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THE TRIAL JUDGE IN SOUTH CAROLINA,
by Lanneau Du Rant Lide. University of South
Carolina Press, Columbia, 1953. Pp. 114. \$3.50

Sameul L. Prince

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One might, in particular, wonder if some recent scholarly developments, which came too late to be taken into consideration by the author, may not call for occasional modifications of his views. There would be no point, however, in the reviewer's arguing with him over details.

All in all, Professor De Zulueta's *Commentary*, which is not inferior to Gaius' own exposition as far as clarity of style and thought and easy readability are concerned, and is superior to it in its conception of the Roman legal system, will provide an excellent guide toward understanding the ancient source. Students and teachers of Roman law will not fail to appreciate this gift by one of the most distinguished veterans of Romanist science.

*Hans Julius Wolff**

THE TRIAL JUDGE IN SOUTH CAROLINA, by Lanneau Du Rant Lide.
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Because I knew him and knew his worth and reputation, I cherish telling the story of Lanneau Du Rant Lide (late a circuit judge in South Carolina) and of his book. We refer to the lives of some as "open books"; and while such a reference may appropriately be made of Judge Lide's life, an even more striking and accurate depiction of his life is revealed in his book, *The Trial Judge in South Carolina*.

The character of a man is what often gives character to what he writes. To the South Carolina practitioner he was the exemplar of the scholar and the judge, and to the people of his state he was the embodiment of public integrity and of a zealous dedication to the welfare of mankind. Although he never became a member of the Supreme Court of his state, he often sat as an Acting Justice, and his opinions were models of learning and clarity. His decrees as a circuit judge were adopted and confirmed almost *pro forma*, and a reversal was an almost unheard-of rarity. He had the rare skill, fortified by an indefatigable zest for research, of probing deeply and delicately, of untangling the difficult, and of expounding with easy lucidity. His passion for

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learning, his insatiable curiosity to learn the roots and causes of legal principles led him, probably more than any other in the judicial history of his state, to be the expositor and the guide in the maze of laws that in his common law state bordered at times on the indescribable. A part of his quest and enthusiasm has found its way into his book.

It is this classicist, this humanist, and this man with a deep faith in the ability of the trained man of *good will* to administer justice that is laid bare by this work.

The pattern used by Judge Lide in this little volume is, as it were, taking a young judge through trials in a circuit court session—criminal and civil—the trial of a misdemeanor, a felony, a civil law action, a suit in equity, a condemnation proceeding, hearings at chambers, and so on.

The term of the Court of General Sessions is thoroughly treated from the arrival of the trial judge at the court and the donning of his official robe through the rendering of the verdict. For the student of the law, the practicing attorney and the trial judge, the section of this chapter devoted to jury selection, both grand and petit, the duty of the grand jury, the suggested charges, the fixing of the sentence, the informative discussion of parole and probation, and the numerous practical suggestions, is invaluable. Both the misdemeanor case and the felony case are used as vehicles for illustration in carrying us through the term of the Court of General Sessions.

Moving from the criminal side of the court to the civil side, Judge Lide takes us through the sounding of the roster, the drawing of the jury, and problems of handling requests to charge. After some observations on the subject of pre-trial conferences, he closes this section of the book with an editorial reproduced from the *American Bar Association Journal* written by him on the subject of the judge and the jury.

It would take too long to call attention to all the subjects on which Judge Lide writes. Some of these are, however, the petitions for revoking probations, complications in the matter of admitting an accused to bail, statutory phases of appeals in workmen's compensation cases, the painful duties in the matter of child custody cases, the scintilla rule in South Carolina, the absence of the Statute de Donis, and others.

The materials which go to make up Judge Lide's book were the accumulation of many years. When he finally set about put-

ting them together, he anticipated a labor of at least six months. He finished his task in three months. The completion of his manuscript in that time was providential, for only a few days later he died. He carried with him the faith that, as he put it, "we cannot escape the conviction that there are certain fundamentals of right and justice, 'the same yesterday, to-day and forever.'" Although in a narrow sense Judge Lide left a priceless judicial legacy to the people of his state, in a larger sense he made his bequest to the people of his country, for it is the cumulative influence of the great judges, on the local as well as on the national scene, that has given to this country its traditions and its strength.

*Samuel L. Prince**

PUBLIC ACCOUNTABILITY OF FOUNDATIONS AND CHARITABLE TRUSTS,
by Eleanor K. Taylor. Russell Sage Foundation, New York,
1953. Pp. 231. \$3.00.

This book contributes a much needed synthesis of proposals for federal and state regulation in this field. A preliminary draft of this book, sent to the Russell Sage Foundation for criticism rather than publication, elicited the comment from F. Emerson Andrews that the Foundation "viewed Professor Taylor's manuscript with great interest, since it appeared to be the first comprehensive discussion of actual provisions in various states looking toward accountability for foundations and charitable trusts." A decision to publish it as a Foundation study followed.

The book examines the problem of trusts and trusteeships generally and then analyzes in some detail the existing provisions for supervision of trusts and charitable corporations in a selected list of states. What one discovers with considerable surprise is that so little attention has been paid to the problem at the state level, inasmuch as it is in state law that most such enterprises have their origin. Professor Taylor draws on the rich experience of England and to some extent Canada in pointing up difficulties incident to finding adequate administrative techniques for the regulation of such organizations without at the same time blighting them. The book also contains a searching analysis of the present status of attempts at self-regulation

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