

# Michigan Law Review

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Volume 42 | Issue 6

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1944

## LAW BOOKS OF THE YEAR (1943-44)

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### Recommended Citation

Hobart R. Coffey, *LAW BOOKS OF THE YEAR (1943-44)*, 42 MICH. L. REV. 1089 (1944).  
Available at: <https://repository.law.umich.edu/mlr/vol42/iss6/8>

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## LAW BOOKS OF THE YEAR (1943-44)

Hobart R. Coffey\*

CONTRARY to my inclination and somewhat against my better judgment I have been prevailed upon by the editor to repeat the experiment begun last year, viz., to produce a sort of running account of some of the more important legal publications which have appeared in the last twelve months. It goes almost without saying that a competent review of a single serious work requires both considerable time and space. An adequate critical review of fifty or sixty works would be quite out of the question for anyone who had anything else to do. In my comments on the books which follow I have been forced to lean heavily on more extensive reviews appearing elsewhere; and, although I have sometimes had to rely on what authors have said in their own prefaces, I have in general studiously avoided relying on publishers' blurbs. While I cannot pretend to have studied thoroughly all the books I shall hereafter mention, I have, in more cases than I care to remember, either read the whole work or a large part of it. At the conclusion of this labor I can repeat what the ancient English scribe added to a manuscript which he had finished copying: "Explicit hic totum; pro Christo da mihi potum."

I suppose that few lawyers attempt to keep house without *Ruling Case Law* and *Corpus Juris*. The new edition of the former, known as *American Jurisprudence*, has proceeded in volume forty-nine through *Spite Fences* and *Spur Tracks* to *Statute of Limitation*; and *Corpus Juris Secundum*, poking along its leisurely way, has got through *Guardian* and *Ward* and *Hawkers* and *Peddlars* to the middle of *Highways* in volume thirty-nine.

The loose-leaf services continue to overwhelm the lawyer and librarian with their weekly (or daily) deluge of new pages to be inserted. One which has not yet grown to unwieldy proportions and which has won my heart because it is so small is the *Commerce Clearing House Pay-As-You-Go Tax Service*. While the withholding tax does not present the number of difficulties involved in other tax matters, it is not free from difficulty. The new service may be useful.

In spite of war conditions, paper shortages, and labor scarcity, a fair number of practitioners' books have appeared in the last twelve months. A few of them ought to come in handy in helping the lawyer to earn his

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bread and butter. Others may be useful for the occasional question that drifts into the lawyer's office. *Mortgages* by Garrard Glenn, in three volumes, will be a very important work for both lawyers and students. The author is well known for his works on creditors' rights, liquidation, fraudulent conveyances, and others.

Professor William E. Burby of the University of Southern California has just published a *Handbook of the Law of Real Property*, West Publishing Company. The book is a handy reference volume, and undoubtedly will be much used by students for review purposes. Its merit (brevity) may be a defect for the practicing lawyer. It is too brief to be a substitute for such larger works as Tiffany. The author obligingly disposes of community property in twelve pages—but unfortunately a few questions are left unanswered.

There has long been a need for an adequate and modern treatment of the subject of community property. Concerning this subject there is more than a little confusion on the part of lawyers outside the community property states; and about an equal amount on the part of lawyers and courts in the community property states themselves. To speak of "the community property system" is somewhat inaccurate—there are something like ten "systems" which taken together form a delightful hodgepodge. A recent work by William Quinby De Funiak, *The Principles of Community Property*, in two volumes, will help to dispel some of the present confusion. It appears to be scholarly and at the same time thoroughly practical. All libraries will want to acquire it, and so will most lawyers who have any business in the community property field. The work is published by Callaghan and Company.

Sutherland's *Statutes and Statutory Construction* has been brought up to date in a new (third) edition by Frank E. Horack, Jr. The work is published by Callaghan and Company. The author in his first edition observed that the field of statutory construction was in no danger of being overcultivated. This has certainly proved to be true. Our law books pay all too little attention to statutes.

In the present edition the new editor has increased the number of chapters from eighteen to seventy-two. He has included the citation of constitutional provisions, statutes, and legal periodicals; and the judicial decisions in the original work have been re-edited and the important cases decided since the second edition have been included.

The West Publishing Company has just issued a new *Handbook of the Law of Bills and Notes* by William Everett Britton. This work,

which is a distinct credit to the Hornbook series, is unlike many of the text-books put out for practitioners. It is not a mere digest of cases held together by quotations from decisions. It is a scholarly treatise built on careful legal analysis in which theory is not neglected. This one volume of Britton with the index contains 1245 pages, or about as much material as in the three-volume sets of Sutherland and Glenn mentioned supra. The tendency of some publishers to pad their works and to force their customers to buy three volumes when one would have sufficed shows no let-up. And it probably won't—until lawyers wake up and realize that they are being victimized.

Much of the best legal writing inevitably appears in the law reviews where it eventually gets snowed under and forgotten because of the wealth of more recent material that has appeared. This might not happen quite so frequently if lawyers subscribed to and made use of the *Index to Legal Periodicals* which is prepared by the American Association of Law Libraries and published by the H. W. Wilson Company. To save students and lawyers the bother of digging out his original articles on negotiable instruments, Zechariah Chafee, Jr. has brought out a little volume which he calls *Reissued Notes, Circulated after Maturity and Endorsed for Collection Only*. The volume is composed in part of law review articles and notes written by Professor Chafee many years ago, some of the passages which Chafee wrote for the fourth edition of Brannan's *Negotiable Instruments*, and correspondence which he has had with lawyers on negotiable instruments problems. This correspondence he calls "curb-stone opinions" and he states that the only tangible return he received from these interchanges of correspondence was a devoted Scottish terrier. This reprint of Chafee's contributions will save students and lawyers the bother of digging out the original articles in scattered law reviews.

A handy little volume on *Practice and Procedure in the United States Circuit Court of Appeals for the Sixth Circuit* has been prepared by Carl W. Reuss, Chief Deputy Clerk. The book contains in concise form the essential procedural steps to obtain review in the Appellate Court.

The war has given a great impetus to invention with an apparent increase in the work of the patent lawyer. Members of the profession will welcome the appearance of a new edition (the second) of *Patent Assignments and Licenses, including Trade Secrets* by Ridsdale Ellis. The author states that in the present edition he has endeavored to round out the treatment of the subject given in the earlier edition. The sub-

ject matter has been greatly expanded, particularly in the matter of patent practices with respect to unpatented articles, bankruptcy actions, and arbitration proceedings.

Those who are fully sold on our present patent system will derive comfort and encouragement from William B. Bennett's book, *The American Patent System, an Economic Interpretation*. As the title indicates, the subject is approached from the economic rather than the legal side. The author concludes that the patent system ought to be maintained in the form which will give maximum encouragement to the independent inventor—in short the system that has prevailed in the past. Opponents of the present system will probably remain unconvinced.

Another book of interest to patent attorneys is *Patent Property and the Anti-monopoly Laws* by Otto Raymond Barnett. The purpose of the author has been in part to clear up the confusion of thought brought about by the many civil and criminal suits for violation of the anti-trust laws and the many charges that combinations in restraint of trade have hampered our war effort. The author feels that some of the legislation which has been proposed finds no justification in established fact and if enacted would destroy our patent system.

Complicated tax laws which have forced Einstein and at least three members of the Supreme Court to seek tax advice from the Department of Internal Revenue in making out returns, continue to afford a living to a sizeable number of people. In this number are probably included the publishers of tax services and (let us hope) several authors. Montgomery's *Federal Taxes on Corporations* and his *Federal Taxes on Estates, Trusts and Gifts* continue to appear with the regularity of the March equinox. The author is in his usual delightful ill-temper. He says in the preface to the latter work, "If all of the present-day decisions and opinions regarding recent laws were laid end to end—it would be too bad . . . I have to read the decisions whether I like it or not. I am disgusted and exhausted after completing the past year's grist." Later on Montgomery says, "After Judge Hull (now Secretary of State) stopped personal work on the law the smart boys stepped in and they have had a field day ever since. I think the smarties have outsmarted themselves. It is too much. A revolution is in the brewing." The preface is, of course, merely thrown in for good measure. The works themselves seem to be up to the same high standard maintained by previous editions.

Tax laws have in fact become so complicated that James M. Henderson, managing editor of Callaghan and Company, has thought fit

to bring out a work which should be read before one even undertakes to read the tax laws themselves. It is called *An Introduction to Income Taxation*. The author states in the foreword that his purpose was to "provide a general perspective and appreciation of that mystic realm of income taxation, which, it is commonly said, only five men in the United States wholly understand. There is even some disagreement as to the identity of those five." The author lays no claim to being one of them. He has, however, produced a book which can be studied with profit by the intelligent layman and the lawyer alike. The author aims to give that necessary knowledge which will enable the reader to know what the experts are talking about. It is an "introduction" not an "answer" book.

Labor problems continue to occupy the front of the stage and labor law is taking its place in the curriculum along with bills and notes and future interests. In the literature of employer-employee relations has appeared a particularly timely volume, *Governmental Adjustment of Labor Disputes* by Howard S. Kaltenborn, Chief Wage Analyst, Regional War Labor Board, Detroit. The work is published by the Foundation Press, Inc., Chicago. The author, who is not to be confused with the radio commentator, points out that in 1941 governmental agencies in the United States intervened in more than half of the recorded strikes; and that it is obvious that governmental activities in the labor field have assumed an importance warranting careful study and analysis. The book deals with all measures now employed by government at all levels to prevent and settle strikes. It summarizes all laws on the subject and recounts the experience which has been developed under these laws. The major portion of the book is devoted to mediation. The work ought to be of value to officials, private counsel to industry, and to the student of labor problems. There is no other recent book in the field.

Two other works on labor relations deserve mention. The first is *Union Rights and Union Duties* by Joel Seidman, published by Harcourt, Brace and Company; and the second is *Independent Unions Under the Wagner Act* by Samuel M. Salny, published by Eugene W. Hildreth, Inc. Seidman urges a more responsible trade unionism, and to that end makes a good many constructive suggestions. In answer to the charge that unions have been irresponsible the author shows that there has been a considerable amount of irresponsibility on the part of the government and on the part of employers. The author recommends the publication of financial statements by unions, except where the union fears substantial harm in collective bargaining. He thinks that the pub-

lication of financial data would help to restore public confidence in the unions, which is undoubtedly true. He also urges the compulsory publication of data in regard to political expenditures. The strike weapon, he thinks, should be surrendered by workers in the public services. "The public need for police and fire protection, hospitals, water, sanitation and power should be superior to the desire of workers in those industries to correct their grievances by strike action." (p. 211). Quite sensibly, however, the author adds, "If such strikes are to be outlawed, adequate machinery for the prompt and satisfactory peaceful adjustment of disputes must be created." (p. 211).

Salny describes his work as a manual for attorneys, labor relations advisers and union officials acting for employers, employees, and unions. More particularly, the book seems designed to aid employers to get by with company unions, without running afoul of the law. The book appears to be well written and carefully documented. It is "complete with forms."

Richard R. Powell, Professor of Law at Columbia, has brought out a second edition of his *Cases and Materials on the Law of Possessory Estates*. The author states that he has reduced the space given to certain topics such as estates tail and the law of waters, and he has expanded certain other topics and added one on estates for years. New statutes and decisions of the past decade have received attention in the present edition, which is published by West.

One of the best short histories of English law which has come to my attention is Harold Potter's *Historical Introduction to English Law and its Institutions*. This work has just appeared in a second edition, revised and partly rewritten. The author is Dean of the Faculty of Law at King's College, London. Another English work, Harris's *Hints on Advocacy* has been brought up to date and issued in its eighteenth edition. Many of the "hints" given, while directed primarily to the English bar, will be equally valuable to the American lawyer.

Local practice books are seldom of much interest or value outside the jurisdiction for which they were intended. An exception may be *California Jury Instructions*, third revised edition, by William J. Palmer, published by West. Lawyers might profitably examine this book with a view to the preparation of similar works for other states. It appears that the use of this guide in California has resulted in fewer judgments being reversed because of erroneous instructions.

A book which ought to be of help to prosecuting attorneys as well as others occupied with criminal matters is *Lie Detection and Criminal Interrogation* by Fred E. Inbau. The author was formerly director of

the Chicago Police Crime Detection Laboratory. This work, although published two years ago, seems of sufficient importance to be included here. About half of the book is devoted to the lie detector and the other to criminal interrogation.

A great deal of useful information is contained in *Municipalities and the Law in Action*, 1943 edition, National Institute of Municipal Law Officers. The volume, edited by Charles S. Rhyne, is given over largely to a record of cities' legal experience covering the first year of the war. Among the topics covered are the Office of Civilian Defense and cities, municipal employees and war service, municipal revenue and financial problems, wage stabilization legislation, federal taking of municipal airports, municipal property and services, emergency suspension of building ordinances, and a great many others.

Some very valuable publications do not get into the book trade, and because there is no enterprising publisher behind them they fail to receive the circulation that they merit. I suspect that one of these may be *Judicial Review of Legislation in Ten Selected States* by Oliver Peter Field, Professor of Government at Indiana University. This pamphlet of eighty-one pages was published by the Bureau of Government Research of Indiana University. Another such pamphlet publication is *War Profits Taxation and Special Wartime Reserves* by J. Keith Butters, published by the Bureau of Business Research of Harvard. The practitioner will find useful a recent compendium of decisions on the subject, *What Constitutes Doing Business by a Corporation in States Foreign to the State of its Creation*. It is published by the Corporation Trust Company of New York.

Lawyers interested in radio will want to read *Radio Networks and the Federal Government* by Thomas Porter Robinson, New York. The author attempts to explain the issues between the Government and the networks. The issue, as the author states it, is: "What *use* do we want to make of the *means* of broadcasting and in what manner can this be accomplished most efficiently in the public interest? Essentially involved in the determination of these questions is a choice between democratic and totalitarian principles." (p. 6).

The most important and the most enduring book of the year will likely prove to be *The Rôle of the Supreme Court in American Government and Politics, 1789-1835*, by Charles Grove Haines. The writer is the author of many articles on constitutional law and legal philosophy and of a number of important books in those fields. His *American Doctrine of Judicial Supremacy* is well known to most lawyers. The present work of Haines will rank with Warren's *The*



*Supreme Court in United States History* and Beveridge's *Life of John Marshall*.

*Trading with the Enemy in World War II* by Martin Domke is a valuable guide to the available materials relating to the subject and should be useful to lawyers having cases in this general field. Attention is given not only to laws and regulations of the United States but also to those of many other belligerents. There is no other single volume which contains this material.

Since a lawyer cannot live a full life on statutes and hornbooks alone I have no hesitation in mentioning a few books which will fill the lawyer's leisure hour. Some of them may be merely diverting, but others will be worth serious study. Of the latter type is *Moulders of Legal Thought* by Bernard L. Shientag, Justice of the Supreme Court of New York. This is a collection in book form of articles which have appeared in legal periodicals in the last twelve years. Among the "moulders" analyzed and eulogized in this volume are Cardozo, Lord Mansfield, Sir Samuel Romilly, Sir Frederick Pollock, Lord Macmillan, and Lord Wright of Durley.

Charles A. Beard's *The Republic, Conversations on Fundamentals*, published by the Viking Press will probably not make the same stir which was occasioned by his *Economic Interpretation of the Constitution*, but it is a thoughtful and at times provocative work, and should be widely read. Norman Thomas has just produced his first book since Pearl Harbor. It is called *What Is Our Destiny?* Thomas is always interesting and stimulating even if you do not agree with him. Although the book is sharply critical, the criticism is usually constructive. The author admits frankly that he has been forced to change his ideas on some points, although he seems to have a sneaking suspicion that he was probably right in the first place, after all! As usual Thomas succeeds in taking the hides off a number of public figures and he does the job very neatly. Harold J. Laski comes, "Cassandra-like prognosticating woe," in his most recent book, *Reflections on the Revolution of our Time*. The book is lucidly written and almost convincing. Whether we accept the author's conclusions or not, the book should be required reading because of the stimulation to thinking it is bound to produce.

Life stories of lawyers are a never ceasing source of interest. Those who have enjoyed the Mr. Tutt stories will want to read *Yankee Lawyer, the Autobiography of Ephraim Tutt*. Whether Tutt wrote this himself or whether this is another creation of Arthur Train's is unimportant—the book itself is amusing and also valuable for its trenchant criticism of the legal profession. *I Can Go Home Again*, by

Arthur Gray Powell, is the life story of a judge in a county seat of southwest Georgia. The judge is an excellent story teller. His style is direct and homely and his story smells of the earth. This is clearly the best of the "horse and buggy" type of lawyers' biographies to appear in recent years.

*Shanghai Lawyer* by Norwood F. Allman is worth an evening's reading. It is the story of a man who spent twenty-six eventful years in China as American Consul, Judge on the International Mixed Court, and finally as a practicing lawyer in Shanghai. Few who take up the book will put it down without finishing it.

The many thousands of admirers of Justice Holmes will be indebted to Max Lerner for his recent book, *The Mind and Faith of Justice Holmes*. The volume is a collection of Holmes's essays, letters, and judicial opinions. They have been selected and edited with great care, and have been accompanied by an introduction and commentary by the editor. Earlier collections of Holmes's speeches and letters cannot compare with the present volume. The work of Lerner is one of the most significant books of the year.

The Massachusetts Bar Association has recently published a history and picture gallery of *The Supreme Judicial Court of Massachusetts, 1692-1942*. While the book is a small one (one hundred and fifty pages) it is a worthwhile addition to the library of the lawyer interested in legal history. Those who do not care to read may look at the pictures.

Librarians will continue to collect works on legal history even though the use of such material may be slight. What makes a great library, as distinguished from merely a "good" library, is the possession of unusual and out of way materials which may be called for only once in a decade. In this class of material will fall volume five of the American Legal Records series, *The Burlington Court Book, a Record of Quaker Jurisprudence in West New Jersey, 1680-1709*. It is edited by H. Clay Reed and George J. Miller, with an excellent historical introduction by the former.

Dallas invariably brings to mind the early volumes of the Supreme Court Reports. Most people have forgotten that Dallas was also Secretary of the Treasury and one of the most successful practitioners of the Philadelphia Bar. He has been described as "one of the first-rate men of secondary importance in the early days of the American republic." Dallas was a most interesting character whose life story lawyers will enjoy. The title is *Alexander James Dallas, Lawyer-Politician-Financier, 1759-1817*, by Raymond Walters, Jr.

William Howard Taft is said to have remarked that he would not trust the Constitution with Judge Clark over night. He was referring to Walter Clark, Chief Justice of the Supreme Court of North Carolina, 1902-1924. Many others undoubtedly agreed with Taft. Clark was committing that quaint Japanese crime of "thinking dangerous thoughts." Big business was his *bête noir*. He opposed the power trust, the tobacco trust, and even the peanut trust. The story of Clark's life is given in a small volume called *Walter Clark, Fighting Judge*, by Aubrey Lee Brooks. It is published by the University of North Carolina Press. The author dedicates his book to "The Supreme Court of the United States which now reflects the views of Walter Clark."

Lawyers interested in constitutional history will find some valuable material in the biography of *James Moore Wayne, Southern Unionist*, by Alexander A. Lawrence. Wayne served on the Supreme Court for more than thirty-two years. He was the first justice born under the Constitution and the last of Marshall's colleagues.

Perhaps the most interesting biography of a lawyer to appear in several years in *Judah P. Benjamin, Confederate Statesman*, by Robert Douthat Meade. Most American lawyers know Benjamin as the author of a famous work on sales. Benjamin was unquestionably one of the most unusual and gifted lawyers that America produced. I say "produced" because he spent the formative years of his life here, although he was born on the island of Saint Croix, a Danish possession then under the occupation of the British. He was a member of the United States Senate (the first Jew ever to sit in that body), a leader of the American bar, and later the most influential member of Jefferson Davis's cabinet. After the defeat of the Confederacy he fled the country, and after a series of dangerous adventures reached England. There he became a leader of the English bar, one of the outstanding lawyers of his day, an accomplishment all the more remarkable because of the fact that Benjamin had not been trained in the common law but in the civil law of Louisiana.

The task of the biographer was made extremely difficult because of the fact that Benjamin was one of the most secretive men that ever lived, and he had the annoying habit of destroying his papers and correspondence. But if he could destroy the letters he received he could not succeed in destroying those he sent to other people. The author has unearthed a tremendous amount of material on which he drew for his biography. In addition to studying all the available documents the author visited every place importantly connected with Benjamin's life,

whether in England, America or France. Lawyers who like biography are sure to find this one well worth reading.

Interest in international law and relations and in the field of comparative law appears to be increasing rather markedly. An important work in the conflicts field is *Principles of Private International Law* by Arthur Nussbaum. The author was formerly professor of law in the University of Berlin and has been visiting research professor at Columbia for the past several years. Out of his deep knowledge of both the civil law and the Anglo-American common law the author has produced a work which ought to be studied carefully by lawyers and judges. All too little work has been done in America in this most important field and it is not too much to say that most members of the profession are profoundly ignorant of the whole topic. Some years ago one of America's leading judges was asked what he thought of the principle of renvoi. He replied, "Renvoi—what's that. I never heard of it." Like prose, he has been using it all his life.

Professor Nussbaum states that he has undertaken no exhaustive discussion and that the value of the book for the practitioner, the judge, and the advanced student will be limited chiefly to the suggestion of new points of view.

Santos P. Amadeo just recently published an important work called *Argentine Constitutional Law*. It is a study of the judicial function in the maintenance of the federal system and the preservation of individual rights. *The Italian Conception of International Law* is the title of a new work by Angelo Piero Sereni, published by the Columbia University Press. The work is an attempt at a systematic and comprehensive account of the development of international law in Italy from its origin until the intervention of that country in the Second World War. A slender volume called *Pius XII on World Problems* by James W. Naughton, S. J. purports to give an answer to the question, What does the Pope say? An attempt is made to give the gist of the Pope's public and private pronouncements on world affairs. Excerpts of papal utterances are pieced together by a running commentary of the editor. The book may serve to dispel the suspicion which has existed in some quarters that His Holiness has been carrying water on both shoulders. And then again, it may not.

The average person, whether lawyer or layman, has all too little familiarity with the events leading up to World War II, and it would take a fairly well equipped library to give a reader the material he would need in order to inform himself. A single volume just recently

published will go a long way toward supplying the necessary foundation materials. The title is *Origins and Background of the Second World War* by C. Grove Haines and Ross J. S. Hoffman. This will be a valuable reference work in any library.

*A Modern Foreign Policy for the United States* by Joseph M. Jones is a small book of only ninety-five pages, but it is a carefully prepared analysis of our State Department and a criticism of what appears to be our foreign policy—or lack of policy. Of the avalanche of material appearing on this subject this little book of Jones seems to me one of the soundest. The three chapters in the book originally appeared in *Fortune Magazine*. The author was formerly employed by the State Department.

It is regrettable that European scholars publishing works in this country are introducing some of the abominable practices of composition and publication common on the continent but which have hitherto not had much vogue here. An example is *Trends in European Social Legislation between the Two World Wars*, by Alexander Lorch. The book has a table of contents placed in the back and no index! The book itself seems to contain a good deal of worthwhile information—if one can find it. For lack of an index one may be forced to read the whole book.

A year or so ago I wrote to Professor Charles Fairman (now Lieut. Colonel in the Judge Advocate General's Department) begging him to spare me a copy of his *Law of Martial Rule*. He replied that the book had become so scarce that he didn't even have a copy for himself. That scarcity has now been remedied by the publication of a second edition by Callaghan and Company. The work will be very much in demand.

The University of Michigan Press has brought out a new volume in the series of Michigan Legal Studies. The work is *The Prevention of Repeated Crime* by John Barker Waite. The thesis of the author as stated in the preface is that "the traditional and still prevalent method of dealing with known criminals is disturbingly inefficient as a preventive of repeated crime, and that for the furtherance of public safety quite different ideas must be embodied in legislation and put into practice."

An outstanding work on governmental activity and the war is *Lend-Lease, Weapon for Victory* by Edward Stettinius, Jr. Probably everyone who intends to read this book has probably done so already, but it still may not be amiss to call it to the lawyer's attention. It is the story of inter-allied supply through lend-lease and reverse lend-lease. Those who have at sometime had to go without a bit of butter to their bread

may learn here how much good has been done by that butter which they did not eat.

One of the most interesting small volumes in the field of criminology that has come to my attention is *Race and Crime* by William Adriaan Bongers, Columbia University Press, New York 1943. The author, who was Professor of Sociology and Criminology at the University of Amsterdam, died in 1940. The present volume was his last work. A short biographical note was contributed by John Wigmore of Northwestern University. A reading of this small volume will probably suffice to explode a great many preconceived notions as to the criminality of certain races. The author does not believe that one race is inherently more predisposed to crime than another race. Most of the differences which show up in statistics can be explained by differences in environment, occupation, etc. The author in his foreword states his intention as being "to review critically the present state of affairs. There is no promise—here we already anticipate one of the conclusions—of reaching definite results. On the contrary, it will appear that much on this subject is uncertain and that much is left for future researchers."

Another new and important work in the field of criminology is *Jails, Care and Treatment of Misdemeanant Prisoners in the United States* by Louis N. Robinson, The John C. Winston Company, Philadelphia. The author, who is Professor of Economics at Swarthmore College, was formerly chairman of the Pennsylvania Board of Parole and has served in numerous other capacities. The author says in his preface that "jails, workhouses, houses of correction, and most probation systems are located in the wilderness of local government, hitherto only partly explored." As a result of the author's explorations, he seems to feel that the walls of the jail keep men and women in and keep science and common sense out. Prosecuting attorneys, judges, members of parole boards, and all others interested in the treatment of offenders ought to read this book.

A book that ought to have value because it is in a field not heretofore covered is *Disputed Paternity Proceedings* by Sidney B. Schatkin, Assistant Corporation Counsel of the City of New York. The author states that twelve hundred and forty-seven new affiliation proceedings were instituted in the City of New York in 1942—thus showing the significance and extent of this type of action. The author in his book has made a special effort to aid the attorney in the preparation and conduct of the defense at the trial, because, as he says in the preface, "The charge of paternity is so easy to make, and so difficult to dis-

prove." While the book is written with New York practice in mind, there is considerable material relating to the practice and the law of other states. The chapters dealing with blood tests should be particularly useful. I think it was the *New Yorker* magazine (though maybe it was *Esquire*) which some years ago estimated that the risk of being "overtaken by paternity" in New York City was one in ten. If this figure is even approximately accurate this book might well be recommended to the layman in addition to the lawyer. It still remains true that it is a wise child that knows its own father.