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## BOOK REVIEWS

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*Les effets des transformations des États sur leurs dettes publiques et autres obligations financières.* Par, A.—N. Sack. Avec une préface de N. Politis. Paris, Société Anonyme du Recueil Sirey, 1927. Tome I, *Dettes publiques*, pp. xvi, 608.

"I wish," said Monckton Milnes once, "that I was as cocksure about anything as Macaulay is about everything." Professor Sack seldom leaves his readers in doubt as to what they are to believe. He has produced a work of enormous research and keen analysis. And the subject is indeed an important and neglected topic. Unfortunately, he does not take the preliminary step of proving his main thesis—a sufficiently thoroughgoing and startling one. He states it in nine lines, at pages 44, 45, and it is crudely to the effect that the debts incurred by a state are a charge on its territory. He immediately adds that he does not mean its "territory" qua land, but the public resources of its territory. This is a proposition which requires proof, and the author gives none. He cites the French Pandects,—and they flatly contradict him, because they enact that "les dettes d'États sont inhérentes au sol," and he says they are not. He cites in addition six or seven treaties which speak of the national debts as being "grevés" on a "pays" or "royaume," but clearly such language is consistent with the debts being a charge on the organism of the state and not the resources of its then territory. It is in consequence of this conception that the author is obliged to represent cession as limited in modern usage to small, outlying fragments of territory (p. 56)—and he gives a plausible list of nineteenth-century cessions in which appear neither Schleswig-Holstein, nor Alsace-Lorraine, nor even Savoy and Nice. Theorists, from Vattel E. Amari, may observe as much as they like that a state ought not to cede its territory—the fact remains that a cession is perfectly valid, and will be regarded as such on all heads, even when of considerable areas.

Professor Sack observes that he does not write simply as an international lawyer but as a publicist interested in international finance, "la portée effective de ce problème réside précisément dans son aspect financière;" and the basic criticism that must be made on his work is that he is apt to state, not what the law of nations is, but what an international financier might think it ought to be. From the formal point of view great difficulty is created by the author's fundamental assumption that international law is not merely the law regulating the relations of states, but that its content comprises the relations between states and individuals. That conception is fundamental to the whole subject; and in assuming it, Professor Sack makes it extremely difficult for a reader educated in the orthodox Anglo-American view, which regards states as the sole subjects of international law, to follow his reasoning or to appreciate his conclusions. It is certain that between states and individuals there do subsist relations: the relations between a state and its own subjects forms the subject-matter of constitutional law; but no special department of juridical science seems to have been created to deal with the relations of a state to foreign subjects, so that practically those relations (which are slender in any event) have tended to fall under the head of international law. This is so much the more inevitable, as the redress of the injuries sustained by foreigners has generally lain in the hands of their sovereigns. Further, Professor Sack insists on seeing in state borrowings from individuals essentially "private" relations. An Anglo-American jurist will

scarcely admit that any dealings with so public an entity as a state can by any possibility be "private"—though they may present more or less close analogies with the subject matter of private law, and his very title styles them "dettes publiques."

Somewhat arbitrarily, he excludes "colonies" from the asserted eternal liability of the population of a territory for the debts incurred by their momentary rulers. The reason is not apparent: and it also seems inconsistent on his part to exclude the tribute due from vassal states.

He endeavors to save the credit of his theory by further excluding debts incurred in the interests of a government and not of the state, by the simple expedient of calling them "odieuses." But a government may very well consider and be reasonably entitled to consider, that the interests of the state are best served by the suppression of revolt: and, in any case, who is to say that an established government is less entitled to represent the nation than a noisy and violent faction seeking to supplant it, and styling itself "democratic" or "patriotic"? The decision would depend in the long run on the answer to the question whether the government was good or bad—and that is a question which international law has always refused to answer. Perhaps "financial law" knows better, and is more conscious of impartiality. But the difficulty of saying whether a purchase of rifles was effected in order to maintain the government or to protect the state is such as to demonstrate the impractical character of the notion: and besides, according to the author, the "odious" government can always cover up its tracks by mixing up the "odious" loans with other more agreeable ones (p. 190). So the "odious" financier who backs a despot has only to stipulate that the loan is partly for black-boards and test-tubes.

Professor Sack is never tired of repeating that if a change in its government does not affect the incidence of its obligations, neither can it be affected by a change in its territory, and that therefore its obligations continue to attach to the population of the territory when it has passed under a new sovereignty, and to bolster up this conception he resorts to the extraordinary expedient of denying that a new government can be regarded as successor to the sovereignty of the one it disposes of, if it affects to draw its sanction from a different source—God or the People (p. 66). Such an argument demonstrates the weakness of his position. The appeal to one occult force or another as the source of sovereignty has no bearing on the fact of sovereignty, and this desperate reasoning is by itself sufficient to show the doctrinaire character of his arguments.

It is an unfortunate feature of the eager *éblouissement* of modern juridical thought on the continent of Europe, that it leads its devotees to attribute far more elaboration and dogmatism in detail to the law of nations than properly belong to it. They import to it without a qualm whole sectors of constitutional and private law. Thus, Dr. Soubbotitch in a recent volume treats pre-war Hungary as an international entity on the strength of tests of constitutional—as if all countries were obliged to study the delicate and often obscure subject of each other's constitutional law—and Professor Sack in the volume before us, lays himself open to a similar criticism. He cannot rest without importing wholesale into the simple and austere law of nations the ideas and conceptions of private law.

It is perhaps useful for the orthodox to have the advantage of considering such able expositions of heresy, and it will have one good result, if it awakens them to the danger of allowing constitutional theorists, such as M. Duguit, to invade the sphere of international law. This is one reason why one a little distrusts international tribunals. Diplomats are very practical people, and have a strong suspicion of airy and nebulous theor-

ies. Professors and municipal lawyers, on the other hand, are somewhat apt to be swept off their feet by plausible theories of law; in England for many years the progress of juridical science was retarded by the devotion of lawyers to the antiquated theory of Austin.

In fine, we can criticize the author when he expounds international law or municipal law; but when he propounds a new law called "financial law," we cannot criticize him, because he is his own legislator—an agreeable, but we think a precarious, position. The interests of financiers are not the only interests which a state must regard. It must have regard also to the interests of the millions of individuals who are only technically responsible for the debts incurred by their rulers, and whom international finance cannot justly seek to hold responsible through all the vicissitudes of their national character. The author is careful of the interests of the creditor, up to the point of ignoring the intangible character of his debtor—who is a state, not a population.

In destructive criticism, Professor Sack is brilliant. Quite consistently, he rejects the theory which would throw debts incurred for local objects onto the locality, whoever is sovereign there. As he says, it might throw the debts incurred by a rich country in order to assist a poor province, onto that perhaps insolvent province, if it loses it, and that is not nice for the creditor, who, if we may respectfully say so, is Professor Sack's favorite. He is equally brilliant in criticism of Politis' sentimental theory according to which it would be unfair as between the old and new sovereign of ceded territory, that the new sovereign, who despoils the old of so much, should decline to give him a little back, in the shape of assuming his debts.

The present volume is concerned solely with the question of public debts in a narrow sense. The author promises a second volume on the subject of the other financial obligations of states (in which he appears to include paper money). But the one at hand is planned on so elaborate a scale, commencing with the definition of a state, and its power to enter into obligations and it is so exhaustively documented that it has an interest and a value going far beyond what could seem to be indicated by that limited scope. The research and the plentiful details assembled together are beyond praise. But they are sometimes misleading. For instance, the assumption of certain Spanish debts by South American states is cited, in minute detail, as an illustration of the correct assumption of the liabilities of the old government of a state by a new one. But that was a question of the formation not of new governments, but of new states—a totally distinct proposition. The author's illustrations are most multifarious, and represent astonishing industry. They tend, however, to comprise positive illustrations of the practice which has his approval, to the comparative exclusion of the mass of negative illustrations which would support the contrary practice, and he also is apt to cite treaties as proving a rule to exist, instead of suggesting that it does not.

We should be sorry to convey an impression adverse to Professor Sack's monumental work. It is one which will have to be taken into serious consideration by every student of the subject, and we have therefore paid it the compliment of indicating in what respect its method and conclusions appear to be defective, and somewhat dangerously dogmatic. It is most carefully, scientifically and elaborately planned, and the amount of research and thought expended on it must have been enormous. Space prevents us from entering into any discussion of the chapters in which the author lays down concrete rules for the partition of debts; but they are detailed and exhaustive, and if applied with caution should prove of much practical use.

THOMAS BATY.

*Regulation of Security Issues by the Interstate Commerce Commission.* By David Philip Locklin. Urbana, The University of Illinois Press, 1927, pp. 189.

The Transportation Act, 1920, conferred upon the Interstate Commerce Commission jurisdiction, "exclusive and plenary," to control the security issues of railroads. This monograph is a topical analysis of the Commission's action upon the applications of railroad companies to issue securities from June, 1920 through the year 1925 and the earlier part of 1926.

In general, it presents a careful and well considered account of this newly developed administrative practice, carefully annotated and skilfully arranged. Mr. Locklin's judgments are, on the whole, well balanced. The particular topics around which his analysis centers are: an interpretation of the pivotal section of the act regulating securities; the nature of capitalizable assets; valuation in reference to capitalization; control against over-capitalization; reorganization issues; methods of flotation of securities; non-par stock; and stock dividends.

The study begins quite appropriately with an account of the report of the Railroad Securities Commission in 1911. Its report was adverse to positive federal control of railroad security issues. Developments between 1911 and 1920 largely dissipated all effective opposition to federal control, and that feature was embedded in section 20a of the Esch-Cummins Act of 1920. It is proper to add that the alternative to governmental regulation of security issues proposed by the Railroad Securities Commission, to wit, the requirement of complete publicity with reference to new issues, is not wholly antithetical to mandatory regulation. Federal regulation of issues involves incidentally the maximum of publicity. As Mr. Locklin remarks (p. 167): "The mere fact that security issues must meet the approval of the Commission will prevent many questionable transactions before their inception."

In Chapter XIV the author presents a condensed summary of his conclusions upon the various topics treated intensively in the body of the work. He concludes, we believe correctly, that Commission control of the security issues of carriers is efficient, not perfunctory; and is salutary, not the reverse, particularly in its restraint upon over-capitalization. The few cases which he enumerates in which the Commission is said to have approved securities "which caused over-capitalization where it did not exist before" (pp. 68-73, 163) are of such slight importance, and the alleged resulting increase of over-capitalization is so tenuous or dubious that they might be disregarded on the *de minimis* principle.

Mr. Locklin's adverse criticisms are directed towards (1) "the use of book values for the purpose of regulating capitalization. . ." (p. 162); (2) the use of "final values" found under section 19a of the Interstate Commerce Act for the same purpose; (3) the Commission's policy in connection with reorganizations; and (4) the Commission's approval of capitalizing surplus arising from re-invested earnings.

As to the first, the use of book value for regulating capitalization, we are of opinion that the author is in error where he says (p. 61): "Book value has been accepted in most cases." In fact, he seems himself to recall his verdict as soon as it is announced, for he adds: "Book value, however, is not controlling as will be evident from a consideration of the cases briefly described in the following chapter."

As to the use of "final values" found under section 19a (the valuation section), for purposes of capitalization, the author concedes (p. 162) that such action "is practically compelled by that act" (i.e., the Valuation Act).

His objection therefore rests on his preference for basing value on investment rather than on reproduction cost.

"The strongest objection that can be made to the Commission's policy is in connection with reorganizations." (p. 164). Here it is alleged that the Commission practically "ignores" the value of the reorganized properties; and, without justification, evades its responsibility in the premises. One may venture to suggest that this is a distortion of the case. Mr Locklin betrays no indication that he recognizes that reorganization plans requiring the issue of securities to be approved by the Commission come up after a court, often despite strong opposition by various parties in interest, has approved the plan. This, to be sure, does not absolve the Commission from its responsibility for approving or disapproving the proposed securities. But when, as has frequently been the case, there is no substantial evidence available as to the value of the tangible assets, and when the plan cuts down future fixed charges, and particularly when the non-par character of the stock of the reorganized company precludes an assumption of over-capitalization, it is extreme—to say the least—to make so sweeping a condemnation as that here under consideration.

The Commission has both granted and denied carrier applications to capitalize surplus by a stock issue. Where the surplus was large, absolutely and relatively, as in the cases of the Louisville & Nashville and the Delaware, Lackawanna & Western, the Commission has given a partial approval to the application, generally cutting down the amount of the proposed stock dividend with a heavy hand. The author thinks such action has been premature, because the Supreme Court may possibly hold that "property acquired out of surplus" may not be treated as other property in valuation cases. (p. 157). But the author, as we understand, holds that value for capitalization should be the same as value for rate-making. What the latter is may be inferred from *Smyth v. Ames*, 169 U. S. 466, 18 Sup. Ct. 418 (1898). The "fair value" of property currently used for the service of the public would seem to cover the value of all property so used, even though some of it has been accounted for in surplus on the balance sheet.

WINTHROP M. DANIELS.

*The Struggle for the Falkland Islands. A Study in Legal and Diplomatic History.* By Julius Goebel, Jr. New Haven, Yale University Press, 1927. pp. xiii, 482.

The main title of the present treatise might induce a prospective reader to ask: what possible interest has a group of obscure islands in the remoter reaches of the South Atlantic to warrant publishing a book of this size about them? The sub-title supplies the answer and the text the effective justification. Broad in knowledge, sound in statement, readable in form, well documented and yielding evidence of the tireless industry that only the seeker after truth can exemplify, the work by Dr. Goebel is a fine tribute to American scholarship.

Even if the author has not elaborated his thesis for the especial edification of moralists, they have as good reason to thank him as have students of history and international law. In it they will find ample demonstration of how preconceived notions become converted into more or less accepted facts, and how futile the law of nations is, when states whose relationships presumptively it defines do not choose to heed its principles. Students of history, on their part, now possess for the first time a reliable account of a famous episode. Those whose concern is international law are enabled to learn what brought it into existence as a department of modern knowledge.

Dr. Goebel certainly has done yeoman service in exposing a number of fallacies. He has shown how grossly the rôle of Spain in international politics during the sixteenth, seventeenth and eighteenth centuries has been misunderstood, and how potent the influence of that country actually was in shaping the rules and practices of the time along legal lines. Over against prevalent ideas, to the effect that international law then had little importance, he proves that quite the reverse was true. Moreover, instead of owing its inception to the theories of jurists and publicists about issues connected wholly with local European affairs, he points out that its modern connotation was an immediate product of economic and political struggles for colonial dominion and the control of the seas. Utilizing new manuscript material and a host of other sources beside, he marshals his evidence in masterly fashion so as to indicate the emergence of the various questions, the course they took and the significance they had for international law and politics.

The proofs Dr. Goebel adduces to sustain his proposition that Great Britain seized and has held the Falkland Islands by an exercise of superior force would seem incontestable. The same may be said of those applicable to the sorry conduct of the United States when, within ten years after the pronouncement of the Monroe Doctrine, it not only allowed that seizure to occur but tacitly admitted then and there the utter falsity of the notion still cherished in many quarters, that the Doctrine was designed primarily to protect Latin-American countries against the powers of Europe.

Discussing the several means by which oversea territory was acquired and access to it gained, the author shows that neither prior discovery nor paper proclamations constituted the real basis of the claims of European nations to lands in the New World or to navigation of the waters by which it was surrounded. What determined the actual right to possession was effective occupation, as defined eventually by international agreement and embodied in the public law of Europe at the time.

Among the factors guiding the entire process a contest for supremacy among interpretations and applications of Roman, feudal and common law relative to a kind of property not falling within the original purview of any of them held the foremost place. Yet of the three, the Roman law provided undoubtedly the most precise and reasonable methods of fixing the rights and obligations of ownership. Upon it Spain relied; and, despite the opposition of other states that strove to make their conceptions of legality prevail on pretexts of feudal or customary law, carried its contention so far substantially as to have it recognized by treaty. That what amounted to an international guarantee of ownership of oversea dependencies and the right to safeguard the approaches thereto should have been ignored by Great Britain in particular among European nations, when commercial and political interests appeared to require such action, does not lessen the distinction won by Spain as the real creator and early promoter of legality in regulating international relationships.

With the general treatment of the theme and with the conclusions reached the reviewer is in entire accord. Just as he commends the scholarship, however, so he might carp a bit at certain minor defects in its apparatus. These he refrains from specifying—on the ground that for the enjoyment of an intellectual repast, no less than a gastronomical one, it is not absolutely needful to place the kitchen utensils before the guest in order that he may examine them for possible cracks, missing spouts or broken handles. The reviewer, therefore contents himself with remarking that a contemporary map of the Falkland region, which would show both the earlier and present names of localities mentioned in the text, would have enhanced its value. He must chide the author, also, for having stressed the

insularity of British ignorance in respect of the Roman law. The ignorance may have been less insular than intentional!

WILLIAM R. SHEPHERD.

*The Law of Evidence—Some Proposals for its Reform.* By Edmund M. Morgan, Zechariah Chafee, Jr., Ralph W. Gifford, Edward W. Hinton, Charles M. Hough, William A. Johnstone, Edson R. Sunderland, and John H. Wigmore. New Haven, Yale University Press, 1927. pp. xxii, 98.

The pages of legal literature are full of expressions to the effect that the common law is a fluid system acutely aware of the ever changing social institutions and mores, and constantly alert to adapt itself to society's new needs. But while few, if any of us, would impeach these eulogies to the common law, we must admit that often, if not invariably, it, being a conservative creature, lags behind the society it serves. Not only does it sometimes lag, but occasionally we find an isolated rule hopelessly mired. It is then that the legislative branch of the government must aid in keeping law and society in perfect balance by reforming these rules. Reform, however, is often an emotional process. This is especially true when there is apparent lack of serviceability of many rules of law, or rather when there is a popular feeling that such lack of serviceability exists. But if emotions are allowed to guide reform it is often carried in the wrong direction. In the present monograph we find an intellectual study of rules that need reformation that will, it is hoped, put reform on a sound basis by giving the solution before there is an emotional demand for a change.

This book of proposals for the reform of the law of evidence, composed of comprehensive and understandable essays written by an eminent array of authorities, is a volume which every lawyer and jurist should read and from which the reader may not help but profit. The appendices alone furnish a convincing array of statistics which bring home the urgent need of the specific reforms which are concretely proposed in the body of the book itself. Certainly the recommendation for the general adoption of a statute giving a trial judge full power to relax stringent rules of evidence to the end of reaching the facts needed to administer justice can permit of no argument. Every trial judge must have realized in an infinite variety of instances the need of such a reform and must have writhed under the restrictions by which he must abide upon pain of reversal. The recommendation for a statute restoring to the trial judge his power to comment upon the weight of evidence has for sometime been recognized in many jurisdictions, notably in the Federal Courts and in Connecticut. Under the practice in the state named a judge may with impunity comment upon the weight of evidence and express his own views thereon to the jury, provided only that he does not neglect to instruct the jury that they are the sole arbiters of the issues of fact and that his comments upon the weight of evidence are not mandatory upon them. The practice in Connecticut and in the Federal Courts in this respect may well be extended to jurisdictions not yet emancipated.

The other enactments which are advised, notably those regarding hearsay as enacted in Massachusetts and the admissibility of business entries, are essential to a more speedy determination of issues to the end of approximating that degree of justice which is too often an unattainable goal because of the lack of such statutes. To comment upon these essays as a whole would require the quotation of most of them in their entirety. They constitute a most valuable guide for future progress. One further comment should be made in regard to these essays—that is the practical

method of testing the proposed reform by the submission of questionnaires, where possible, to members of the bench and bar of states already using the proposed rules and also of those not using them. The results of these are carefully compiled in the four appendices to the volume. In this way is seen the actual social effect of these rules, at least those which have been adopted in some jurisdiction, through the eyes of those most competent to judge. This method should tell us the true social desirability of any rule of law.

These proposals should be followed up, not with a passing word of commendation or of hope, but with an active and determined resolve that these conclusions, reached after so great labor, should be made a working basis for progressive reform. The difficulty is to bring this about. It can only be done by the active cooperation of the members of the bar, particularly those who hold positions in our legislative bodies and who are willing to risk a little for the sake of progress. The book should be widely read and thoughtfully digested by each reader for himself. A review can do no more than to commend the suggestions for reform and leave the reviewer to his prayers that some day in the not too far distant future progress may result therefrom.

ELBERT B. HAMLIN.

*Main Street and Wall Street.* By William Z. Ripley. Boston: Little, Brown & Co., 1927. pp. vii, 359.

Seldom, if ever, has the appearance of a book within the general field of applied economics, created such a stir in the American world of affairs, as has the appearance of Professor Ripley's volume entitled "Main Street and Wall Street." It has provoked both favorable comment and stout criticism. The reading public has been prepared to receive the book with enthusiasm upon its issuance because of the previous appearance in the "Atlantic Monthly" of certain articles which here have been included and which attracted more than usual attention at the time they originally were published.

The wide-spread interest in the work before us is due, of course, to several reasons, of which only two will be mentioned. First, it would be difficult to find an American author more competent to speak with authority on corporate financial matters than Professor Ripley; second, the manner of presenting the subject under consideration—a subject usually considered more or less prosaic—has here been made highly interesting, both for the business expert and the general reader. No well-informed student of the subject would think of laying down the book without reading it from cover to cover at one session. Certain outstanding practices in corporate organization, expansion, and government, peculiar, not to all enterprises, of course, but to certain specific ones, are the central theme of the story. As an appropriate setting for the discussion, there is given an introductory chapter entitled "Before the War: How Things Looked Then," being an address by the late Woodrow Wilson before the American Bar Association in 1910. In a personal note at the beginning of the volume, Mr. Ripley indicates the outstanding purpose of the work when he says:

"This book is not a treatise on economics; nor is it a handy manual for investors. It purports to go deeper than that, down toward the root of things. It is partly the expression of a lifelong aspiration to promote a greater equality of opportunity among men—a more even chance at getting a living all round, and a fairer show at conserving the fruits of such activity thereafter. Only thus can there be any real pleasure in work and in thrift in the world. And it is upon the reasonable exercise of these virtues that our American democratic polity must depend for its perpetuation. It

should be a prime function of government to stimulate and in every way to protect the manifestation of these basic instincts. Property should never be allowed to degenerate into an instrument of oppression. Its only justification in a free state is that it shall contribute to such an equality of opportunity for all members of the community alike, that each one shall be more able to take care of and to make the best of himself."

For all would-be investors in American business enterprises, for students of economics, for prospective business executives, for those already engaged in business, for the intelligent American public and for the lawyer who serves all these the book should bear a message provocative of careful thought and suggestive of further study.

AVARD L. BISHOP.

*Gedächtnisschrift für Emil Seckel.* Von Erich Genzmer, Richard Grau, Walter Grau, Georg Hamburger, Josef Juncker, Ernst Levy, Fritz Schulz. Berlin, Julius Springer, 1927. pp. 494.

This volume contains seven studies, written by former students, in memory of Professor Seckel, of the University of Berlin. Four have an historical character. The first of these is by Professor Genzmer of the University of Königsberg and is entitled "Quare Glossatorum." This contribution consists of two specimens of the "quare" literature of the time of the Glossators—the "Quare Bambergensia" and the "Quare Chisiana," which are preceded by an account of this literature taken substantially from Professor Seckel's unpublished writings. The second, by Professor Schulz, of the University of Bonn, deals with the subject of "Mistake in the Law of Wills." The third, by Professor Levy of the University of Freiburg, discusses the subject of "Absence [without being heard of for some time] (Verschollenheit) and its Effect upon Marriage in Roman Law." The fourth, by Dr. Josef Juncker, is on "Liability and the Legis Actio in the Old Roman Law of Procedure." The remaining studies are by Berlin attorneys. Dr. Hamburger discusses under the title of "Die Organgesellschaft" the subject of commercial associations controlled by other groups, such as Kartels, etc.; Dr. Walter Grau the subject of "Connected Legal Transaction," and Dr. Richard Grau, the subject of "Dictatorship and the German Constitution."

The large variety of topics contained in this volume makes it impractical to give even a summary of their contents, and impossible to undertake their critical discussion. While the studies will make their appeal to different classes of students, the consensus of opinion will no doubt be that each of them is a worthy contribution to the memory of the great master whom they seek to honor.

*The General Welfare Clause.* By James Francis Lawson. Washington, Published by the Author, 1926. pp. 388.

This is an acute and able brief in behalf of a lost cause. With a careful analysis of cases and authorities the author contends that the "general welfare" clause in Article I, section 8 of The Constitution of the United States constitutes "a general grant of unlimited power to be utilized by Congress in its own discretion for the common defense and general welfare of the United States." In other words, the framers of the Constitution of 1787 and the states in ratifying that constitution created a central government with unlimited power. In support of this theory the author brings a vast accumulation of judicial and historical data. And in each case he finds a basis convincing to himself for the rejection of arguments leading to the contrary result. Yet the reader, while impressed with the author's ability and ingenuity, is likely to rise from the reading of the book with