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Book Reviews

BOOKS REVIEWED

The Constitution of Liberty. F. A. Hayek. Chicago: University of Chicago Press. 1960. Pp. 526. $7.50.

An Indonesian Communist speaks of guided democracy, a Soviet judge refers to a rule of law, in South America and Africa chiefs of various forms of government sing freedom's praises—obviously conceptions of liberty differ. The differences are not due to the diversity of the races or the languages, but to a lamentable absence of definitions in national and international discussions. Given definitions, peoples of all tongues would at least understand the distinctions between the alleged kinds of liberty which are now in vogue. Twentieth century liberals are different from nineteenth century liberals because, today, in the words of Jimmy Durante, "Everybody wants to get into the act." Hence, although the debate in this country continues with unabashed fervor, some of the debaters have left the audience in the dark. You cannot identify the discussants because they do not wear numbers and there are no score cards. Scratch a liberal, you may find a potential autocrat, a neo-pagan in a grey flannel toga or other illiberal types.

In these essays the author, who is well-qualified, aids the cause of clarity significantly by displaying a comprehension of the need for a clear exposition of the doctrine he preaches.

Professor Hayek, who will be remembered as the author of *The Road to Serfdom* and other books, has brought to the scene unequivocal statements concerning a social philosophy which he believes should govern a free society. If we are to make considered political, economic and ethical decisions, he suggests that we must know precisely what each of the discussants really has in mind.

In a brief postscript which I suggest should be read and reread before turning to the main text, the author distinguishes his position from that taken by conservatives, confessing that he would rather be known as an Old Whig who had moved with the times. There will, of course, be dissenters, but on the whole, his portraits of a liberal, of a socialist, of a radical and of a conservative are, in the frame of reference he utilizes, fair and certainly instructive to the reader who is appraising the writer's attitudes.

This book is one which should be considered required reading for educators, members of all branches of the government, leaders of labor, of industry and of religious groups. It is worthy of a condensation by *Reader's Digest.* Those who profess concepts alien to the ideals of liberty and freedom which guide Mr. Hayek's thinking, should hear him out. In the case of the uncommitted or confused citizen, a reading of the book will lead toward a thorough understanding of the premises and principles which divide Mr. Hayek and his professional brethren.

Whatever position one may ultimately take toward the fundamental questions raised and answered in the book, one will be convinced that Mr. Hayek represents his school of thought competently. This declaration on freedom is an excellent survey of the problems confronting civilization in America. The analytical arguments relate directly to the issues that trouble us in these times. In the contemporary world, where we are face to face with philosophies and social policies which differ from those our forefathers confidently expounded, it is important that in pursuing an inquiry free from hobbling restrictions, we have access to scholarly treatises which chart a course for future civilization along a way marked by guideposts which can be clearly seen even by those who run as they read. So that whatever path we choose,

we will know that our choice was deliberate. Those who follow the Old Whig may never claim they were confused.

The volume is divided into three parts, with eight chapters in each part. In the first, "The Value of Freedom," the chapters are entitled "Liberty and Liberties," "The Creative Powers of a Free Civilization," "The Common Sense of Progress," "Freedom, Reason, and Tradition," "Responsibility and Freedom," "Equality, Value and Merit," "Majority Rule," and "Employment and Independence." The second part, "Freedom and the Law," covers "Coercion and the State," "Law, Commands, and Order," "The Origins of the Rule of Law," "The American Contribution: Constitutionalism," "Liberalism and Administration: The Rechtsstaat," "The Safeguards of Individual Liberty," "Economic Policy and the Rule of Law," and "The Decline of the Law." The third part, which bears the title "Freedom in the Welfare State," deals with "The Decline of Socialism and the Rise of the Welfare State," "Labor Unions and Employment," "Social Security," "Taxation and Redistribution," "The Monetary Framework," "Housing and Town Planning," "Agriculture and Natural Resources" and "Education and Research." These chapter headings show the breadth and the scope of the treatment of the subject. Even if Mr. Hayek's beliefs, which are well expressed, are not wholly accepted, they have the undeniable virtue of renewing interest in matters that have been on the agenda for discussion hundreds of times from the days of Athens to the recent night sessions of the United Nations.

Mr. Hayek's comments touch on anthropology, ethics, jurisprudence and economics. He presents his assumptions, principles and warnings interestingly and comprehensively. He calls on the statements of hundreds of commentators, philosophers, historians, playwrights, politicians, scientists and economists, from Aristotle to Arthur Schlesinger, Jr., to illustrate his points. Beginning with an affirmation of "The Socratic maxim that the recognition of our ignorance is the beginning of wisdom" (p. 22), he finds that "this fundamental fact . . . has received little attention. . ." (p. 22).

In one aspect, the book repeatedly recognizes that many of our best ideas come from the past. In dealing with these ideas he restates them with skill.

Students of the law should meditate over the following pronouncements. They may arouse a curiosity which in turn could produce worthwhile research.

Liberty and responsibility are inseparable. (p. 71.)

Equality before the law and material equality are not only different but are in conflict with each other, and we can achieve either the one or the other, but not both at the same time. The equality before the law which freedom requires leads to material inequality. (p. 87.)

Supporters of unlimited democracy soon become defenders of arbitrariness. (p. 116.)

The rule of law is more than constitutionalism: it requires that all laws conform to certain principles. (p. 205.)

The professor is not impressed with the part the courts have played in the fight for the supremacy of the rule of law. A decline of law is blamed on the jurists of the last half century who, it is said, "wished to prove themselves progressive." (p. 248.) The author detects signs of a revival of law in "the advance of the principle of judicial review since the war and the revival of the interest in the theories of natural law in Germany." (p. 248.) He is not one of those who regard majority rule as an end, but rather as a means. He concludes that "the chief evil is unlimited government, and nobody is qualified to wield unlimited powers." (p. 403.)

The value of the book is enhanced by an index of the authors of source materials and substantial notes which in themselves prove not only informative but valuable as guides for future reference.

As the struggle between communism, Marxism and the forces of the free world has widened, the interest of our people has increased in books of this kind. Here an economist, philosopher and political theorist enthusiastically examines and eloquently explains ideas which will affect generally the course of history and more particularly the world in which we live.

ADRIAN P. BURKE*

Sacco-Vanzetti: The Murder and the Myth. Robert H. Montgomery. New York: The Devin-Adair Company. 1960. Pp. x, 370. $5.00.

For over thirty years the Communists and other radicals here and abroad have trumpeted that Bartolomeo Vanzetti and Nicola Sacco were sacrificed by United States capitalistic hatred and injustice toward the working class, when, on August 23, 1928, these two men were executed for the murders of a paymaster and his guard (both members of the working class) committed at South Braintree, Massachusetts, during the afternoon of April 15, 1920. Indeed, the trumpeting that they would be so sacrificed began *pianissimo* with the indictment of the two men more than seven years before their execution. It grew to a *crescendo* during and after the trial, with the accompanying *fortissimo* of books,[1] articles in magazines, pamphlets, appeals for funds by various organizations and committees, sermons, poems,[2] and dramas.[3] The propaganda campaign, echoes of which may still be heard *diminuendo*,[4] was so well-organized and so well-conducted as to put to shame anything done since by Madison Avenue at its best.

The campaign was so successful that it has become part of the folklore of the Communists, their fellow travelers and some of our intellectuals, aided and abetted by some historians, teachers and professors.[5] They would have us believe that: (1) The

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1. Ehrmann, The Untried Case: The Sacco-Vanzetti Case and the Morelli Gang (1933); Fraenkel, The Sacco-Vanzetti Case (1931); Frankfurter, The Case of Sacco and Vanzetti: A Critical Analysis for Lawyers and Laymen (1927).

2. The Sacco-Vanzetti Anthology of Verse (Harrison ed. 1927). Some of the poems are entitled "Two Crucified," "Jesus Also Sinned," "The New Golgotha," "To Slay These Christs," "My Judas Land" and "A Young Messiah." See the instant book at 61-62 n.1.

3. Maxwell Anderson's Winterset is a beautifully written and moving poetic drama which is said to be based on the Sacco-Vanzetti case. It has been shown on television and, undoubtedly, has convinced some viewers who knew nothing about the true facts of the case that the trial judge was a "miserable guilty wretch."

4. No doubt, Montgomery's book will spark a resurgence in certain quarters which will bring the *diminuendo* up to *forte*. Slashing attacks on the book may be expected. Dearly held myths die hard among the intelligentsia as well as among the bourgeoisie.

5. A letter alleged to have been written by Vanzetti while he was in prison, this reviewer has been told, is often used in English classes. All the letter proves is that a man of limited education, condemned to death, can write a very moving letter as he faces the great beyond. The reviewer does not mean to charge that the intellectuals, writers, poets, historians, teachers and professors, members of committees, and the like, were Communists or even fellow travelers. At worst, probably, they were and are people of good will who unconsciously became the dupes of the Communists and other radicals who chose for their own purposes here and abroad to make a cause célèbre out of the case. The late Mr. Justice Holmes is quoted by Mr. Montgomery as saying "Sacco and Vanzetti, who were turned

two men were innocent of the murders of the paymaster and his guard; or (2) if not innocent, the trial was grossly unfair in that their anarchistic beliefs and draft dodging were introduced by the prosecution (persecution as the radicals would have it) to inflame the jury; (3) the trial judge, Webster Thayer, was a "vulture" thirsting for the blood of two innocent anarchists; and, (4) the crime was committed by the "Morelli Gang," not by Vanzetti in conjunction with Sacco. These postulates have become Holy Writ for the Communists and their fellow travelers.

It is probably safe to say that few, if any, of the forensic critics of the trial attended it or even took the trouble to objectively study the published record of the trial and its long aftermath.[6] Why should they when so many distinguished writers, organizations, and the like, declared both during and after the trial for the South Braintree payroll murders that something was rotten in the State of Massachusetts? To be sure, the Governor of Massachusetts and his Advisory Committee, which included the President of Harvard College and the President of the Massachusetts Institute of Technology, and the members of the Supreme Judicial Court of Massachusetts reviewed the case and found nothing amiss.[7] They were distinguished men, were they not? The party line in answer to this was and doubtless still is: After all the uproar by the radicals and their friends and abettors these distinguished men could not concede that the judicial personnel and the judicial system of a great state had erroneously sent to their deaths two innocent men. To do so would add grist to the radical mill, which must not be permitted. Thus, the Governor and the members of the Advisory Council, those conscientious men, who patiently interviewed witnesses, read petitions and affidavits filed by defense counsel and listened to their arguments as well as to those of workers for the defense, came to be pilloried along with Judge Thayer, Frederick Katzmann (the prosecuting attorney), the members of the jury and every official connected with the case.

Mr. Montgomery was not at the trial but in reading his book one is bound to conclude that he studied thoroughly the trial record and all the other available sources of information on every aspect of the case.[8] One has to be impressed with his industry. He seems to have read all the books about the case—even the poems in the

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into a text by the reds. . . ." (p. 318.) Holmes, as usual, puts his finger on the heart of the matter.

6. In 1928, Henry Holt & Company published a five volume work entitled The Sacco-Vanzetti Case, Transcript of the Record of the Trial of Nicola Sacco and Bartolomeo Vanzetti in the Courts of Massachusetts and Subsequent Proceedings, 1920-7. In 1929, a supplementary volume was published, which included the Bridgewater Case and "Available Material." In that case, only Vanzetti was tried. He was convicted and sentenced for an unsuccessful payroll holdup in Bridgewater, Massachusetts, on December 24, 1919. The case was tried before Judge Thayer. Inasmuch as the evidence of guilt was conclusive and the conduct of the trial above reproach, including that of Judge Thayer, it seems to have caused no excitement at the time or since. Mr. Montgomery deals with this trial briefly at the beginning of the book. Since the sentence was imprisonment and since no appeal was filed, it evidently did not suit the book of the Communists and their ilk to make an outcry about it. They needed something better with which to make martyrs.

7. Mr. Montgomery quotes from a Letter from President Lowell of Harvard University to Chief Justice William Howard Taft, Nov. 1, 1927: "[N]one of us had the least question about the men's guilt. The proof seemed to be conclusive. On the other hand, there was gross misstatement in the propaganda in their favor. . . ." (p. 39.)

8. The text is replete with citations to the Holt Transcript. See note 6 supra.

Anthology.[9] Mr. Montgomery is a lawyer,[10] trained to dig the salient facts out of the morass of a very long trial record. It will be difficult for his detractors[11] to fault him in this respect. There are bound to be detractors, for Montgomery has laid the whip on the backs of some sacred cows.[12]

Were the men really guilty? One of the most damning pieces of evidence was this: The fatal bullet taken from Berardelli, the paymaster, was fired from a Colt .32. Sacco had such a gun on his person when arrested and in his pocket were found twenty-three .32 caliber bullets of such a rare type that no duplicates could be found for ballistic test purposes. The mortal bullet matched those found in Sacco's pocket. Well might the jury and the Governor's Advisory Committee put great weight on this evidence.[13]

When arrested, Vanzetti had in his possession a fully loaded .38 caliber revolver. There was persuasive evidence that this was the type of revolver customarily carried by Berardelli. As Berardelli's revolver was not found at the murder scene or anywhere else, we may indulge in the inference that someone, perhaps Vanzetti, took the revolver from the paymaster's body during the confusion attending the shooting and the getaway.[14] Vanzetti's first explanation to the police for his possession of the revolver was abandoned later on the witness stand for a different story. A person who could have verified the second story, in part at least, was available but not called by the defense.[15]

A cap was picked up at the murder scene. There was controversial evidence about this cap. It had not belonged to the dead paymaster and there was some evidence that it was Sacco's. Some of the eyewitnesses for the prosecution and some of those for the defense testified that a member of the holdup party was bareheaded during the course of the events they observed. Whoever it was, he might, in his excitement and intense activity while securing the loot, have lost his cap.[16]

Space permits neither a summary of the testimony of the eyewitnesses, always controversial in any case, nor the inconsistencies in the stories told by the accused, the evidence of the consciousness of guilt and the other matters carefully reviewed and documented by Mr. Montgomery in his book, all of which added up to a conviction in the mind of this reviewer that Sacco and Vanzetti really did commit the South Braintree murders and deserved the extreme penalty of the law.

Mr. Montgomery knocks into a "cocked hat" the theory that the crime was actually committed by some other fellows. There is not a shred of credible evidence of this hypothesis. Indeed, after reading the author's painstaking analysis of it, one must conclude that the theory was advanced in utter desperation.[17]

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9. The Sacco-Vanzetti Anthology of Verse (Harrison ed. 1927). See the instant book at 61-62 n.1. See also note 4 supra.

10. Mr. Montgomery graduated from Harvard Law School, cum laude, in 1912 and received the honorary degree, LL.D., from Tufts College in 1952. He has been a member of the Massachusetts Bar since 1912, and is now a partner in the law firm of Powers, Hall, Montgomery & Weston.

11. See note 4 supra.

12. Furthermore, when some people who have allowed their sympathies to be engaged in a "cause" learn that they have been duped, they cannot admit, even to themselves, much less to others, that they have been deceived in the grand manner.

13. Pp. 7, 96-100.

14. Pp. 7-8, 118-22.

15. Pp. 118-22.

16. Pp. 111-17.

17. See these chapters of the book: "The Madeiros Confession and How it Grew"

Of course, the favorite thesis of the Sacco-Vanzetti sympathizers is that they were not convicted because they murdered two men going about their duty in delivering a payroll with which to pay other members of the working class. The claim is that they were radicals and draft dodgers tried in a time of public hysteria over radical plans to overthrow the governments of the United States and of the sovereign State of Massachusetts. It may come as a surprise to the sympathizers that the radical, anarchistic views of the defendants and their draft dodging were introduced into the trial by the defendants themselves, through their counsel, although in a conference with counsel for both sides Judge Thayer advised against it. The radicalism of Vanzetti came in on his direct examination by his own counsel on the twenty-ninth day of the trial.[18] That the two men's radical views had any effect on the jury is extremely doubtful.[19]

Then there is the thesis of the "sadistic" Judge Thayer. There is no doubt that Judge Thayer, as the trial progressed, became completely convinced in his own mind of the guilt of the defendants. But what judge is not, when the evidence of guilt adduced before him is overwhelming? There is also no doubt that the Judge talked about the case out-of-court to his friends and to some who were not his friends. This was highly improper, as Mr. Montgomery concedes. But did the Judge's opinion influence the jury? That is the question. The author concludes that it did not and so did the Governor's Advisory Committee which reported that the jury stated that "the Judge tried the case fairly; that they perceived no bias, and indeed some of them went so far as to say that they did not know when they entered the jury room to consider their verdict whether he thought the defendants innocent or guilty."[20]

It is to be hoped, but not to be expected,[21] that this book will at least convince some doubting Thomases that Sacco and Vanzetti were guilty of murder and that it will dissipate the myths that have found their place in the folklore of the intelligentsia.

GEORGE W. BACON†

The Role of Nationality in International Law: An Outline. H. F. van Panhuys. Holland: A. W. Sijthoff. 1959. Pp. 256. 19.95 fl.

Mr. van Panhuys, a legal adviser of the Ministry of Foreign Affairs of the Netherlands, surveys in a highly comprehensive manner the international effects of municipal laws on nationality. General interest has recently been accorded to this issue by the widely discussed judgment of the International Court of Justice in

(ch. 27); "The Morelli Hypothesis" (ch. 28); and "Madeiros-Morelli in the Courts and Afterward" (ch. 29).

18. P. 156. Vanzetti denied that he was a Communist. The reasons for introducing those issues by the defense counsel are set out in the instant book at 158.

19. See the following chapters: "What the Jury Thought About the Trial" (ch. 18); and "The 'Red Scare'" (ch. 32). The reviewer remembers the alleged "witch-hunting" of the 1920's. It seems that the "hysteria" of the "witch-hunters" was well matched during the same decade by the "hysteria" of Sacco's and Vanzetti's sympathizers. Is hysteria catching?

20. See the Holt Transcript, supra note 6, at 5378a. See these chapters in the instant book: "The State of Mind and Conduct of Judge Thayer" (ch. 30); "What the Jury Thought About the Trial" (ch. 18).

21. See note 4 supra.

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the *Nottebohm* case (*Liechtenstein v. Guatemala*)[1] and the decision of the Italian-United States Conciliation Commission in *United States ex rel. Flegenheimer v. Italy*.[2]

The reader is guided via a "circular tour" through various sectors of international law wherein the author analyzes the substance of nationality, *i.e.*, the body of rules of international law which give significance to nationality in the formal sense of belonging to the population of a particular state. The latter aspect is concerned with the municipal nationality rules determining the acquisition of nationality by birth or naturalization or its loss by naturalization in another country, and the problems created by conflicts of municipal nationality laws. Stress is accorded questions of practical importance, such as the treatment of foreign nationals residing or having property interests in another state and the diplomatic protection given by a state to its nationals in the exercise of legal remedies on the international level.

Other aspects which are treated are nationality rules of international law relating to sanctions, reprisals, instances of war and conflicts of criminal jurisdiction, especially extradition. Further consideration is given by the author to nationality rules in their relation to treaty law and to restrictions which are imposed by the Law of Nations on the competence of States to lay down nationality rules. These issues are indeed of special interest in the field of settlement of international claims.

Changes in the traditional function of nationality, namely, belonging to the population of a state, point to the emergence of an international type of man acting as an international functionary or member of an international organization. The position of international officials and rules for the protection of human rights also must be taken into consideration. Here, the author sees a general trend toward equality, not only between nationals of the same state, but also between nationals and foreigners. This development is and will be in the foreseeable future far remote from Grotius' *magna humana societas*, where "men are not looked upon as members of a State of termites, but as bearers of a personality, that is to say, as members of a truly Grotian community." (p. 239.)

A great number of cases decided by international tribunals and by municipal courts of various countries has been digested. In addition, the stimulating discussion of writings by publicists reveals many interesting sidelines on the role which nationality plays in the protection of foreign investments (p. 50) and in the field of private international law, especially in the doctrine of "domicile of choice." (p. 197.)

MARTIN DOMKE*

Law and Medicine: Text and Source Materials on Medico-Legal Problems. William J. Curran. Boston: Little, Brown and Company. 1960. Pp. xxvii, 829. $12.50.

There was an expression in vogue for many years which proclaimed that some people are born with silver spoons in their mouths. After thirty-three years of lecturing on the subject of malpractice, I was forced to amend this expression to read that medical doctors and dentists are born with lead pencils in their hands because much has been written by them on what constitutes proper practice. Today,

1. Nottebohm Case (Second Phase), [1955] I.C.J. Rep. 4.

2. Italian-United States Conciliation Commission, Sept. 20, 1958, noted in 53 Am. J. Int'l L. 944-58 (1959). See Goldschmidt, Recent Applications of Domestic Nationality Laws by International Tribunals, 28 Fordham L. Rev. 689 (1960).

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the expression must include lawyers who have certainly become prolific writers on the practice of law. Something good, however, had necessarily to ensue from all this writing, and the book under review is an example of one valuable work that has resulted.

When I approached the review of this work and was confronted with 829 pages, replete with detailed footnotes, I thought of the old proverb, "A coward dies a thousand deaths, a hero dies but one." There are many books published on this subject and, in most instances, their primary purpose is the monetary gain of the author. This particular book, however, is different. It cannot just be read. It must be studied and its contents digested.

In order to review this book properly, it almost would be necessary to write another book. Destructive criticism is simple. Constructive criticism is not so easy. Actually, this book allows for neither. It gives coverage to so many phases of medico-legal practice that limitations of space will allow this reviewer only to touch upon a sampling.

Considerable space is given to the background of a doctor, the make-up of an attorney and the administrative functioning of a hospital. This material is more than academically beneficial to a trial attorney, and, moreover, when properly presented, it invariably impresses a jury.

The word "traumatic" is employed extensively, and a fact illustrated by the author is that a trauma can cause a diseased condition, while a disease rarely causes a trauma. Substantial numbers of medical terms are used and thoroughly explained in the footnotes and appended glossary.

Important to a lawyer is the distinction between the various kinds of fractures, their treatment and anticipated residuals. A great deal of space is devoted to the subject of cancer. Some years ago a discussion of this topic would have seemed unnecessary, but, today, it is extremely valuable. Another point mentioned in the book is that a doctor apparently has difficulty in distinguishing between the cause of a condition and its etiology, the best examples of which are found in autopsy cases.

A section concerned with the reading, understanding, meaning, history and availability of hospital records is lucid and informative. Mr. Curran also elucidates the difference between objective and subjective complaints, how both are distinguishable from a psychogenic overlay, and the difference between functional and organic involvements. The author emphasizes the importance of the subject of autopsies by revealing the percentage of incorrect clinical diagnoses.

X-ray interpretation, with other tests and their results, are clearly explained. The use of orthopedic references and terms show a wealth of knowledge by the author, from a medical as well as legal point of view. The difference between the net result following a Volkman's eschemic contracture and a condition brought about by an arterial block caused by a clot is excellently treated. The author comments upon the neurological approach, citing as an example the difference between Sudeck's syndrome and a causalgia. He also gives thorough references to involvements of the spine and the manner of diagnosing the condition as a disc, nerve root or nucleus pulposus. There is a section allotted to head injuries, describing whether the case is for surgical or nonsurgical treatment. The author expounds on whiplash injuries; among other things, he presents a survey showing that most cervical whiplash involvements vanished following settlement.

The author details the difference between permanent disability and permanent impairment, a difference which is vital to the evaluation of a case. Treated in instructive detail is the office handling of the medical and legal factors of a case

involving trauma, as well as the medical proof necessary in such a case. The author clearly describes the manner of getting records into court and he comments upon the system of impartial panels of medical men in New York and Bronx Counties.

Mr. Curran stresses one point which is certainly important in the trial of a case, namely, that an actual conference should be held with the medical people, instead of a hurried corridor conference. The use of medical books, the formulation of hypothetical questions and the method of placing history before a jury is described. There are examples of how to test the medical doctor's memory. The author also explains the use of medico-legal photographs, colored photographs, movies, X-rays, intoxication tests and other methods of proving or disproving a case. He considers the use of blackboards, charts, skeletons and bones in court, and he discusses the cases dealing with these matters.

The specific funtions of a judge and jury are mentioned. A particular section of the book shows the relationship between psychiatry and law and the distinction between organic and functional psychoses. Among the many psychiatric reports discussed is the one dealing with the familiar case of the mass murderer who placed a bomb in an airplane. In the coverage of sex crimes, the author is very specific concerning his treatment of the manner in which the trial should be conducted. The making of wills and contracts, in addition to the subject of divorce and annulment, is considered from a psychiatric point of view.

Another section deals with the famous Hiss trial of 1949, particularly with Dr. Binger's testimony on behalf of the defendant and the excellent cross-examination by the prosecutor, now Judge Murphy of the United States district court.

The terminal section of the book, which deals with government regulations of medicine and public health, and medical societies and medical staffs in hospitals, provides interesting reading and reveals through a thorough treatment the background and importance of these regulations. One excellent example concerns the standards for cigarette advertisements established by the Federal Trade Commission. Some of the constitutional problems involving medicine and public health are described from a legal-philosophical point of view, with particular reference to the house search in a rat-infested area. There is also a consideration of the right to deprive a mentally disturbed patient of his freedom.

In summary, Mr. Curran has produced a work which is invaluable to lawyers and members of the medical profession. Most assuredly, it should be a part of every lawyer's library.

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