

Bryant's Wisconsin Justice

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BOOK REVIEWS

AMERICAN LAW OF CHARITIES. BY CARL ZOLLMANN. *Milwaukee:* BRUCE, PUBLISHING COMPANY. 1924. pp. 559.

The author, Carl Zollmann, of the Marquette University School of Law faculty is especially fitted to write on this subject as he is also the author of *American Civil Church Law*, a work of 462 pages published in 1917 by Columbia University of New York to which book the present work is a companion volume. He has contributed numerous articles along similar lines to the MARQUETTE LAW REVIEW, *Columbia, Michigan, Illinois, Wisconsin* and *American Law Reviews* and to the *Yale Law Journal* and some of his articles have been discussed by the *American Bar Association Journal*. He practiced law for a number of years in Merrill, Wis., before he went, in 1915, to the Chicago Law Institute where he spent most of the following five years in producing these two works.

The book, *American Law of Charities*, consists of nineteen chapters covering 559 standard size pages. The first three chapters are in a large part historical and lay the foundation for an understanding of the subject. The five following chapters deal with the definition of the term "Charity," and with the four classes of charitable trusts. Chapters 9-11 deal with the definiteness necessary in charitable trusts and with the discretion that may be reposed in their trustees. Chapters 12-13 take up the mortmain and perpetuity rules as they apply to charitable trusts. In chapters 14-16 the author discusses the construction, supervision, and termination of such trusts. The last two chapters are given over to a discussion of the exemption from taxation and damage liability which is accorded to charitable institutions.

The style of the author is concise but clear. His statements of the law are amply fortified by citations of authority which are to the point. The author has been very careful in his analysis of the authorities as is best evidenced by his careful statement of the principles of law governing this subject.

The publishers have spared neither expense, time nor effort to make every portion of the book immediately available. Every device known to law book making has been utilized to this end. An analysis of the chapters printed at the beginning of the book lightens the labor of finding a desired point. The paragraphs contain the usual paragraph headings in black type, the cases cited are supplied with duplicate and triplicate citations wherever this is possible, and the year in which each case was decided is noted. The table of cases shows that in addition to some leading English cases about 2,400 American cases have been cited, many of them in six to eight different places. The index is large covering many pages in double column and is not confined to law merely but also specifically to facts. Thus an attorney interested in a Y. M. C. A. will quickly find through the index a table of cases and a large collection of Y. M. C. A. cases. An appendix of many pages contains many practical forms of and suggestions for the drafting of charitable devices and bequests and adds materially to the value of the book.

MAX SCHOETZ, JR.

BRYANT'S WISCONSIN JUSTICE. E. E. BRYANT. Ninth Edition by FRANCIS A. DARNIEDER. Chicago: CALLAGHAN AND COMPANY. 1924. Two Volumes: Vol. I: pp. vii, 877; Vol. II: pp. iii, 877-1908.

Wisconsin has very few local texts on the local law and practice in Wisconsin. The number of law books on Wisconsin law for use of Wisconsin lawyers and judges, when compared with the number of law books in other states, is exceedingly small. However, for over forty years one of the most useful law books in Wisconsin has been *Bryant's Wisconsin Justice*. It has always been a handy manual covering the substantive civil

law of this state as well as a treatise on practice in courts of justices of the peace. No matter in what justice court you had occasion to try a case you were always sure to find *Bryant's Wisconsin Justice* on the desk of the justice of the peace and the justice was quite familiar with it. In fact he believed that *It was the law itself of Wisconsin*. It is no wonder then that this book is going into its ninth edition.

Marquette Law School especially welcomes the ninth edition of this volume since one of its alumni, Francis A. Darnieder of the class of 1917, revised this edition. Mr. Darnieder was an exceptional student at this school and very successful in the practice. He is a lawyer well fitted to do this work. The lapse of fifteen years since the former edition has made this edition highly necessary. The work is greatly enlarged. The decisions and the statutes have been brought down to date. New matter had been added. Chapters on Automobiles, Special Municipal Courts and the Civil Court of Milwaukee County are entirely new. In short, this edition is more full and complete than ever before.

There is no doubt that the bench and bar of Wisconsin will be greatly pleased with the edition and find it very useful. My examination of the book leads me to believe that this edition will make *Bryant's Wisconsin Justice* more popular than ever.

MAX SCHÖETZ, JR.

GORDON'S ANNOTATED FORMS OF AGREEMENT. By SAUL GORDON PRENTICE-HALL, Inc. 1923. pp. lxiii, 919.

The author, a member of the New York Bar, has collected forms of various agreements, using that word in its most inclusive legal sense, which have been tested by actual use and many of which have been "drawn from the reservoirs of litigation." The forms are completely annotated but as most of the decisions are those of the New York courts the work must be used in conjunction with local statutes and decisions.

In general the forms are free from archaic verbiage but clearness is not sacrificed for the sake of brevity. The work is adapted to modern needs and the chapters covering advertising agreements, assignments, master and servant, and mortgagor and mortgagee, are entitled to special attention.

The table of contents, table of cases and index make the book conveniently workable.

The work should commend itself to both student and practitioner as a valuable aid in the difficult and important task of legal draftsmanship.

HOWARD A. HARTMAN

THE GROWTH OF AMERICAN ADMINISTRATIVE LAW. By ERNST FREUND, ROBERT V. FLETCHER, JOSEPH E. DAVIES, CUTHBERT W. POUND, JOHN A. KURTZ, and CHARLES NAGEL. St. Louis: THOMAS LAW BOOK COMPANY. 1923. pp. 190.

The profession is indebted to the Bar Association of St. Louis for the lectures printed under the heading of *The Growth of American Administrative Law*. This book should be of unusual interest to the attorneys of Wisconsin. Commission form of government to a great extent is a component part of the "Wisconsin idea." Have we gone too far in this respect? Senator Borah recently referred to the startling growth of bureaucracy in these words:

"If these thirty years or the next are to be as the last thirty years, and everything indicates that they are, at the end of thirty years we will have one employe or officer for every ten citizens in the republic. Every conceivable activity of body and mind will be under the surveillance of a bureau. Spies and inspectors, guides and counsellors will leer upon the citizen from every corner and accompany him in his daily vocation of life. Our taxes will be over \$100 per capita. We will be taking more than forty per cent of the national income for governmental expenditures. We will