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Book Reviews

*Reviewed by Martin A. Levitin**

OCCUPATIONAL DISEASES, A Guide to Their Recognition, Edited by W. M. Gefafer. Published by U. S. Government Printing Office; 375 pp. (1964).

A low-cost, comprehensive and authoritative reference tool for use by physicians and other interested professions has been made available through efforts of the Public Health Service of the United States Department of Health, Education and Welfare. The work of a group of physicians and psychologists associated with the government's Occupational Health Research and Training Facility at Cincinnati, Ohio, this handbook provides much useful data to facilitate the discovery and prevention of job-related illnesses by those responsible for the health of the working population.

The dynamic technological changes of recent years, with the resulting proliferation of new products and processes, have seriously complicated the already difficult tasks of relating disease, disability and even death to occupational factors and possible causative agents. The relative magnitude of today's problems as compared with those of an earlier time is readily apparent when the small predecessor pamphlet published by the Metropolitan Life Insurance Company in 1918 and entitled "Occupation Hazards and Diagnostic Signs" is placed next to the current work.

Under three major categories . . . chemical, physical and biological hazards . . . the book describes the harmful effects of particular exposures, the occupations that may potentially give rise to those effects, the mode of entry into the body, special diagnostic tests and recommended threshold limits. The sections on chemical hazards, comprising over half of the book, describe the deleterious effects of hundreds of substances with selected references for further study following each item. The work concludes with extensive bibliographic and reference listings for consultation on occupational health and industrial hygiene problems.

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For the attorney engaged in certain aspects of medico-legal, workmen's compensation or labor practice, this book could prove a valuable guide in forming a judgment as to whether a client may have an occupationally related disability.

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*Reviewed by Kenneth D. Stern**

CONTRACTS AND CONVEYANCES OF REAL PROPERTY, Second Edition, by Milton R. Friedman. Published by Practising Law Institute, New York, 1963. 700 pp.

As a skilled chemist painstakingly analyzes the composition of a substance under study, so does Mr. Friedman take the general subject of this work and break it down into its component parts. The author states the purpose of this book to be that of "considering not only what one should know in this field but also what one should do or not do and why."

The volume begins with a general discussion of contracts for the sale of real property. First discussing such contracts in general, Friedman then treats in detail 22 factors, a thorough understanding of which is essential to the drawing of the proper real estate contract. Under consideration are such items as mortgages, encumbrances on the title, building permits and certificates, risk of loss, the application of the doctrine of caveat emptor, and conditional contracts.

A short chapter is devoted to assignments of contracts of sale, and includes a discussion of the use of nominees (also called "dummies" or "straw men"). The subject of title examination is treated at length. It ought to be noted, however, that this book does not go into the techniques or mechanics of examination of title, but, rather, seeks to point out what must be considered when going about the task. Certain aspects of the problem of title examination are rather thoroughly discussed, as with section 3.8, which deals with zoning.

The fourth chapter, entitled "Marketable Title," is by far the longest chapter in the book, and covers the subject in great

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detail. The author provides a definitive explanation of what a "marketable title" actually is, and discusses certain rights and liabilities connected with a title's marketability, or lack thereof. There are 54 sections within this one chapter alone; 14 sections are devoted to the subject of easements. Restrictions and encroachments are also dealt with at considerable length.

Mortgages, deeds and closing adjustments are each considered in chapters devoted exclusively to them. Chapter 11 is concerned with "the closing" of the deal. Other chapters in the book deal with specialized topics, such as breach of contract, implied easements, medium of payment, and possession.

Mr. Friedman's book abounds with practical advice and observations. His long-standing familiarity with the "human side" of real estate matters enables him to present his subject in a more comprehensive and effective manner than that found in the vast majority of legal texts, which often run on the "dry" side. For example, this small excerpt from page 46:

If completion of construction is delayed because of inclement weather, strikes, etc., the seller's time to perform is extended for a period commensurate with such delay.

This makes it difficult for a buyer to plan on moving or to enroll his children in school. Any provision should include a cut-off date, after which the buyer may cancel and entitle himself to reimbursement of any payments made.

Although the author frowns on too much reliance on "form books" and the like, since, he says, "a general form is rarely precise for a particular situation," he does suggest, through illustrations, certain phraseology and methods of delineating contractual duties and rights, in order to eliminate ambiguities which could seriously affect the end result of what should be a clearly-defined transaction.

Throughout, the book treats its subject in an encyclopedic manner. Well written, systematically organized and copiously annotated, the volume, while far too complete a book to be called a "primer" or "handbook," seems best attuned to the needs of the attorney whose experience in real estate transactions is limited, and who therefore requires a source of advice as to the traps and pitfalls to be avoided when dealing in this field. Nonetheless, this volume would be a valuable addition to any law library.