

Louisiana Law Review

Volume 22 | Number 3
April 1962

Suggestions from the Law Library

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Repository Citation

Kate Wallach, *Suggestions from the Law Library*, 22 La. L. Rev. (1962)
Available at: <https://digitalcommons.law.lsu.edu/lalrev/vol22/iss3/16>

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Bankruptcy

A request was received for a listing of publications in this special field of federal practice. For those who have had no previous experience, two short guides are recommended:

BANKRUPTCY AND ARRANGEMENT PROCEEDINGS, by John E. Mulder. Philadelphia: Committee on Continuing Legal Education. 1951 (or later printing). Pp. xi, 139. \$4.00.

BANKRUPTCY, by George J. Hirsch. New York: Practising Law Institute, 1960. Pp. 100. \$2.00. (Sidney Krause deals with "Arrangements" under Chapter 11 of the Bankruptcy Act on pp. 57-100).

A more detailed presentation in hornbook style is:

HANDBOOK OF THE LAW OF BANKRUPTCY, by James Angell MacLachlan. St. Paul: West Publishing Company, 1956. Pp. xxii, 500. \$8.00.

An abbreviated edition of a large treatise is:

COLLIER BANKRUPTCY MANUAL, revised by William T. Laube. Albany: Matthew Bender & Company, 1960. Pp. 1263, 445. \$30.00. Chapters 1-72 are a condensation of the first four volumes of the treatise explaining ordinary bankruptcy proceedings. Only briefly discussed are agricultural compositions and extensions, corporate reorganizations, real property arrangements and wage earners' plan. Omitted are railroad reorganizations or adjustments, municipal debt compositions, and maritime commission liens. An outline of bankruptcy procedure is given in the introduction. The text of the Bankruptcy Act, the General Orders in Bankruptcy, and official forms are reprinted in the Appendix.

The two comprehensive treatises have undergone constant revision. To enable the owners to check their holdings and to put on guard those who may want to purchase one of these sets secondhand from a private source rather than from a reputable

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second-hand lawbook dealer, the presently available replacement volumes and their dates are listed here.

COLLIER ON BANKRUPTCY, by William Miller Collier. 14th ed. Albany: Matthew Bender & Company, 1940-61. 9 v. and Index, with 1961 Cumulative Supplement. Loose-leaf. \$200.00. v.1-3, 1961; v.4, 1942; v.5, 1954; v.6, 1947; v.7, 1940; v.8, 1941; v.9, 1942. Index, 1959.

A TREATISE ON THE BANKRUPTCY LAW OF THE UNITED STATES, by Harold Remington. 5th-6th eds. Rochester: Lawyers' Co-operative Publishing Company, 1947-61. 15 v. and 1961 Supplement. \$160.00. v.1, 1950; v.2, 1956; v.3-4, 1957; v.5-5A, 1953; v.6, 1952; v.7-9, 6th ed., 1953; v.10, 1947; v.11, 1961; Forms, 1955; Statutes, General Orders and Rules of Practice, 1955; General Index, 1956.

BANKRUPTCY LAW REPORTER, 4th ed. Chicago: Commerce Clearing House, 1952. \$90.00 annually.

BANKRUPTCY, by Nathan April. St. Paul: West Publishing Company, 1952. Pp. xxxiii, 950 with 1961 pocket parts (v.6 of *West's Federal Forms*). An introductory chapter gives practical suggestions, followed by forms with reference to source, cross references and comments. Cases are cited in footnotes.

A TREATISE ON THE LAW AND PRACTICE OF RECEIVERS, by Ralph Ewing Clark. 3d ed. Cincinnati: W. H. Anderson Company, 1959. 4 v. \$75.00. Volume one treats the different types of receiverships and the appointment of receivers; Volume two, the responsibilities of the receiver; Volume three, claims and their presentation, duration of receiverships, corporations, stockholders' liability suits, railroad, banks and building and loan associations, partnerships, and co-tenancy receiverships; Volume four, those for mortgaged and pledged property, estates and trusts and bankruptcy proceedings. The forms on pp. 1938-2100 are taken from pleadings filed and orders acted upon in actual cases in federal and state courts. A Table of Cases and a Subject Index conclude the set.

Trade Regulation

In 1956, under the editorship of Professor S. Chesterfield Oppenheim of the University of Michigan Law School, a series of publications on antitrust and unfair competition was launched

— published in Boston by Little, Brown and Company. The purpose of this series is to provide legal handbooks containing systematic statements of legal principles as a guide for the general practitioner who has little experience in this field, for the economist or business executive for quick orientation, and for the specialist who desires a ready reference tool. Volumes published in the sequence of their publication are:

TRADE ASSOCIATION LAW PRACTICE, by George P. Lamb and Sumner S. Kittelle. 1956. Pp. xxiii, 284. \$10.00. The three parts of this text treat antitrust principles, trade association activities, and organization and operation.

FOREIGN COMMERCE AND THE ANTITRUST LAWS, by Wilbur L. Fugate. 1958. Pp. xxiii, 384. \$16.00. The fifteen chapters cover the basic philosophy and general interpretation of antitrust statutes, the jurisdiction over foreign commerce, jurisdiction in personam over corporations operating abroad, application of the laws to international trade practices generally, the rule of reason, ancillary restraints and defenses, monopoly in foreign trade, the Webb-Pomerene Act, patents and technology, trademarks in foreign trade, foreign subsidiaries and acquisitions, joint exploitation abroad, foreign investment, various antitrust regulations, relief in foreign trade, antitrust trends, and policies in foreign trade.

MARKET POWER: SIZE AND SHAPE UNDER THE SHERMAN ACT, by G. E. and Rose D. Hale. 1958. Pp. xix, 522. \$17.50. Horizontal size theories, vertical integration, the impact of monopoly policy upon multi-product firms, monopoly and geographical integration, wealth, and attempts to monopolize are explained and discussed. The final chapter gives recommendations, Appendix A an interpretation of economic theories on market imperfections, and Appendix B deals with economics in antitrust enforcement.

COMPETITION IN THE REGULATED INDUSTRIES: TRANSPORTATION, by Carl H. Fulda. 1961. Pp. xxviii, 533. \$20.00. The history and purposes of regulatory acts are analyzed. Specific industries — railroads, motor carriers, water carriers and airlines — are investigated. Rate agreements under the Interstate Commerce Act and international shipping are treated, as are competitive rate-making and transportation diversifications. The last chapter deals with relations between the courts and admin-

istrative agencies and the doctrine of primary jurisdiction. A look into the future of controlled competition in transportation concludes the most recent volume in this series. Volumes in preparation will cover price discrimination under the Robinson-Patman Act, business aspects of pricing under this act, patent-antitrust policies and practices, and Federal Trade Commission law and practice.

Supplementing these primarily legal studies are two recent publications by economists:

REGULATION AND COMPETITION IN AIR TRANSPORTATION, by Samuel B. Richmond. New York: Columbia University Press, 1961. Pp. vii, 309. \$7.50. The author is Professor of Economics and Statistics at the Graduate School of Business, Columbia University, who has been called upon to serve as an expert witness at Civil Aeronautics Board air route proceedings. He discusses the competitive aspects and basic problems of the air routes and the government's role in developing the air transportation industry. Differences in other federally regulated transportation and public utility enterprises are examined. Although basically limited to the airline industry and to the policies and decisions of the Civil Aeronautics Board, this book is a valuable addition to the ever-growing literature on administrative regulations.

ANTITRUST AND THE CHANGING CORPORATION, by William Lee Baldwin. Durham: Duke University Press, 1961. Pp. 307. \$8.75. The author is assistant professor of economics at Dartmouth College and holds a Ph.D. degree from Princeton University. Among posts he has held is that of a consultant to the New Hampshire State Planning and Development Commission. He gives a historical analysis of the United States antitrust policy. He feels that "cognizance of the non economic factors involved in the growth of the antitrust policy is essential to any evaluation of the current state of the antitrust program" and concludes his study as follows:

"Past differences in social goals, and the controversies and failures to communicate arising therefrom, have definite modern parallels and can serve as warnings to today's students to be explicit in defining their objectives. Techniques and insights throughout the literature remain most useful and should not be discarded by those who find themselves perplexed while facing immediate issues and given industrial problems demanding specific solutions."

Recent Louisiana Publications

The adoption of the new Code of Civil Procedure has brought with it a number of new and revised editions of the codes and related materials. As every Louisiana practitioner realizes, the West Annotated set of Louisiana Statutes is a must purchase for every Louisiana lawyer. Eventually this set will have a combined index of the statutory and code law of Louisiana. There is in preparation a volume of annotated forms by Professor Henry George McMahon of the Louisiana State University Law School and Mr. Alvin Rubin of the Baton Rouge Bar.

Although a reprint edition of Alfred H. Flemming's *Formulary* came out some time ago, the practitioner will be glad to know that a new version is in process of preparation. It need hardly be mentioned that the Louisiana Bar Association's *Louisiana Formulary Annotated* is in constant use. The young, inexperienced attorney, practicing alone, and also the experienced lawyer can make good application of the set of forms compiled with assistance from prominent members of the Shreveport Bar by the Shreveport Legal Secretaries Association, *Legal Secretary's Handbook (Louisiana)*, 1960. Loose-leaf. \$10.25. Many useful office hints are included and make this a most practical desk book for the office.

Mr. James D. Johnson, Jr., who has just completed a revision of his *Guide to Louisiana Real Actions*, 2d ed. (Baton Rouge: Claitor's Book Store, 1961. Loose-leaf. \$15.00), has made another most important contribution to Louisiana legal lore by revising the long out-of-print and out-of-date *White's Louisiana Notarial Guide*. 6th ed. Claitor's Book Store, 1961. Pp. xix, 453, \$20.00. This guide has been used by all notaries in the state and can now be safely relied upon. The arrangement of the previous editions has been retained. Those who have become accustomed to Woodward's *Louisiana Notarial Manual* will be interested to learn that an edition revised by the author will soon be available.

Several new unannotated editions of the Civil Code of Louisiana have been published since many of its provisions were repealed or transferred to the Code of Civil Procedure. Professor Joseph Dainow's edition, in one volume, published by West Publishing Company, has been brought up to date. (1961. \$15.00, reviewed in the February issue of this *Review*.) At about the same time, Claitor's Book Store offered a one-volume edition of

the *Civil Code and Ancillaries with Amendments to July 1, 1961*, edited by Professor Ralph Slovenko of the Tulane University Law School. Price: \$12.50.

Of a different nature is the latest undertaking by the same editor and publisher which deserves the full endorsement of the Louisiana legal profession as a most practical, useful, everyday tool in the practice of Louisiana law. This is the recently released *Combined Edition of the Louisiana Civil Code, Ancillaries and Code of Civil Procedure*. The format is different from any used for law books in the United States; it is 4½ x 5¾. The type is small, but clear and legible; the paper is as excellent as the binding is durable. This format is similar to that of the French codes issued annually by the French Publishing House Dalloz. The Civil Code appears in the first part of the volume and includes the 1961 amendments, but eliminates all repealed sections. The Civil Code Ancillaries from Title 9 of the Revised Statutes are included following the corresponding sections of the Civil Code. Textual errors and omissions are indicated, cross references to related provisions in the two codes are given. With separate pagination the Code of Civil Procedure forms the second part of the volume. The text includes the comments of the Revisors and, in addition, legislative sources. A fifteen-page Selective Bibliography refers to basic, recent books and articles, arranged by subject. The Concordance Table originally prepared for the combined editions of the Louisiana Civil Codes and the Code Napoleon by the Louisiana State Law Institute is reprinted. Various additional tables show the changes in the codes and Revised Statutes caused by the revision of the Code of Civil Procedure. Of particular value, at a time when no other publication affords such an index, is the Combined Index of the two codes and Title 9 of the Revised Statutes, covering 265 pages. The index refers also to pertinent legislation which is not included in the volume itself. The Ancillaries can be found not only through the Table of Contents and the Subject Index, but also through an additional table which gives the page reference where the section is reprinted in the first part of the volume.

The compactness of this edition, the ready access to the provisions of the codes and the ancillaries in one volume and the attractive price (\$13.50) should make this edition one of the foremost practitioner's tools not only in Louisiana but every-

where in the Nation and the World where civil law is studied and practiced and compared.

A more limited subject area is covered in Professor Robert A. Pascal's recent volume *Integrated Louisiana Legislation on Persons and the Family*, Baton Rouge, Louisiana State University Printing Office, 1961. Pp. xiii, 142. \$2.65, which has already been reviewed in the December 1961 issue of this *Review*.

For those interested in Louisiana social history and genealogy, *Marriage Contracts of Natchitoches, 1739-1803*, translated and abstracted by Winston De Ville (1961, Pp. xv, 62, \$10.00), is recommended. Mr. De Ville has researched "some of Louisiana's oldest colonial records, those deposited in the Natchitoches Parish Courthouse." An introduction by Professor Edwin A. Davis, Head of the Department of History at Louisiana State University, gives a brief description of the period of French and Spanish domination during which these records were kept. Besides transcripts of two complete marriage contracts, one of the French and the other of the end of the Spanish period in their original languages, there are included 97 abstracts of the marriage records which list the names of the brides and grooms, birthplaces of the settlers, the witnesses, the property of the parties, the dower or lack of it, the terms of any marriage settlement, the names of the slaves and their value in French or Spanish coin, and descriptions of land brought into the marriage by either groom or bride or both. This is a fascinating publication.