

CURRENT LEGAL PERIODICALS AND BOOK REVIEWS.

THE LAW OF INSURANCE, FIRE, LIFE, ACCIDENT, GUARANTEE.
By WILLIAM A. KERR. Pp. xi+917. St. Paul, Minn.:
Keefe, Davidson Company. 1902.

The author of this book has adopted the form in which many of the recent text-books have been written, viz: black-letter headings, giving in a few brief sentences the principles of law contained in the following sections, then a fuller statement of the law in the text, followed by digests of cases. When well carried out this is a most convenient form for either the student or the practitioner. In his use of this form, however, the author has, in this book, left much to be desired. The black-letter headings are perhaps the most successful part. These, as a general rule, give a very good summary of the principles of law. The sections following, however, have the objection that they are full of repetitions, and, though they extend over a dozen times as much space as the headlines, frequently add very little to them. The simple and obvious principles of law are treated at length, which must only annoy the reader who wishes to get at the real problems with as little delay as possible. These problems the author rarely deals with in any satisfactory way, if indeed he as much as points them out, in that part of the chapter. Then follow brief digests of the facts of numerous cases, with the decisions. The grounds of decision are usually not given; they are very rarely given when most desired by the reader. Apparently conflicting decisions are placed side by side without any comment, and the reader is left to look for himself to ascertain whether the conflict is due to the different courts' looking at the same question in a different light, or whether there is some good ground of distinction.

The arrangement of the whole book is logical, and with a good index and a very complete list of cases, about 4,300 in number, the practitioner will find it a convenient guide in hunting up the cases.

The proportion of the book is bad. An author of a special subject like insurance should assume some knowledge on the part of the reader of the subject of contracts. The author of this book takes the first 152 pages to discuss such topics of the law of contracts as every book on contracts would deal with fully, such as, essentials of a contract, parties to contract, the form, making, constituents, interpretations, etc., of contract. The next 120 pages are devoted to the subject of agents. What-

ever of these subjects is peculiar to the law of insurance might easily have been treated in a third the number of pages. These subjects are followed by a chapter on "Insurable Interest," a subject particularly to be looked for in a book on insurance, which covers only seventeen pages.

In the rush to get law books on a comparatively recently developed subject on the market before others, it is perhaps no wonder that those qualities in a work which take much time and thought are so often lacking nowadays. While Mr. Kerr has given us a book which will doubtless serve to a good many practitioners as a convenient digest of the cases in insurance, we cannot help wishing he had made it something more.

H. W. L.

A TEXT-BOOK OF LEGAL MEDICINE AND TOXICOLOGY. Edited by FREDERICK PETERSON, M. D., Chief of Clinic, Nervous Department of the College of Physicians and Surgeons, New York; and WALTER S. HAINES, M. D., Professor of Chemistry, Pharmacy, and Toxicology, Rush Medical College, in affiliation with the University of Chicago. Two volumes. Vol. I. Pp. 730. Philadelphia, New York, London: W. B. Saunders & Co. 1903.

This treatise has been divided into two portions, the first part of which is devoted to Legal Medicine and the second part to Toxicology. It is with the first part that we have to deal, the second not having appeared as yet.

The authors state that, "the object of the present work is to give to the medical and legal professions a fairly comprehensive survey of forensic medicine and toxicology in moderate compass," and that these two volumes should take an intermediate place between the manuals of limited size on the one hand and those systems of legal medicine of almost encyclopedic dimensions on the other.

The work contains an introduction giving advice to medical experts, and to attorneys as to the best methods of obtaining the desired information from witnesses. This portion of the book, which is entitled "Expert Evidence," should be of considerable value to those of the medical profession who are called to the witness stand as experts, in that sound advice is given as to how the expert should conduct himself while giving evidence so as to make the best impression on the jury. It would, however, have done no harm if the editors had seen fit to give a general knowledge to the reader of the relevancy of expert evidence, so that the doctor might know something of what the limits placed on his evidence are, and how far it is his duty to answer questions which may be put to him. For it is a well-known fact that the average expert is liable every now and then, particularly if angered, to give a lot of evidence which is abso-

lately irrelevant, and which not infrequently leaves a bad impression on the jury.

The book besides containing a discussion of the usual topics found in treatises on this subject has a chapter on "The Destruction and Attempted Destruction of the Human Body by Fire and Chemicals." From a legal point of view there can be no doubt but that this is one of the most important and interesting chapters in the whole book. The length of time and the quantity of fuel necessary to the destruction of the human body is thoroughly discussed.

In regard to the rest of the book very little can be said, as it was evidently written for the benefit of the medical man and not for the lawyer. It may be of use to the doctor, of this we cannot speak authoritatively, but we feel justified in asserting that so far as the lawyer is concerned he will derive no benefit whatever from this work from the legal point of view. It is a treatise on legal medicine, not a treatise on medical law.

W. F. N.

COLLIER ON BANKRUPTCY. THE LAW AND PRACTICE IN BANKRUPTCY UNDER THE NATIONAL BANKRUPTCY ACT OF 1898 AS AMENDED BY THE ACT OF FEBRUARY 5, 1903. By WILLIAM H. HOTCHKISS, Referee in Bankruptcy at Buffalo, N. Y., and Lecturer on the Law of Bankruptcy in the Buffalo Law School. Fourth edition. Pp. xiii+984. Albany, N. Y.: Matthew Bender, 1903.

This edition of the author's comprehensive treatise, as its title indicates, brings the subject down to date, and owing to the additions and changes, the result is practically a new work of such completeness as to render it a valuable publication to a practitioner who is perhaps unfamiliar with the subject.

Some of the novel features are as follows: The cases referred to are cited in footnotes and not in the body of the text; the citations are largely to precedents under the present law although those thought valuable under previous laws are included; a system of short indices called *Synopses of Sections* has been added at the head of each section, by means of which the investigator may speedily reach the paragraph for which he is in quest; much more space has been given to practice than in former editions; a lengthy list of *Supplementary Forms* based on the experience of a referee in bankruptcy has been added.

Inasmuch as bankruptcy is statutory in origin and development and the enactments of Congress so irregular, a work of this nature is peculiarly valuable to both student and practitioner, comprising, as it does, all necessary information on the subject. Former editions of this work have in the past been commented upon in these columns, so that further remarks are unnecessary.

W. H. M.