

Book Review: Cases on Equity, by Walter Wheeler Cook

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in American cases, an attempt to enforce such a promise by injunction must therefore fail."

Father White fully recognizes the weakness of his contention as applied to the form of pledge which has been customarily required in the past. He therefore proposes a new form of pledge which incorporates some of the customary language usually inserted in written contracts and in particular makes the promise in form one between the parties and not one between the parties and the officiating priest or dispensing bishop. The writer of this review seriously doubts to say the least whether the new form will legally accomplish more than did the old. Form is important in doubtful cases but the writer of this series does not consider this as a doubtful case.

CARL ZOLLMANN*

Cases on Equity. By Walter Wheeler Cook. (2d ed.) West Publishing Co., St. Paul, Minn., 1932. Pp. xxi, 1222.

Professor Cook's first one volume edition of *Cases on Equity* appeared in 1926. The justification for a new edition after so short a period is found by the editor in the requests from the teachers who have been using the first edition. Accordingly, a new chapter has been added dealing with bills of peace, bills of interpleader, bills *quia timet*, and to remove cloud on title. Some half dozen cases and other material relating to the new remedy of declaratory judgments have also been included. The treatment of these subjects is confined to about fifty pages and must necessarily be suggestive. It is doubtful if a more complete treatment of such subjects would add to the usefulness of the volume.

The rest of the material has been brought down to date by the inclusion of some of the more important cases decided since the first edition. Most of these involve fact situations out of which interesting developments in the field of equity are taking place, i.e., the power of a court of equity to order acts to be done outside the court's territorial limitations, and the scope of the protection given the "right of privacy" by means of the injunction. Many recent cases involving other interesting questions or novel points are summarized or cited in the foot notes. The author has continued the admirable practice of including references to notes and comments in the leading law reviews. The many clerical and typographical errors appearing especially in the foot notes of the first edition have been corrected. Some of the new material replaces older cases. This material has been carefully chosen and represents a valuable improvement over the first edition. Some of the older cases have been shortened and a few have been omitted entirely but none of the important material dealing with the historical development of the subject has been left out.

No material change has been made in the general arrangement or analysis of the subject matter. An improvement might have been made in the arrangement of the chapter on the powers of the court of equity and on the principle governing the exercise of equitable powers. The arrangement in the former chapter is confusing to most students whose first insight into equity deals with a problem which is the last to arise in a law suit. In the other chapter a more detailed classification of the interests involved would be helpful. To those teachers who have used the first edition, this volume will be a welcome improvement.

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