

## BOOK REVIEWS

DELINQUENT GIRLS IN COURT. By Paul W. Tappan. Columbia Univ. Press, New York, (1947) pp. x; 265. \$3.00.

Specialized experimental courts are not new in New York City. The first night courts for both men and women were established in 1907. These courts, it is said, competed with theatres for entertainment seekers. As a result, there was established in 1916 a separate night court for women in Manhattan, and one in the Bronx, "to limit the number of doubtful male characters, who were seen from time to time among the spectators at the night courts." In 1918 the Women's Night Court of Manhattan became a day court with provision by statute for the remand of female prisoners for observation and study after conviction and before sentence. In 1934 it became city-wide in jurisdiction. Two years later the Wayward Minor Court was inaugurated as a special part of the Women's Court by the authority of power vested in the Board of Magistrates to establish specialized courts for the handling of specified offenses. And in March 1944 the Wayward Minor Court was established as an entirely separate specialized court.

*Delinquent Girls in Court* is a study of the Wayward Minor Court of New York. The very name of the court (fortunately changed in 1945 to "Girls Term") signifies it is a court for the administration of socialized justice. A person who is to make a study of it should have both an understanding of judicial processes by which the court functions and the social knowledge and skills which such a court should employ. Dr. Paul W. Tappan would seem to have both qualifications. He is a member of the New York Bar and a trained sociologist, holding advanced degrees in both fields. And he has done a thorough job. The book shows the fruits of scholarship and penetrating social analyses. And when the author has finished he leaves no doubt of his dissatisfaction with the court. The final chapters contain suggestions for changes and administrative reorganization.

New York, as well as other metropolitan cities, has a juvenile delinquency problem. It has the problem of the adolescent girl who is not conforming to accepted mores, who is in "danger of becoming morally depraved." Because of the size of the city the problem is larger. The Wayward Minor Court was, therefore, established and given jurisdiction "of any person between the ages of sixteen and twenty-one who either (1) is habitually addicted to the use of drugs or intemperate use of intoxicating liquors, or (2) habitually associates with dissolute persons, or (3) is found of his or her own free will and knowledge in a house of prostitution or assignation or ill fame, or (4) habitually associates with thieves, prostitutes, pimps or procurers of disorderly persons, or (5) is wilfully disobedient to the reasonable and lawful commands of parent, guardian or other custodian and is morally depraved or is in danger of becoming morally depraved may be deemed a wayward minor."

In practice only sub-section 5 of the statute is used in the complaints largely because of the difficulties of securing sufficiently specific proof under the other provisions of the Act. "The central issue under the rule in operation, then, is the imminent or existent 'moral depravity' of the defendant."

The Court has an intake department where all complainants are interviewed by a probation officer. These complaints are ordinarily made by the parent or guardian. The next step in the proceeding is the arraign-

ment at which time the defendant is informed of the charge against her and of her rights under the law. Adjournment is then customary to permit investigation of the case history by the probation department. During the period of adjournment the Court may make a temporary disposition by either (1) parole: the girl is returned to her parents, relatives, or friends, or to an agency; (2) remand: the girl is sent to one or more institutional shelters or to a hospital for custody, diagnosis, or the beginning of treatment; (3) parole and remand: where it is found that both types of interim disposition are required.

The hearing is the final step, and testimony is taken before the judge. If he finds against the defendant she is adjudicated to the status of "wayward minor." The defendant may be subjected to either of two general types of treatment—official probation or commitment to some institution for an indeterminate period up to three years. If the girl is not adjudicated a wayward minor, the Court may still retain what is known as "unofficial supervision," either through an officer of the Court or a representative of a social agency.

Two classes of cases would seem generally to fall under the Court's jurisdiction: (1) The adolescents who are guilty or suspected of sexual misbehavior. As to these cases Professor Tappan says: "In practical effect the result may be to subject to punishment merely those individuals among the sexually active who are so inept in their expression as to be 'trapped' by parent, police officer, or nature. In the latter case it frequently means that the pregnant unwed girl enters motherhood as a wayward minor and is fortunate if her child is not born in custody." (2) Adolescents who have been guilty of insubordination to parents. As to this class Professor Tappan says: "When . . . the Court . . . wields its authority to penalize or terminate filial insubordination, questions of equal difficulty arise. In an era of increasing emancipation of youth, to what standard of obedience should the daughter be held?"

Since both classes of cases are based on moral depravity, "the problem of drawing lines delimiting the area" says Tappan, "is peculiarly acute when moral, religious, national, and cultural biases may direct discretionary interpretation. This makes for considerable conflict and confusion in the Court."

The analysis and evaluation of the operation of the Court, its inadequacies in staff and commitment institutions, the lack of cooperation with community agencies, should be welcome not only to the Court itself but to the sociologist, lawyer, judge and citizen, who are faced with the growing need of specialized courts for specific cases. The chapter dealing with diversities that flow from the temperaments and characters of presiding judges, dramatize the age old problem of how justice can ever be equally administered by "unequal" judges.

Our point of departure with Professor Tappan is in his basic criticism of the functions of the Court. He believes that it should not function except upon a charge of a specific offense. The force of the law should not be brought into application except upon some recognized departure from the law which is to be proven by competent evidence before any steps are undertaken. He is disturbed that due process is being denied to the young. The remand and pre-trial investigation he disapproves as wholly unconstitutional, condemning the girl before she is found "guilty." In his recommendations he would have a legal representative to advise the adolescent of her rights and to defend her. "A representative of the Juvenile Aid Bureau, or from the Legal Aid Society, might well perform this function."

Unfortunately, the author has not quite rid himself of his schizophrenic professional personality. He writes frequently as a good sociologist and frequently as a good traditional lawyer. But not too often as that rare blend of socio-legalist.

The Court and its agencies carry the stigma of the criminal system. And as a good traditional lawyer Professor Tappan is thinking of the age-old protection built around a person accused of a crime. But the proceedings are not criminal in nature in spite of the historical classification under which they fall. Juvenile Courts suffer from the same difficulty, and in time we may rid them entirely of the criminal stigma which still attaches to them. The traditional lawyer now recognizes that courts have universally held the procedure in the Juvenile Court as constitutional. And the procedure in Wayward Minor Court is no different. There are no star chamber proceedings. No one is being convicted of a crime. The power which the Juvenile Court exercises over children and the wayward minor, is part and parcel of a power exercised by chancellors and judges since time immemorial. In 1828, Lord Redesdale, speaking in *Wellesley v. Wellesley*, 2 Bligh (N. S.) 124, said the right of a chancellor to exercise such power had not been questioned for 150 years.

If all that is expected of this Court is to punish, or even reform a guilty person, then it loses its great value as a preventive agency in dealing with the hundreds of cases of maladjusted youth who are on the road towards delinquency and crime. A court properly staffed may uncover a condition which might be a precipitant of crime and may remove it. We cannot always leave the handling of these cases, involving family disputes and filial insubordination, to the social agencies. Would that we could! Frequently there must be compulsion and authority to compel the use of these agencies which can be one of the most important techniques of the Court. Miss Rappaport, writing in *A Case Work Approach to Sex Delinquents* (Pennsylvania School of Social Work, 14), says: "Thus far in our experience, contrary to common belief, we have found it infinitely easier for the agency to help and for the girl to be helped if she comes to us on probation, since the authority of the court is a powerful dynamic—a dynamic carrying within it the supportive right to help another through the uncertain steps which lead to change. We are struggling to find something as powerful as that for helping a girl who comes to us voluntarily."

Professor Tappan recognizes that youth is the period when, if at all, effective work of reformation and rehabilitation may still be carried on so that the continued, aggravated criminal careers of adulthood may be prevented. He recognizes that a specialized tribunal for the adolescent girl, with an attempt to coordinate available facilities, has constituted, ideologically, a long step towards more effective treatment of the young. It is a mistake, therefore, to restrict the Court to old criminal concepts and forms and to worry about the due process and constitutional rights of our children, when that point has long been decided by the courts. Our efforts and emphasis should be in the direction indicated by Roscoe Pound in *The Future of Socialized Justice*: "We must go on to direct our energies not only to setting up tribunals and agencies of individualization where they are still lacking, but even more to development and provision of techniques, of personnel, of training, and of adequate facilities."

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CASES AND MATERIALS ON THE CONFLICT OF LAWS. By Ernest G. Lorenzen. Fifth Edition. West Publishing Co., 1946, pp. xlviii, 984.

SELECTED ARTICLES ON THE CONFLICT OF LAWS. By Ernest G. Lorenzen. Published for the Yale Law School Association by The Yale University Press, 1947. Pp. 542.

Professor Lorenzen's *Selected Articles*, treading close on the heels of a fifth edition of his casebook, call for a full-dress evaluation of the work of their distinguished author in the conflict of laws. Competent hands, it is hoped, will attempt such a critique. The present review can only skim the surface.

It is hardly open to question that the leading American Conflicts scholars of the last generation were the late Professors Beale and Cook and (if it is proper to include among the last generation one so hale and active) Professor Lorenzen. Each member of this doughty trio has made a distinctive contribution to American Conflicts learning. Beale, in the great Cambridge tradition, forged from the rough ore of the Anglo-American cases a heavy bludgeon of doctrine. He was not ignorant of alien materials,<sup>1</sup> but they were not part of the common law; nor were any cases part of the common law if they were not amenable to the territorial axioms derived by Story from Huber. The law of a state binds all persons and property within the state, and none without it. "If the law of the place where the parties act refuses legal validity to their acts, it is impossible to see on what principle some other law may nevertheless give their acts validity."<sup>2</sup> Thus Beale on the validity of contracts. The many cases referring validity to the place of performance rather than to the place of making, and the Continental doctrine, also imbedded in the cases, which gives effect to the intention of the parties,—these misinterpreted the common law as revealed at Harvard. Beale's monuments were the *Restatement* and the *Treatise*, more lasting than brass perhaps but more easily tarnished. For the *Restatement* wants restating, and profane hands have been laid on the *Treatise*, even to sully the pertinence of the citations.<sup>3</sup>

Cook brought to Conflicts a mind scientifically trained which delighted in paradox and in subtle analysis. In his articles, also collected in book form with the benefit of afterthoughts and counter-attacks by the author,<sup>4</sup> he elaborated the local law theory for which Judge Learned Hand provided a decisional foundation. A court, Cook insisted, cannot and does not "apply foreign law" or "enforce foreign-created rights." It enforces its own law, which, in cases with foreign elements, will often direct a decision as near as may be to the result which the appropriate foreign court would reach in a like case. This may be only a verbal formula; but to many, as an explanation of what the courts do, it is more appealing than Beale's rigidities.

No such gulf separates Cook from Lorenzen.<sup>5</sup> The latter's contributions to general theory have been more modestly stated than Cook's, but

1. BEALE, *BARTOLUS ON THE CONFLICT OF LAWS* (1914).

2. Beale, *What Law Governs the Validity of Contract III?* 23 HARV. L. REV. 260 (1910).

3. See Rheinstein, *The Place of Wrong: A Study in the Method of Case-law*, 19 TUL. L. REV. 165 (1944).

4. COOK, *THE LOGICAL AND LEGAL BASES OF THE CONFLICT OF LAWS* (1942).

5. Indeed, their names are often linked. See 3 BEALE, *TREATISE ON THE CONFLICT OF LAWS* (1935) 1879: "In this country a new doctrine, that of the self-styled realists, has been put forward. It may be studied in current articles of W. W. Cook, Lorenzen, and Cavers. It is a very interesting doctrine, but one with which lawyers in practice have little concern; for it is admitted that the courts do not consciously accede to it."

are no less important. The *Selected Articles* open appropriately with the well-known "Territoriality, Public Policy and the Conflict of Laws," published in 1924<sup>6</sup> within a few months of Cook's initial contribution.<sup>7</sup> Denouncing the erection of a Conflicts system on any *a priori* basis, especially on the territorial maxims of Story (for Story read Beale), the essay recognizes that "each sovereign state can determine the rules of the Conflict of Laws in accordance with its own notions of what is just and proper." Furthermore, Anglo-American courts pick and choose among available choices as they think justice demands. "Their aim has been to reach a just decision under the circumstances of the particular case and they have reached their conclusions as far as possible by a consideration of the social interests involved." If a situation involves no policy considerations which different states regard as requiring differing results, then certainty and uniformity can triumph.

It may be objected that such doctrine, even more than the unruly horse, public policy, which it sought to harness, leads to complete provincialism, and abandonment of that international uniformity which is the admitted goal of Conflicts systems.<sup>8</sup> Indeed, it is said by no less an authority than Professor Yntema, that even today American Conflicts doctrine suffers from "isolationism."<sup>9</sup>

If this embarrassing charge is well-founded, it is through no fault of Professor Lorenzen. His substantial contribution to theory was an injection of realism. Even more substantial was his addition to our scanty sum of knowledge of how the other half lives. He commenced in 1909 with the first edition of his casebook to enrich the stream of cases with the distilled experience of the Continent and of Latin America. To these concise introductions and annotations the latest edition, in view of "the position of Russia and China in the new world order, as well as our interest in Japan," adds references to their Conflicts rules as well.

In the press of the classroom this comparative material is doubtless neglected. Consequently one at first regrets to note that the *Selected Articles* omit any of Professor Lorenzen's surveys of foreign law, and are confined "strictly to a discussion of Anglo-American problems." But whether the problem is contracts, torts, or the statute of frauds, to mention only a few of the dozen essays in specific fields of domestic interest, the opinions of European scholars and the less weighty opinions of European courts are clearly, critically, and calmly compared with the cases, sometimes to the disadvantage of the latter.<sup>10</sup>

Some of this work was truly pioneering. The early articles on the *renvoi* (1910) and qualifications (1920) were the first in this country. The average law student and perhaps Professor Lorenzen himself may wish he had never opened Pandora's box. His latest consideration of the "Qualification, Classification, or Characterization Problem" (which includes the *renvoi*) makes only cautious concessions to those who in cer-

6. 33 YALE L. J. 736 (1924).

7. *Ibid.* at 457.

8. Another serious question, which cannot be answered here, is this: Have not the realists failed to discover and analyze just what the pertinent policy considerations are in *Conflicts* cases? Cook made a plea in avoidance that first the rank weeds had to be rooted out of the field. Attempts which have been made by others to weigh economic and social factors in various *Conflicts* problems would, it is feared, seem inadequate to an economist or a sociologist.

9. Foreword to RABEL, *THE CONFLICT OF LAWS* (1945) xvi.

10. It is only in the essays on *Williams v. North Carolina*, I and II, and like outgrowths of the peculiar jurisprudence of our federal system that the foreign analogies become relatively muted.

tain cases would utilize the Conflicts rules of a foreign state as well as its internal law. If it is true, as Rabel gloomily states, that the intransigence which Professor Lorenzen shares with certain European scholars about these esoteric matters has produced "black pessimism" in the Conflicts world,<sup>11</sup> it is no less true that his attitude is largely a product of a sense of the practical often lacking in that world. The fine-spun references demanded by the *renvoi* are often to situations which the foreign courts have never considered, and Professor Lorenzen mistrusts the conjectures of foreign law "experts" in this field as a basis for domestic decision.<sup>12</sup>

The foregoing conveys no adequate impression of the wide scope of the essays, ranging from commercial arbitration to polygamy. The Yale Law School Association is to be commended for making their collection possible; his own writings do far more honor to the author than the usual hodge-podge of a *festschrift*. In this connection it seems regrettable that a complete bibliography of Professor Lorenzen's work was not included; and one must also note that the index is exceedingly sketchy.

Turning to the latest edition of the *Cases and Materials*, little needs be added to an assertion that it remains an effective teaching tool. It is also, as has been suggested, a useful guide to foreign rules. One apparently insoluble problem in the organization of Conflicts casebooks is the disposition of such matters as domicil, or characterization, or substance and procedure, within a framework of categories like tort, contract, property, etc. The fourth edition tucked them away in what seemed convenient corners. In the new edition they are brought out in the open in a chapter of many sections, into which the teacher can dive for whatever pearls he wishes to cast. A related attempt to collect in one chapter cases which illustrate the influence of the Federal Constitution seems to the reviewer less useful. Whether the comparative scholars like it or not, constitutional guarantees and prohibitions permeate American Conflicts; they can hardly be strained out, and indeed Professor Lorenzen has not really attempted it. The great cases from the Supreme Court are scattered through the book. Many of them, it should be said, have been cruelly cut in an otherwise commendable effort to reduce the volume of material.

On further thought, it may be that the evaluation called for in the first paragraph is premature. Professor Lorenzen nominally retired in 1943 after forty years of teaching. A year ago he re-entered the classroom with a full-time appointment at the University of Miami. Both his energy and his output seem undiminished. Unless he is beguiled by the land of the lotus-eaters, we may, while wishing him many years, expect from him many essays.

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SPENDTHRIFT TRUSTS. By Erwin N. Griswold. Second Edition. Matthew, Bender & Company, New York, 1947. Pp. xxxvi, 767.

It would require a degree of assurance for a lawyer to predict what the law of spendthrift trusts will be in another generation. But to one

11. RABEL, *THE CONFLICT OF LAWS* (1945) 55.

12. As an illustration, one cannot help admiring the *sangfroid* with which the Privy Council, in *Jaber Elias Kotia v. Katr Bint Jiryeh Nahas* [1941] A. C. 403, decided on an appeal from Palestine, how a Lebanese court would dispose of the Palestinian immovables of a Lebanese national.

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who would have a true comprehension of what the law is today, its origin, the changes it has undergone, and the further modifications that may be ahead, this is a necessary and interesting book.

In colonial America the philosophical background of the economy was the doctrine of natural rights, chief exponent of which was John Locke. In June, 1776, the new Virginia Constitution, which may be considered characteristic of the thinking of the day and which included a Bill of Rights, provided: "1. That all men are by nature equally free and independent, have certain inherent rights, of which when they enter into a state of society, they cannot by any compact deprive or divert their posterity; namely, the enjoyment of life and liberty, *with the means of acquiring and possessing property*, and pursuing and obtaining happiness and safety." (Emphasis supplied.) This was the then generally accepted principle. The phrase in most common use was "life, liberty and property." When Thomas Jefferson wrote the Declaration of Independence, natural rights were the central theme, the very core of the statement. In the first drafts, these included "life, liberty and property," but in the final draft, doubtless to avoid controversy, the words used were "life, liberty and the pursuit of happiness." (Cf. BATES, *AMERICAN FAITH* (1940) 273; CURTI, *GROWTH OF AMERICAN THOUGHT* (1943) 117.)

The spendthrift trust has its origin in this doctrine of natural rights and may be said to represent the quintessence of the right of private property. It had no counterpart in earlier English law. To quote from an early case: "Whoever has the right to give has the right to dispose of the same as he pleases. *Cujus est dare ejus est disponere* is the maxim which governs in such case." *Ashhurst v. Given*, 5 W. & S. 323 (Pa. 1843). Later we find the following: "It is always to be remembered that consideration for the beneficiary does not even in the remotest way enter into the policy of the law; it has regard solely to the rights of the donor. Spendthrift trusts can have no other justification than is to be found in considerations affecting the donor alone." *Morgan's Estate*, 223 Pa. 228 (1909).

It is fair to say, however, as Professor Griswold points out, that these principles, so blandly stated as established, were, when first announced, of a rather dubious incontrovertibility. It might be said in paraphrase that the body of spendthrift-trust law, in some jurisdictions, notably Pennsylvania, has been laid, as a result of numerous decisions, in foundations of concrete and steel when the contractors began work with nothing more substantial than planks, hammer, and nails.

The spendthrift trust owes its validity: *First*, to the procedural difficulties encountered by a creditor in attempting through a proceeding at law to reach the interest of the beneficiary of a trust which was cognizable only in equity. In these cases, most of them in Pennsylvania, the dismissals of the creditors' suits on purely procedural grounds were misinterpreted as judicial precedents of substantive law. *Second*, in a case in the United States Supreme Court, *Nichols v. Eaton*, 91 U. S. 716 (1875), Mr. Justice Miller, by way of dictum, gave express recognition to the validity of spendthrift trusts. *Third*, the text writer, Perry, through revisions in succeeding editions of his treatise on *Trusts*, the first in 1872, the second in 1874, and the third in 1882, left little doubt on the subject. The law as finally revised was stated thus: "There is eminent authority in the Federal and State courts for the proposition, that the power of alienation is not a necessary incident to an equitable estate for life, and that the owner of property may, in the free exercise of his bounty, so dispose of it as to secure its enjoyment to the objects of his bounty without making it alienable by them or liable for their debts, and that

this intention, clearly expressed by the founder of a trust, must be carried out by the courts."

Professor Griswold's book is a valuable contribution to the law. After tracing the origin of the spendthrift trust and an extensive review of the authorities and statutes in the different jurisdictions, he discusses the basis for it, the modifications and limitations, statutory and otherwise, on the original doctrine, and the social justification for its continued recognition. We need not pause to consider the cases in the different jurisdictions, all of which are dealt with adequately in the text, except to mention one of a few cases in which the doctrine was stretched to its furthest limit. In *Kilroy v. Wood*, 42 Hun 636 (N. Y. 1886), the beneficiary was allowed an exemption from the claims of his creditors because of his "high social standing," because his associations are chiefly with "men of leisure," and because "he is connected with a number of clubs." This decision was characterized by Professor Gray in his book on *Restraints on Alienation* as a case which "descended to a depth of as shameless snobishness as any into which the justice of a country was ever plunged." The reader then has the benefit of Professor Griswold's own opinion, all too rare in the ordinary text book, including the recommendation of a model statute which he has drafted. There will be no extension of the doctrine of spendthrift trusts. Professor Griswold makes that clear. The question is how far the courts will go in continuing to follow established precedents and what the legislatures will have to say on the subject. In all this, Pennsylvania is "a state of paramount importance in the field of spendthrift trusts" in the language of Professor Griswold. He traces the steady restriction in the scope of the law and the limits within which it is now allowed to operate. With this tendency he expresses sympathy and agreement.

Professor Griswold seems to feel that to advocate any questioning of unrestricted spendthrift trusts is a view that might be regarded as advanced if not heretical and requires justification. He argues that the right of disposition is already circumscribed by dower and curtesy, limitations on charitable gifts, and the rule against perpetuities. The proposition needs no demonstration. The law already has in effect other and heavier restrictions on the doctrine *Cujus est dare ejus est disponere*. In the opinion of the reviewer, the limitations above given are less important than two principles of law even more solidly established: *First*, the disposition of property by will is wholly a creature of statute. Not even the most extreme extension of the doctrine *Cujus est dare ejus est disponere* has included any suggestion denying the right of the legislature to impose restrictions on the transfer of property by will even to the point of prohibiting it entirely. *Second*, there can be no doubt that the doctrine *Cujus est dare* is not only limited, but in some cases practically abolished by the levying and exaction of estate and inheritance taxes. For anyone at this date to question the validity of taxation of estates and inheritances, not to mention gifts, would be to attempt to howl down the wind in the wilderness. Professor Griswold need feel no dismay in advocating limitations on spendthrift trusts, which he considers socially desirable. When the President of Harvard University questions the whole doctrine of trusts, there is nothing very sensational in proposing that spendthrift trusts be curtailed. In *Wanted: American Radicals*, 171 ATLANTIC MONTHLY 4145 (1943), President Conant in describing such a person says: "To prevent the growth of a caste system, which he abhors, he will be resolute in his demand to confiscate (by constitutional methods) all property over a generation. He will demand really effective inheritance and gift taxes and

the breaking up of trust funds and estates. And this point cannot be lightly pushed aside, for it is the kernel of his radical philosophy."

Professor Griswold's model statute provides that the limit on the spendthrift trust be a maximum of \$5000 income per annum, that creditors of the beneficiary may reach ten per cent of the income where it exceeds \$12 a week, and that the court should have power to direct the payment of income in suitable amount where the claim of the creditor is for the support of a husband, wife, or child of the beneficiary, or for alimony; for necessary services rendered or necessary supplies furnished to the beneficiary; a tort or judgment for any such claim. These would appear to be entirely reasonable provisions from which no one will dissent. From the recognition of validity to an almost unlimited degree, the courts and legislatures in most states have gradually reduced the scope of the spendthrift trust until it is more in keeping with current thought and social usage and follows in large measure the lines of this recommendation. (See Pennsylvania Estates Act of 1947, § 12.)

There would seem to be no doubt that it is entirely proper and socially justifiable that the income of inexperienced, gullible, and defenseless beneficiaries should be protected from the claims of creditors by spendthrift trust clauses; not so much, however, because of the right of the original owner of the property to fetter it with whatever restrictions he chooses but because the beneficiary requires protection. But there is responsible opinion, on the other hand, that it is not socially desirable to continue to sanction the complete immunity of assets from the creditors of one who is physically able and should be morally responsible for his commitments and undertakings. There is also diversity of opinion on how far such immunity, if permitted, should extend.

It is fortunate that this book should be made available to members of the Pennsylvania Bar, for, as Professor Griswold points out repeatedly, in no jurisdiction has the validity of the spendthrift trust been so firmly established nor its sanction so widely extended as in Pennsylvania. This is a scholarly work that will interest the reader and to which the legislatures of many states will doubtless turn with eager attention. It will be of continuing value and interest in the law of trusts.

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## BOOKS RECEIVED

- ADMINISTRATIVE LAW, CASES AND COMMENTS (2d Edition). By Walter Gellhorn. The Foundation Press, Inc., Brooklyn, 1947. Pp. lxxxix, 1124. \$7.50.
- THE BANKRUPTCY ACT OF 1898 AS AMENDED (with Annotations) (2d Edition). By John Hanna and James Angell McLaughlin. The Foundation Press, Inc., Brooklyn, 1947. Pp. iv, 395. \$2.00.
- A BIBLIOGRAPHY OF LAW ON JOURNALISM. By William F. Swindler. Columbia University Press, 1947. Pp. viii, 173. \$3.25.
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- COVENANTS AND INTERESTS RUNNING WITH LAND. By Charles E. Clark. Callaghan & Co., Chicago, 1947. Pp. lv, 283.
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- THE SUCCESSFUL PRACTICE OF LAW. By John Evarts Tracy. Prentice-Hall, Inc., New York, 1947. Pp. ix, 466.
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- VOTING PROCEDURES IN INTERNATIONAL POLITICAL ORGANIZATIONS. By Wellington Koo, Jr. Columbia University Press, New York, 1947. Pp. vii, 338. \$4.00.