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Book Reviews

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Book Reviews

LAW AND THE FARMER. By Jacob H. Beuscher. New York: Springer Publishing Company, Inc., 1953. Pp. 395. \$4.95.

The author of this book is a professor of law at the University of Wisconsin. Since 1947, he has also taught a course in farm law to future farmers, county agents, agricultural specialists and vocational agriculture teachers in the College of Agriculture of that university.

The book is divided into four parts. Part One is entitled "Getting Our Bearings About Law" and discusses the processes of making law, and the general nature of law. Part Two relates to "Legal Problems When Acquiring a Farm" and is concerned with the contract of purchase, real property law important to the purchase of a farm, the deed, land descriptions and the recording system and the farm lease. Part Three pertains to "Transferring the Family Farm From One Generation To the Next" and deals with such problems as transfers on death, with or without a will, probate procedure, gift and inheritance taxes. Part Four is entitled "Legal Problems When Operating a Farm" and includes within its scope the regulation and taxation of the farming business, farm debts, boundaries, fences, water rights, trespassing, animals and strays, the farmer as a creditor and a seller. There is also an appendix which includes forms of certain instruments or documents, such as offer to purchase farm, land contract, warranty, deed, quitclaim deed, real estate mortgage, abstract of title, stock share lease, farm lease check list, check list for farm income tax depreciation, check list of farm expenses, check list of farm income, record for figuring depreciation, promissory note and chattel mortgage. Most of the forms relate to Wisconsin, but according to the author, they have been selected "for illustrative purposes only."

In the preface, the author states that "over and over, I have found great interest and a real thirst for information about law as it relates to the farming business. There is ample evidence that ignorance of the law leads constantly to costly mistakes. There is genuine concern that young people being trained for farming or farm advisory jobs are not being taught how to protect themselves from such mistakes. All the groups with whom I have talked are anxious to know enough about the law to detect an incipient legal ache or pain so that timely expert help can be sought." The author then continues: "The book that meets these needs must be readable, it must have continuity and above all technical language must be kept strictly in hand. Such a book must be content with the important problems, avoiding the confusion inevitable in encyclopedic coverage. It needs to get behind the rules, to explain their historical antecedents, why they are here today, what they are intended to accomplish and, to the extent possible, how they actually operate. In short, it needs to make the law live for the reader."

Prof. Beuscher has been able to attain his suggested goal of producing a work which is readable and confined to most of the important problems of the law and

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the farmer. Moreover, the explanation of the historical antecedents of the rules of law discussed, together with a discussion of the intended purposes of such rules, presents information certainly educational in nature. And speaking as one who has taught in law school, the book appears to your reviewer as a very satisfactory text for students in a course where the object is to give a good general knowledge of the law as it relates to the operation of a farm.

To one engaged in the general practice of law in an agricultural community, with probably half of his clients connected with farming or closely allied activities and who has for several years operated a couple of farms of his own, the need of a farmer for some idea of the basic legal rules relating to the operation of a farm is obvious. This is particularly true with reference to some of the newer problems arising out of governmental regulation, and especially the use of modern methods of insect control, and from soil conservation practices such as terracing and changing water courses, to name a few instances where unexpected legal liability may arise from injuries inflicted upon a neighbor's land.

To a layman engaged in farming, to future farmers, county agents, agricultural specialists and the like, this book offers a good source from which they may obtain an idea of the part played by law in our social order and a sufficient knowledge of applicable legal principles to detect "an incipient legal ache or pain so that timely expert advise can be sought," to use the language of Prof. Beuscher.

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