



**PennState**  
Dickinson Law

**DICKINSON LAW REVIEW**  
PUBLISHED SINCE 1897

---

Volume 39  
Issue 3 *Dickinson Law Review* - Volume 39,  
1934-1935

---

4-1-1935

## Book Reviews

Follow this and additional works at: <https://ideas.dickinsonlaw.psu.edu/dlra>

---

### Recommended Citation

*Book Reviews*, 39 DICK. L. REV. 198 (1935).

Available at: <https://ideas.dickinsonlaw.psu.edu/dlra/vol39/iss3/7>

This Article is brought to you for free and open access by the Law Reviews at Dickinson Law IDEAS. It has been accepted for inclusion in Dickinson Law Review by an authorized editor of Dickinson Law IDEAS. For more information, please contact [lja10@psu.edu](mailto:lja10@psu.edu).

## BOOK REVIEWS

### CASES ON BUSINESS ORGANIZATION, VOLUME II

By Roswell Magill and Robert P. Hamilton. St. Paul, West Publishing Company, 1935

Roswell Magill and Robert P. Hamilton, Professors of Law at Columbia University, have made available a series of cases in two volumes covering the subjects of Agency, Partnerships, Corporations and other forms of business organization.

The purpose of the editors is to present in connected and related manner for class room purposes the prevalent forms of conducting business enterprise.

Volume I, published in 1934, comprehends the subject of Agency only.

While the principles of agency law reach much of their greatest practical importance in connection with the partnership and corporate form of organization they were covered separately in Volume I inasmuch as they are of general application.

The forms of business organization covered in Volume II, the subject of comment here, are partnerships, corporations, limited partnerships, joint stock associations and business trusts. The treatment is novel in that cases representing the various types of business organization are considered together for the purpose of exemplifying points of likeness and difference in legal principle. Complete departure is made from the traditional law school method of having the subjects of partnerships and corporations each dealt with as entirely separate courses.

As a part of the Introduction there appears a generous quotation from Berle and Means, *THE MODERN CORPORATION AND PRIVATE PROPERTY*, giving an informative historical sketch of the development of private and quasi-public corporations to their present place of prominence. The manner in which the corporate form of doing business has affected distribution in the field of economics and gradually tended toward elimination of the individual in many places of business enterprise is traced.

The work has many advantages over the usual case book. Its introduction explains the various types of business organization and their incidents. It carries with the partnership cases the pertinent sections of the Uniform Partnership Act and of the English Partnership Act and with the corporation cases the pertinent sections of the New York General and Stock Corporation Laws.

The notes accompanying the cases are so completely developed that the student receives many of the benefits of the combined case and text book methods of study. The editors are to be especially commended for the manner in which these notes are presented.

It will be interesting to learn how generally law schools will accept the suggestion of teaching these several subjects in combination. The editors are hopeful that their treatment will insure to the student a better conception of the similarity and dissimilarity of legal principles applicable to each type of business organization. The advantages and disadvantages of each type of organization as applied to a given business enterprise may be more sharply emphasized by the arrangement of material.

It seems entirely sound to recommend that Agency be taught in advance of the other courses. Whether in point of time partnerships should next be studied and lastly corporations and allied forms of business organization, or whether all of these should be studied in combination is debatable.

Leon D. Metzger

## CASES ON OIL AND GAS

By Victor H. Kulp, Second Edition. St. Paul, West Publishing Co., 1935. pp. 663.

The present volume is the second edition of the work by the same compiler which appeared in 1924. Considerable change and much progress in the law of oil and gas has been made in the last decade and the present book meets a decided need for the latest developments in this rapidly growing field of law.

More than half of the book is devoted to a searching and comprehensive treatment of the oil and gas lease which is still the principal contract in the exploration and production of oil and gas. The treatment of this subject is entirely adequate covering with considerable detail every point of importance which has been raised in connection with such leases.

Considerable emphasis is laid on the present day problems in the oil and gas industry. Recent efforts by both state and federal governments at conservation by control of production, by ratio regulations, proration, etc., are given considerable attention by the addition of a new chapter on governmental control of production, including conservation. The book is recent enough to include the Ryan oil case, as decided in the Circuit Court of Appeals, in which an attack was made on the oil portion of the National In-

dustrial Recovery Act and the Regulations and Code for the Petroleum Industry promulgated thereunder but does not include the Supreme Court opinion thereon nor otherwise consider the Petroleum Code and the issues raised thereunder.

The book includes a considerable number of Pennsylvania cases, thereby differing widely with most casebooks which seem to have some peculiar aversion to the inclusion of any considerable number of Pennsylvania cases. That such a number should be included is of course not unexpected in view of the importance of the oil and gas industry in this state.

The work concludes with the insertion of forms covering all the vital phases of the subject. The forms are those in present day use by the larger companies, have been drawn by experts in this subject and should prove exceedingly helpful to lawyers generally.

Most practicing attorneys would not deign to look at a case book on any subject. We respectfully suggest, however, that those whose interests take them into this field will find the present book a useful tool. Students in those law schools which do not offer a course on this subject will find the present book most useful in gathering at least a cursory knowledge of this important subject.

Harold S. Irwin