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Book Notes

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BOOKNOTES

OBITER DICTA: OPINIONS, JUDICIOUS AND OTHERWISE, ON LAWYERS AND THE LAW. By Joseph W. Bishop, Jr., New York, New York; Athenum, 1971. Pp. 285. \$8.95.

This outstanding author has covered a wide range of judicial thought, controversies and colorful individuals in a very delightful and provocative manner. The discussions are divided into three very appropriate categories. (1) Judges, Juries and Lawyers (2) Morality and Politics, Old and New and (3) The Law and Language of War. Within these areas there is specific coverage of the Warren Court, drawbacks of trial by jury, invasion of privacy, the court-martial system, and individuals such as Louis Nizer, William Kuntzler and Justice Douglas just to mention a few. *Obiter Dicta* is definitely an enjoyable and thought provoking account.

R.P.

ESCAPE FROM MARRIAGE: HOW TO SOLVE THE PROBLEMS OF DIVORCE. By Donald J. Cantor, William Morrow & Co., Inc. New York, New York, 1971. Pp. 191. \$4.95.

The author has compiled a very thoughtful examination of the divorce process. He explains the legal implications of the marriage contract and the divorce laws of the various states. It primarily focuses on the evils of the adversary system which require a specific charge and proof of fault. The author also covers some of the injustices that result from the divorce proceeding. This book is a must for any lawyer who is handling divorce cases and wishes to do a fair job to himself and his client.

T.F.

HOW TO AVOID LAWYERS. By Edward Siegel. Greenwich, Conn.: Fawcett Publications, Inc., 1971. Pp. 350. \$.95 (paperback).

The author, a well-known practicing attorney, offers a comprehensive and concise guide that gives the layman clear and easy-to-follow advice on how to get along without legal assistance and when

you need it how to find the best legal talent. It covers such areas as probate, accidents, debts, divorce and bankruptcy. These are only a few of the important subjects included.

J.M.

AUTOBIOGRAPHY OF A THIEF. By Hutchins Hapgood. New York, New York: Johnson Reprint Company, 1970. Pp. 349. \$20.00.

This story gives us the life of an individual who ended up in prison for several years and was labeled a thief. It takes us through his boyhood and early crime and the many experiences he incurred as a result of this path. It is an excellent account of the impact of one American's experiences on the imagination, character, thought, and expression of Americans.

T.O.

A FOOL FOR A CLIENT. By Roy Cohn. New York, New York: Hawthorn Books, 1971. Pp. 181. \$6.95.

Roy Cohn has taken a personal experience with the legal system and turned it into a rather thought provoking account. Twice faced with criminal indictments of five and nine counts respectively Mr. Cohn was found not guilty on any of the charges. In his book he informs us of how and why these cases came about. The answers point out some important problems that the author sees in the administration of justice in America.

J.M.

THE SUPREME COURT AND THE PRESIDENCY. By Robert Scigliano. New York, New York: The Free Press, 1971. Pp. 220. \$6.50.

In *The Supreme Court and The Presidency*, the separation of powers is used as a framework for a study of judicial-executive branch relations. The author focuses on especially pertinent aspects of Supreme Court—Presidential relations including the appointment of justices, presidential expectations, conflicts, and judicial performance. Its thesis is that these two institutions were intended by the framers of the Constitution to act, for certain purposes, as an informal and limited alliance against Congress, and that they have in fact done so. With the widespread publicity these two branches of our government have been receiving it is very worthwhile reading.

M.W.H.

THE BEAST. By Ben B. Lindsey and Harvey J. O'Higgins. Seattle and London: University of Washington Press, 1970. Pp. 340.

The Beast is an entertaining and moving account of the struggles of Judge Ben B. Lindsey to establish some degree of justice and democratic process in the Denver, Colorado of 1900. This small volume recounts the political battles of Judge Lindsey to establish election fraud and tampering laws, factory safety legislation, minimum wage laws, child labor laws, child detention centers, and juvenile courts in Colorado. The beast that Judge Lindsey attacked was a political system controlled and managed by strong corporate interests. Corporate control of government for its own self-interest was in Judge Lindsey's mind the single greatest cause of social inequity, squalor and hovels for the working people, graft and corruption in government, and an environment that drove children and adults to crime through desperation engendered by hunger or cold. Judge Lindsey spent his life fighting for the proposition that the perpetrators of these crimes should not be punished nearly so severely as the corporate interests that created and perpetuated the conditions that made crime necessary in the lower classes to live. This is the story of that continual fight against the political corporate interests and the heart-warming popular support he developed.

W.L.B.

THE ROSENBLUTH CASE; FEDERAL JUSTICE ON TRIAL. By Rosemary Reeves Davies. Ames, Iowa: Iowa State University Press, 1970. Pp. 252. \$9.95.

Several years after an Army major was shot and killed and a board of inquiry declared the wound to be accidental and self-inflicted, Captain Rosenbluth was charged by the Department of Justice with the murder of that Army major. The author points out the struggles that faced Captain Rosenbluth over the four year period it took to clear himself. The enormous difficulties of correcting a mistake once the forces of the prosecution are organized; the problem of clearing up any error when dealing with a governmental department; the case with which prejudices and emotions can influence both prosecution and defense; and the sheer cumbersomeness of legal procedure, which may condemn one to intolerable delays in court.

These conditions still exist to some extent today and it is worth noticing how these problems arose in *The Rosenbluth Case* and reflect on why they are still with us.

M.W.H.

WORKING WITH THE REVENUE CODE—1971. Edited by Don J. Summa, CPA. New York, New York: American Institute of Certified Public Accountants, 1971. Pp. 273. \$5.00.

This annual publication of the AICPA is a valuable practical guide to solving specific problems arising under selected sections of the Internal Revenue Code. It emphasizes the more difficult provisions and suggests approaches to current problems encountered by experienced practitioners. Each specific topic is treated thoroughly but concisely, and pertinent Revenue Rulings, Treasury Regulations, and cases are incorporated into each analysis. A major advantage is that the researcher will save valuable time by reviewing the approach taken to a particular problem encountered and already solved by others. Likewise the tax planner after a general reading will be made aware of pitfalls to avoid. The book is especially valuable to the attorney handling non-individual tax problems since the majority of the Code Sections covered deal with the corporate and business taxpayer.

P.W.M.

SPECIAL PROBLEMS IN LAW ENFORCEMENT. By Donald D. Schultz. Springfield, Illinois: Charles C. Thomas, publisher, 1970. Pp. 178.

At this late date it would appear that crime and social unrest in America could be attributable to something other than international Communism. Nevertheless, the author here glibly assures the reader that the S.D.S.; Student Activism; and the American Civil Liberties Union are all a part of a great communist conspiracy to overthrow the duly constituted government of the United States. Mr. Schultz, has developed a useful handbook that makes light, but informative, reading for those persons unfamiliar with the dogma of the extreme right wing. However, it is discomfoting to note that the book is addressed to police agencies, as a manual for their use. Hopefully the law enforcement agencies in America have progressed beyond such a naive approach to the rising crime rate and social unrest in America.

J.M.