1937

Book Reviews

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BOOK REVIEWS


Although Professor Whiteside purports to follow the plan and outline of Professor Kales’ edition, he has in fact departed from Kales’ arrangement in many respects, much to the advantage of the revision. He has not hesitated to reduce chapters in the earlier book to sections in the new and to rearrange their order. His arrangement seems more logical than Kales’.

In addition to many citations of law review articles, the editor has referred to the restatement of the law of property of the American Law Institute wherever possible.

Professor Whiteside has retained all the important cases of the earlier edition and has added many decisions decided within the past few years. These recent cases should call to the attention of the student the fact that the subject of Future Interests is not confined to what may seem ancient history, but touches or concerns present-day problems of conveyancing, drawing deeds of trust and writing wills. Many of the longer opinions used by Kales have been shortened by judicious editing.

This casebook can claim heirship to Professor Gray’s cases on Property, volumes five and six, which made up about the first collection in this field and contained all the “landmark” cases on the subject. It retains the advantages gained by this early collection and brings it down to date. The reviewer for several years used Professor Kales’ casebook in his classes and found it an excellent work. The present edition is a careful and scholarly revision and should retain position gained by the earlier as one of the best of the American Casebook Series.

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The authors of the public utilities casebook of the American Casebook Series, in their first edition, stressed the fact that the law in this particular field had changed very rapidly in recent years. The still more marked changes from common law principles to legislative regulation during the decade that has elapsed since the first edition was printed, fully justifies them in bringing out this revised edition and justifies their shift of emphasis to statutory and administrative materials. The Federal Motor Carrier Act and the Public Utility Holding Company statute are only two of many legislative enactments of paramount importance.

The new edition begins with an introduction summarizing the common law materials on the scope of utility regulation. Then follow the leading decisions on the subject: Munn v. Illinois, Budd v. New York, Brass v. North Dakota, German Alliance Ins. Co. v. Lewis, Wolf Packing Co. v. Court of Industrial Relations, Ribnitz v. McBride, Williams v. Standard Oil Co., New State Ice Co. v. Liebmann, and Nebbia v. New York. This is suggestive of the method. No case having any important bearing on the development of public utility law is missing. The modern phases of regulation, rate making, depreciation, operating costs, are fully covered. In fact there is much more material supplied than can be possibly covered in the time usually allotted to this subject. The instructor has ample opportunity to select the material he wishes to use. This volume, like the first, can be used in a course combining carriers and public utilities or in two courses, carriers and public utilities. The new edition, one hundred pages shorter than the first edition, still contains over eleven hundred pages. The numerous law review articles dealing with the subject are made available to student and instructor by citations in the very complete footnotes.

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