

BOOK REVIEWS

HANNA'S CIVIL PRACTICE FORMS IN PENNSYLVANIA. By Meredith Hanna, New York, Clark Boardman Co., Ltd., 1925, 2 vol., pp. 1952.

These volumes comprise what is the most ambitious attempt of recent years at a complete collection of forms for civil practice in Pennsylvania. The editor has endeavored to gather together not only all the forms necessary for use in connection with bringing suit and actual court work, in each of the State Courts, but gives a set of forms for Federal practice, for Admiralty and for Bankruptcy. In addition there is a set of corporation forms, a set of conveyancing forms, a set of forms for the drafting of wills, and forms for use under such acts as the Uniform Limited Partnership Act, the Fictitious Names Act and the Conditional Sales Acts.

It is, as might be expected, in the field of Common Pleas forms that the compilation is most helpful. While it might seem that there is too much cumulation of essentially similar forms in this part of the work, yet to the young practitioner, without precedents in his files, it is just such detailed forms that are of value. For those for whom form books are made, the sample statements of claim and affidavits of defence in *assumpsit* and trespass, extending through two hundred pages, culled from the immense mass of precedents at the hand of the editor, are of chief importance. The portion of the second volume dealing with procedure in connection with judgments and sheriff's sales is no less satisfactory. The notes in this connection are especially valuable.

The remainder of the work covers an amazing variety of subjects and takes one into all sorts of dark corners of legal procedure. The Uniform Acts have been probed and made to yield forms for ready use. There is a whole set of forms for use under the Declaratory Judgments Act, with petitions for declaratory judgments upon a number of subjects. There is a form for a conditional sale contract, and one for a certificate of limited partnership under the Uniform Acts. Only the Uniform Partnership Act holds back its secrets. The form for a charging order is not yet in print.

The forms covering such a variety of subjects are necessarily disappointing in some instances when compared with the complete collections of Common Pleas forms. For example, only four pages are given to partnership forms. Again, the section on corporations is not nearly so satisfying to the form-hungry young lawyer as those on statements of claim and affidavits of defence.

The arrangement, which, after all, is a thing of first importance in a form book, is baffling. The work is divided into chapters which are subdivided into parts with no very evident connection in many instances. Chapter XVI, for example, is subdivided into six parts covering respectively "Removal of Causes to United States Courts," "Removal of Dangerous Building," "Certificates of Assumed or Fictitious Names in Business," "Accounts in Courts of Common Pleas and Orphans' Court," "Adoption" and "Change of Name of Individual." This rather startling arrangement, however, is prevented from destroying the usefulness of the book by a very satisfactory index.

The faults of the work are on the whole of little significance, consisting chiefly in the occasional incompleteness always resultant upon a too ambitious undertaking. Its value is undoubted, on the other hand, in giving so many forms,

approved very recently by the Courts, many of them not otherwise obtainable unless at the cost of very considerable time and trouble. The practice Notes, inserted at the heads of several sections, while generally elementary, are well worth while for those for whom they are intended.

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THE MODERN LAW OF REAL PROPERTY. G. C. Cheshire, Esq., B. C. L., M. A.
Butterworth and Company, London, 1925.

Those who have followed the career of G. C. Cheshire, particularly in his work as Law Fellow in the Oxford University School of Jurisprudence and Civil Law, welcomed the announcement made several years ago that he was then engaged in writing a treatise on Modern English Real Property Law. The promised book, recently published, has just come to us. It is an excellent presentation in Mr. Cheshire's characteristic, clear style, of the old system of Real Property Law, with the changes made by the new legislation which came into operation January 1, 1926.

The author modestly states in the preface to his work, that "the old system of Real Property Law was discussed with such lucidity and fulness in several works of repute that it would have been presumptuous to offer another book had the law remained unaltered," and his justification, therefore, in attempting to prepare a new treatise was given when it was known in January, 1924, what the intentions of Parliament were concerning the new legislation.

The immediate purpose of the book has been to present the new system of law "as a composite whole," by discussing under separate topics the general principles of the old law and showing specifically under each topic wherein the new legislation changes these principles. In thus presenting the modern law Mr. Cheshire has indeed enabled us "to envisage a legal system which is, in many respects, widely different from that described in existing works"; and the immediate purpose inducing the book's preparation is therefore ably satisfied. But in accomplishing this avowed immediate purpose, Mr. Cheshire has also, we believe, made a valuable contribution to the literature dealing with the so-called old system of English Real Property. In this respect the book will have a general appeal. To be sure, it is not an exhaustive discussion of all possible variations and illustrations of the general rules. If one were expecting to find in it a digest of detail, he would be disappointed, for the work does not purport to be encyclopedic in character; indeed much of its distinctive value as regards style, arrangement and necessary emphasis, would have been lost had the author attempted a detailed treatment. As it is, Mr. Cheshire has given us a clear and scholarly analysis of fundamentals; and to the student, in particular, in his difficult task of understanding the old as well as the new system of English Real Property law, the work will be invaluable.

One special feature which commends the book for ready practical reference, is an appendix containing a summary of the changes made by the recent legislation. These changes are carefully tabulated under proper headings, and notations made in separate columns, first to the page in the text where discussion of the change may be found, and secondly to the pertinent section of the

statute effecting the change. This feature and the clear orderly arrangement of the text are conducive to a convenient use of the book.

Practitioners and students, we believe, will welcome Mr. Cheshire's timely contribution to the literature of English Real Property Law.

John Murdoch Clarke.

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