

Book Review: Cases and Materials on the Law of Possessory Estates (Property Series), By Richard R. Powell

Erwin E. Fritz

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The work is recommended to lawyers who are desirous of broadening their knowledge in a field not often met with in the average practice; it is a good place to start in briefing for a case involving any of the numerous sub-heads treated in the volume. It is particularly recommended to newspapermen who take pride in their profession and who are desirous of elevating the standards of their calling by understandingly discussing legal and political problems.

WALTER J. MATTISON.*

Restatement of the Law of Contracts—Wisconsin Annotations, By Miles Lambert, Wisconsin Attorney, Under Auspices of the Wisconsin State Bar Association. 1933. One Volume. American Law Institute Publishers, St. Paul, Minn.

Every lawyer in Wisconsin, who is the owner of the Restatement of the Law Contracts, will find a great need for this useful collection of Wisconsin cases. Each section of the Restatement has been considered from a standpoint of the decided Wisconsin cases on contracts, and it is indicated whether or not the Restatement is an expression of the Wisconsin law. In the event that no Wisconsin case covers the point in the Restatement, this fact is also noted with some opinion or comment. The book appears easy to use and follows the numbering and topic names used in the Restatement.

All Wisconsin cases through volume 207 of the Supreme Court Reports of Wisconsin and through volume 243 of the Northwestern Reporter are covered in this annotation. The work was done by Mr. Miles Lambert, an attorney of Wausau, Wisconsin, under the supervision of Prof. W. H. Page of the Wisconsin Law School. The publication of the work resulted from the co-operation with the American Law Institute of the Wisconsin State Bar Association.

The annotations might be useful even to attorneys who do not own a set of the Restatement of the Law of Contracts if some type of descriptive word index might be added. Thus, the whole field of Wisconsin contract law would be of comparatively easy access.

It is hoped that Wisconsin Annotations covering other fields in which the Institute has worked, will be soon forthcoming. They will be a needed contribution and useful supplement to the work of the American Law Institute.

J. WALTER MCKENNA.†

Cases and Materials on the Law of Possessory Estates (Property Series), By Richard R. Powell, Professor of Law, Columbia University. 1933. One Volume. West Publishing Company, St. Paul, Minn.

Whenever law students discuss their favorite branch of the law, little is left unsaid in merit and praise of the subject of their choice. However, a deathlike calm overtakes the discussion when Property Law is mentioned. Such, at least,

* Member of the Wisconsin Bar. Lecturer in Journalism, Marquette University.

† Professor of Law, Marquette University.

has often been the experience of the reviewer in his contacts with fellow students. Property Law seems to be the bugaboo of the average law student.

It has been the good fortune of the writer to come in contact with Professor Powell's latest edition of *POSSESSORY ESTATES*. It might be said that this book spells a "new deal" for the beginning student of Property Law. Mere wrinkles of the book is a pleasure; a study of it most enlightening, for all the wrinkles, formerly so unyielding, are carefully ironed out, and a living picture of a once-thought dead subject is presented. The Editor certainly has caught the feeling of the student, for he states in his preface, "* * * the Editor has endeavored to present in the book materials suitable for the accomplishment of four tasks; first, the painting of a background; second, the development of a segment of the foreground; third, the stressing of the significance of the statutory ingredient in modern law; and lastly, the training of the student in the meticulous reading and contrasting of materials read for the purpose of making a synthesis of the net content." These four purposes have been ably accomplished.

The arrangement of the book is an important factor in carrying out the Editor's intentions. In the first few chapters the student is presented with an understandable story of the historical background, marked by numerous excerpts taken from other interpreters of Property Law such as Bigelow, Vance, and Pollock. The text matter is supplemented by cases which serve to clarify matters through practical illustration. Along with the historical background, and as a comparison thereto, is discussed tenures in the United States, and thus is forged a link between the old and the new.

The matter of Estates is next taken up in an equally clear and detailed manner. These chapters are also generously interspersed with citations, statutes, and interpretations. Up to this point the reader has accumulated the intended impressions of the "painted background," "the stressing of the significance of the statutory ingredient in modern law," and is about to venture into "the development of a segment of the foreground."

The arrangement of the following chapters calls for a consideration of Concurrent Estates in Land and Incidents of Possessory Estates, under which title such matters as Freedom from Withdrawal, Restriction on Enjoyment, Freedom from Interference, Surface Waters and Percolatory Waters are explained.

Their reading introduces the student to the fourth task of the Editor, that of "training the student in the meticulous reading and contrasting of materials read, for the purpose of making a synthesis of the net content." The Editor, with a masterful touch of human psychology, has reserved the last chapter to discuss a subject just a bit more involved, yet one, which the student, who has been increasing in knowledge and interest, will now approach with a determination to understand. I am referring to the matter of Uses. This chapter leaves nothing unexplained, after a careful study is made.

Among the accessories found in this book are a table of statutes of England and of the United States, which pertain to Property Law, a detailed index, and a list of English kings arranged in chronological order from William I to George V.

The writer recommends this book to all students, as one, which in his estimation, should prove a source of light and sustaining interest in the field of Property Law.

ERWIN E. FRITZ.