



1932

Book Reviews

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Recommended Citation

Black, Forrest Revere; Evans, Alvin E.; and Finley, Gordon B. (1932) "Book Reviews," *Kentucky Law Journal*: Vol. 20 : Iss. 2 , Article 14.
Available at: <https://uknowledge.uky.edu/klj/vol20/iss2/14>

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BOOK REVIEWS

SOCIAL POLITICS AND MODERN DEMOCRACIES. 2 Vols. Charles W. Pipkin. Macmillan, 1931. Pp. xxxiv, 377; pp. vii, 418.

These two volumes relate the struggle for social legislation and administration in England and France. They present an admirable historical study of the efforts made by these two great nations in attempting to meet the problems created by a changing industrial order. Although the primary purpose is to trace the growth of labor legislation in these two states, the most interesting contribution for students of government is the rather incidental comparative study of English and French governmental institutions and of the temperaments of these two great peoples. In England, democratic progress has been the result of a gradual orderly evolution. The work of social legislation has been carried out largely by the Liberal and Labor parties. In France on the other hand, from the beginning of the Parliamentary regime to the present day, deputies have been elected who have been opposed not only to the democratic program of the Republican parties but also to the existing governmental system as well. Thus the French labor movement has been constantly influenced by the political instability of Parliamentary life. This political instability, combined with the French love of logically working out an idea to its conclusions, accounts for the schismatic tendencies of the French labor movement. Just as the political instability of the French constitutional system has created a Socialist party without a sense of Parliamentary responsibility, so the individualism of the French industrialists has inspired a revolutionary spirit in the French worker. This same individualism has retarded the growth of welfare agencies and voluntary associations, which seem to be especially suited to the British temperament.

These two modern democracies have gone much further in the field of unemployment insurance, old age pensions, housing conditions and arbitration than most of our American states. We have much to learn from French and English experience in social legislation. At a time when people everywhere are beginning to consider the foundations of national security in terms of human welfare and happiness, this work is especially valuable.

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ENCYCLOPAEDIA OF THE SOCIAL SCIENCES. Editor-in-Chief, Edwin R. A. Seligman. Associate Editor, Alvin Johnson. Volume III. The Macmillan Company, New York, 1930.

Such diverse titles as "City Manager", "Coal Industry", "Brokers' Loans", "Buddhism", "Caesar", "Capital Punishment", "Chain Stores",

and the more legal titles "Case Law", "Case Method", "Caveat Emptor", "Certiorari", "Civil Law", "Civil Rights", "Coke", etc., are among the approximately four hundred and fifty topics found in this volume. Among the authors are such well known scholars as Professors Beale, Scott, Plucknett of Harvard, Dickinson of Pennsylvania, Hamilton of Yale, and Llewellyn of Columbia.

While the articles are in some cases exceedingly brief, they are for the most part well done and this set should be a valuable addition to social science libraries.

ALVIN E. EVANS.

Dean College of Law,
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SETTLEMENT OF DISPUTES BY ARBITRATION. By Alexander P. Blanck, of the New York Bar. New York, 1930, pp. 38.

The author of this short book calls it "A Manual On Commercial Arbitration for the Business Man." The book has an introduction by Hon. John C. Knox, Senior District Judge, U. S. District Court, who recommends it.

The book is written in a simple style, and is intended for the layman rather than the lawyer. The author points out the many advantages of arbitration over litigation in the courts. He says that arbitration is speedier, more convenient, less costly, and discouraging to unfounded claims, and that it promotes better business and gives better results.

The author then goes into the legal aspects of the subject. It is based on the New York Arbitration Statute, but it is interesting to note that Kentucky has a statute somewhat similar to that of New York. Mr. Blanck sets forth the necessary elements of arbitration agreements made before and formal submissions made after a dispute has arisen. Next, he treats of enforcement by courts of agreements to arbitrate, and of waiver of these agreements. Then, he deals with how the arbitrations are conducted, the requirements of valid awards, how the awards are rendered, and with their enforcement or avoidance through the courts.

The book is interesting, but not, for practical purposes, of very great value to the lawyer.

GORDON B. FINLEY.

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CASES AND MATERIALS ON THE LAW OF CORPORATE REORGANIZATION. By William O. Douglas and Carrol M. Shanks. West Publishing Company, 1931.

An interesting experiment is being planned at Yale and a part of its fruits is three case-books now published and one other projected, by Professor Douglas and Mr. Shanks in the field of business. In January, 1931, their first book dealing with Corporate Management appeared. In June the second appeared which dealt with corporate Finance.

A third is to deal with Business Losses. The present, which is the fourth volume, presents material on Corporate Reorganization and seems to the authors to be necessitated by the fact that there is no room for the material either in the Finance volume or in the Losses volume. This volume to a considerable extent is occupied with receiverships. It deals also with reorganization plans, the rights of dissenters, powers of committees, judicial sale, and voluntary reorganization.

Appearing in July and so shortly upon the heels of the other two, this book is undoubtedly regarded by the editors as tentative and the whole plan is doubtless subject to ready rearrangement. A very large portion of the cases selected are rather long for successful class discussion and it may well occur to the editors after further experimenting that this subject matter is likely to be better digested if the subject is developed in some other way than exclusively by the use of cases. This assembling of materials outside the orthodox course in corporations should prove to be a fine service.

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CASES ON INTERPRETATION OF STATUTES. De Sloovere. American Casebook Series. West Publishing Company. 1931. Pp. xxiii, 970.

The interpretation of statutes is a field of the law that has been neglected by American legal scholars. Its importance is obvious when we consider the great number of cases adjudicated by our courts that involve statutory interpretation. The author of this casebook estimates that more than half of the cases reaching the higher courts in this country deal in one way or another with statutes and codes. It is a sad commentary on law school curriculums that so little attention is being paid to this important problem.

Professor De Sloovere's work is the result of three years of teaching in this field of the law. The book is divided into four parts. Part 1 deals with problems precedent to interpretation such as judicial notice and proof, the functions of legislatures, courts and jury in interpreting statutes and the nature and principles of construction. Part 2 develops the principles by which courts determine what falls within and without the statute. It considers the context, extrinsic aids and the question as to how far the statute has repealed the common law. Part 3 deals with such special problems as mandatory and directory provisions, remedies, exclusive and cumulative and common law exceptions and defenses. Part 4 deals with the problems of the time of taking effect, prospective and retrospective operation and repeal and reenactment. The author has compiled an excellent collection of cases and it is to be hoped that this work may encourage some of our law schools to add this much-needed course to the curriculum.

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