



1960

Book Review

Albert Lundberg

David C. Johnson

Leo H. Whinery

O. M. Astrup

Follow this and additional works at: <https://commons.und.edu/ndlr>



Part of the [Law Commons](#)

Recommended Citation

Lundberg, Albert; Johnson, David C.; Whinery, Leo H.; and Astrup, O. M. (1960) "Book Review," *North Dakota Law Review*: Vol. 36 : No. 2 , Article 12.

Available at: <https://commons.und.edu/ndlr/vol36/iss2/12>

This Review is brought to you for free and open access by the School of Law at UND Scholarly Commons. It has been accepted for inclusion in North Dakota Law Review by an authorized editor of UND Scholarly Commons. For more information, please contact und.common@library.und.edu.

BOOK REVIEWS

THE DRINKING PROBLEM AND ITS CONTROL. By C. A. D'alonze. Texas: Gulf Publishing Company, 1959, 130 pages. Price: \$2.95.

When a book, although not dealing with problems of law, occupies itself with problems that engage the attention of lawyers and courts, it may still deserve the attention of the legal profession. This is such a book.

The author of this little book is the Assistant Medical Director of the E. I. du Pont de Nemours Company and it is based on fifteen years of experience with some 900 alcoholic employees of this large corporation to whom the alcoholism of some of its old and highly trained employees became a matter of economic and business as well as human concern. According to the author, an increasingly large segment of industry is preparing to do something scientific about what has been called "the billion dollar hangover."

After a brief review of scientific findings regarding alcoholism and its treatment, the author discusses methods—and results. In only 11% of the cases was there no improvement; in 66% of the cases there was complete rehabilitation, and in 22% there was substantial improvement. The author pays tribute to Alcoholics Anonymous as the great helper—at least ten times more effective than psychiatric help—but thinks that a combination of the two (which he employs) is being the most potent.

This reviewer, after over 8 years on the District Bench, has found that about 75% of criminal offenders brought before him committed their offense while intoxicated; that excessive drinking is given as the ground in at least half of the divorces coming before him, and is an increasing factor in juvenile crime. This book is an encouraging indication that society is getting better organized to deal with this age-old problem. The lawyer, as a community leader, should find it worthy of his attention.

ALBERT LUNDBERG*

IMPROVING OUR COURTS. Collected Studies on Judicial Administration. By Sheldon D. Elliott. New York: Oceana Publications, Inc., 1959. 190 Pages. Price: \$4.20.

The subtitle indicates the subject matter of the book, for these articles, arranged in book form, are "a study" of the progress throughout the country since 1906 in judicial administration. Shel-

*District Judge, Second Judicial District.

Ben D. Elliott, former Dean of the University of Southern California School of Law, is the Director of the Institute of Judicial Administration and Professor of Law at New York University. He states that these studies are offered toward the end that interest and cooperation may be encouraged in the overdue modernization of our courts.

The dimensions of this volume are deceiving, for within 190 pages the author covers a period from 1906 to 1958, a geographic range from Alaska to Puerto Rico, and yet handles comprehensively the significant events in judicial administration.

The author commences with a discussion of Arthur T. Vanderbilt and his exemplary contributions toward improving the administration of justice. Elliot, who long worked with the Chief Justice for the advance of the courts, points out the remedies advocated by Vanderbilt, the trial of these remedies and the demonstration of their effectiveness.

Professor Elliot proceeds with a general presentation of the progress throughout the country in judicial administration since 1906 and follows with a detailed analysis for 1952 through 1958. He indicates those problem areas which Roscoe Pound prophetically foresaw in 1906, then shows the chronology of events and achievements. The author adds to Pound's enumeration of needs, describing this addendum as being in some cases ancillary, while in others fundamental. His seven annual surveys give comprehensive coverage for such short works of the suggested reforms and the actual improvements in each year.

Author Elliott concludes with four related works. Of particular interest is his descriptively entitled "Citizen Support for Court Reform" dealing with the discontent of the layman. Such discontent Elliot feels stems "in many instances from direct and distasteful personal experience of the citizen as juror, as witness, or as litigant." The author presents the problem clearly and advances the necessary solutions.

Improving Our Courts should be of interest to both lawyers and laymen, since it not only shows past achievements, but stresses necessary future reforms in the field of judicial administration.

DAVID C. JOHNSON

JOSEPH STORY: A COLLECTION OF WRITINGS BY AND ABOUT AN EMINENT AMERICAN JURIST. By Mortimer D. Schwartz and John C. Hogan. New York City: Oceana Publications, 1959. 224 Pages. Price \$5.00.

I have just finished reading this stimulating collection of materials on Justice Story. In ten chapters the authors have included writings which provide something more than a "birds'-eye view" of a very remarkable man in American legal history. In addition to autobiographical materials of a general nature, the collection includes writings pertaining to Story's life as a legislator, lawyer, judge, teacher, poet and writer. His work on the Supreme Court is not neglected; in fact, it is here that the authors' discriminating selection is most evident. In two selections, one dealing with his opinion in *The Charles River Bridge* case and the other with his opinion in *Swift v. Tyson*, will be found neither unreasoned criticism nor platitudinous laudation.

In Chapter VI, "Joseph Story as a Writer," the selection, with perhap the excerpts from Nadelmann's article, is good, but I would have liked to have seen more samples of Story's writings rather than so much *about* his writings. No doubt the authors had an evaluative purpose in mind, but this is partially accomplished in Chapter X, notably in the excerpt from Dean Pound's article on "The Place of Judge Story in the Making of Ameican Law." Also, an occasional explanatory note, while not important to the total work, would have helped clarify ambiguous points. For example, was the Supreme Court Reporter (Peters) that Story wrote about in his letter to Justice John McLean (p. 159), the Richard Peters, who was editor of the United States Statutes at Large, writing to Story in January, 1845 (p. 111)?¹

Chapter XI, "Bibliographical Note on Joseph Story," is a real contribution. With it the work becomes more than a good collection of materials on Story; it constitutes an invaluable reference work for research on Story. For this reason, along with the generally good quality of the work, I shall find a permanent place for the book in my library.

LEO H. WHINERY*

1. He was. See Peters, Richard, 14 Dictionary of American Biography 510 (1946).

*Associate Professor of Law, University of Oklahoma.

LAWYER'S MEDICAL CYCLOPEDIA OF PERSONAL INJURIES AND ALLIED SPECIALTIES. Co-editors: Charles J. Frankel, J. W. Holloway, Jr., Paul E. McMaster, Kenneth R. Redden. Indianapolis: Allen Smith Co., 1959, 771 pages. Price: \$24.50. Volume II.

This volume is a continuation of Volume I of the same series, of a six volume set, dealing with personal injuries. Whereas Volume I concerns itself with a comprehensive study of the field of forensic medicine, Volume II limits itself to a detailed analysis of specific fractures and dislocations. Collaborating with the four co-authors in this work are eight of the country's most outstanding doctors and lawyers, all authorities in their field, who contributed to the presentation of this volume.

The seven chapters of the work present a critical analysis of the specific fractures and dislocations of the upper extremity, lower extremity, compound fractures, traumatic dislocations, traumatic arthritis and injuries to the joints, injuries to the back and neck, and preparation and presentation of medical evidence. Each chapter is annotated with cases, treatises, and other publications dealing with the subject. Several of the chapters deal with trial techniques and include sample testimony of witnesses on both direct and cross-examination.

The book is copiously supplied with medical-legal information of all kinds. It is designed to give technical knowledge to both the specialized as well as the unspecialized and is so well written that even the general practitioner can read and understand it with full comprehension. There are innumerable photographs, drawings, charts and plates in full color, each of which are easily understood and well keyed to the text material. Each chapter is broken down into sections and subsections dealing with specific fractures and dislocations of all possible variations. Full explanations of the disorder, as well as necessary treatments, are set forth. A fifty-three page glossary and pronunciation guide follows the basic text to give complete understanding to the medical terminology used. All irregular forms of the basic term are set forth together with simplified symbols for pronunciation. A detailed index completes the volume to enable immediate access to desired material.

This work represents an exhaustive and painstaking effort on the part of the authors to bring into the library of attorneys a source of reference which can be referred to by all and relied upon with confidence. Although the nature of it necessitates that it be technical, yet special attention has been given so that it may be read and easily understood by all. O. M. ASTRUP