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Book Reviews

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BOOK REVIEWS

THE KEY TO PEACE. By Clarence Manion.[1] Chicago: The Heritage Foundation, Inc., 1950, Pp. 121. $2.00.—This reviewer proposes to consider Clarence Manion's essay, *The Key to Peace,* not primarily for its content but rather as an experiment in educational method. Much of the significance of this little book undoubtedly lies in the manner of its presentation as a primer on the American way of life.

Dean Manion, with an easy style and a happy gift for apt allusion, has obviously designed this as a "popular" book. The chapters are short, the conclusions dogmatic and practically every page is broken by one or more boldface sub-heads, such as "Frenchmen Deluded," or "Suicidal Entrapment," or "Stalin's Bodyguard." To this particular critic, that technique is more disconcerting than helpful.

So also is the Foreword in which the publishers, who should be the last to comment in the matter, inform the reader that Dean Manion's appraisal is "original and unique." It is indeed original to refer to George Mason, who refused to sign the Constitution as drafted in Philadelphia, as one of "the Founding Fathers." And it is unique to suggest that the French Revolution introduced, as the American Revolution destroyed, the class concept. Unfortunately for that thesis, representatives of the "Third Estate" had a lot to do with making the Revolution in France. And, on the other side of the ledger, our own "classless" Constitution specifically legalized in Article I, Section 9, the slave trade for twenty years, a compromise too unpalatable for Mason (and others) to stomach.

One must ask how slips of this sort got by, in a book which takes more than one fling at conventional "scholarship," in quotes. The explanation unquestionably, is that the author's primary purpose has been to simplify this essay on the essentials of Americanism. And the end product illustrates the perils, as well as the advantages, of oversimplification.

Dean Manion emphasizes many truisms that were at one time familiar to nearly every school child in this country—that American institutions are founded on religious faith; that our form of government limits political democracy; that the turn towards state socialism (which is equated with "Europeanism") is contrary to every traditional American concept. A most appropriate appendix digests a famous Supreme Court decision [2] of 1892 in which it was declared that "this is a Christian nation." It was, in 1892.

The presentation of our fundamental tenets is admirable in itself, and is admirably handled by the author. But the fact that he felt it

1 Dean, College of Law, University of Notre Dame.

2 The Church of the Holy Trinity v. United States, 143 U. S. 457, 12 S. Ct. 511, 36 L. Ed. 226 (1892).

necessary to put his thinking in capsule form; to dress it up with italics and boldface; to cut corners in his historical allusions, seems somehow paradoxical. Are Americans now so politically illiterate that they must study the philosophy of their institutions in television and comic strips? One fears the answer may be in the affirmative.

The American system of government is more intellectually refined than any other that has ever been established. Its beauty and perfection are therefore best appreciated—as distinct from mere vocal acclaim—by those who know something of history, philosophy and comparative government. And until recent years the proportion of really educated Americans has been sufficient to maintain the system, in spite of domestic vandals whose political ignorance endangers their own heritage of liberty. Dean Manion knows, and has made an important effort to tell the uninformed, just what this Republic means in history. His basic assumption is that those who run madly can read gladly at the same time. He has done all that man can do to save his readers intellectual strain—and has inevitably done himself some injustice in the process.

While admiring this effort in mass education one is left uncertain as to its effectiveness. Certainly *The Key to Peace*—the title is something of a misnomer—can be read at a single sitting. But there are some ideas too profound to be absorbed at one sitting by any man. This Republic was not built in a day. And the spirit of its institutions cannot easily be microfilmed.

There is a difference of genre between the advertisement, luring the reader to buy what he naturally wants, and the homily, urging him to think along lines which are as naturally difficult for untrained minds. It is not easy to combine the two approaches. Dean Manion has endeavored to do just this. He rides, skillfully, with a foot on the back of two horses. This will subject him to attack from those who think that Pegasus should never be harnessed to the delivery of package goods. But the author will add materially to his already impressive stature as an educator if his technique gets Demos interested in the subtleties and contradictions of democracy. One hopes it will.

*Felix Morley**

THE SOCIAL CRISIS OF OUR TIME. By Wilhelm Röpke.[1] Translated by Annette and Peter Schiffer Jacobsohn. Chicago: The University of Chicago Press, 1951. Pp. 260. $3.50.—This book is the English edition of *Die Gesellschaftskrisis der Gegenwart,* which was first pub-

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[1] Professor of Economics, Graduate Institute of International Studies, Geneva, Switzerland.

lished in Switzerland in 1942. Its author, Wilhelm Röpke, professor of economics at the Graduate Institute of Economic Studies in Geneva, and generally esteemed as one of the world's foremost economists, has written several books and many articles on some of the most difficult and fateful economic issues of our time. His well-deserved international reputation has been greatly enhanced by the present volume which is a mature synthesis of long years of fruitful thinking. It is concerned, from the point of view of an economist, with the totality of the "disease" which afflicts Western society and with the remedy which the author characterizes as "constructive" or "revisionist" liberalism, "economic humanism," or, more often, as the "Third Way."

By the "Third Way" Röpke means, of course, a policy which avoids the mistakes, sins and fallacies of both *laissez-faire* and collectivism. This attitude entitles the author to no peculiar distinction, for the defense of some sort of a *via media* is commonplace among thinkers and doers in all present-day free societies. Röpke's originality and influence stem not from what he defends, but from the manner and method, from the emotional attitudes, and not least, from the deep and multifarious sources of knowledge which he brings to bear on the central thesis. Convinced that the economic crisis is but a phase of the total crisis threatening modern civilization, the author discusses economic causes and remedies in the rich context of sociological, political, and philosophical developments since the end of the eighteenth century. If many have dealt with this difficult theme in a more or less fruitful manner, few have excelled Röpke in learning, in historical insight or in literary style—the latter losing nothing from the translation by Annette and Peter Schiffer Jacobsohn.

The meaning of history—his philosophy of history elaborated at some length is a brilliant construction—leads Röpke to the conclusion that collectivism is not, as some imagine, the remedy for present ills and the beginning of a new era but rather the end, sociologically and historically, of the nineteenth century, the disease of which resulted not from capitalism and political liberty but from their aberrations and misdirections. Also misapplied in that period was the rationalist philosophy, which in the social field was made to mean an equality of a uniformitarian type. This, among other things, reduced men to a mass of atoms by destroying the hierarchical character and structure of society. The economic revolution was, of course, the most potent factor in uprooting man and in severing his soul-satisfying relations to nature and the organically connected institutions of the community. Machine methods of production, along with medical science, vastly augmented —undesirably so—the world's population, and this in turn encouraged an excessive and never-ending division of labor. These trends eventuat-

ing in monopoly and bigness—in the "cult of the colossal"—have produced mass, proletarian man who has lost his property and his old control over the processes of life and work.

Avowedly and confessedly, Röpke considers economic problems from the viewpoint of Switzerland and the smaller states. He is also a Catholic distributivist and decentralist—the greatest perhaps—but he does not in express terms deal with the religious or spiritual aspects of economic reconstruction. By implication, however, he believes that the end-result of Catholic social policy, namely small property widely distributed, must be maintained and strengthened where it now exists and re-established in the proletarized segments of the world economy. But with trade unionism and the collaboration of economic groups—also cardinal doctrines in the Catholic economic program—he has scant sympathy, thinking that these things lead to a bureaucratized economy if not to the greater evil of a guild or corporate state. The guild state along with socialist and communist collectivism spells "planned economy" which is as incompatible with true democracy and freedom as was the old *laissez-faire* economic liberalism of the last century. The only "compatible" state intervention is that which upholds, defends and regulates but does not destroy the free, competitive market—the great controlling democracy of consumers. The producer who fails in a free-market economy suffers no greater punishment than bankruptcy. In a consumer-controlled market, the author is wont to repeat, the sheriff has the final word; in a state-controlled one, the executioner.

It is not to be inferred that Röpke minimizes the role of the state in modern society. He is well aware that the competitive market requires supervision and a degree of positive direction, the lack of which in the early industrial revolution is responsible for many present-day evils. To him state ownership of public utilities and even of the more basic raw material industries is not incompatible with the maintenance of a free, non-collectivist economic order. But he insists that the main reliance must be placed on specialized peasant agriculture (as in Denmark), the handicrafts, the small trades, the rural industries, anti-monopoly legislation (as in the United States) and on free and multilateral world trade. A small country enthusiast, Röpke finds much to criticize in the economic life of the United States and seems wholly oblivious to the manifold advantages of bigness in American business. He does, however, approve our unique antitrust legislation, regretting only that it has not been (until recently) wisely and wholeheartedly enforced.

*Aaron I. Abell**

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PRE-TRIAL. By Harry D. Nims.[1] Rochester, New York: The Lawyers Co-operative Publishing Co., 1950. Pp. x, 319. $5.75.

> Jarndyce and Jarndyce drones on. . . . Innumerable children have been born into the cause; . . . innumerable old people have died out of it. . . . The little plaintiff or defendant, who was promised a new rocking-horse when Jarndyce and Jarndyce should be settled, has grown up, possessed himself of a real horse, and trotted away into the other world. Fair wards of court have faded into mothers and grandmothers . . . but Jarndyce and Jarndyce still drags its dreary length before the Court, perennially helpless.[2]

Thus did the vitriolic pen of Dickens attack the delay of the judicial process a century ago. In spite of the tremendous improvements since Dickens' day, delay is still an ever present problem of the courts. Like the fight against the ubiquitous crab grass in one's front lawn, the fight against delay in the courts requires a constant vigil or defeat is certain. In recent years the organized bar has been carrying the burden of this fight for swift as well as accurate justice with great intelligence and much success.

One of the most effective weapons developed in this battle has been pre-trial practice. Generally, this is the procedure of having conferences between the court and counsel for the purposes of simplifying the issues, securing stipulations as to undisputed facts and documents, facilitating settlements, and in many other ways expediting or eliminating actual trials. As frequently occurs when something new is grafted into our work a day world, a new noun to describe it is coined. Thus, "pre-trial" now is accepted to mean all aspects of pre-trial practice.

Commenced as an experiment in 1924 by Judge Ira W. Jayne of Detroit, Michigan, pre-trial was immediately recognized as a device of extreme utility and now is a part of the recognized procedure in almost all the courts of the land. But, unfortunately, its real potential has not yet been even partially realized in most localities. With the all too customary conservatism toward procedural change, the reaction to this new idea has been one characterized more by suspicion and distrust than by imagination and practical judgment.

It is for this reason that *Pre-Trial,* by Harry D. Nims of the New York Bar, is an extremely valuable book for members of the bench and bar. Its purpose is to present a report on pre-trial after more than fifteen years of substantial use, and to demonstrate in a practical fashion the great utility and inestimable value of this new device which has been placed in the legal tool kit.

Here in a volume of slightly over three hundred pages is a complete survey of pre-trial. Two hundred pages are devoted to the explanation of what it is, how it is used, how the problems of pre-trial are met by various jurists, how it is being shaped to fit the needs of each particular

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1 Member of the New York Bar and member of the Judicial Council of New York.

2 DICKENS, BLEAK HOUSE 3 (Porter and Coates ed. 1867).

type of court, and how it is being accepted as a part—and as a very important part—of our judicial process. While the text of these two hundred pages is replete with quotations from writings of experienced judges and lawyers on the subject, the remaining one hundred pages contain the actual transcripts of many pre-trial conferences. Mr. Nims has obviously corresponded with hundreds of judges and lawyers, representing every type of court practice, to be able to report to the reader the performance of pre-trial under a variety of conditions. Agenda developed by judges who have used pre-trial successfully for a number of years are systematically set out. Methods employed in rural and metropolitan areas, as well as areas characterized by a particular type of litigation or problem, are discussed. The techniques of handling such delicate matters as settlement in pre-trial are described. Dangers are pointed out. In the appendix, in addition to the minutes of six pre-trial hearings, the pre-trial rules of fifteen courts and boards, twelve specimens of orders, minutes and statements, and the recommendations of the Judicial Conference of the United States are printed in full.

From this material carefully collected in one volume, many a trial judge will be able to increase the dividends which he has been receiving from his investment in pre-trial time. He may compare his own practice with that of other judges on all phases of pre-trial, such as the order and character of topics on his agenda, securing full cooperation of the lawyers, effecting settlements, limiting the number of expert witnesses, simplifying the case for the jury, and numerable other pre-trial topics.

Pre-trial has not been avidly accepted by some lawyers and judges. It, together with modern discovery procedure, takes much of the surprise, drama and therefore the fun out of the trial of a law suit. Some like the "good old days" and love the judge "who will let the lawyers try their case." But these lawyers are few, and all but the most recalcitrant can be converted by experience with this device which they will ultimately come to recognize as an instrument for promoting justice. However, regardless of the personal attitude of a lawyer towards pre-trial, it is now an important part of our system. How important a part, is forcefully demonstrated by a recent court of appeals' decision, *Cherney v. Holmes*, 15 Fed. Rules Serv. 16-21, Case 1 (7th Cir. 1950), holding that the district court would have been justified in excluding photographs offered by the defendant because the defendant's counsel had not mentioned these photographs at the pre-trial, at which time other photographs had been discussed. Any lawyer reading a decision like the *Cherney* case should be stimulated into learning everything he can about pre-trial—which should lead him directly to Mr. Nims' thorough book.

*Thomas M. Scanlon**

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THE LEGAL PHILOSOPHIES OF LASK, RADBRUCH, AND DABIN. 20th Century Legal Philosophy Series: Vol. IV. Translated by Kurt Wilk.[1] Cambridge: Harvard University Press, 1950. Pp. xliii, 493. $7.50. This excellent volume is quite unusual in that it brings together two authors, Emil Lask and Gustav Radbruch, who, with some modification, base their philosophy on ideas enunciated by Immanuel Kant, and one author, Jean Dabin, who uses as his basic philosophical context the teachings of St. Thomas Aquinas.

Emil Lask (1875-1915) is primarily known for his work in the field of philosophical methodology. His rather short excursion into the domain of legal philosophy, therefore, must be considered somewhat an exception. Neverthless, his *Rechtsphilosophie* (Philosophy of Law), published in 1905, had a considerable influence upon certain German jurists, among them Gustav Radbruch.

Lask, like Radbruch, introduces a theory of value (or meaning) which in its fundamental aspects is influenced by Kant, Fichte, Dilthey, Windelband and Rickert. It is his purpose to explore on a purely theoretical basis the methodology of legal philosophy, that is to say, the place of legal philosophy in a general theoretical scheme of value theory, which he also calls a cultural science. (This term he derived from Windelband and Rickert).

Since legal philosophy is to Lask a branch of the value sciences, he wishes to contemplate and understand law in its larger relationship to ultimate cultural meanings or values. He comes to the conclusion that legal philosophy differs from all other cultural sciences or value theories in that it involves to an unprecedented degree the element of *social* value. Hence law is that historical phenomenon which derives its ultimate meaning from the fact that within a purely speculative process it is related to the most general concept of social value. Law may either be regarded as a real cultural factor, and as such, a historical process, or it may be viewed as a complex of meanings and values. In the first assumption, according to Lask, we arrive at legal positivism (pure fact), while in the second we merely achieve a kind of "metaphysics of law" (pure value). Only by projecting the historical fact of law against the intellectual screen of pure value can we arrive at a philosophical understanding of law and a meaningful law. This is really nothing other than an application of the Kantian axiom that meaning and intellegibility are the result of a synthesis of empirical reality and transcendental value.

Gustav Radbruch (1878-1950) created a real sensation in Germany as well as abroad with the publication of the third (and greatly revised) edition of his *Rechtsphilosophie* in 1932. (The title of the first two editions was *Philosophie des Rechts*).

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[1] Professor of Government, Wells College, Aurora, New York.

Like Lask, Radbruch is also the true child of that neo-Kantian tradition which once centered at the University of Heidelberg. His philosophy, however, is one of deep resignation, or intellectual "give-it-all-up," as Dean Pound would have it. For him it is impossible ever to attain to a theoretically complete and satisfactory answer to any problem of philosophy. This impossibility, he confesses, forces him to adopt an almost religious faith in all that is good and decent in man. Hence his whole work is based on the romantic confidence that the ultimate insufficiencies of all theoretical speculation about the nature of law can be overcome only by honest effort and undying hope.

Radbruch is definitely a relativist. To him all meaning and all values, including truth, are spontaneous creations of the individual human mind. They are purely subjective criteria by means of which certain historical facts such as law may be understood and evaluated. He believes, however, that such subjective and relative values can endow all existence with meaning. But beyond this subjective meaning one cannot advance, for it is impossible to know or prove meaning and its existence. This, then, is Radbruch's philosophical relativism: a complete denial that man possesses any definite or ultimate yardstick by which he can measure the correctness or incorrectness of any value standard. The utter denial of any logical or ontological foundation of value, truth, or meaning compels Radbruch to affirm the necessity of an activist and creative, or should we say, esthetic personal attitude towards these undemonstrable and actually "metaneotic" values and truths. This "activism," we are told, must be based on a fervent belief in values and truths which demand realization in and through our actions. Thus, in the belief of Radbruch, the quest after legal truth turns into an unceasing struggle for law and justice.

Radbruch's "moral" justification for his theoretical relativism is rather unusual. He believes that relativism alone can furnish an adequate philosophical basis for a working democracy. He claims that the "absolutist," having already settled *a priori* what is "right" by a supposedly absolute understanding of the "right," promotes nothing but intolerance, zealotism and even fanaticism. Relativism, on the other hand, is said to create an atmosphere of toleration. Absoluteness in knowledge demands absoluteness in action in that it must regard all opposing views as manifestations of meanness, stupidity, and evil. Relativism, however, permits free exchange of ideas as well as toleration in one's dealings with other people.

It is exactly this type of "relativistic toleration" which not only made a Hitler possible, but actually justified him. For if no conviction is morally superior to any other, then the "most brutal conviction" will soon assert itself by the very "law of relativity."

Jean Dabin (1889-), quite unlike Lask or Radbruch, is a neo-Thomist. His *Theorie générale du droit* (General Theory of Law),

published in 1944, is based on the philosophy of St. Thomas Aquinas which he tries to adapt to modern social conditions. In doing so, however, he occasionally departs from certain ideas held by St. Thomas. Besides his profound and sane views, perhaps the most attractive feature in the work of Dabin is his display of tactful tolerance of non-Thomistic systems of jurisprudence. In this he is the true disciple of St. Thomas who did not berate or denounce all opposing views as heresies, but rather tried to persuade gently his readers by the use of reason to take a different view.

Dabin calls the historically developed and accrued bases of and guides to actual decisions in controversies those *realities* on which the concept of law (positive) is based. There is nothing accidental, arbitrary or capricious about this law which he defines as a general rule of human conduct. The subject of positive law is the external human conduct rather than conscience. And this law has the authority as well as sanction of politically organized society or the state. The validity of the positive law is determined by its objective or end, the temporal common good. The primary purpose of the positive law is to provide order in a given society. Hence it is essentially an *instrument,* and in this it differs vitally from morals.

In some of his interpretations of the temporal common good to be achieved through the positive law, Dabin comes rather close to a pragmatist point of view when he says: [2]

> From the formal point of view, what the public requires as its own good, what is specifically the good of all without distinction, is a sum total of general conditions under the protection of which the legitimate activities of every one within the public may be exercised and developed comfortably. . . . At least they [*scil.*, the individuals] may rightfully demand of a state, instituted to this end, that it take care to provide them with the maintenance of an environment . . . that is propitious to action and that guarantees the results of action.

Dabin's treatment of the natural law, on the whole, follows the Thomistic tradition. Natural law which, according to Dabin, encompasses the totality of man's duties and obligations, is a rule of human conduct deduced from the essential nature of man. Since this nature of man is identical and invariant in all men, the precepts of natural law are universal, immutable, eternal, and certain. There exist, however, differences of opinion whether the secondary principles of natural law are likewise universal, immutable and eternal. Dabin distinguishes also between a familiar natural law which deals with the duties of members of the family towards each other, and a political natural law which contains the reciprocal duties of subject and state.

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2 Text, at 355.

The translator should be congratulated on his excellent work. To render Lask or Radbruch in readable and intelligent English in itself is a Herculean task. To understand them fully as any good translator must, is truly an achievement.

*Anton-Hermann Chroust**

THE OLD BAILEY AND ITS TRIALS. By Bernard O'Donnell.[1] London: Clerke and Cockeran-Publishers-Ltd., 1950. Pp. 226. 10s. 6d. "Such is the unity of all history that anyone who endeavours to tell a piece of it must feel that his first sentence tears a seamless web."[2] This dictum of Frederick William Maitland applies with particular force to a book which seeks to tell the history of any of the great criminal courts, such as the Central Criminal Court in London, which is popularly known as the Old Bailey. The story of the Old Bailey and of its trials is not by any means an exclusively English thing. It naturally includes the names of men and women who are also famous or infamous in the history of other countries: of Ireland, of France, of the United States.

The first chapter of the book introduces five Jesuit priests who were tried for treason before Chief Justice Scroggs in 1679, on the testimony of Titus Oates, and is immediately followed by a description of the trial of an American citizen, one William Joyce, known to history as the Lord Haw-Haw, on a charge of treason in 1945. In the course of the book we also read the story of Michael Barrett and his companions who were put on trial for their connection with the Fenian Plot to blow up the House of Detention at Clerkenwell in 1868. On another page we read of a white marble tablet with a black marble surround which is affixed to the wall of one of the rooms of the Old Bailey, with the inscription:

> Near this sight
> William Penn and William Mead
>
> were tried in 1670 for preaching to an unlawful assembly in Grace Church Street. This tablet commemorates the courage and endurance of the jury Thom Vere, Edward Bushell and ten others who refused to give a verdict against them, although locked up without food for two nights, and were fined for their final verdict of Not Guilty.

The story of the trial of William Penn, which is told in three or four pages, is immediately followed by the story of the trial, almost a century afterwards, of "old Mother Brownrigg" for the murder of a young

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1 Fleet Street crime reporter, London, England.

2 1 POLLOCK AND MAITLAND, THE HISTORY OF ENGLISH LAW 1 (2nd ed. 1923).

girl who had been given into her care. And here is a clue (as has already been hinted) to the character of the book. It is not in any real sense an ordered history of Old Bailey and Newgate. It is not the work of a historian or a lawyer. It is the work of a journalist who has a long experience in the court and with the cases tried there—and, one imagines, a pleasing personality. Not being a trained historian or a lawyer, his thought leaps lightly from one century to another; and from time to time he confesses the fault.

The chapter headings show that the intention of the author is to give an impressionist view of the Old Bailey and its trials over a long period of time. In this way we read of Newgate and the Social Scene; St. Sepulchre's Bell of Doom; High Treason and Highwaymen (in which the five Jesuits reappear); Virtue and Villainy; Chaplains as Gallows-birds; Some Colorful Impostors; Goliaths of Crime; Men Who Killed Twice; and so forth. These headings give an indication of the mind of the author and the method of treatment he follows in the book. Granted this mode of treatment—which is ever so little apt in the beginning to irritate the lawyer or the trained historian—the book contains in its own way the essentials of the story it seeks to tell, though, one must remark, some errors in history and law appear. It is not the fact, for instance, that Henry VIII in the year 1533 caused the Bishop of Rochester to be burnt to death as a heretic. A different mode of execution was reserved for St. John Fisher, who was beheaded in 1535 on a charge of treason. And the effect of the McNaughton rule in relation to insanity is not accurately stated, even though on the next page the opinion of the judges is given verbatim.

Notwithstanding these blemishes, the book which is well produced and beautifully illustrated, possesses a great deal of interest, and introduces us in an easy and rather intimate way to all sorts of stories of crimes that were brought to trial at the Old Bailey. There is in the record of criminal proceedings a measure of truth that is apt to excite an interest greater than even the interest of a good novel. And here are stories of famous criminals like Titus Oates and Claude Duval, Jack Ketch and William Palmer, Terah Hooley and Eddie Guérin and the rest. One reads of Newgate Prison and the old conditions of prison life and discipline and of the movement for reform that is associated with the names of John Howard and Elizabeth Fry. And so even against one's first impressions, interest is held, and one thinks kindly at the end of the old Irish reporter at the Old Bailey to whom it occured to set down in this little volume the record of his recollections and research.

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AN OLD VIRGINIA COURT. By Marshall Wingfield. Memphis: The West Tennessee Historical Society, 1948. Pp. 258. $7.50.

BILATERAL TREATY DEVELOPMENTS IN LATIN AMERICA, 1938-1948. Washington, D. C.: Pan American Union, 1950. Pp. iii, 154. $2.00.

CY PRES DOCTRINE IN THE UNITED STATES, THE. By Edith L. Fisch. Albany, New York: Matthew Bender & Company, Inc., 1950. Pp. x, 275. $10.00.

ECONOMICS AND PUBLIC UTILITIES. By Eli Winston Clemens. New York City: Appleton-Century-Crofts, Inc., 1950. Pp. xii, 765. $5.75.

GUIDE TO THE MICROFILM COLLECTION OF EARLY STATE RECORDS, A. Prepared by the Library of Congress in association with the University of North Carolina. Collected and compiled under the direction of William Sumner Jenkins. Washington, D. C.: Photoduplication Service, The Library of Congress, 1950. Pp. xxxviii, 752. $5.00.

HANDBOOK OF MODERN EQUITY. By William Quinby De Funiak. San Francisco: University of San Francisco Press, 1950. Pp. viii, 295. $6.00.

HUGO L. BLACK: A Study in the Judicial Process. By Charlotte Williams. Baltimore: The Johns Hopkins Press, 1950. Pp. vii, 208. $3.50.

INTERNATIONAL CRIME AND THE U. S. CONSTITUTION. By Oliver Schroeder, Jr. Cleveland: The Press of Western Reserve University, 1950. Pp. iii, 75. $1.00.

INTRODUCTION TO ADMINISTRATIVE LAW, AN. By James Hart. New York City: Appleton-Century-Crofts, Inc., 1950. Pp. xxviii, 819. $7.00.

*KEY TO PEACE, THE. By Clarence Manion. Chicago: The Heritage Foundation, Inc., 1950. Pp. 121. $2.00.

LAW OF LABOR RELATIONS, THE. By Benjamin Werne. New York City: The Macmillan Company, 1951. Pp. xiv, 471. $5.75.

*LEGAL PHILOSOPHIES OF LASK, RADBRUCH, AND DABIN, THE. 20th Century Legal Philosophy Series: Vol. IV. Translated by Kurt Wilk. Cambridge: Harvard University Press, 1950. Pp. xliii, 493. $7.50.

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*Reviewed in this issue.

NATIONAL LABOR POLICY: Taft-Hartley After Three Years, and the Next Steps. By Emily Clark Brown. Washington, D. C.: The Public Affairs Institute, 1950. Pp. 79. $.50.

PATENT GRANT, THE. By E. Burke Inlow. Baltimore: The Johns Hopkins Press, 1950. Pp. 166. $2.50.

*PRE TRIAL. By Harry D. Nims. New York City: Baker, Voorhis & Co., Inc., 1950. Pp. xviii, 334. $5.75.

PROVINCE AND FUNCTION OF LAW, THE: Law as Logic, Justice, and Social Control, A Study in Jurisprudence. By Julius Stone. Cambridge: Harvard University Press, 1950. Pp. lxi, 918. $10.00.

RAILROAD MONOPOLY, THE: An Instrument of Banker Control of the American Economy. By John G. Shott. Washington, D. C.: Public Affairs Institute, 1950. Pp. xi, 250. $2.00.

SOME PROBLEMS OF EQUITY, Five lectures delivered at the University of Michigan in the Second Series of the Thomas M. Cooley Lectures. By Zechariah Chafee, Jr. Ann Arbor: University of Michigan Law School, 1950. Pp. xv, 441. $4.50.

*THE OLD BAILEY AND ITS TRIALS. By Bernard O'Donnell. London: Clerke and Cockeran - Publishers - Ltd., 1950. Pp. 226. $3.00.

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*Reviewed in this issue.