BOOK REVIEWS

Mariash on Sales. By Irving Mariash. Published by Matthew Bender and Co., Inc. Price $10.00; pp. 877.

The law of Sales had its inception thousands of years ago, when in early civilization, barter was an important factor. During the ages, as commerce and transportation progressed, the law of Sales underwent many changes and increased in importance. However, there were many inconsistent laws and decisions, and not until the Uniform Sales Act was passed was there any attempt at regularity or consistencies in enactments of the law in the various states. But even with the Uniform Act, there remained room for varied interpretation, and realizing this, Mr. Mariash published his treatise on "Sales," which covers not only the common law on Sales, and the Uniform Act, but also the latest enactments and decisions of the thirty states that adopted the act. Mr. Mariash used the Uniform Act as a framework for his book and has as each chapter, a section of the act, in which he cites the common law, as well as the latest decisions of the various states in point. This arrangement of the book enables one to find a straightforward statement of the governing rules, and at the same time, the necessary references to decisions which have recently been decided. In addition to the full treatment of the law of Sales, the Appendix of the book contains the complete Uniform Acts on Sales, Sale of Goods, Conditional Sales, Bill of Lading Act, and also important regulations concerning foreign credits and domestic trade usages.

Jesse Habush


Due to the fact that American law students have almost universally adopted the case method of studying law as a condition precedent to acquiring a legal education, it is rather surprising to find that system indicted and placed on trial, with Dr. Landman as the prosecuting attorney. In the book which the author has put forth, he criticizes, with subtle veiled vehemence, the Langdellian method of studying law from printed judicial opinions, and then constructively offers the Problem Method of studying law as its superior, and hence, its successor.

Dr. Landman's proffered plan tends to revolutionize the present means of acquiring legal knowledge, by forcing the student to use scientific thinking formulas as a basis for inductive thought on specially prepared problems of law, rather than allowing reliance on cut and dried rules which have not the elasticity to include in their confines the social, economic, political, and philosophical factors which, he points out, must necessarily be taken into consideration in legal decisions, according to the needs of the individual community, and cannot be governed by arbitrary rules of law which are handed down by judges in other states or countries in conformity with the particular circumstances and needs of their own territory. In a word, the author puts the study of the law on a socio-legal basis, which requires it to adapt itself to principles necessary for the administration of justice in each separate jurisdiction.