Population Problems, by Edward B. Reuter

Paul L. Sayre
Indiana University School of Law

Follow this and additional works at: http://www.repository.law.indiana.edu/ilj

Recommended Citation
Available at: http://www.repository.law.indiana.edu/ilj/vol3/iss3/8

This Book Review is brought to you for free and open access by the Law School Journals at Digital Repository @ Maurer Law. It has been accepted for inclusion in Indiana Law Journal by an authorized administrator of Digital Repository @ Maurer Law. For more information, please contact wattrn@indiana.edu.
of sureties, the creation and discharge of servitudes or many doctrines in
the law of negotiable instruments as well as in the law of inheritance that
can hardly be understood without some familiarity with the Roman law.

The book is arranged with the usual black type of the Hornbrook Series
which is used for the setting forth of the main principles with an accom-
panying text in explanation. It is divided into convenient chapters and
smaller subdivisions that show the inter-relation of the Roman law to-
gether with its convenient arrangement for the comprehension of the
common law Reader. There are a reasonable number of citations to the
Digest or to other Roman law authorities and these are given in a brief
clear way. It seems that Professor Radin is entirely right when he
deplores the needlessly complicated form of citations to Roman law
authorities that has usually obtained in the standard works on Roman
law published in modern times.

Briefly, it may be concluded that the book will be found a convenient
and valuable accession to the library of any student of law whether in
practice or in teaching work. For many purposes it will be sufficient for
the information or reference of the readers and it is believed that it will
prove invaluable as an introduction to further study.

Population Problems, by Edward B. Reuter. 1923. J. B. Lip-

This is a book of real interest and value to the general reader although
it is hard to see any especial legal side to the questions and problems
involved. Surely this matter of how many people there are to be in the
world is of the first importance. The great Malthus called our attention
to the ultimate danger of getting more people on the earth than we can
feed and suggested that some plan of curtailing the population would have
to be adopted in the future. Undoubtedly we have had several plans of
curtailing the population already. In India they have plagues and snakes
to kill the people off and in spite of these aids they seem to have greater
density of population than their wealth can support in a standard of living
compatible with modern civilization. In China they got rid of their excess
numbers in much the same way. European countries it seems have uncon-
sciously employed war as an important factor in keeping down the popula-
tion, while peoples in different parts of the world have used birth control
to a considerable extent.

Professor Reuter's book gives a careful and perhaps reasonably impar-
tial discussion of the many phases of eugenics problems. He points out
that certain families have undoubtedly given an extraordinary number of
able men and women to the world and that this result cannot be totally
explained without attributing part of it to heredity. He also gives the
usual instances of feeble-minded families that have produced practically
no descendants of merit and have cost the country millions of dollars in
the care of their defectives. Professor Reuter seems to discourage our
hopes in fixing upon certain classes as the right ones to produce the people
of the future. Thus he does not think that the rich necessarily have the
best children and should be the only ones allowed to reproduce. He feels
the same way about the educated classes and does not conclude that on
purely scientific grounds the poor and the ignorant should be excluded.

In reading the book perhaps one is somewhat discouraged by the absence
of any general conclusions to the problems discussed. This may be dis-
couraging but one suspects that it is also wise. It seems that our leaders in animal husbandry are not entirely sure of the best way to breed hogs, and certain it is that the factors in securing the superior race of men are far more difficult to subject to practicable and workable formulae.


This is a new law review published by the students and faculty of a law school member of the Association of American Law Schools. While we would not be so rude as to venture a direct opinion about the financial status of our new brother, we suspect that it has some endowment since it is published by the law school of a privately endowed university and since it is not the foster child of the state bar association. (Gratia . . .) Rich or poor, however, the new journal has secured a large number of advertisements and is published in an admirable manner. It contains over a hundred pages of reading matter and both the cover and the general arrangement of the content is typographically pleasing and in excellent taste.

The leading articles deal with "The Compromise of Criminal Cases," "Deeds Delivered on Condition," "Stare Decisis and Law Reform," and they are written respectively by Justin Miller, William E. Burby, and Charles E. Carpenter. The first article seems to be a most timely contribution which is handled in a scholarly and effective manner. The author points out that under present conditions it is fantastic to decide that there should be no compromise of criminal cases under new circumstances. He calls to our attention that much of our reformed court procedure and court organization in the criminal law presupposes something less than strict punishment according to the statute for each crime committed. He concludes that this field of compromise of criminal law cases gives an extraordinary amount of unregulated control into the hands of the prosecutor's office in each county and state. He suggests that future progress must consider means of subjecting this power to wise regulation without curtailing its effectiveness. The article on "Deeds Conditioned on Delivery" is a clear and helpful analysis of much of the law on this subject as found in the cases and expounded in legal writings elsewhere. It is perhaps especially significant in its discussion of rules of evidence that are applicable to proving whether a deed was delivered on condition or not and to considering the effect of the statute of frauds in its requirement that the transfer of an interest in land must be in writing in those cases where there is an actual conditional delivery of a deed but the contract respecting the payment was oral.

Other law journals in estimating the significance of this new publication will perhaps be most impressed by the comments and case notes. The comments are all written by students in the law school and there are four comments together with seven case notes printed in this first issue. It seems to the reviewer that all of this material contributed by the students is of excellent quality. It shows a character of honest work done that does honor to the law school.

Paul L. Sayre.

Indiana University School of Law.