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Review of “Legal Bibliography and the Use of Books,” By Arthur Beardsley

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tive to the need for public approbation and articulate on his responsibilities to the public. Where these tendencies will lead as his organization becomes more mature is not yet fully disclosed. The main value of Mrs. Rutherford's study lies in the fact that it shows there has been a steady development in the American Bar Association of a consciousness that the American lawyer occupies a strategic position in American life with corresponding responsibilities in relation to the advancement of the on-going processes of democracy.

ALBERT J. HARNO.†

LEGAL BIBLIOGRAPHY AND THE USE OF LAW BOOKS. By Arthur S. Beardsley. Chicago: Foundation Press, Inc., 1937. Pp. xv, 514.

The need of a regular course in Legal Bibliography and The Use of Law Books in the law school curriculum has been increasingly recognized. Receiving its impetus from law book publishers and growing into accepted instruction by either the librarian or some other member of the faculty, the study of the printed sources and aids in the use of such sources finds considerable attention in current legal education.

Although Dr. Beardsley has attempted to prepare a treatise "which would be helpful to lawyer, student, and teacher, alike," this volume is primarily useful as a class-room manual. After arguing the "necessity of teaching the use of law books" and outlining "the classes of law books," Professor Beardsley presents in clear and concise language the pertinent information concerning Constitutional, Statutory, Judicial, Quasi-Judicial, and Reference Sources in that order. Twenty-five pages explain the orthodox "approaches" in legal research, and fourteen pages are devoted to brief-making. The last fifth of the volume consists of tables and lists.

The provision of sample or recommended problems with each topic makes the volume essentially a student text. These suggestions are more than adequate as to quantity and thus allow considerable selection. However, old exercises were not revised so that humorous, if not serious, errors appear. See, for example, problem 11, page 19, "Where would you find the text of the proposed twenty-first Amendment to the United States Constitution?"

Because it is best suited for the purpose already noted, it is doubtful whether Dr. Beardsley's deliberate omission of illustrative pages has operated to enhance the value of his product. Until his forecast that instructors in the use of law books will some day have "specially arranged laboratory rooms and equipment" is realized, it would seem that illustrative materials provide a definite convenience to both student and teacher.

The preface leads the reader to believe that the text is "entirely free from the bias which publishers naturally have for their own publications." Although Dr. Beardsley's treatment of administrative materials is by far the best available, it is questionable whether his attention to loose-leaf services and his emphasis on Commercial Clearing House publications can permit the above inference to stand.

† Dean, School of Law, University of Illinois.

In spite of these criticisms, Dr. Beardsley's volume affords an exceedingly useful tool in a field where little guidance existed. After using this volume with a class of sixty students, the reviewer is satisfied with its contents, even though numerous minor typographical errors evidently escaped the attention of editors and proof-readers.

OSCAR C. ORMAN.†

THE LAW OF NATIONS (2d. ed.) By Marcellus Donald von Redlich. World League for Permanent Peace (1937). Pp. xvii, 607.

At the outset it must be admitted that the author may have deserved a friendlier critic than the present reviewer who writes his observations in the spirit of disappointment. He expected of the author a book which would show the fruits of the blending of American and continental legal training which Dr. von Redlich is so fortunate as to possess, *i. e.* a scholarly work somewhat in the nature of Professor Lauterpacht's remarkable achievements in the field, or, at least, a book which would contain some critical and constructive suggestions regarding the renewal and maintenance of the international legal order. But the book did not fulfill these hopes.

Dr. von Redlich's *Law of Nations*, in spite of its broad title, deals only with certain aspects of international law. On the other hand it contains many things which have not the slightest, or very little, connection with the subject. What is the reason for discussing police power, the powers of Congress, the District of Columbia, admiralty jurisdiction, amendments to the Constitution during the first quarter of the twentieth century, and relations between federal and state government in a book on international law, and for leaving out important topics such as state responsibility, state succession, freedom of the sea and territorial waters, international limits on jurisdiction and the whole of the international law with respect to neutrality, intervention and war? To be sure, the author claims, in the preface, the privilege "to present his subject matter in such arrangement as he may deem advisable and to include such phases of the subject treated as he thinks will serve the purpose for which the book is intended." Precisely, for whom *is* the book intended? The reviewer could make it out neither from the preface nor the content of the book.

Dr. von Redlich bases his text mainly upon American decisions. This makes the tenor of the book somewhat similar to Professor Hyde's well known and rightly esteemed *International Law Chiefly as Interpreted and Applied by the United States*. In addition the work contains interesting excursions into diplomatic history and the intricacies of the diplomatic ceremonies which, however, perhaps are too lengthy in proportion to the strictly legal parts of the book. But one misses any critical analysis of the quotations taken from the decisions. Fundamental problems, as for instance the relationship of international law and municipal law in general, the question of the subjects of international law, the effects of recognition, etc.

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