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Book Review

Jack F. Smith
Cleveland-Marshall Law School

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*Reviewed by Jack F. Smith**

THE LAW OF TORTS. By Fowler V. Harper and Fleming James, Jr. Little, Brown & Company, Boston, Mass. Three volumes, 2062 pages. 1956.

This treatise is broken down into two main divisions: (1) intended torts, and, (2) accidents. The first division includes such subtopics as "interference with the possession and use of land," "person," "malicious prosecution," "defamation," "misrepresentation," etc. The second division includes subtopics such as, "the nature of negligence," "scope of duty," "legal cause," "damages," etc.

The work is well documented, containing a wealth of citations, and is fairly completely indexed. Bibliography and index are contained in the third volume, the first two volumes being the body of the work itself.

Seemingly, Harper and James' Law of Torts is a comprehensive and complete theoretical study of the law of negligence up to the present time. The authors have exhaustively treated each topic covered, tracing historical development and pointing out the principal variations found in different jurisdictions.

While the work may be criticized as a rather abstract approach to the law of torts, the law is built upon theory. Application of that theory to specific factual situations is the duty of the practitioner and the judge.

* Librarian of Cleveland-Marshall Law School.