



1952

Book Reviews

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Recommended Citation

J. W. Riehm, et al., *Book Reviews*, 6 Sw L.J. 413 (1952)
<https://scholar.smu.edu/smulr/vol6/iss3/18>

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BOOK REVIEWS

GUILTY OR NOT GUILTY? By Francis X. Busch. Indianapolis: The Bobbs-Merrill Company, Inc., 1952. Pp. ix, 287. \$3.50.

PRISONERS AT THE BAR. By Francis X. Busch. Indianapolis: The Bobbs-Merrill Company, Inc., 1952. Pp. ix, 288. \$3.50.

These two volumes present eight cases in the Notable American Trials series of the publisher, Bobbs-Merrill Company. Six of the eight cases relate to trials for murder: Leo Frank for the murder of Mary Phagan; D. C. Stephenson for the murder of Madge Oberholtzer; William Haywood for the murder of Governor Steunenberg; Sacco and Vanzetti for the murders of Berardelli and Parmenter; Leopold and Loeb for the murder of Bobby Franks; and Bruno Hauptman for the murder of Charles Lindbergh, Jr. The other two trials are those of Samuel Insull for the use of the mails to defraud, and Alger Hiss for perjury.

In preparing the volumes the author has made available to the reading public relatively short, concise accounts of those famous trials. Thus, the volumes would make a worthwhile addition to the collection of an older reader whose recollection of the actual trials needs occasional refreshing, and to the younger reader to whom some of the names sound familiar but to whom the actual details of the crime and outcome of the trial are unknown. It is this reviewer's feeling that the author has attempted to serve a dual purpose in presenting these cases. It seems that he has sought to present them in a manner which will appeal to the lawyer seeking certain specific information regarding trial tactics, and to the layman interested only in reading for reading's sake. In attempting to serve two purposes it appears that the author has fallen somewhat short of his goal. His method of presentation indicates his great skill as a lawyer in cutting through miscellaneous details to the pertinent issues involved in each case;

yet by his very act of cutting out many of the details the reader never has the feeling of being caught up in the atmosphere of any of the particular trials. While the objective approach will be appreciated by the lawyer, laymen may feel that several of the accounts tend to lack color and action. Regrettably, the total of eight trials is weighted heavily in favor of accounts of murder. That is to be expected, for the appeal of this type of trial to the public is always the greatest. The accounts of the other two trials indicate that the public may be missing much by its unwillingness to cultivate its reading tastes. As the author states in his introduction to the trial of Alger Hiss, it may be that we are still too close to "evaluate properly the full significance" of it. Be that as it may, he has succeeded in breathing more life into his account of that trial than any of the others. It is unfortunate that his account of the Insull trial is his weakest, particularly in the presentation of the Government's case, for that simply serves to bulwark the argument of many a layman that such trials lack public appeal. While the author can argue that it is most difficult to breathe life into a detailed account of pyramided personal holding companies and interlocking directorates, his treatment of the testimony of Mr. Insull did take on life and indicates that, when properly handled, corporate problems can be as intriguing as the popular murder trial.

Considered as a group, the eight cases make interesting reading that any lawyer would enjoy picking up on one of his rare evenings at home. If a choice is to be made between the two volumes, this reviewer would choose *Guilty or Not Guilty?*, since it has a better balance, with two murder cases, Leo Frank and D. C. Stephenson, and the Samuel Insull and Alger Hiss cases.

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STATES' LAWS ON RACE AND COLOR. Compiled and Edited by Pauli Murray. Cincinnati, Ohio: Women's Division of Christian Service, 1951. Pp. x, 746. \$4.00.

The material presented in this book is intended to serve two functions: (1) as a convenient reference and guide to state legislation on race and color for both lawyers and laymen, and (2) to indicate the extent to which legislative controls have been imposed in this field. It makes available a comparative study of the texts of the state laws on this subject. There is very little interpretation of the laws, except for an occasional note directing attention to a judicial interpretation.

The compilation includes segregation laws; antimiscegenation statutes; digests of land laws affecting aliens; statutes regarding Indians, Japanese and Chinese; antidiscrimination laws in the fields of public accommodations, employment, education, housing and militia; antilynch laws and laws directed against the Ku Klux Klan. There are three comprehensive charts which provide a quick visual aid to supplement the texts of the laws. The appendix contains excerpts from international documents such as the Act of Chapultepec, the Charter of UNESCO, and the Universal Declaration of Human Rights. There is a sufficient index, which was arranged by P. A. I. Brown.

This is a most helpful book for reference and research and would be a valuable addition to any library. There is no provision for annual up-keep; however, the compiler in her introduction recommends annual supplements.

*Hibernia Turbeville.**

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TAX PLANNING FOR ESTATES. By William J. Bowe. Nashville: Vanderbilt University Press, 1952. Pp. 97. \$2.00.

This book, a revision of an earlier work by Professor Bowe,

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was written to incorporate the substantial changes made in the Internal Revenue Code by the enactments of 1949, 1950, and 1951.

The book is short, and consequently does not treat fine details and technicalities, but deals with the subject in a general manner. Topics such as life insurance, community property, marital deductions, inter-vivos transfers, valuation, and estate liquidity are studied, and throughout the discussion each point is illustrated by realistic examples of typical problems which allow even an untrained reader to follow the subject matter with understanding. Particular treatment is given the problem of reducing the value of the estate by the use of inter-vivos gifts, both outright gifts and gifts in trust. Emphasis is placed upon trust provisions which are essential to prevent the trust property from being included in the trustor's estate, and upon the income tax consequences arising from the creation of trusts.

Although a person who is familiar with the Internal Revenue Code will probably be familiar with the topics discussed, the book should stimulate the thinking of anyone interested in the field of estate taxation. It is very readable and should be of particular interest to the casual practitioner in this field in that it is a source of ideas for the solution of estate tax problems and points out many of the pitfalls which are commonly encountered. By an analysis of current thought on the problem, the author gives in the concluding chapter a preview of the statutory changes in the field of estate and gift taxation which may be expected in the future.

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