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Review of “Lynching and the Law,” By James Harmon Chadbourn

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Book Reviews

LYNCHING AND THE LAW, by *James Harmon Chadbourn*. Chapel Hill: The University of North Carolina Press, 1933, Pp. XI, 221.

One of the most significant movements in recent years in the development of inter-racial relations in this country has been the thorough and determined way in which the thinking men of the South have undertaken to get at the facts as a necessary preliminary to any permanent and adequate solution to the race problem.

The Southern Commission on the Study of Lynching, comprising leaders of public opinion in the South, has sponsored a series of studies and investigations which, when properly apprehended, are bound to have far-reaching results.

Prof. James Harmon Chadbourn of the Law Department of the University of North Carolina has recently completed a study of "Lynching and the Law" which has been published by the University of North Carolina as one of the social study series, issued under the auspices of that progressive University in cooperation with the Institute for Research in Social Science.

Professor Chadbourn's handling of the problem included a thorough study of existing legislation dealing with the subject of lynching in the various states and also an examination of all cases included in the law reports and mentioned in leading newspapers of the various states where lynching has occurred.

He has treated the subject under such headings as "Lynching and Criminal Justice," "Municipal Liability," "Ouster of Peace Officers," "Procedural Devices," "Militia," "Change of Venue and Transfer of Prisoners," "Special Terms of Court," and "Proposals for Additional Legislation."

The facts marshalled by Professor Chadbourn clearly demonstrate what is coming to be realized by the public, that the number of cases in which the person lynched is guilty of or even accused of a sex crime, comprise only a very small percentage of the total number of lynchings per year, and yet the public to a lamentably large degree condones lynching.

The responsibility of bench and bar for failure to curb the mob spirit out of which lynching grows, is treated by Professor Chadbourn with great frankness. (In one reported case a lawyer was disbarred for participation in a lynching; 13 Fed. 814.)

Professor Chadbourn's interesting volume should be in every law library. It can be studied with great profit by every member of the Bar.

LUTHER ELY SMITH.

St. Louis, Missouri.

UNITED STATES SUPREME COURT SERVICE, published by *Legal Research Service*, Washington, D. C.

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