

January 1928

Book Reviews

Chicago-Kent Law Review

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Recommended Citation

Chicago-Kent Law Review, *Book Reviews*, 6 Chi.-Kent L. Rev. 16 (1928).

Available at: <https://scholarship.kentlaw.iit.edu/cklawreview/vol6/iss4/7>

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BOOK REVIEWS

European Skyways (Twenty-five Thousand Miles By Air). By Lowell Thomas. Boston and New York: Houghton Mifflin Company, 1927.

This book of more than 500 pages and 67 illustrations is dedicated "To All Who Have Missed the Joys of Flight" and is a description of a trip taken by the author and Mrs. Thomas during a jaunt of seven months to the four corners and intermediate points of Europe. The account of the trip is adroitly interspersed with interesting descriptions of the cities and countries covered by the flight, and with important historical events and brief references to prominent people of the past and present who have made Europe what it is today.

The trip is described with such vividness and realism as to make the reader, who has never taken a flight by air, feel that he will embark for the first time with all of the assurance of a seasoned traveller. The illustrations and descriptions of the "world of mountains, islands and tumbling continents of clouds" will cause those who admire the shifting beauties and *grandeurs* of the clouds as they float above on a summer day, to resolve to get the intimate and realistic impressions of those who travel through and above them.

The safety of flight on the present passenger air lines of Europe is compared with what it was a brief ten years ago and with the accidents and loss of life to travellers by automobiles and express trains, and the comparison is all in favor of the former. The author's enthusiasm over the achievements of the present seem only excelled by his belief that the immediate future has in store for

aviation far greater progress than in all of its past. Among others there is a prediction that planes will be equipped with a plurality of motors so mechanically perfect as to minimize noise and to make long flights a matter of course. The already partially successful devices for permitting a "take off" from, or a landing on, a small field will be perfected so that it will be possible to have numerous small fields in easily accessible places. All of which will make travel by air a common-place experience.

To those who have experienced the joys of flight the book should be of interest because of the vividness and accuracy of description of their own experiences; to those who have hoped to enjoy the thrills of travel by air, the story of the trip over European skyways will quicken their resolution to do so at the first opportunity, while to that larger group, of those who read and think of flying as a thing detached and an experience for the interested minority, it awakens enthusiasm and a desire that the day be speeded when universal travel by air will be an economic possibility.

Readings on the History and System of the Common Law. By Roscoe Pound and Theo. F. T. Plucknett. Rochester: The Lawyers Co-operative Publishing Company, 1927.

This book is an extremely valuable introduction to the history and system of the common law. It is based upon a course of lectures, given by Dean Pound in 1889, which has been revised in the light of its continued use since that period. It is intended to provide, in convenient form, for matters which are to

be used as a basis for class instruction in the history of the law. Special attention has been given to the translations beginning with Thorpe's rendering of the Anglo-Saxon laws and continuing with the translations of the Latin and French texts during the medieval period. There are valuable extracts from the statutes and year books and a brief treatment of the development of the common law in the King's Courts, the use of writs, customs of the realm, origin and development of trial by jury, the growth of equity jurisdiction, the history of the Law Merchant and the reform movement in the law. In a supplement there is a discussion of the common law in its application to American legal procedure. For a historical compend of the source matter of the common law it is one of the best books which has been written to date and can be commended to law students as a valuable addition to their libraries.

Some Hints on the Trial of a Lawsuit.

By Rolla R. Longenecker. Rochester: The Lawyers Co-operative Publishing Company, 1927.

This book is designed to assist the young lawyer with respect to preparation of a case for trial. It is an outline and not an exhaustive treatment of the subject. The general incidents arising during the trial are set forth in order from the time the case is placed on the trial call until judgment is finally entered. The various actions and motions which are necessary to protect a client's rights are dealt with in detail. The work treats of the preparation of the trial, briefs, matters of continuance, change of venue, trial evidence, the examination of witnesses, the different kinds of witnesses, their peculiar characteristics and the best mode of handling members of each type.

There is a significant chapter on Documentary Evidence including exhibits, photographs and X-ray prints. The preparation of instructions is dealt with at

some length and there is a special treatment of special interrogatories. This is a helpful book for lawyers beginning the practice of law and can be used by them to the greatest advantage.

The Story of The Inns of Court. By The Right Honourable Sir D. Plunket Barton, Bart., P.C., K.C., Charles Benham, B.A., and Francis Watt, M.A. Boston and New York: Houghton Mifflin Company, 1927.

A subject which has always both fascinated and puzzled American lawyers is here treated in such a way as to increase its fascination and to make it much less puzzling. The co-authors have attained these desirable ends by presupposing no previous knowledge of their subject on the part of the reader. The work is divided into four parts or "books": First, the "Introduction" by Sir D. Plunket Barton, tells how these four Inns of Court, the Middle Temple, the Inner Temple, Grays' Inn, and Lincoln's Inn merely happened to come into existence rather than were founded in Plantagenet times and of the evolution by which, though always distinct and independent, they collectively came to constitute the English Bar Association, a great legal university composed of four independent law colleges, and what we would call a Board of Bar Examiners, vested with complete power to determine the qualifications of candidates, to examine them as to their proficiency and to "call" or admit them to the bar. The Government of the Inns by the "benchers," the division of their members into "Inner" and "Outer" Barristers are historically described. The second part of the book is by Charles Benham and deals with the two Temples; it tells of the building of the original temple by the Knights-Templar; their first occupation by groups of law students; the vicissitudes of title and the individual history of these two Inns. The third part of the book is by Sir S. Plunket Barton and

covers the history and development of Gray's Inn, while the last part is by Francis Watt and has to do with the record of Lincoln's Inn. Not the least interesting are the many intimate personal sketches of the legal careers, character as lawyers, and relations to the Inns of former members thereof, including Sir Edward Coke, The Earl of Nottingham, Lord Hardwicke, Lord Eldon, Lord Mansfield, Sir William Blackstone, Jeremy Bentham, Sir Francis Bacon, Sir Samuel Romilly and a host of other lawyers, judges, statesmen and writers. The description of the changes in methods of legal education from the ancient "bolts," "moots" and "readings" to the systems now in use is complete and instructive. In these pages the pomp and joyousness of medieval "masks," "revels" and "plays" live again. We attend with kings, queens and lords first presentations of Shakespearean and other plays; place descriptions which are made vivid by many fine illustrations add to the interest. It is a book which appeals to the American reader, whether lawyer or layman.

The Story of Law, by John M. Zane, LL. D., Litt. D., with an introduction by James M. Beck, ex-solicitor-general of the United States. Publisher: Ives Washburn, New York.

There is no more important or neglected subject than the one treated in this book. That American lawyers are not as a class familiar with the great story of the evolution and development of law is a reflection on the bar. Mr. Zane's book, while not written for the profession alone, is one which no lawyer should fail to read. We do not mean by this that the average reader will find himself in a position to agree with every contention of the author, nor is it desirable or necessary that this situation should obtain in connection with any work of this character. The reader will often find the most stimulation to thought in the very chapters where he is least able

to agree with the author's contentions. In the first chapter entitled "The Physical Basis of Law," which tells, among other things, of the customs of ants, and in Chapter II having to do with "Law Among Primordial Men," we gain the impression that the author is a strict legal evolutionist. This is not dissipated by Chapter III, "The Aryan Law," but is somewhat shaken by the succeeding chapters entitled respectively, "Babylonian Law," "The Jewish Law," "Law Among the Greeks" and the chapters concerning Hellenic jurisprudence and Roman law. As to the long debated question as to whether we, who have inherited the common law of England, owe much or little to the civilians, he is favorable to those who give most credit to the Roman law influence. His story of development of trial by jury and early English procedure is clear and interesting. The last portion of the book, beginning with Chapter XV, treats of the development of law in the United States. Too much praise cannot be given his treatment of American Constitution law. The average lawyer probably will not agree with the author's contention that we should abolish our board of bar examiners and return to the long discarded system of admission to the bar upon law school diploma. His condemnation of American criminal procedure is not always merited, but his suggestions as to the evils of an elective judiciary are worthy of consideration. The last chapter entitled "Conclusion" has great merit.

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