BOOK REVIEWS


Since 1881 Henry Clay Homer's "Probate Practice" has been the standard Illinois authority on the subject. In 1925, the third edition of this work was brought out, revised as to annotations, but otherwise with very few changes. Apparently, by 1934, both Mr. James and Judge Kidder believed that a new work on this subject would be of benefit to the Bar, and the two books mentioned above were published almost simultaneously.

Only 164 of Mr. James' 519 pages are given over to text, the balance being devoted to a very complete set of forms for use in probate practice. As a form book, it is undoubtedly valuable. As a text book, it leaves a good deal to be desired. 164 pages is obviously an inadequate amount of space in which to deal with all the problems of probate practice, especially if one includes the problems of federal estate taxes and Illinois inheritance taxes. Estate and inheritance taxes have become so important a part of the work of the probate practitioner that their inclusion in a work on probate practice is highly desirable. The few rather general remarks which Mr. James offers on these subjects, however, seemed to the writer annoyingly inadequate. Also, the forms appended to the chapters on estate and inheritance are far less comprehensive than the other sets of forms. Mr. James in his preface comments on his departure from the usual practice of placing forms in an appendix, and putting them at the end of the chapter next to the related text. In a book such as this one, primarily a form book, this innovation has great advantages. It makes the forms easier to find, and where an explanation is necessary it is an excellent idea to have the explanatory text adjacent to the form rather than one hundred pages away, or in a separate volume. The value to a lawyer practicing in Cook County of reprinting forms which are furnished by the Probate Court of Cook County is questionable, however. From the standpoint of a Chicago lawyer, the book would be improved by the omission of some of these forms, and the inclusion of the rules of the Probate Court. As a guide to routine probate work for the lawyer who has had no experience in that field, Mr. James' book is undoubtedly of considerable value, as there is no other comparable work published in Illinois. As a text book for the lawyer faced with an intricate problem of probate practice, the book is almost worthless. It contains only about one hundred case citations, and gives only one standard form for each document, and then only the documents suitable for the routine case rather than a complex one.

Max Kidder has had considerable experience in probate practice as Judge of the County Court of Warren County. His book follows the traditional style of text book on probate practice as established by Horner's work. It is profusely annotated, and a superficial examination of the annotations indicates that they are extremely accurate. The third volume is entirely given over to forms and a reprint of the rules of the Probate Court of Cook County. The first volume deals exclusively with the administration of estates, and does not even touch on such collateral problems as estate and inheritance taxes. It is, however, exhaustive in its particular field, and cites practically every case in the Illinois Supreme and Appellate Courts bearing on problems of estate administration. The second volume deals with the probate of wills, guardianship, and conservatorship in the same complete fashion. The forms included in volume three are
those used in counties other than Cook in many cases, and do not correspond exactly
with the standard forms furnished by the Probate Court in Cook County. Included
with the forms are formulas for computing present values of annuities and compound
interest, which should be of great assistance to the lawyer who is not mathematically
minded.

Judge Kidder's work should supplement Horner's Probate Practice in every law
library, or in the library in which space is at a premium, replace it. The rearrangement
of contents is an improvement, and the citations, rules and forms are all brought up
to January, 1934.

Mr. James' book is of value only as an outline and guide to routine probate work,
and a convenient way of locating standard forms.

* Member of the Illinois Bar.

BIBLIOGRAPHY OF CRIME AND CRIMINAL JUSTICE, 1927-1931. By Dorothy Campbell Cul-

This supplements Kuhlman's "Guide to Material on Crime and Criminal Justice,"
which covered American and English materials published prior to 1927. It includes
not only books and pamphlets, but articles appearing in periodicals. It follows the
classification system used by Kuhlman. Each item is entered but once, and the extent
of the literature in this brief period may be gathered from the fact that the volume con-
tains 13,292 entries. A detailed subject and author index makes the material available.

Surely this volume is a shock and a challenge to the law-librarian. I venture to
state that few law libraries in the United States contain one-tenth of the material here
listed. Most such libraries, except perhaps in law schools, shun the field of criminology.
The relatively small number of lawyers seriously engaged in the criminal branch, the
preoccupation of those who are so engaged with the problems of specific cases, the gen-
eral impatience of the Bar with academic and non-legal approach to criminal law prob-
lems and its aversion to reading anything not bound in buckram combine to exclude
this material from the shelves of law libraries.

The puzzled law librarian has sat, with restricted budgets, and watched this great
river of legal literature flow past. Now and then he has dipped in to pick up an isolated
volume. Some law librarians, alas, have not even been curious or puzzled. One such
recently told me that his library for many years had bought every book published on
legal subjects. And this on a book budget of $6,500 per year! I wish he could but
glance at this monumental bibliography.

Some day our law libraries will recognize the necessity of collecting material on the
quasi-legal subject of criminology. Few of them will have the funds to employ trained
criminologists to make the collection. In such a situation bibliographies such as Kuhl-
man and Culver will be of inestimable value. Their value would be greater if they con-
tained some critical estimate of the items listed. If only one of the social science
associations would undertake the publication of a bibliographical volume in the field
of criminology such as the American Historical Association published in 1931 in
the field of history. The volume under review would serve to indicate to law librarians
their gross neglect in failing to collect this material, but it does not tell them where to
start to remedy the omission.

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