

this is a highly controversial subject among scholars in this field it is not surprising that the editor's treatment will not conform to the notions of many writers. In the opinion of this reviewer the light thrown on the subject by Professor Green has not been sufficiently presented. With the exception of Green's contributions most of the classic essays on the subject have been exploited.

While the editor's arrangement of his material appears to be very commendable for the most part there are occasionally somewhat puzzling combinations of method. The sub-sections indicate a peculiar methodology. They appear as a hodge-podge of doctrinal and functional arrangement. Again, the chapter on "Proximate Cause" will illustrate. The editor starts with history, follows this by definition after which the following sequences of section headings appear: "Tests of Proximate Cause," "Damage for Spread of Fire," "Test for Foreseeability of Result," "Intervening Agency," "Subsequent Criminal or Wilful Act," "Act of Child as Intervening Cause," "Concurring Causes," "Contributory Negligence of Plaintiff," "Injury Sustained in Attempt to Save Life or Property Put in Peril by Defendant," "Damage from Concurrence from Human Fault and Act of God," etc. While perfectly familiar to every student of tort law this order or division of the problem suggests a point of view not quite clear cut so far as method is concerned.

This book will no doubt be of great assistance to teachers, students and practitioners. It is without doubt the best elementary book available on the subject for American lawyers. It is handy and usable, it contains a good index and a complete table of cases. It contains occasional references to the restatement of the law of torts of the American Law Institute. It is recommended to all who are interested in the subject.

FOWLER VINCENT HARPER.

Indiana University Law School.

*Cases on Torts* (3rd edition). By Francis H. Bohlen. Bobbs-Merrill Company, Indianapolis, Indiana, 1930.

Little need be said about the merits of this, without doubt, the best case book available upon the law of torts. The development of the subject during so brief a period as the five years since the last edition is justification for the present volume.

In addition to a number of new cases the editor has made some slight rearrangement of his material, chiefly in the chapter on "Negligence." Some changes in the order of arrangement is to be noticed. Professor Bohlen believes that the general direction of the development of tort law has been from liability for damage regardless of innocence, to that based upon moral culpability or at least social fault. In view of these convictions, he has appropriately provided a section of cases supposed to demonstrate this progress. He has injected this chapter as he declares

to show the "connecting link between trespass actions and actions on the case for negligence." A more elaborate and adequate treatment of legislative duties has been provided to appropriately follow the chapter on negligence.

A useful feature of this volume is the citation to the restatements of the American Law Institute. These restatements, constituting as they certainly do the finest and most critical enunciation of the law of torts that is available, are thus skilfully incorporated into the development as presented in the case book. This feature should be of great value and a useful time saver for the students as well as for instructors whose familiarity with the restatements is not as great as it should be. The teaching branch of the profession is particularly indebted to Professor Bohlen for this edition of his case book.

FOWLER VINCENT HARPER.

Indiana University Law School.