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Review of The Constitution and What It Means Today by Edward S. Corwin

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THE CONSTITUTION AND WHAT IT MEANS TODAY. By Edward S. Corwin. New Jersey: Princeton University Press. 1930.

This is the fourth edition of a small and practical volume intended not so much for law students as for the information of the general public. Professor Corwin has made no attempt to exhaust the interpretation of the sections of the Federal Constitution, he has rather given a readable and workable annotation of that document beginning with Article 1 and following through to the end of the amendments.

Students of Constitutional Law will find this book helpful in pursuing the study of the Constitution in its natural sequence, a procedure that is well-nigh impossible in the ordinary law courses dealing with the subject of Constitutional Law. The book is interesting to those who are not familiar with the fact that the Federal Constitution today is very largely what the Supreme Court throughout the history of the United States has construed it to be. The language of the document itself cannot any longer be taken at its face value, and it is necessary therefore, even for the average man, to have some concept of what "the supreme law of the land" has been construed to be. Professor Corwin's little book does this very effectively.

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CASES ON TORTS. By Francis H. Bohlen. Third Edition. Indianapolis: The Bobbs-Merrill Co. 1930.

Seldom has any field of instruction so definite a need for a new case book as that which has awaited Professor Bohlen's third edition of "Cases on Torts." The overwhelming number of case books on Torts bore witness to the general dissatisfaction on the part of the teaching profession with the selection and arrangement of the material on this subject.

The subjects of "negligence" and "legal cause" have given rise to the most difficulty. Then there has been the question as to whether there should be the historical approach. In his new edition Professor Bohlen has achieved outstanding success in the arrangement of the material on these subjects. On the subject of "negligence" the Editor has rearranged the cases which he retained from the second edition and has included several more recent cases including the important decision, prepared by Chief Justice Cardozo, in the *Palsgraf* case. A new method of approach, one more in keeping with that in the Restatement of the Law of Torts, is used. Likewise, the subject of "legal cause" has undergone the deleting, the inclusion, and the rearrangement processes. The subject has been outlined in a manner different from that in the second edition. The new arrangement is more in accord with modern juristic thinking than with judicial terminology.

A few cases previously scattered have been brought together with the new case of *Filippone v. Reisenburger* to constitute an opening chapter on "Volition."

Several recent cases have been included in order to present more adequately the development of the subject since the preparation of the second edition. Professor Bohlen seems to have placed more emphasis on the historical development of the law of Torts than he did in the second edition. There is a separate chapter dealing with the "Transition from Liability without Fault to Liability Based on Moral or Social Misconduct." The question of liability without fault has thus been removed from the chapter on Battery. Reference might also be made to the case of *Davies v. Mann* at the beginning of the chapter devoted to the "Last Clear Chance Doctrine."

There has been a rearrangement of the material on the subject of duties of "Vendors, Manufacturers, and Contractors." The recent decision of *Flies v. Fox Bros. Buick Co.*, a decision dealing with the development of the law, has been added. The new arrangement is more satisfactory than that in the second edition, and it follows closely the analysis of this subject in the Tentative Restatement.