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Recent Legal Literature

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RECENT LEGAL LITERATURE

THE ACT TO REGULATE COMMERCE AND ACTS SUPPLEMENTARY THERETO. By Charles S. Hamlin, of the Boston Bar. Boston: Little, Brown & Co., 1907, pp. 480.

This is an index-digest of the Interstate Commerce Act, so-called, as amended in 1906, together with the Carriers' Liability Act, the Safety Appliance Acts, the Act Requiring Reports of Accidents, the Arbitration Act and the Sherman Anti-Trust Act, and also some of the less important acts touching interstate commerce. The complete text of each of these acts is given, and each is indexed separately. The index consists of an alphabetical list of all the important words and phrases in each of these acts. Following each word and phrase so indexed is a brief digest of the provisions of all the acts employing such word or phrase, with a reference to the section, line and page of the text where the word or phrase is found. One is enabled by means of this book to readily determine exactly how and in what connection any given matter is covered by any of these interstate commerce acts. This is the entire purpose of the book. It cites no cases whatever. Any lawyer who has to deal with questions touching interstate commerce, and few lawyers do not, will find this book exceedingly convenient, and it will practically insure him against overlooking any provision of any of the interstate commerce acts which bears upon his case.

MARKETABLE TITLE TO REAL ESTATE. By Chapman W. Maupin, of the Washington, D. C., Bar. New York, N. Y.: Baker, Voorhis & Company, 1907, pp. lxxvi, 910.

This is the second edition of a work that was first given to the profession in 1896, and is superior to the first edition only by reason of the fact that the author has collected in the notes and by way of additions to the text considerable new material upon the topics treated. He says in the preface that "in all something more than seven hundred new decisions appear in the present edition, representing the application of the law governing the rights of purchasers of defective titles to real property by the courts of nearly every state in the Union." While the book is generally correct in its statement of the law of the different subjects treated, its plan cannot be commended. Indeed, it is rather difficult to understand the author's reason for including some of the chapters that we find in the book, in a work upon Marketable Title to Real Estate, as that term is usually understood by the profession. The ordinary lawyer, I judge, would hardly think of consulting a treatise bearing that title with the expectation of finding therein what he will find here, chapters upon *action for breach of contract; abstract of title; measure of damages for inability to convey a good title; action against the vendor for deceit; fraud and mistake* and other subjects that, like those named, are only distantly and incidentally related to the general subject. Chapter 31, upon *doubtful titles*, is appropriately included, and so, perhaps, are six or eight other chapters, but a large part of the work, while useful, is out of place in a treatise that purports to be upon *marketable title*. It is suggested

that the collection of subjects that the author has made might better have been developed under the head of *Title to Real Property*. But notwithstanding this criticism, the writer is quite sure that the practitioner who is familiar with the plan of the work will find it a convenient and useful book, and that it is usually accurate in its text and in the citation of authorities.

H. B. H.

FALLACIES OF THE LAW. By Henry S. Wilcox, of the Chicago Bar. Chicago: Legal Literature Co., 1907, pp. 206.

This is the fourth of a series by the author on kindred themes. The preceding volumes have already been reviewed (See MICHIGAN LAW REVIEW, Vol. V, pp. 156, 308, 494). Very little can be said in criticism of this number which has not already been said in regard to the other members of the series. By way of commendation one may say that the present volume is somewhat more restrained than its predecessors in its denunciations of the evils, real and imaginary, which the author condemns. It avoids, too, the rhythmical prose of the *FRAILTIES OF THE JURY*. The series as a whole may serve a useful purpose amidst the literature of *exposé*, which has had such a run during the past few years, but one can not help growing a little weary of the utterances of a reformer who gives us such an infinite deal of destructive criticism with so little of the constructive.

PERSONAL INJURY CASES IN ILLINOIS. By R. Waite Joslyn, LL.M., of the Kane County Bar, Elgin, Ill. Chicago: J. H. Flood & Co., 1908, pp. lxx, 672.

In this book Mr. Joslyn has given the profession something better than an index-digest, consisting of catch words of doubtful value, and much better, as a working tool, for the active practitioner than a general digest consisting of volumes of collected syllabi. The general digest is necessary, but in this day of many books the active lawyer demands a guide to a case in point by the shortest route. The author, in his prefatory note, announces an "attempt to gather together all the cases and all the law for quick reference," on the subject of personal injuries, decided by the courts of Illinois. This appears to have been exceptionally well done.

While the book is prepared with special reference to cases that have been decided by the state courts of Illinois, it will be of great assistance in any jurisdiction where the common law is followed. Personal injury cases are perhaps more common and varied in character in that state than in any other, except perhaps the state of New York, and the decisions of the Illinois courts are, generally speaking, carefully considered and of potent authority. The work places in the lawyer's hand a large fund of illustration and application of principles governing civil damages cases. It would be well for the profession if a book of like character were given us covering the court decisions of every state in the Union.

The author has been careful to prepare a table of contents, a table of cases and an index, so complete that little is left to be desired, and the publishers have in type, paper and binding made a book that is handled and read with complete satisfaction.

J. C. K.