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Law of Engineers and Architects

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BOOK REVIEWS

LAW OF ENGINEERS AND ARCHITECTS. By Laurence P. Simpson and Essel R. Dillavou, members of the faculty of the University of Illinois. St. Paul, Minn.: West Publishing Company. pp. xvii, 633. (1929).

The purpose of this book is to give a professional engineer an idea of the legal problems which will confront him in the practice of his profession. Such courses seem to be popular in engineering, journalistic, business and other semi-professional schools. Most of the textbooks used consist of a series of definitions. In the first year class in the law school we get the results of this sort of training. Students come with the fixed idea that a tort is a particular species of thing with definite characteristics and that a contract is formed by mixing the offer and acceptance together in the same way that water is formed, two parts of hydrogen and one part of oxygen. The most curious results are achieved by such students when they apply these definitions to hypothetical cases on examination. They have not exercised their minds but only their memories. The writer believes that their time would be just as well spent in memorizing the titles to the Encyclopedia Britannica.

This book meets most of those objections. Instead of definitions it gives cases. The engineering student has some idea of the fact situations out of which the problems of the engineer will arise. To those who insist on giving law courses to people who do not intend to study law it should prove of great use and it will give them a more accurate idea of the nature of legal processes than most of the other books of a like character. We wish to compliment the authors on having attempted to approach their problems from fact situations instead of from definitions. Having said that however we wish to respectfully register our protest against giving such courses at all.

The law presents many cultural aspects and the nature of the judicial process is one which lends itself to the study of laymen and should be encouraged. They should understand how law is made, how it grows and develops, the history of our court and the growth of our system. Such an understanding would clear away much of the ignorant criticism of the bench and bar. It would give college graduates a notion of the problems which confront the administration of justice. When, however, instead of approaching the judicial problem with an idea of making a student under-

stand its nature, engineering and other schools attempt to teach them some practical formulae for deciding their own lawsuits, the net result is to create a false impression on the part of the student that he knows something when he doesn't. They conceive of law as a set of very definite rules and if the engineer happens to know the particular rule which the law has laid down for buildings, that is all he has to know to keep himself out of trouble. When the journalist has learned the definition of libel and slander he can save retaining counsel. When the business man has learned what offer and acceptance are he can give positive opinions on the law of contract.

Other fields may be added. Freshmen can be given law for automobile drivers. Sophomores should be instructed in the law of breach of promise. Persons under twenty-one should be given courses on the law of infancy. Domestic relations should be a required course for all students who contemplate matrimony. Everyone should select the particular rule of law with which he is most likely to find himself in personal conflict and then proceed to argue it out with the policeman, or the plaintiff whichever the case may be.

With this start the movement can easily be extended to medicine. The student should be taught the fifteen most prominent diseases in order of their deleterious affect on human life. He should also know five symptoms of each disease and four remedies for each symptom, two external and two internal. After the student is equipped (1) with the necessary definitions to shield him from legal troubles except of an extraordinary and complicated nature, (2) with the knowledge necessary to take care of all the common or garden variety of diseases, he will find that he will be able to lay by the sums which he would have expended on doctors and lawyers for his support in old age.

It is not likely that persons who believe in giving law courses outside of law schools will be much affected by these remarks. They will be brushed aside as destructive criticism than which few things are more pernicious. Therefore for the benefit of those who disagree with us we should in all fairness, state that it is one of the best books of its kind which we have seen.

—T. W. ARNOLD.