



## Notre Dame Law Review

Volume 5 | Issue 3

Article 8

12-1-1929

### Book Reviews

F. T. Ready

Clarence J. Ruddy

Follow this and additional works at: <http://scholarship.law.nd.edu/ndlr>

 Part of the [Law Commons](#)

#### Recommended Citation

F. T. Ready & Clarence J. Ruddy, *Book Reviews*, 5 Notre Dame L. Rev. 166 (1929).

Available at: <http://scholarship.law.nd.edu/ndlr/vol5/iss3/8>

This Book Review is brought to you for free and open access by NDLScholarship. It has been accepted for inclusion in Notre Dame Law Review by an authorized administrator of NDLScholarship. For more information, please contact [lawdr@nd.edu](mailto:lawdr@nd.edu).

## BOOK REVIEWS

**CASES ON INTERNATIONAL LAW**; by Richard O. Hudson. The West Publishing Company, Saint Paul, Minnesota, 1929.

In this notable case book designed, chiefly, for students in American law schools, Mr. Hudson has met an insistent demand for a work which would treat, comprehensively, not only the subject of international law as it was prior to the World War, but as it is today, modified and developed by litigation incident to the World War and the turbulent decade which followed it.

The decade since the World War has made an important contribution to the materials which must now be used by the student who would acquire a thorough knowledge of the important subject of international law. During this period many frontiers of the law have been changed. The work of the tribunals of the Permanent Court of Arbitration created in 1899 has continued during this decade, and the Permanent Court of International Justice, created in 1920, has become well established; many claims commissions have been applying international law; and the progress of international legislation has received great impetus from the establishment of the League of Nations. The development and extension of international law which has resulted from this activity are incorporated and reflected in this selection of cases, with annotations, by Mr. Watson.

In his work Mr. Watson departs from the previously accepted arrangement of cases, placing more emphasis upon the law of nations in times of peace than the law governing the relations of nations in times of war. This feature of the work should commend itself especially to students of the subject because, in view of the fact that prospects that the world will enjoy a protracted period of almost universal peace between civilized nations have never been so bright as they are at the present time, it seems highly improbable that the work of lawyers for the next generation will be concerned with the problems of war.

The Author's compilation of cases not only gives the student an understanding of international law proper, but in many in-

stances, as in the section on naturalization in Chapter III, the cases presented deal mainly with the national law of the United States. The practical aspect of this feature of the work should commend itself to the thoughtful student.

—F. T. Ready

**THE TRAGIC ERA: THE REVOLUTION AFTER LINCOLN.** By Claude G. Bowers. Houghton, Mifflin Co. 1929. pp. 567.

This book, admirably written, treats of the darkest period of American history. It is therefore not a pleasant book to read; the person who likes to believe that the hundred and fifty years of his government have been a succession of glorious presidential administrations, capped by a few victorious wars, will shudder and accuse Mr. Bowers of trying to blacken the character of cherished heroes. But "The Tragic Era" is not written for that kind of person. People who really love their country will hail this work with joy, for it gives them new opportunity to study a vital period of American history, learn of the mistakes that were made, and profit thereby. The true patriot is not blind to faults, but alert to discover them, that they may be reformed. If men are undeservedly given the halo of hero-worship, let the fact be made known, that only the worthy may be honored. There is no room for statutes of tyrants in a republic's Hall of Fame.

And one's first impulse after reading this latest contribution to political history, is to tear many statutes from pedestals. With the utmost fairness, but with bitter determination to disclose facts hitherto either hidden or unknown, Mr. Bowers writes of the twelve years after the Civil War, beginning with the tragic death of Lincoln and concluding with the stolen election of 1876. Many characters pass in review; we see not only the carpetbaggers and scalawags, but traitorous Cabinet members and bullying Generals. We are admitted into the drawing rooms of Washington ladies and hear of rank political treachery. We pass to legislative halls of the prostrate South and see, for example, in South Carolina a negro-dominated Legislature vote to re-imburse the Speaker for a thousand-dollar bet he had lost on a horse race, "for the dignity and ability with which he has presided." We

take a walk along Southern streets and see men pushed into the gutter and women insulted by Northern adventurers and Southern opportunists. We wonder why the courts do not remedy the situation, but are confronted by the fact that military authorities have usurped the judicial power; General Phil Sheridan rode into New Orleans to insure a Republican victory, and "astonished Hoar of Massachusetts (Attorney-General of the United States) with his idea of restoring peace. 'What you want to do, Mr. Hoar, is to suspend the what-do-you-call-it'—meaning the writ of habeas corpus." Not a happy state of affairs, certainly—but why doesn't the President act?

Why, indeed? The reason is not far to seek. Andrew Johnson tried to, but was almost impeached for his pains. Ulysses S. Grant took his cue from that, and coolly acquiesced in the election by force of renegades to Southern Legislatures who daily furnished themselves with casks of porter and hundreds of cigars, and charged the expense to the taxpayers—who, by the way, were prevented from voting. When as in Georgia, the Democrats seemed likely to retain control of the State House and investigate the prodigious venality of a Legislature which had been "a cross between a gambling-den and a colored camp-meeting" Grant, under pressure of a terrified Governor, signed (without reading) a bill permitting Bullock (the corrupt Governor) the use of Federal Soldiers.

A review is not the proper place to narrate the incidents depicted in a book, for that would be imitative. Hence the above events are only a few of the tragedies witnessed in the dark age of the United States. Open "The Tragic Era" at any page, and you will find narrated tales of brutality and vengeance so horrible that in comparison even the French Revolution assumes the aspect of a Quaker prayer meeting, and the oil depredations of five years ago (committed, incidentally, by the direct political descendants of the post-civil War officials) seem as honest as the acts of a Horatio Alger hero.

Were the book written by a fanatic, it would of course be doubt that any public official could ever be quite so corrupt as the entitled to no praise. Indeed, the reader is sometimes tempted to

Southern governors put into executive mansions by Washington knavery. But the copious footnotes, referring the doubting Thomas to primary authority—Congressional Records, for instance, and diaries of the actors,—are sufficient rebuke. Not an incident is told unless it is thoroughly substantiated; not a man is quoted unless the original source of the quotation is given. The result is a veritable encyclopedia of information about the post-bellum days, told in narrative style.

Out of the chaos of corruption one man emerges untarnished. That man, mistakenly known to intervening generations as a weak, vacillating President, is here revealed as one who was fully determined to put into effect the humane policies of Lincoln, but who failed, not because of his own timidity but because of the treachery of his own Cabinet members. Andrew Johnson, the Tennessee tailor, finally tried to oust Edwin M. Stanton, his Secretary of War, on account of the latter's hostility to humane reconstruction policies and his advocacy of forcible measures in the paralyzed South; but was not only balked in the attempt but impeached by the House. Eventually acquitted by the Senate, Johnson finished his term, and so great was his courage that instead of being content to withdraw from public life, he went back to Tennessee and renewed his fight for the principles he held sacred. Battling earnestly and ably, he retained the esteem of his State, and after a short time sped again to Washington, this time as United States Senator. One cannot help regarding this man with admiration—admiration, too, which is all the keener because of its tardiness.

There are some who accuse Mr. Bowers of having written "The Tragic Era" for partisan purposes. I do not believe this to be so. The facts narrated in his book bear all the earmarks of truth—and is the truth to be forever hidden because to reveal it is to draw down the cry of "propaganda?" If axe-grinding critics are displeased with Mr. Bowers' work, let them disprove his charges—or forever hold their peace.

—Clarence J. Ruddy