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Book Reviews

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BOOK REVIEWS

MR. JUSTICE HOLMES. New York: Coward-McCann, Inc., 1931.
241 pp.

In recognition of a half-century of notable judicial achievements and as a token of profound admiration for the man, these essays about Mr. Justice Holmes and his writings were collected and published on the occasion of his ninetieth birthday. All of the essays except the first one have previously been published elsewhere—all of them since the seventy-fifth birthday of the Justice. The principal contributors are Benjamin N. Cardozo, Chief Justice of the Court of Appeals of New York; John Dewey of Columbia University; Learned Hand, Justice of the United States Circuit Court of Appeals of the Second Circuit; Felix Frankfurter, of the Harvard Law School; and John H. Wigmore, of Northwestern University.

Two of the most significant essays are those by Judge Cardozo and Judge Hand. Of Holmes, Judge Cardozo says, "He is today for all students of the law and for all students of human society the philosopher and the seer, the greatest of our age in the domain of jurisprudence, and one of the greatest of the ages." An address given by Judge Hand at the presentation to the Harvard Law School of Charles Sydney Hopkinson's portrait of Mr. Justice Holmes is included as one of the essays. In it, Judge Hand states, "I take it that it is not alone to receive this picture that we came here today, but also to testify why we have thought it well to have it made and to hang it—to the gratification of its subject—opposite the effigy of the great Chief Justice, before which it need not flinch."

For those who have seen neither the Justice nor his portrait this collection of essays should furnish a most satisfactory verbal picture. The book should occupy as prominent a place in our library as the portrait does in Langdell Hall at Harvard University.

ORIGINS OF THE EARLY ENGLISH MARITIME AND COMMERCIAL LAW. Frederic Rockwell Sanborn. New York: The Century Co., 1930. 424 pp. (Published by the American Historical Association from a fund contributed by the Carnegie Corporation of New York.)

Here is presented an interesting and authentic discussion, by a former Carnegie Fellow in international law, of early English maritime and commercial law. The book bears the distinction of being the first history of maritime law to be written in the English language.

The unbroken continuity in the development of maritime law from early Roman times to the beginning of our modern maritime and commercial law is told in considerable detail, and the close relationship between the maritime and the commercial law brought out by parallel pairing of the chapter. For instance, two chapters headed "European Medieval Maritime Law" and "Early English Maritime Law" are followed respectively by "European Medieval Commercial Law" and "Early English Commercial Law."

To Italy goes the credit for the growth of medieval commerce and the compilation of the earliest codes of maritime law. Medieval Commercial law traces its origin to both Germanic and Roman sources; and it is not surprising to discover from a perusal of this book how considerably the early commercial development in England was influenced by foreign merchants.

Sir William S. Holdsworth, of Oxford University, who has written the Forward, expresses the hope that Dr. Sanborn—a master of English and continental legal history—will continue his discussion in another volume. Anyone interested in the development of international law will share that hope. The American Historical Association and Carnegie Fund are to be congratulated for making possible the publication of such a splendid piece of legal research.