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William Rufus Day, Supreme Court Justice from Ohio (Book Note)

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BOOK NOTES

WILLIAM RUFUS DAY, SUPREME COURT JUSTICE FROM OHIO. By Joseph E. McLean. John Hopkins Press: Baltimore, 1946. Pp. 166, index. \$2.00.

This book is a splendid attempt, on the part of the author, to give prominence to an unpublicized Justice of the Supreme Court. Initially, the author gives the reader a cursory glance at Day's early life, his family life, his trial-lawyer practice, and the Ohio influence on his later decisions.

The major part of this work deals with the contributions to constitutional law by this Associate Justice, devoting particular attention to a technical treatment of his opinions, indicating the significance of the experience and philosophy he brought to the court.

The author, in a discussion of Day's opinions, clearly depicts him as a strict constructionist of national powers, and conversely, a liberal constructionist of state powers. Specifically, the author analyzes opinions of Day on such subjects as the Commerce Clause, Anti-Trust Legislation, Police Power and Due Process, Taxing Power of the State and Federal Governments, and Income Tax.

Dr. McLean not only wrote an account of William Rufus Day's life and opinions, he also wrote an account of a stage of American development. Considering the brevity of the book, the author has covered his subject well.

GEORGE H. HEMPSTEAD, JR.