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Book Review: Cases on Equity: American Case Book Series, By Walter Wheeler Cook

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BOOK REVIEWS

Huddy on Automobiles. By ARTHUR F. CURTIS. Seventh Edition. Albany, N. Y.: Matthew Bender & Co. 1924. pp. xliii, 1521.

The law of motor vehicles very rapidly has become a highly specialized branch, and several treatises have been published on this particular subject. In the seventh edition of Huddy, the revisor, Arthur F. Curtis, has produced a very valuable work. He has considered a great mass of cases and has brought his work down to the present date. In connection with the general law with reference to motor vehicles, he has not only taken up the ordinary subjects contained in similar works, but in his thirty-seventh chapter dealing with transportation of intoxicating liquors, he has considered the cases involving forfeiture of the car itself by reason of the provisions of the Volstead Act and other statutes relating to the enforcement of liquor laws.

The chapters on Chattel Mortgages and Conditional Sales likewise are of particular and timely value, and, within the scope of this work, all phases of insurance pertaining to automobiles has been considered.

The book is well written and contains a wealth of cases on such topics as the so-called "family car" doctrine and the relation of guest and passenger, litigation concerning both of which situations having been very frequent in recent years. The criminal aspect of the law, as applied to motor vehicles, is not neglected.

The book supplies not only the need for a modern treatise on its subject matter, but brings within one volume every possible angle on that subject. It is to be strongly recommended not only to the student, but to the busy trial practitioner.

JOHN McDILL FOX

Cases on Equity. American Case Book Series. By WALTER WHEELER COOK. St. Paul: West Publishing Co. Volume 2: 1925, pp. xvi, 838; Volume 3: 1924, pp. xlx, 1048.

The collection of cases in Volume 2 is devoted to the specific performance of contracts. This is one of a three-volume series in which are collected the cases considered necessary for the student to obtain a grasp of the subject. Among the cases are the principal traditional cases found in Ames and Keener. Modern cases have replaced many of the ancient ones that were so irksome to some students. In a number of these modern cases, the historical development of a principle or rule is traced from its early English origin through the ramifications of early American jurisprudence to its present application to situations in our complicated social life. The average student found in our law schools seeks not only to know the law as it is, but is also interested in the historical development of a principle as it throws light on our present problems. This collection of cases is admirably adapted to the needs of a professor, confronted by a group of such students.

In the collection of cases in Volume 3, which was published in 1924, the author has eliminated the cases on Bills of Peace, Interpleader and Intervention, the discussion of which can more advantageously be considered in the course on Code Pleading under the topic of parties. This permits more adequate time for the cases ordinarily considered in the course on Quasi Contracts, and collects in one

place the cases bearing upon relief for mistake at law and in equity. This not only secures a great saving of time in our already crowded curriculum, but renders the matter more readily understood by the student. (Volume 1, published in 1923, contains the cases on general principles.)

Professor Cook's three volumes on equity jurisdiction are without question the greatest contribution to the teaching of equity since the publication of *Ames' Cases*, and, with a slight adjustment in curriculum, should rapidly win favor in the best law schools.

WILLIS E. LANG

Impressions of an Average Jurymen. By ROBERT STEWART SUTLIFFE. New York: D. Appleton & Co. 1925. pp. 114.

The working of a jurymen's mind is the unknown quantity, the missing link, in the trial of legal cases. Lawyers may have access to magnificent libraries, may have legal and other experts available for consultation at all times, but they cannot have a knowledge of who is to make up a jury to pass on the facts of a case, or how counsel's efforts are to be received by a jury. To use a familiar expression: "If all the world is a stage, the court room is the scene of many of its best productions. The attorneys and the witnesses are the actors, and the judge and jury, the critical audience."

The little book whose title is noted above gives a valuable insight into the characteristics of the average jurymen, not only in the jury box, but likewise in the retiring room where they are freed from the scrutiny of the public and the formalities of the court room.

The book is not written from the viewpoint of a lone jurymen, but, as the author states, he has served as a juror in the criminal and civil courts of New York for over eighteen years. Hoping to aid the legal profession in some little way, he has made a special effort to gain the views and peculiarities of the hundreds of jurors with whom he has come in contact.

The various types of lawyers and their actions in court are cleverly depicted. The suave, business-like, courteous attorney is credited with having the best influence with a jury. Sarcasm is shown to be a dangerous weapon in cross-examination as the witness is immediately accorded the sympathy of those in the jury box.

A forceful conclusion made by the author is the unnecessary waste of time found in most courts. While his views are exaggerated as applied to the procedure and efficient methods in vogue in the courts of Wisconsin, his recommendations on bettering the personnel of the jury can hardly go unnoticed. To use the author's language: "Restrict the exemption lists, make the jurymen's job one of dignity, make him comfortable, and keep him busy, or let him go to his place of business when he is not working, and a much higher grade of jury work will result."

J. O'B.

Blakemore on Prohibition. By ARTHUR W. BLAKEMORE. Second Edition. Albany, N. Y.: Matthew Bender & Co. 1925. pp. lxxxlv, 1185.

To fully comprehend the extent to which the Courts, both Federal and State, have determined questions relating to the enforcement of the Eighteenth Amendment, one need only read this second edition of Blakemore on Prohibition.