

1965

Book Review

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Recommended Citation

James T. Brennan, Book Review, 14 Clev.-Marshall L. Rev. 626 (1965)

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Book Reviews

Reviewed by James T. Brennan*

HANDLING FEDERAL TORT CLAIMS, by Lester S. Jayson.
Publ. by Matthew Bender & Co., 1964. \$35.00.

Lester S. Jayson was head of the Torts Claims Section of the Department of Justice for many years. He knows whereof he speaks. Until *Handling Federal Tort Claims* appeared in print, there was no treatise available on this topic. While the average practitioner will have heard of the Federal Tort Claims Act, he probably doesn't know about the existence of the Coast Guard Claims Act or the special statutes concerning claims of Oyster Growers or claims arising out of the activities of the American Battle Monuments Commission. He might or might not be able to track down such special statutes eventually, if he knew where to look for them and if his mind thought in the same key words as the available indexes. He would be very unlikely to know of the existence, how to locate, or have available the materials to locate claims covered by international agreements, such as claims arising out of NATO activities. *Handling Federal Tort Claims* collects all of the relevant federal statutes, treaties, regulations and cases on the broad topic of tort claims against the federal government and makes them readily available to the practicing attorney, with a minimum expenditure of his time and energy. As a tool for locating applicable law, Mr. Jayson's work is invaluable. It may also be read as a hornbook. Attorneys who are unfamiliar with the scope and extent of the liability of the federal government for torts would be well advised to read the first four chapters as part of their continuing legal education, just as they read the advance sheets which come into their office. The author's substantive treatment of the subject matter is first rate. He discusses in detail each topic that he covers, with copious footnotes substantiating his statements. I fully expect that Jayson's *Handling Federal Tort Claims* will be cited by the courts in federal tort liability litigation as frequently as Scott's work is cited in trust litigation.

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For questions not fully answered by Mr. Jayson, his footnotes should provide the attorney with the citations necessary in order to begin his own individual research on any particular point of law. The appendix contains a handy collection of forms and copies of various statutes under which the federal government may be sued in tort. The index to a reference work such as this is of great importance, and Mr. Jayson is to be congratulated on the thoroughness and usefulness of his index, which will save many hours for the practitioner.

There has been a real need for such a work. We should be grateful to Mr. Jayson for so competently and completely filling this need. With this work on his shelf, the small office, general practitioner no longer will have an excuse for playing federal tort claims by ear. He will now be able to locate the relevant law and the applicable statutory provisions as to his claim in a short period of time. *Handling Federal Tort Claims* belongs in every law office and law library.

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*Reviewed by Daniel W. Feldman**

LAW, LIBERTY, AND PSYCHIATRY, by Thomas S. Szasz, M.D., Published by The McMillan Company, New York, 281 pp. 1963.

What should a man do when faced with criticism? The prophets of old were critics of their times. Dr. Szasz is a latter day prophet crying out against the injustice and indignity visited upon those labeled "mentally ill." He is himself a reputable psychiatrist and psychoanalyst. He offers case histories to substantiate the fact of this injury and attempts to explain how this happens by citing the human foibles of those involved. Self interest, indifference, negligence, misinformation and others are suggested. Current commitment procedures, he points out, rest almost entirely on the judgment of psychiatrists. However, unlike other settings in which one man can decide the fate of another, there are no comparable safeguards against arbitrary action by psychiatrists and no remedy for those injured as a result. Psy-

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