

omits all other forms, including New Jersey's. For the New Jersey lawyer the third edition therefore remains the more useful book.

Had it been any other book that Mr. Long was revising, I would be reluctant to conclude this review without praising some part of his work. But it was Richards he was working upon, and Richards was a good book. It deserved a careful and conscientious revision. Mr. Long did not give it that. His book is not a fourth edition; it is a reprint of the third.

NEWARK, N. J.

EDWARD GAULKIN.

CASES AND MATERIALS ON THE LAW OF VENDOR AND PURCHASER. By Milton Handler. New York: West Publishing Company, 1933, pp. xix, 925.

This case book is edited from a fresh viewpoint. It is one of a series of four books covering the field of property, which are the outgrowth of experiments with a complete rearrangement of the grouping of materials and new pedagogical methods conducted at the Columbia University School of Law for a considerable time.

The editor points out, in prefacing his compilation, that the artificial arrangement of materials and the divisions of topics among the various property and other courses in the traditional curriculum, frequently with the stress upon matters of relatively little importance, to the neglect of subjects of both theoretical and practical value, has caused much dissatisfaction. I venture the assertion that everyone who has attempted to teach in the property field with the older tools has sought, with more or less futility, to accomplish the results claimed by the faculty in this branch of the law at Columbia.

Professor Handler has brought together, in his book, materials relating to one of the chief attributes of property, i. e., transferability, which was previously scattered throughout the curriculum. It offers in the field of Real Property the counterpart of the traditional course on sales of goods. The book is divided into three parts, the Real Estate Contract, in which problems of formation, performance and remedies are considered and the status of vendor and purchaser analyzed; the Conveyance, in which the problems relating to the contents and execution of the deed are presented; and Rights in Land of Another, in which are considered such topics as Easements, Servitudes, Running Covenants and Equitable Servitudes.

The subject is treated in the light of the modern and expanding setting to a marked degree. A casual estimate would indicate that more than half of the cases in the main text were decided after 1910 and more than ninety per cent of them subsequent to 1895. While the emphasis is on recent American decisions, yet none of the landmarks in property law has been sacrificed. Cases such as *Noke v. Awdler*; ¹ *Wood v. Leadbitter*; ² *Ackroyd v. Smith*; ³ *Goodrich*

¹ Cro. Eliz. 373, 436; 78 Eng. Rep. 124, 677 (1595).

² 13 M. & W. 838; 153 Eng. Rep. 351 (Ex. 1845)

³ 10 C. B. 164; 138 Eng. Rep. 68 (Ct. of C. P., 1850)

v. Burbank;⁴ *Halfpenny v. Ballet*;⁵ *Butcher v. Stapely*,⁶ *Denton v. Stewart*,⁷ *Goss v. Lord Nugent*,⁸ *Bain v. Fothergil*,⁹ *Tilley v. Thomas*,¹⁰ and *Tulk v. Moxhay*,¹¹ so vitally important in the development of the law of Real Property, are properly included in their necessary respective places.

The volume consists of cases, (and our New Jersey courts are well represented) digests, queries, forms, ample annotations, and informal text notes covering the well-settled doctrines which are not readily susceptible to case method handling. In this way considerable space and time are saved so that topics which formerly occupied considerable classroom time in their several courses can now be taught in a single course in one semester.

The notes, annotations and questions are of such scope and character as to give the volume an appeal even to the busy practical lawyer. The viewpoint is fresh and forward looking. The author has succeeded, for the student, in lifting the subject out of the museum and in gearing it up to the pace and needs of an everyday social intercourse. It is my belief that this is the type of book which will soon be in common use in modern law schools.

NEWARK, N. J.

WILLIAM E. SANDMEYER.

CASES AND MATERIALS ON THE LAW OF TRUSTS AND ESTATES. By Richard R. Powell. Columbia University. New York: West Publishing Company, 1933, pp. 1025.

Professor Powell's work is very modest in its title, as we have in this volume a very comprehensive treatise on the law of trusts, future interests and wills; the author having found it necessary to treat all three of those subjects because of their interlocking interests.

The work is divided into three parts, the first of which devotes itself to a rapid but very comprehensive review of the historical origin of intestate succession and the development of testamentary disposition with a conflict between the law courts and Parliament and the ecclesiastical courts, bringing us up to the present understanding of the right of disposition of property, real and personal.

In this section also the author has a very interesting philosophical and practical discussion of the facts and trends in current American life, in which is considered the distribution of wealth in our Country and the frequency and effectiveness of testamentary dispositions. Here also is considered and discussed the rise and development of the trust company; and the burning controversy concerning the encroachment of trust companies on a field which lawyers have always felt belonged to them. The effect of taxation on estates is discussed with helpful suggestions to the student in drafting wills and trust agreements; even

⁴ 12 Allen 459 (Mass.); 90 Am. Dec. 161 (Sup. Ct. 1866)

⁵ 2 Vern. 373; 23 Eng. Rep. 836 (Ch. 1699)

⁶ 1 Vern. 363; 23 Eng. Rep. 524 (Ch. 1685)

⁷ 1 Cox Eq. 258; 29 Eng. Rep. 524 (Ch. 1786)

⁸ 5 B. & Ad. 57; 110 Eng. Rep. 713 (K. B. 1833)

⁹ L. R. 7 H. L. (E. & I. App) 158 (H. L. 1874)

¹⁰ L. R. 3 Ch. App. 61 (Ct. of Appeal, 1867)

¹¹ 2 Ph. 774; 41 Eng. Rep. 1143 (Ct. of Chancery, 1848)