

BOOK REVIEWS

THE DENTIST AND THE LAW. By Charles Wendell Carnahan. St. Louis: The C.V. Mosby Company, 1955. Pp. 263. \$5.25.

As its name suggests, this book is intended to inform the dentist of his legal rights and responsibilities. It is written for him in a style and language which he can readily understand. Abundant illustrations are set out, as are many helpful quotations from leading judicial decisions. Excellent historical materials are included and the underlying reasoning of legal principles is often given. Frequently courses of action in the best interest of the dentist from a legal standpoint are suggested. For the above reasons and because of its complete coverage of the law applicable to him, the book should prove invaluable to the dentist as a reliable guide in shaping his conduct within the framework of the law.

But the usefulness of this treatise is not limited to the dental profession. Since it discusses in a lucid and authoritative manner the applicable principles of law, outlines prudent and customary dental practices in numerous situations, and cites the leading cases, the attorney with a dental-law problem should find this book most helpful as a reference work. Members of other health professions should likewise find its contents beneficial because of the similiarity of the problems and law involved. Finally, the book is ideally suited as a student text for a one-credit lecture course or a two-credit discussion course in dental jurisprudence. The book has been adopted for student use in such a course at the University of Kansas City School of Dentistry.

The chapter headings indicate the scope of the coverage: introduction (including nature of law, the court systems, principles of ethics of the American Dental Association, and state supervision and control of the dental profession); respective duties of dentist and patient; compensation for dental services in general; compensation for dental services as to particular persons (especially wives and children); malpractice; malpractice—special rules of evidence (*res ipsa loquitur* and admissions against interest); malpractice defenses; liability of the dentist for the acts of others; injury to those other than patients; and the dentist as a witness.

Writing a scholarly but easily understood treatise on the numerous and complex legal problems and rules involved in these chapters must have been most difficult. The real measure of the author's ability becomes apparent when it is realized that in the confines of 263 pages are treated in an intelligible manner such involved matters as principal and agent; express, implied, oral, written, third-party, and quasi contracts; a wife's or child's right to contract; a husband's or father's liability for dental care; and malpractice, which presents knotty questions of negligence, causation, contributory negligence, damages, and evidence. In dealing with these difficult and hard-to-explain concepts and their application to dentistry, the author consistently follows the effective technique of outlining the problem, of stating the applicable rule or rules of law, and of concluding with one or more illustrations based upon decided cases, often with extensive quotations.

Although this is a book primarily for laymen, difficult areas of the law are not omitted, nor is the quality of scholarship sacrificed; indeed, refinements of legal principles are often stated. The body of law relating to the dentist is covered with remarkable completeness considering the size of the book. Important principles are repeated and restated whenever appropriate. At first blush this may

appear to be loose organization but in view of the enormity of the author's task these repetitions are justified, if not essential to an effective presentation of the subject matter.

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