We have divided our recommendations into two classes:

CLASS "A"

Books that we consider more or less indispensable for students of the Constitution of all ages, and particularly in schools and colleges.

CLASS "B"

Books for the more intensive student who desires a broader knowledge of the whole subject.

Our endeavor has been to select a well-rounded library that would cover the interpretation of the Constitution and its historical background with as little repetition as possible. We find that many lawyers are seeking information along the same line. The fact that we have omitted a particular book is not a reflection upon that book; this list is selected for a particular purpose. We have omitted meritorious works because they were duplications, or not adapted to this particular purpose. The following is the list:

CLASS "A"

The Critical Period of American History, by John Fiske; Houghton-Mifflin Co., Boston; one volume; \$2.50.

An indispensable book to the study of the origin of the Constitution. Should be read first of all; describes the breakdown of the Confederation, the chaos, anarchy, and disunion into which the states were falling, the events which led up to the adoption of the Constitution, and carries the reader through to Washington's inauguration.

The Constitution, Its Story and Battles, by F. DuMont Smith; Kerr Co., Pasadena (copyright owned by Committee on American Citizenship); one volume; \$2.00.

This story is a brief history of the Anglo-Saxon polity from the time that our Teutonic ancestors first came in contact with the Romans down to the adoption of the Constitution. It sketches briefly the Anglo-Saxon conquest of England; the Saxon Kingdom, the Norman Conquest, and the long Constitutional struggle in the mother country; to which is added the Fifteen Decisive Battles of Constitutional Law which appeared in the *American Bar Journal*.

The Constitution of the United States; Its Sources and Its Application, by Thomas J. Norton; Little, Brown & Company, Boston; one volume; \$2.00.

Takes the Constitution paragraph by paragraph and gives in clear, simple, and direct style the meaning of each, its derivation, where it is not original, and the manner in which it has been interpreted and applied by the Supreme Court. It is a book of as much value to the lawyer as to the student in the schools and colleges.

The Constitution of the United States, by James M. Beck; George H. Doran Co., New York; one volume; \$2.50.

Covers in narrative form the events leading up to the meeting of the Constitutional Convention; describes the personnel of that great body and the various struggles and compromises from which it was adopted.

The Short Constitution, by Wade and Russell; American Citizen Publishing Company, Iowa City; one volume; \$1.00.

Judge Wade, of the Federal Bench of Iowa, devoted many years to citizenship work and is really the father of the Committee on American Citizenship. The book is elementary in character, especially adapted to the use of teachers who are required by state laws to teach the Constitution, as it analyzes briefly and clearly every part of the instrument as well as the nature of our State Governments.

An Introduction to the Study of the Constitution, by Professor Charles E. Martin, of the University of Washington; Oxford University Press, New York; one volume; \$3.50.

Gives the charters of the Colonies and their Constitutional struggle with the Crown; it cites and analyzes the leading cases that have developed the Constitution. The closing chapters, "Current Constitutional Controversies," and "American Ideals," are particularly valuable.

Congress, the Constitution, and the Supreme Court, by Charles Warren; Little, Brown & Co., Boston; one volume; \$3.50.

Collates all of the leading cases in which Acts of Congress have been held unconstitutional; it gives, for the first time, a full description of the much discussed "Five to Four" decisions.

CLASS "B"

The Federalist, Lodge's edition; G. P. Putnam's Sons, New York; one volume. This book is classic and needs no comment.

The Supreme Court in United States History, by Charles Warren; Little, Brown & Co., New York; two volumes; \$10.00.

This is the historical work that received the Pulitzer prize last year.

Life of John Marshall, by Albert J. Beveridge; Houghton-Mifflin; four volumes; \$20.00.

Is not merely a biography of John Marshall, but a complete political and constitutional history of the thirty-five years of Marshall's services on the supreme bench. It is a standard work on this subject.

Alexander Hamilton, by Frederick G. Oliver; G. P. Putnam's Sons; New York; one volume; \$5.00.

Jefferson and Hamilton, by Claude D. Bowers, Houghton-Mifflin Co., Boston; one volume; \$5.00.

These books are bracketed because they are complementary to each other. While each is in a sense partial and partisan, together they give a vivid portrayal of the two leading figures representing antagonistic views of the Constitution in its formative stages.

The Citadel of Freedom, by Randolph Leigh; G. P. Putnam's Sons; New York; one volume; \$2.00.

Mr. Leigh is the Director of the Oratorical Contest hereinbefore referred to. His book gives very briefly an account of the Constitutional Convention; and an attractive picture of the founders. It is chiefly valuable in its description of the change in our state governments from the representative form toward pure democracy by the initiative, referendum, and recall.

Modern Democracies, by James Bryce; The Macmillan Co., New York; two volumes; \$8.00.

Lord Bryce gives first a general survey of the Democratic form of government in theory and in practice, and then examines and compares six Democracies in their actual working; France, Switzerland, Canada, the United States, Australia, and New Zealand.

F. DUMONT SMITH,
EDGAR B. TOLMAN,
ERNST FREUND,

Committee

Lawyers' Reading List of New Books

Commercial Arbitration, by Daniel Bloomfield. Publishers: The H. W. Wilson Company, New York City.

Consular Privileges and Immunities, Columbia University Press, New York City.

An Introduction to Business, by Messrs. Maynard and Weidler. Publishers: Ronald Press Company, New York City.

Delusion and Belief, by Charles M. Campbell. Publishers: Harvard University Press, Cambridge, Massachusetts.

International Relations Viewed from Geneva, by Wm. E. Rappard. Publishers: Yale University Press, New Haven, Connecticut.

Foreign Trade and World Politics, by Herbert F. Frazer. Publishers: Albert A. Knopf, Inc., New York City.

The World Court, by A. S. De Burtamunte. Publishers: The Macmillan Company, New York City.

Law and Rights, by Wm. E. Hocking. Publishers: Yale University Press, New Haven, Connecticut.

The Philosophy of Law, by Roland R. Foulke. Publishers: The John C. Winston Company, Philadelphia, Pa.

Palmerston, by Philip Guedalla. Publishers: G. P. Putnam and Sons, New York City.

Napoleon, by Emil Ludwig, translated by Eden and Cedar Paul. Publishers: Boni and Liveright, New York City.