


1970

## Books Received

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## BOOKS RECEIVED

ANATOMY OF A TRIAL—By Alan E. Morrill, Chicago: Commerce Clearing House, Inc., 1968. PP XII, 236, \$8.50. This is a book by a practical lawyer which gives a step-by-step treatment of the conduction of a trial. The use of psychology in jury persuasion and the examination of witnesses is given special emphasis. The author openly discusses the techniques he has learned and perfected. An excellent “how to do it” book, equally valuable for the law student or practicing attorney.

BRADY ON BANK CHECKS, Fourth Edition—By Henry J. Bailey, Boston: Warren, Gorham and Lamont, Inc., 1969. PP XII, 632, \$32.50. The fourth edition of this standard work was made necessary by the enactment of the Uniform Commercial Code in virtually all American jurisdictions. The discussion centers on the Uniform Commercial Code and pre-Code law is given much less emphasis. By this time there have been a number of court decisions involving application of this Code. Such decisions affecting bank checks are included in the footnotes of this edition.

CIVIL RIGHTS AND RESPONSIBILITIES UNDER THE CONSTITUTION—By Sidney H. Asch, New York: ARCO Publishing Company, Inc., 1968. PP 224, \$4.95. Judge Asch examines the Constitution and discusses the manner in which the Supreme Court interprets and molds constitutional law to meet the changes in our society. Included are discussions of recent controversial Supreme Court decisions and other subjects of current legal and ethical interest.

THE DARTMOUTH COLLEGE CASE AND THE PUBLIC—PRIVATE PENUMBRA—By Henry J. Friendly, Austin: The University of Texas at Austin, 1969. PP 41. This lecture by Judge Friendly, honoring the sesquicentennial of Webster’s famous argument before the Supreme Court in *The Dartmouth College Case*, explores constitutional problems relating to “state action” in the light of recent changes in our society.

DECISIONS OF THE UNITED STATES SUPREME COURT—1967-68 TERM—By Editorial Staff, Lawyer’s Edition, Rochester: Lawyer’s Co-operative Publishing Co. 1968. PP XXXV, 412, \$9.95. Contains sketches of the Court’s personnel, a brief survey of the term, and summaries of each decision for which a written opinion was issued.

**DISCRETIONARY JUSTICE, A PRELIMINARY INQUIRY**—By Kenneth Culp Davis, Baton Rouge: Louisiana State University Press, 1969. PP XII, 233, \$8.50. Professor Davis says that all levels of American government—federal, state and local—are given unnecessary discretionary power. Justice for individual parties is administered outside the courts, rather than in them. In this book he advances concrete proposals for reform by eliminating excessive discretionary powers and developing better ways of confining and holding them in check.

**STUDY OF THE DIVISION OF JURISDICTION BETWEEN STATE AND FEDERAL COURTS**—American Law Institute, 1969. PP XIX, 587, \$20.00. A final draft of a new A.L.I. study of federal jurisdiction covering diversity, federal questions, three judge courts, procedures for removal, admiralty and maritime jurisdiction, exclusions from federal jurisdiction, and miscellaneous statutory changes. Previously issued in Tentative Draft form.

**FEDERAL PRACTICE AND PROCEDURE**—By Charles Alan Wright and Arthur R. Miller, St. Paul: West Publishing Co., 1969. 5 volumes issued to date, \$20.00 per volume. This new treatise, which will eventually replace Barron and Holtzoff, provides an up-to-date work with thorough coverage of the many amendments to, and changes in, Federal Rules, as well as judicial developments that have occurred during the past ten years. The text and notes in the new volumes provide extremely complete coverage of the cases construing the Federal Rules and emphasize the practical needs of the lawyer.

**FRANCHISING**—By Gladys Glickman, New York: Matthew Bender & Co., 1969. PP XLIV, 546, \$42.50. This is volume 15 of Matthew Bender's series on Business Organizations. Franchising is perhaps the fastest growing method of doing business. This book deals with the nature of the franchise relationship, the franchisor's problems, the franchise agreement, and the franchisee's problems. It is written in easy to understand language and seems to be a publication that fills an important gap in a field that has not received extensive legal treatment.

**INTERROGATORIES AND DEPOSITIONS IN VIRGINIA**—By William Hamilton Bryson, Charlottesville. The Michie Company, 1969. PP XI, 238, \$15.00. Professor T. Munford Boyd of the University of Virginia Law School says in the Foreword: "The purpose of this book is to give the reader a familiarity with the historical development of the two most

commonly used devices of discovery in modern procedure, namely interrogatories and depositions, and to discuss their availability and limitations today. No current book delineates with the scrupulous care of Mr. Bryson the history of the development of these two discovery processes through the centuries. Therefore, the book deserves a place in every legal library."

**THE INSANITY DEFENSE**—By Abraham S. Goldstein, New Haven: Yale University Press, 1967. PP 289, \$6.00. This book attempts to condense and reshape all information on insanity as a defense. Making his examination in the context of the entire trial process, the author asks what relation the legal rules bear to those aspects of the trial which give them detailed content; whether evidence of mental disorder will be admitted; how freely experts may testify; whether the defendant's case will be sufficient for the judge to allow the jury to pass on it; and how jurors are to be instructed about the defense. This is a book that will appeal to laymen as well as lawyers.

**THE LAW OF COPYRIGHT UNDER THE UNIVERSAL CONVENTION**, Third Revised Edition—By Arpad Bogsch, New York: R. R. Bowker Co., 1968. PP XXXVI, 696, \$25.00. This volume consists of two parts. The first is an analysis and commentary of the Universal Copyright Convention with each of the twenty-one Articles and the three Protocols analyzed separately, with the everyday application to the Convention illustrated by examples. The second part is divided into as many chapters as there are countries party to the Universal Copyright Convention, with each chapter consisting of an exposition of the law of copyright of the country commented upon.

**LAW AND POVERTY, CASES AND MATERIALS**—By Paul M. Dodyk, General Editor and Michael I. Sovern, Curtis J. Berger, William F. Young, Jr., and Monrad G. Paulsen, St. Paul: West Publishing Co., 1969. PP XXIV, 1234, \$14.00. The editors have attempted to pool their varying experiences and insights concerning certain areas of poverty law. Special attention is given to income maintenance, racial discrimination, housing, credit, and other selected problems.

**PRINCIPLES OF PUBLIC UTILITY REGULATION**—By A.J.G. Priest, Charlottesville: The Michie Company, 1969. In two volumes. PP XXX, 936. Prepublication price \$50.00. This work examines basic theories, con-

siders major decisions and indicates trends relating to the regulation of public utilities. Judge E. Barrett Prettyman of the U.S. Court of Appeals, District of Columbia Circuit, says that it is designed to be the classic in its field and praises it for its scholarship and readability.

**PUBLIC SCHOOL LAW, CASES AND MATERIALS**—By Kern Alexander, Ray Corns, and Walter McCann, St. Paul: West Publishing Company, 1969. PP XXII, 734, \$12.50. This book presents cases and materials which will provide persons interested in public school administration with an in-depth examination of the problems concerning the law and public education. Virtually all aspects of public school law are covered. The book is written in such a manner that it will be very helpful to public school teachers and administrators, as well as to law students and lawyers.

**THE ROAD FROM RUNNYMEADE**—By A. E. Dick Howard, Charlottesville: The University Press of Virginia, 1968. PP XV, 533, \$10.00. A study of Magna Carta and Constitutionalism in America. In the foreword Parker of Waddington, Lord Chief Justice of England says of this book, "Today as in the reign of King John, as in the days of the Stuarts, as in the time of the American Revolution, Magna Carta serves as a constant reminder of the dangers of arbitrary government. It remains an example of those countries, Britain and the United States foremost among them, in whose constitutional development it has been so influential. It serves too as a signpost to the nations of the world, a reminder of what can be when ruler and ruled are able to live under a rule of law. Accordingly, I have no hesitation in recommending this book by Professor Howard to all who have the liberty of the subject or the citizen at heart. It is a scholarly contribution to the study of American constitutional law and of the lasting significance of Magna Carta in the world today."

**SELECTIVE SERVICE LAW REPORTER**, a project of the Public Law Education Institute, Michael E. Tigar, Editor in Chief, 2 volumes, 1968-69, \$85.00 (\$50.00 for renewals). This service covers statutory material, regulations, recent decisions, articles and comments, and other materials relating to the Selective Service System. It is in looseleaf form and is kept up to date by revised pages issued from time to time.

**THE STATUTES AT LARGE**—Being a collection of all the laws of Vir-

ginia from the first session of the Legislature in the year 1619—13 volumes. Compiled by William Waller Hening. Facsimile reprint published in 1969 for the Jamestown Foundation of the Commonwealth of Virginia by the University Press of Virginia, Charlottesville, Virginia. \$175.00.

STUDENT PROTEST AND THE LAW—Edited by Grace W. Holmes, Ann Arbor: The Institute of Continuing Legal Education, 1969. PP 403, \$12.50. This book consists of an edited transcript of a National Conference on Law and Student Protest held in Ann Arbor in May, 1969, and of useful supporting documents such as pleadings, injunctive orders, judicial guidelines, and student codes. It should be very helpful to educators and lawyers—and all others interested in our educational system—in understanding the role of the law in matters of student protest.

THE WHEELS, THE STATE OF CONNECTICUT vs. PATRICK G. FINNO—By William W. Wilbourne, New York: The Macmillan Company, 1969. PP XIII, 366, \$7.95. A defense lawyer lays bare the intricacies and maneuverings of modern American criminal procedure in an unvarnished account of the arrest and trial of a man charged with murder.