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Review of “Cases on Bankruptcy,” By William Britton

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beginning of the chapter dealing with liability without fault. In any event their placement by Professor Wilson is greatly superior to the order adopted by Professor Bohlen. They are much more teachable at the later point in the course.

We take minor exception to the title given to Part IV (see *supra*). It suggests a conception of the theory of liability to which many would not subscribe. It is believed that the title should either be non-suggestive as to the basis of liability or should convey the orthodox idea of liability irrespective of fault.

We do not quarrel with the author over the omission of case references in footnotes. The substitution of references to law review articles at the beginning of chapters is to be commended. This will be a great aid to the teacher who takes on the course as a new one and will place prominently before the student reference material which he should be strongly encouraged to read.

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CASES ON BANKRUPTCY, by *William Everett Britton*. St. Paul: West Publishing Company, 1928.

The above publication is the latest compilation of cases on the subject of bankruptcy. Its express purpose is to place in the hands of the student material that will feature the text of the statute in a prominent manner.

Mr. Collier, in his work on bankruptcy, follows the Act in sequence, while, on the other hand, Mr. Remington pursues another method in classifying the topics. Professor Britton follows more closely the arrangement of Mr. Remington and correlates the subjects, selecting his cases in accordance therewith.

In a work of this kind, especially on bankruptcy, the compiler must exercise the highest degree of good judgment so that no obsolete or valueless case will be used. In the study of bankruptcy, the subject being entirely statutory, and the Act itself of comparatively recent date, too much dependence cannot be placed upon a particular case cited in any publication. There being so many District and Circuit Courts, and the decisions not being uniform, the student in finding a case in point should not be satisfied until he has found that the particular decision has been approved or at least not overruled by the higher or highest court, as the case may be. This is one objection to teaching bankruptcy by the so-called case book method, unless the work be revised at the conclusion of each term of the Supreme Court of the United States. *Holt v. Crucible Steel Co.*, 224 U. S. 262, cited in the notes on p. 265, is in point. The principle of law, that bankruptcy courts must follow the law of the state, as pronounced by that case, is the same today as then (1912), yet under the same statement of facts the decision today would be different. See *In re Frost*, (C. C. A. 6), 12 F. (2d). However, at present the law on bankruptcy is becoming more settled, especially as the United States Supreme Court has had many cases covering various phases of the Act presented to it for decision.

The author has employed the greatest care in his selection of cases and

for that reason it is to be regretted that he passed the subject of insolvency as defined by the Act and as a condition, if required, when filing an involuntary petition in bankruptcy, with only a comment in a footnote.

Again, cases on the subject of pleading when filing an involuntary petition have been omitted. The young practitioner in a contested case, having perhaps followed official bankruptcy Form No. 3 without a great deal of necessary amplification, might find himself in a very embarrassing position for a while, unless he had made further and independent study of the required allegations when pleading. Of course, a case book is not intended to take the place of the digest or the elaborate books published by authorities on a particular subject, yet it is very often referred to as a handy means of quickly finding the case desired.

The publication is very nicely compiled and undoubtedly entailed a great amount of work on the part of the author, and to those who prefer the case book method of instructing it can be highly recommended.

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THE DEPARTMENT OF JUSTICE OF THE UNITED STATES, by *Albert Langetuttig* (Institute of Government Research, Studies in Administration). Baltimore: Johns Hopkins University Press, 1927. Pp. 318.

Perhaps no other question in this country is today receiving more earnest consideration on the part of the serious minded and thoughtful people than that of law enforcement and the prevention of crime. And a government never has a more serious business than the enforcement of its law.

At this time and for some time past it has been pretty generally felt that a so-called crime wave has been sweeping this country and is now by no means abated but, on the contrary, that the public generally still feels the blighting effect of its disastrous reign. In days gone by, the commission of crime was in the main limited to the square-jawed, weather-beaten, and hardened professional criminal, whose offenses were largely crimes of violence. But today the criminal courts are deluged with men and women of every type, from the high to the low, both young and old, including the hardened and tender, and their offenses are no longer confined to any particular line, but now exhaust the catalogue of criminal offenses.

Giving heed to this state of affairs, and considering the cause therefor and the remedy, has led many to take stock, so to speak, and to undertake a sort of a survey of our whole situation and a consideration of our laws and the methods of enforcement employed by municipal, state and the Federal Government. All such and any who are unfamiliar with the Federal Government's method of enforcing its laws and punishing offenders, can read this book with profit and find a vast amount of information therein. The author has undertaken to deal with his subject in plain understandable language, apparently avoiding the use of technical terms, so far as possible, and is, therefore, intelligible alike to the layman and to the lawyer.

The first chapter of the book gives an interesting historical development of the law-enforcing arm of the Government from the beginning. Other