

longs, upon the proper drafting of instruments rather than upon the pathological cases that arise out of bad drafting.

The cases are well selected. The great majority of them are American decisions. English cases of historical importance are succinctly stated in notes. Adequate attention is given to the statutory changes in the law, and an unusual proportion of the space is devoted to decisions under those statutes.

All the devices used by modern casebooks are to be found within the compass of this volume. There are excellent historical and introductory notes; brief statements of additional illustrative cases with the decisions stated; statements of the weight of authority; references to and quotations from the Restatement of Property; and questions to exercise the minds of the students.

Finally, the book contains only 866 pages. The editor is entitled to great credit for getting so much valuable material within this compass. The book contains abundant matter for all the classroom time that should be devoted to a course on the law of future interests.

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Cases and Materials on Creditor's Rights. By John Hanna and James Angell McLaughlin. 3d ed. Chicago: Foundation Press, Inc., 1939. Pp. xxviii, 1144. \$7.50.

The publication of the third edition of *Cases and Materials on Creditor's Rights* suggests a probable fourth edition in the near future. Perhaps, in a subject as inherently difficult as bankruptcy, and one that has changed with such rapidity in the span of a few years, this should not be unexpected. But it is hoped that next time the authors will publish a supplement rather than a new text.

Because of the recentness of the Chandler Act it might appear that the third edition should have been held back a few years longer. With this thought in mind, the new text was examined and a detailed comparison with the second edition was made in order to determine whether the effort involved was justified.

The third edition, in general, remains unchanged in format. It is interesting to note that the size of the book was reduced despite the fact that it contains approximately thirty-two more leading cases. The saving in space results from the omission of the entire Bankruptcy Act, which is now bound separately with annotations, the omission of the appendices, the digesting of approximately fifteen cases formerly reported in full, and the omission of reprints of bankruptcy sections as section headings for the cases in Part II of the book. It is true that the authors added some new materials: for example, in Part I we find special notes on creditor's agreements and bank receiverships. In Part II the authors have made extensive use of the introductory paragraph to cover the complex details of administrative and jurisdictional features of the act, and Chapter IV, entitled "Assets of the Estate" is preceded by an introductory note on the "Scope of Recent Legislation"; in Chapter V, the subject of compositions is covered in a four-page note. On the whole, despite the fact that the total number of cases, excluding the subject of corporate receiverships, has been decreased, it would appear that the book remains substantially unchanged since in the majority of cases the substituted text material takes the place of the omitted cases.

In Part I, eight cases are omitted, eight cases edited or digested, and four new cases

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substituted for those omitted. The notes have been given a thorough dressing-up. Not only have they been rearranged and renumbered for uniformity in appearance and logical sequence, but where available, new cases and law review articles have been cited; and in several instances the notes have been greatly increased in scope. The ultimate result is a saving of fifty-seven pages in Part I, plus a marked improvement in source material.

It is in Part II that we find the most drastic changes. A statistical comparison of the contents of the bankruptcy section, up to the subject of corporate reorganization, indicates that thirteen new cases have appeared, fifty cases have been omitted, and seven cases digested. The writer is grateful to the authors for the deletions. While the Chandler Act rendered many of the cases obsolete, others were omitted because they dealt largely with procedural details which are now far more effectively presented in text form, with tremendous saving in classroom time.

A few illustrations will suffice to show that the authors have made effective use of text material to handle details of the act with a resultant saving in space and an increase in "terminal" footnotes, which renders the book modern as a source book. Substitution of introductory paragraphs for reprints of the relevant bankruptcy sections is a distinct improvement. Through inclusion of the relevant sections, references to the act are made more complete and the student is made to realize that one section will not solve the problems in a particular subdivision of the book. Furthermore, these omissions, besides saving a great deal of space, will help lead students to the bankruptcy supplement, for frequent reference is made to the annotations found therein.

The next feature that calls for comment, and which is also an improvement over the second edition, is the treatment accorded the "Scope of Bankruptcy Jurisdiction." In the second edition, the author had a brief comment followed by six cases, five of which dealt with the then new features of the Bankruptcy Act. These cases had always seemed too much in advance of information. They involved problems calling for an extensive knowledge of the subject—a knowledge which the students at that time were painfully lacking. The reduction of this group of cases, coupled with an introductory summary of the problems involved, saves much space and presents the topic far more effectively.

Here again the footnotes have been brought up to date. Frequent reference is made to changes in the law, and the student's attention is drawn to the annotations found in the supplement. And here too one is brought to the realization that since the Chandler Act is built upon the framework of the original Act of 1898, one cannot throw out of the window the principles developed by the decisions under that act. Thus, the basic treatment accorded bankruptcy remains largely unchanged.

As might be expected, the final chapter in the text contains the great bulk of the new cases. While the second edition contained only twelve cases on the subject of corporate reorganization, the third edition contains approximately seventy-five, seventy of which were decided since the publication of the second edition. The subject now appears under an independent chapter composed of ten sections. Undoubtedly, because of the volume of decisions in this branch of the law the authors will desire to supplement the third edition in the future.

In closing, the writer wishes to acknowledge that he has reviewed the book from the viewpoint of a teacher in a small law school located in a predominantly agricultural district. The economic ills of the farmer have long proved a dilemma to our

legislators, local and national. His problems probably will not be solved by bankruptcy legislation; and in the scheme of bankruptcy, he comes in voluntarily if at all, and normally not very often. On the business side of the picture, our distance from markets and freight differentials discourage the growth of industry. It follows that since there is little prospect for the growth of large business structures, our bankruptcy courts will probably continue to deal with small estates involving a few small creditors. Oftentimes creditor's agreements or the general assignment are resorted to, and, when feasible, offer the best solution. The crux of the matter, therefore, is that our seniors, suddenly made practical by the realization that in a few short months they will be faced with the problem of making a living, dislike bankruptcy because it offers little prospect as a money-maker.

It is at this point, therefore, that I should acknowledge a debt of gratitude to Mr. Hanna. Nowhere else in the curriculum of the small law school do we find an opportunity to present adequately problems in the enforcement of judgments. Furthermore, the manner of presentation both enables the teacher to point out forcefully the reason for bankruptcy legislation and helps arouse interest in the subject. It is a distinct advantage, when considering specific problems in bankruptcy, to be able to refer to an already familiar concept covered in the first part of the text; and effectiveness in presentation is increased when one can contrast the race of diligence between simple unsecured creditors with the principle of pro-rata distribution found in bankruptcy, particularly when the topics of general assignments and creditors' agreements are still fresh in the student's mind. In short, this casebook has proved in practice to be a sound teaching instrument, with sufficient materials to lend itself to the needs of all types of law schools.

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Cases on Federal Jurisdiction and Procedure. By Armistead M. Dobie and Mason Ladd. St. Paul: West Publishing Co., 1940. Pp. lxiv, 1090, 149. \$6.00.

The adoption in 1938 of Rules of Civil Procedure for the United States District Courts has resulted in the publication of a flood of contributions of legal science, ranging in bulk from Moore and Friedman's three-volume treatise on Federal Practice in its entirety to almost innumerable law review articles and notes dealing with minutiae of procedure under the new rules. Judge Dobie of the Circuit Court of Appeals for the Fourth Circuit and Dean Ladd of the College of Law at the University of Iowa have made their contribution to this new literature in a complete revision of Judge Dobie's *Cases on Federal Jurisdiction and Procedure*, a revision so complete that it has been published as a new work rather than as a new edition.

On handling and examining this volume, one is first impressed by its great bulk and by the extraordinary detail into which its subject has been carried. The one thousand odd pages (exclusive of appendix and tables) contain portions of almost four hundred judicial opinions; perhaps another fifteen hundred cases are cited and some even discussed in footnotes. In addition, many of the 122 distinct sections and subsections which make up the book commence with quotations from Judge Dobie's text on Federal Procedure, and more than five hundred law review articles are cited.

One cannot fail to admire the scholarship and the industry which have gone into the

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