

## BOOK NOTES

*The Child and the State*, Vols. I and II. By Grace Abbott. Chicago: University of Chicago Press, 1938. Pp. xxiii, 679; xvii, 701. \$3.00 each.

This book, although primarily written for use in schools of social service administration, contains invaluable collateral reading material for law school courses on family relations. Courses in this field have traditionally shunned those topics which play a larger role in the daily work of the legal aid official or the social worker than in the work of the attorney working for a fee. A law school, however, which intends to train its students not only for the immediate needs of the practicing attorney, but is, also, undertaking to introduce men of future public influence to the burning issues of our society has to pay attention to the problems of child welfare; especially to child labor, illegitimacy, adoption, juvenile delinquency, care of neglected and dependent children, mothers' aid, and organization of child welfare services.

On all these topics, Professor Abbott's work contains the richest and best selected source material so far assembled. The reader is presented not only with a complete picture of present day problems and solutions but also with a detailed survey of the historical development of child welfare services in the United States from earliest colonial days. One becomes fascinated in looking over these materials which range from statutes and decisions of courts to reports of official and non-official investigating bodies, resolutions of partisan groups, memoirs of social reformers, town records, reports of factory inspectors and social workers, indenture or apprenticeship contracts of colonial and later days. These materials not only deal with the legal and organizational problems, but they unfold a startling, living picture of human suffering, social responsibility, actual and imagined difficulties of reform, and the struggles that had to be fought at every step of attempted improvement. They, also, reveal how wide a field there is for much needed collaboration between social workers and lawyers.

If anything is left to be desired for future editions of this standard work, it might be an enlargement by the inclusion of occasional comparative materials and a more complete and more systematic treatment of the rather sketchy chapter on "The Legal Status of the Child in the Family."

MAX RHEINSTEIN

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*Istituzioni di diritto commerciale*. Reprint. By Tullio Ascarelli. Milan: Dott. A. Giuffrè, 1938. Pp. xix, 474. L. 45.

The book is the most recent and up-to-date short treatise on Italian Commercial Law. It is written by one of the most outstanding legal scholars who was until recently professor of commercial law at the University of Rome. The author informs us with admirable skill about the general principles of commercial law, the various business units, the different commercial contracts, and the parts of procedure pertinent to commercial law, such as bankruptcy. The book in its concise statements will well serve as an orientation on theoretical and practical problems of Italian commercial law for the American legal profession. The main value of the book, however, for Americans

lies in the fact that it is a good specimen of the peculiar craftsmanship of Italian scholars of the old tradition, which finds its explanation in the sociological status of the Italian law schools and the legal literature produced by its members.

F. M. KESSLER

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Cases on Public Utility Regulation. By Irston R. Barnes. New York: F. S. Crofts & Co., 1938. Pp. xx, 984. \$7.00.

Professor Barnes has prepared an excellent case book on public utility regulation which would be equally useful for a law school course as for the teaching of this subject to undergraduates majoring in economics. He has a good selection of the principal decisions of the United States Supreme Court, lower court opinions and illustrative commission orders. These cases have been classified and cross-referenced by subject matter in nineteen chapters which cover all the significant problems of utility regulation, such as, federal and state jurisdiction, the courts and commissions, accounting methods, rates, service, security issues and holding company regulation. In addition to the general aspects of rate regulation the author has included chapters devoted to a consideration of utility price policies, the fair value doctrine, valuation methods, prudent investment, rate of return, operating expenses, practices of state commissions, as well as a critical approval of rate regulation.

An introductory note is to be found at the beginning of each chapter, intended to present the nature of the regulatory problems under consideration and their relation to other phases of utility regulation. The volume also contains a summary of the Public Utility Holding Company Act of 1935, as well as a few illustrative decisions of the Securities and Exchange Commission and the Federal Power Commission. A final chapter deals with legal and economic problems of public ownership.

The author has, however, omitted a few leading cases. For example, in dealing with the question of depreciation expense, two important decisions of the Supreme Court of the United States have been overlooked, *Lindheimer v. Illinois Bell Telephone Company*<sup>1</sup> and *St. Joseph Stockyards Co. v. United States*,<sup>2</sup> although both cases have been included in other sections of the book. On the question of rate of return Professor Barnes has also failed to include decisions emphasizing the effect of the depression and changes in the level of interest rates as affecting the rate of return. Among the cases omitted here is *Central Kentucky Natural Gas Co. v. Railroad Commission*.<sup>3</sup> In his discussion of the question of operating expenses he has underestimated the difficulties of regulating this phase of the operations of independent utilities. Here he might well have pointed out, as Chief Justice Hughes did in the *Lindheimer* case<sup>4</sup> that "charges to operating expenses may be as important as valuations of property." This ruling applies equally when the commissions are dealing with independent operating companies as well as where the operating company is part of a holding company system.

HARRY R. BOOTH

<sup>1</sup> 292 U.S. 151 (1934).

<sup>3</sup> 290 U.S. 264 (1933).

<sup>2</sup> 298 U.S. 38 (1936).

<sup>4</sup> 292 U.S. 151, 163 (1934).