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# Cases and Materials on the Law of Landlord and Tenant (Book Note)

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absorbing narrative, devoid of philosophical excursions, but merely suggesting them. It does not add to human knowledge, but aims rather to increase human tolerance.<sup>2</sup> The result is not the exposition of brilliant or stimulating ideas, but, rather, the portrayal of a gallant, fascinating and romantic personality.

To those who still have faith in the integrity and uprightness of Jimmy Walker, the book will prove a consolation and veritable storehouse of information, with which to refute their opponents.

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SOME PHASES OF FAIR VALUE AND INTERSTATE RATES. By James Barclay Smith. Baton Rouge, La.: Louisiana State University Press, 1931, pp. 74.

This monograph presents a fairly good review in summary of the various aspects of the problem of rate making with respect to the determination of value and the fixation of a reasonable return under the provisions of the Valuation Act and the Transportation Act of the Federal Government. The various conclusions of the author are none too well substantiated. In this respect, however, the author does not differ a great deal from others who have written on this subject.

Since it was the announced purpose of the author "to simplify the issues," a simpler style of presentation and a greater degree of clarity in stating his points could have been profitably employed. On the whole, there is little of value to be derived from reading the monograph, but on the other hand it does no harm.

However, one notes that the author's conclusion is that "Section 15A [The Recapture Clause] should be amended and the recapture period fixed at not less than two years." The concensus of opinion at the present time, as evidenced by the recommendations of the Interstate Commerce Commission itself, the United States Chamber of Commerce, and other respectable authority is that what the regulatory situation needs in this respect is not amendment of the Recapture Clause but its repeal.

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CASES AND MATERIALS ON THE LAW OF LANDLORD AND TENANT. By Albert C. Jacobs. St. Paul: West Publishing Company, 1932, pp. 903.

The volume under review covers a subject of vital importance in the law of property. Problems arising under the relationship of landlord and tenant are many and resort to the courts is very frequent. From time to time, legislation has been enacted to meet prevailing conditions. The need for a special study of the field covered by leases is manifest and the collection of cases and materials of Professor Jacobs should be indeed helpful to both student and lawyer.

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<sup>2</sup> In this respect it is similar to CLARENCE DARROW, *THE STORY OF MY LIFE* (1932).

The book contains very useful lease forms and is well indexed. In addition to numerous leading cases and digested decisions dealing with situations arising from the inception to the termination of a lease and the rights and duties involving upon the parties, there are extensive footnotes and references to authorities. To stimulate the student's interest and provide an understanding of the various problems involved, the editor has included questions at the foot of many reports. The subject is well presented through the medium of the cases collected and should prove the foundation of an interesting and profitable course.

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FEDERAL APPELLATE PRACTICE AND PROCEDURE. By Joseph G. M. Browne.  
Brooklyn: Federal Publications, 1930, pp. 454.

This is a timely volume. Appeals to the United States Circuit Court of Appeals and United States Supreme Court are becoming more and more frequent. Professor Browne's work contains forms of various steps taken to review the decisions of the lower Court. His explanations and advice are very helpful to the active practitioner. The inclusion of the Court rules of the United States Supreme Court and the various Circuits admirably fits this book for practical use and handy reference.