Book Review: Annual Survey of American Law

Edwin Borchard

Yale Law School
Incidentally, this is not "history for the tired business man." It is closely written and the going is often hard. A critical bibliography, in place of the alphabetical list of sources and authorities, would have been welcomed by this reviewer. But these observations are somewhat picayune against the impressive amount of scholarship, the sound organization of material, and the significant interpretations which characterize the work as a whole.

ROLLIN G. OSTERWEIS†


DEAN, now Judge Arthur T. Vanderbilt, and his colleagues of the New York University School of Law, have again placed the legal profession under great obligations. The 1946 Survey of American Law, an immense book, called upon many specialists to make up the volume. It is appropriately dedicated to the men primarily responsible for the Reorganization Act of August 1946. Though this is not meant as a criticism, in his preface Dean Vanderbilt might have called attention to the fact that the Federal Tort Claims Bill, more revolutionary in many respects than the other parts of the Reorganization Act, was included.

For the most part the contributions come from the same contributors to which we have become accustomed, but there are some new sections and some new contributors. We would designate for special commendation the table of cases, the statutes discussed, and the index. This is the kind of work which requires the utmost skill and thought and rarely receives the commendation it deserves. Like much work in this world, it appears anonymously, but hours must have been devoted to this service. We are glad to see the restoration of the discussion of Civil Remedies and Procedure by Professor Alison Reppy. This is one of the best chapters in the book. In connection with the use of the declaratory judgment in Colegrove v. Green, the reviewer, who was of counsel, was unaware of the fact that the Supreme Court had indicated that the Declaratory Judgments Act "was not then in effect." Attention may be called to the fact that the Illinois legislature did, as a result of Judge Evans' criticism, redistrict the state shortly after the Supreme Court decision. Professor Colegrove, therefore, actually may be regarded as the victor in the case, though officially he appears as a loser.

There is so much of value in this volume for the G.I. who lost several years, as well as for the rest of the profession, that it would be stultifying to

† Research Assistant in History, with the rank of assistant professor, Yale University.

name any chapter as superior to any other. They all invoke court decisions, statutes, and periodical articles. They are written in lively form, so that the reading is facilitated. The reader may question whether the first chapter on International Law does not contain more politics than law, but the information given is in useful form, which is much to be appreciated. Judge Vanderbilt is to be congratulated on assembling so competent a staff. Having reviewed the earlier volumes, the writer is struck by the enormous amount of work that must have gone into these volumes. If none of the contributors ever did anything else, they will have more than justified their professional standing by what they have already accomplished.

EDWIN BORCHARD†

† Justus S. Hotchkiss Professor of Law, Yale Law School.