

Cases on New York Pleading and Practice (Book Review)

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Recommended Citation

Webb, Edwin D. (1929) "Cases on New York Pleading and Practice (Book Review)," *St. John's Law Review*: Vol. 3 : No. 2 , Article 24.
Available at: <https://scholarship.law.stjohns.edu/lawreview/vol3/iss2/24>

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should the student realize the legal complexities surrounding apparently simple states of fact and appreciate the need of expert assistance in connection with their solution. Far better, it is thought, to cover a few subjects with some degree of thoroughness rather than to cover a large assortment of problems in an inadequate fashion—particularly when the impression is given that those problems present no complexities.

A word is to be said about the arrangement of this book. It is divided into two distinct parts. The first half contains text book material; the second half a collection of cases arranged according to the text. The only references contained in the text are to this collection of cases. Thus the reader is given treatise and case book in a handy form. The facts of the cases have nearly all been restated for the purpose of eliminating questions not pertinent, as well as procedural problems. While no lawyer could subscribe to this, nevertheless it is a good book—of its kind—and should be of material aid to those teaching and studying business law in a lay capacity.

JOHN SHERMAN MYERS.

New York City.

CASES ON NEW YORK PLEADING AND PRACTICE. By Louis Prashker. New York: 1929, pp. 950.

The latest collection of cases gleaned from the fertile field of practice in New York contains many old friends. Of the thousands of cases on pleading and practice in this state it is curious how few are available for use in the class room. The unanimity with which the editors of the various case books unite in choosing the same cases for a third to half of their respective collections is surprising. In other words it is surprising how few of the opinions of the courts on practice points are "fit to print" and place in the hands of law students.

The difficulty of covering in a case book the intricacies of procedure in New York with the thoroughness necessary to prepare the student for the New York bar examinations and for actual practice is shown by the fact that although Prof. Prashker has either reproduced or directed the student by notes to nearly six hundred cases, his effort to keep the book to a convenient size necessitated his dismissing such topics as the union of law and equity, certiorari to review, prohibition, trial by referee, contempt and supplementary proceedings with a single case each and in some instances a brief note. Aside from the sacrifice of these and other important topics to compactness, one must go out of the way to find grounds for adversely criticizing Prof. Prashker's volume.

His cases are well selected and arranged. Comparatively few special term opinions are included. The cases are supplemented by many helpful notes and forty forms add to the usefulness of the work which has been restricted to one attractive volume of convenient size.

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