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Book Reviews

Edson R. Sunderland
University of Michigan Law School

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BOOK REVIEWS.

MICHIGAN FORMS OF PROCEDURE AT LAW. By Charles W. Nichols, of the Lansing (Mich.) Bar. Detroit: Fred S. Drake, 1911, pp. xxxiii, 963.

Precedents play so prominent a part on the modern legal stage that present-day legal literature seems pretty largely devoted to making them easily accessible. However much this persistent reliance upon precedent may be regretted in the substantive branches of the law, precedents in procedure are in the main subject to much less criticism. Procedure aims only to accomplish the modest task of providing a mechanism for the application of legal principles to particular controversies. It is only a mechanical means to an end, and the test of its efficiency is the ease and accuracy with which it can be used to produce the desired results. Forms in procedure are a practical necessity. They are to the lawyer what mathematical and mechanical formulae are to the engineer, and if well selected and properly edited they place at the ready disposal of the busy practitioner the net results of the accumulated practical experience of the bench and bar.

A good form book is therefore an invaluable part of the lawyer's equipment. The book under review is such a book. In its scope it is sufficiently extensive for ordinary purposes, and in this respect it supplies a real want, for the forms heretofore available to Michigan lawyers have not covered a wide enough range. The new edition of Green's Michigan Practice is very well supplied with good forms, but it does not pretend to cover the field as fully as is possible for a comprehensive book devoted to forms alone.

Under the head of actions for the recovery of debt or damages there are some 170 forms of declarations, a dozen forms of pleas in abatement, with forms of demurrers, replications, rejoinders, and surrejoinders, and 18 notices under the general issue. Under the head of actions involving the seizure of property or arrest of defendant there are many forms covering all aspects of *capias* and attachment proceedings, *replevin*, fraudulent debtor proceedings, garnishment, *ejectment*, *habeas corpus*, and *certiorari* and proceedings for contempt. These forms include pleadings, notices, affidavits, orders, bonds, certificates, returns, and other papers appropriate to the proceedings. Under miscellaneous proceedings are a great variety of forms for *mandamus*, *quo warranto*, *scire facias*, proceedings in nature of a judgment creditor's bill, proceedings for the recovery of possession of land, compelling discovery of books and papers, depositions, arbitration proceedings, consolidation, reference and transfer of causes, *timber liens* and demands against water craft. Under appellate proceedings are forms for case made, bills of exceptions and writs of error, and *certiorari*. Then follows a collection of miscellaneous forms appropriate for proceedings by and against infants, corporations and partnerships; proceedings before trial, such as *retainer* and substitution of attorneys, defaults, security for costs, continuances, change of venue; incidents to the trial and subsequent proceedings, such as bills of particulars, set-offs, findings, new trials, etc.; and finally admissions and agreements and service of papers.

The forms seem well drawn and carefully edited, and will undoubtedly prove a valuable aid to Michigan lawyers.

E. R. S.