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Treatise on the Law of Torts

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BOOK REVIEW

Treatise on the Law of Torts, by Fowler V. Harper. Bobbs-Merrill Co., Indianapolis. Pages cxi, 714.

The reviewer has had the particular privilege of seeing the advance copies of the above book by our own Professor Harper.

This book is in many respects unusual. It projects itself into a field of intense usefulness, but, strange to say, a field which seems not to be pre-occupied. It is many years since a first-class text book on the above subject has been presented to the profession.

The author's approach to the subject is extremely helpful. His chapter on the "Social Policy of Tort Law" will lead both the student and the active practitioner to sound deductions in problems of tort law. The philosophy of the subject is carefully examined and precisely stated, and one who acquires the habit of thinking consonant with the technique of Professor Harper, cannot escape valid conclusions in problems arising out of tort relationships.

While the book is intended primarily for the law student as distinguished from the practitioner, yet the practitioner who is as he should be, a law student, will find the subject covered by sound generalities, supported by authorities carefully selected.

To say which part of the work is the most useful is difficult, but the reviewer was particularly impressed by the chapter on "Contributory Negligence," that subject of the law of torts which is seemingly easy to understand but difficult to express. However, the reviewer wishes it understood that by singling out this particular chapter in the author's work, he intends no disparagement of the other valuable chapters.

The book is well indexed, and the table of cases is extremely valuable. The arrangement of the subject is logical and leads from the more simple relations to those complex relations arising out of modern social conditions. The chapter on "Workmen's Compensation Legislation" will be found valuable. In short, one who has the opportunity of reading this book will have a complete picture of the theory of the law of torts and a pretty fair general idea of its application to many conditions of modern life. The reviewer must confess that reading the book has caused him to re-arrange the principles of tort law in his own mind and to clarify many subjects relating to such matters which were heretofore somewhat hazy.

To the student and the practitioner alike this reviewer enthusiastically recommends this book. It will be found to be a time saver in the busy law office, and will give to the law student a picture of the law of torts which probably can be found nowhere else.

The reviewer trusts that Professor Harper will not stop with this text book but, from time to time, that others will issue from his pen.

GLENN D. PETERS.

Of the Hammond Bar.