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A Treatise on Equity

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A TREATISE ON EQUITY. By William F. Walsh. Chicago: Callaghan and Company, 1930, pp. xli, 603.

Professor Walsh gives the reader prompt notice of his purpose in writing this compact book. In his language "the purpose of this treatise is to state the rules and principles of equity as they exist today in the simplest terms and to develop and explain them in the light of their historical development and the fundamental reasons on which they depend." The book represents a worthy effort to attain this manifestly worthwhile object.

To the law teacher and the law student the work is particularly welcome. It is not an encyclopedia of case law, yet it is amply annotated with references to the decisions. It is not a hornbook embellished with convenient rules of thumb, yet it goes far toward exhibiting stock principles of equity in their historical, social and rational settings. It comes to join the thin ranks of legal treatises and texts describable as analytical. Moreover, in view of the use of the arrangement of topics made in Professor Cook's Cases on Equity the book will be especially helpful to law teachers who use Cook's Cases in their equity courses. Many of the cases used by Cook are discussed by the author in the text of his work and others in the footnotes.

The scope of this treatise is sufficiently comprehensive to render it useful to the profession at large. As a rational study, which among other things, tends to explode many of the historical concepts of equity which have little or no meaning for present society the volume should appeal to the lawyer as an able and interesting intellectual exercise.

It is believed that the treatment of the subject would have been desirably more adequate had the author more completely exploited recent case material. For example, there appears to be a growing disposition on the part of the courts to grant equitable relief in aid of political rights exhibited in the recent cases, which, doubtless, should be given notice in a treatise on equity.

Professor Walsh writes in a simple direct way without flourish or verbal ornamentation. He expresses his own opinions freely without that quality of expression which antagonizes. As legal texts go he has produced a very readable book. His reflective and critical approach gives his work the intensity of a good law review article.

—JEFFERSON B. FORDHAM.