



1-1-1967

Book Review

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Recommended Citation

Charles S. Desmond, *Book Review*, 42 Notre Dame L. Rev. 984 (1967).

Available at: <http://scholarship.law.nd.edu/ndlr/vol42/iss6/13>

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BOOK REVIEW

- FREEDOM OF THE PRESS AND FAIR TRIAL. By the Special Committee on Radio, Television, and the Administration of Justice of the Association of the Bar of the City of New York. Judge Harold R. Medina, Chairman. New York: Columbia University Press. 1967. Pp. xiv, 99. \$3.75.
- FREE PRESS AND FAIR TRIAL. By the American Newspaper Publishers Association's Special Committee on Free Press and Fair Trial. New York: American Newspaper Publishers Association. 1967. Pp. xi, 143. \$2.00.
- JUSTICE AND THE PRESS. By John Lofton. Boston: Beacon Press. 1966. Pp. xiv, 462. \$5.95.
- RADIO, TELEVISION AND THE ADMINISTRATION OF JUSTICE. By the Special Committee on Radio, Television, and the Administration of Justice of the Association of the Bar of the City of New York. Judge Harold R. Medina, Chairman. New York: Columbia University Press. 1965. Pp. xii, 321. \$7.45.

As long as there are crimes and courts, the bar and the press will dispute the relative priorities of the right to publicize crime as against a defendant's right to a fair trial unaffected by prior disclosures.

The Supreme Court's reversals in the *Estes*¹ and *Sheppard*² cases as a stage in the continuing efforts to civilize American prosecution procedures have stirred up new interest in the old, old "free speech versus fair trial" debate. Each of the four publications here under review adds to or at least points up the general picture, but little emerges in the way of solutions. Let us first peruse the two City Bar Association reports presented by the Committee chaired by the timeless and tireless Judge Medina. The first Committee report, which appeared in 1965, monitored and described a number of newscasts dealing with crime, most of the newscasts having been based on information furnished by prosecutors and police; also described were some "special programs" purporting to expose some particular forms of wrongdoing. The most offensive (but atypical) of these newscasts included interviews with, and pictures of, suspects. In some instances radio and television personnel themselves set out to investigate crimes; and in these cases, their discoveries received, of course, maximum and most dramatic coverage. Taken as a whole, the Committee's well-written report attempted little in the way of conclusions or suggestions, but described some current radio and television practices and cited and quoted court decisions, canons of ethics, and federal and state court rules and statutes.

In 1967, Judge Medina's City Bar Committee produced its "Final Report," which unlike the interim product covered newspapers as well as the other media and added conclusions and suggestions. Pointing out that the abusive practices resulting from the publicity given court proceedings have increased with modern improvements in communications, the Committee recommends generally that there be "appropriate controls of the lawyers and the law enforce-

1 *Estes v. Texas*, 1 381 U.S. 532 (1965).

2 *Sheppard v. Maxwell*, 384 U.S. 333 (1966).

ment officials, under the auspices of the lawyers and the police themselves, more positive and effective action by the courts and the judges, and a larger measure of self-restraint by the news media."³ The Committee shows up the weakness of present Canon 20 and lists the unsuccessful efforts made nationally and in several states to clarify and strengthen it. The Committee's own preference is for a revision of Canon 20 to label as unprofessional conduct practically all pre-trial statements by any lawyer as to any pending litigation, civil or criminal, particularly any disclosure regarding the alleged merits, confessions, or the names of probable witnesses and their expected testimony, etc. Similarly as to the police, the report proposes a code forbidding any release before trial of any information about a defendant's prior record or statements made by him, and forbids any photographing or interviewing of a suspect by the media. Turning to the courts, the Medina Committee gives us an instructive description of efforts (some obviously unconstitutional) made by some judges to control the police and the newsmen. Apparently disagreeing with the American Bar Association's Reardon Report, this City Bar group, while recognizing the need for restricting prior statements that affect the fairness of trials, nonetheless concludes that court rules and contempt procedures are of dubious value and often beyond the powers of the courts. Conceding the truth of the news media's assertions that most prejudicial publicity emanates from law enforcement agencies, this second report of Judge Medina's able and distinguished Committee expresses optimism and finds a growing awareness among judges, lawyers, police, and news gatherers, as well as in the general community, of the real danger and unfairness of pre-trial publicity.

The report of the ABA's "Reardon Committee," released in late 1966, recommends a prohibition by professional Canon, against a lawyer's releasing to the press any information reasonably likely to interfere with a fair trial, especially information about a defendant's character, reputation, or prior criminal record, or relating to any confession or refusal to take any test. The lawyers would be able to comment during the trial only on matters of public record. Violations would be punished by reprimand, suspension, disbarment, or contempt proceedings. The police, too, would be subjected to similar limitations by court order or departmental rules. Contempt powers should be used, the ABA Committee recommends, against anyone, including a reporter who disseminates during a trial anything beyond the public court record of the trial, if the statement is calculated to and likely to affect the outcome of the trial. The constitutionality of such a use of contempt jurisdiction is doubtful.⁴

Mr. Lofton is a journalist. His book is a valuable one, giving us the history of the question all the way from ancient Greece and Rome, through Europe during the Reformation, then through England's experience from the time of the first use of the printing press, and finally to the American record, Colonial and modern. The Zenger case, the Crowell case, the Anti-Sedition Laws, the

3 SPECIAL COMMITTEE ON RADIO, TELEVISION, AND THE ADMINISTRATION OF JUSTICE OF THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, FREEDOM OF THE PRESS AND FAIR TRIAL.

4 See *Craig v. Harney*, 331 U.S. 367 (1947); *Pennekamp v. Florida*, 328 U.S. 331 (1946).

Civil War hysteria, the repressions of World Wars I and II — all are described accurately and entertainingly. Coming down to modern times and anti-Communism, the author concludes that “even today freedom of speech enjoys no impregnable protection”⁵ and that “the verbal guarantee of the First Amendment cannot prevent weapons that still exist from being used to stringently curb the press.”⁶ The right of the press is still in danger, he thinks, from official wielders of power who are only restrained by the courts, which, with their juries, are sometimes “swept along by the tide of public opinion.”⁷

Author Lofton, hailing the press as a defender of the embattled right of freedom of the press, concedes that the press itself sometimes exhibits a paradoxical blindness to its own attacks on another and older right, the right of a defendant to a fair trial. This observation serves as an introduction to Mr. Lofton’s able and reasonably thorough examination of the history of criminal trials and the emergence and application of constitutional guarantees as to arrest, seizure, confessions, right to counsel, bail, preliminary hearing, speedy and public jury trial, confrontation of witnesses, and protection against illegal evidence, self-incrimination, double jeopardy, etc.

The rest of the book treats of press influence and press injustice and the responsibility of press, bar, and bench for preserving the fair trial. American press practices, old and new, are described, including some as old as 1833 and as recent as Jack Ruby’s trial in Dallas. Many, many instances of prejudicial reporting are cited; but this reviewer, from long if limited experience, refuses to believe that they are typical. Finally, the author expresses optimism, sees a slow rise in standards of journalism and a belated elevation of standards of criminal justice, and calls for more civilized treatment of crime victims as well as convicted defendants, and a more real application of the presumption of innocence, especially when the accused is poor. There are several appendices, including joint statements of bar and press; guides for bar and media; policy statements by bar associations; statements by newspaper, radio, and television spokesmen; the FBI’s rules for its personnel; a copy of Justice Black’s *Sheppard* opinion; numerous footnotes; and an adequate index.

The last of our publications, the pamphlet *Free Press and Fair Trial* issued earlier this year by the American Newspaper Publishers Association, takes, as one might expect, a totally different position. Essentially it is a comparatively short report of a special committee of the Association plus a historical survey of the problem with a good list of court decisions; discussions of the *Estes* and *Sheppard* decisions; and a review of proposed codes, guidelines, etc. This Committee concluded that there was no real conflict between the first amendment, which guarantees a free press, and the sixth amendment, which guarantees a speedy and public trial by an impartial jury. It was the Committee’s opinion that the bar’s charge that defendants are prejudiced by publicity is based on conjecture and not on fact, and that the rights of the public and the right of freedom of the press forbid prior restraint and demand the un-

5 LOFTON, JUSTICE AND THE PRESS 36 (1966).

6 *Ibid.*

7 *Ibid.*

inhibited access of the public to information. The publishers are of the opinion that there is great danger to the public in the restriction or censorship of news, that the press is a positive influence in assuring a fair trial, that rare and isolated cases of unfairness should not call for censorship, and that rules and orders of courts and codes usually amount to a cutting down or bargaining away of the public's fundamental right to a free press.

This reviewer is bound to say that he thinks the publishers have somewhat the better of the argument. Any agreement by bar representatives and media representatives that limits the flow of information to the people is an unjustifiable and harmful restriction of the public's rights. This does not leave us without remedy for the occasional glaring incidents of improper and possibly prejudicial pretrial publicity in criminal cases. The bar should be more vigorous in enforcing against its own members' standards of conduct, particularly as to pretrial announcements. The press, and radio and television too, should exercise self-restraint. There has been an improvement all along the line, and decisions like *Estes* and *Sheppard* will certainly help. But it is inconsistent with one of the central American ideas of government that news of public affairs like court proceedings should be precensored either by press-bar agreements or by court orders or rules. Particularly obnoxious is the use of the court's contempt powers for these purposes.

Historically every effort to curtail freedom of the press has been unsuccessful. The American Constitutional Founders considered this right inviolable; but well before our Bill of Rights went into effect, the states themselves provided for press freedom. In our democracy the people are the sovereigns and it is the moral duty of newspapers to keep them informed. Whatever occurs in the courtroom is public property and should be known. Edmund Burke wrote that where mystery begins, justice ends. In truth this whole matter is one of common sense and decency, not law, since bad taste cannot be controlled by law. It is the right and duty of the courts during the course of criminal proceedings to preserve decorum and prevent the disruption of trials. But among the first of our liberties are the freedoms to know, speak and publish; and however unfortunate and distasteful the excesses of the public media and of lawyers may seem, any judicial censorship of the press or any press-bar agreement to such censorship is intolerable in the free society in which we live.

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BOOKS RECEIVED

- AMERICAN CONSTITUTIONAL LAW: HISTORICAL ESSAYS.** Edited by Leonard W. Levy. These essays, written primarily by professors, are in the main reprinted from law reviews. New York: Harper & Row. 1966. Pp. 247. \$2.45 (paperback).
- THE BIG BLUE LINE.** By Ed Cray, director of publications for the American Civil Liberties Union of Southern California. A study of police malpractices. New York: Coward-McCann. 1967. Pp. 250. \$5.95.
- THE CASE FOR LIBERTY.** By Helen Hill Miller. Colonial trials that shaped the American Bill of Rights. Chapel Hill: The University of North Carolina Press. 1965. Pp. xvi, 254. \$1.95 (paperback).
- CENTER OF THE STORM: MEMOIRS OF JOHN T. SCOPES.** By John T. Scopes and James Presley. The defendant in the evolution trial tells his story. New York: Holt, Rinehart and Winston. Pp. vi, 277. 1967. \$5.95.
- CIVIL LIBERTIES IN AMERICA.** By Esther C. Sweet. A collection of civil liberties case materials. Princeton: D. Van Nostrand Company. 1966. Pp. xii, 352. \$3.95 (paperback).
- THE COMMON MARKET AND COMMON LAW.** By John Temple Lang. Legal aspects of foreign investment and economic integration in the European Community, with Ireland as a prototype. Chicago: University of Chicago Press. 1966. Pp. xxxvii, 573. \$12.50.
- THE COMMON MARKET'S LABOR PROGRAMS.** By Mark J. Fitzgerald, Professor of Economics, University of Notre Dame. An examination of changes in the social and economic structures of the Market's participating countries. Notre Dame: University of Notre Dame Press. 1966. Pp. xii, 256. \$6.95.
- THE COMPLETE ESTATE PLANNING GUIDE.** By Robert Brosterman. The author emphasizes the proper creation of an estate as well as its transfer. New York: McGraw-Hill. 1966. Pp. x, 350. \$.95 (paperback).
- CONGRESS AND THE CONSTITUTION: A STUDY OF RESPONSIBILITY.** By Donald G. Morgan, Professor of Political Science, Mount Holyoke College. The thesis of the book is that every member of Congress has the responsibility to study the constitutionality as well as the wisdom of legislative proposals before the Congress. Cambridge: Belknap. 1966. Pp. xv, 490. \$8.95.
- THE COST OF THE AMERICAN JUDICIAL SYSTEM.** By James T. Brennan, Assistant Professor of Law, Syracuse University. The author criticizes the expense of our present system and recommends changes. West Haven: Professional Library Press. Pp. vii, 150. 1966. \$3.50 (paperback).

- C.P.A. LAW REVIEW: UNDER THE UNIFORM COMMERCIAL CODE. By Joseph L. Frasca, Professor of Business Law, University of Colorado. In addition to the author's text, the book includes the UCC and other statutes, and previous C.P.A. law examination questions with model answers. Homewood: Richard D. Irwin. 1966. Pp. xvii, 1250. \$16.00.
- CRIME AND THE PENAL SYSTEM. By Howard Jones, Senior Lecturer in Sociology, University of Leicester. Deals with the causes and treatment of crime, together with methods of prevention and penal reform. London: University Tutorial Press. 1965. Pp. vii, 302. 26s.
- CRIMINAL COURT. By Winston Lyon. Fiction in an original Pocket Book edition. New York: Pocket Books. 1966. Pp. 186. \$.50 (paperback).
- CUSTOMS AND PRACTICES OF NOTARIES PUBLIC AND DIGEST OF NOTARY LAWS IN THE UNITED STATES. By Raymond C. Rothman, President of the California and National Notary Associations. Explains the purpose and role of Notaries and summarizes the controlling state laws. Woodland Hills: National Notary Association. 1966. Pp. viii, 157. \$2.95, members of NNA \$1.95 (paperback).
- DECISIONS OF THE UNITED STATES SUPREME COURT: 1965-66 TERM. By the Editorial Staff, United States Supreme Court Reports, Lawyer's Edition. Each decision of the Court in which a written opinion was issued is summarized. Rochester: The Lawyer Co-operative Publishing Company. 1966. Pp. xxxii, 338. \$6.50.
- DEVELOPMENT OF FEDERAL LEGISLATION FOR VOCATIONAL EDUCATION. By Layton Hawkins, Charles Prosser, and John Wright. Compiled by J. Chester Swanson from the authors' 1951 book. Additional material covering legislation from 1947 to the present added by the compiler. Chicago: American Technical Society. 1966. Pp. 120. \$3.00.
- ESSAYS ON PRIVATE LAW: FOREIGN LAW AND FOREIGN JUDGMENTS. By Ian F. G. Baxter, Professor of Law, University of Toronto. Essays analyzing and criticizing existing conflict of laws principles with recommendations for reform. Toronto: University of Toronto. 1966. Pp. vi, 210. \$8.50.
- EXAMINATION OF WITNESSES. Edited by Louis Harolds, Joseph Kelner, and Jacob Fuchsberg. A compilation of the techniques of 25 leading attorneys, demonstrating varying approaches that may be used in the examination of witnesses, primarily from the plaintiff's point of view, in personal injury cases. Boston: American Trial Lawyers Association. 1965. Pp. 569. \$15.00.
- FEDERAL INCOME TAXATION OF CORPORATIONS AND SHAREHOLDERS. By Boris Bittker, Professor of Law, Yale University, and James S. Eustice, Professor of Law, New York University. A revision of Professor Bittker's 1959 first edition. Hamden: Federal Tax Press. 1966. Pp. xvi, 774. \$25.00.

- FREEDOM OF THE PRESS AND FAIR TRIAL.** By the Special Committee on Radio, Television, and the Administration of Justice of the Association of the Bar of the City of New York. Judge Harold R. Medina, Chairman. Believing that direct control of the news media by a governmental scheme of legislative or judicial regulation is unsound, the Committee recommends self-regulation by the judicial system. New York: Columbia University Press. 1967. Pp. xiv, 99. \$3.75.
- FREE PRESS AND FAIR TRIAL.** By Donald M. Gillmore, Associate Professor at the School of Journalism and Mass Communications, University of Minnesota. Particular attention is given to court decisions that have considered the balance between bar and press. Washington: Public Affairs Press. 1966. Pp. vi, 254. \$6.00.
- HIGHER EDUCATION & TAX-MOTIVATED GIVING.** By Richard L. Desmond. A study of the federal tax developments that have influenced the growth and use of life income gifts as a means of educational gift support. Washington: The American College Public Relations Association. 1967. Pp. v, 89. \$3.50 (paperback).
- HOW TO AVOID OVERPAYING TAXES.** By Taxsavvers Associates. Twenty tax schedules designed to assist the layman. Palo Alto: Pacific Books. 1966. \$2.95 (paperback).
- THE INTRUDERS: THE INVASION OF PRIVACY BY GOVERNMENT AND INDUSTRY.** By Senator Edward V. Long, foreword by Vice President Hubert H. Humphrey. Wiretapping, bugging, and other forms of surveillance made possible by recent technological discoveries are the primary subjects. New York: Frederick A. Praeger. 1966. Pp. viii, 230. \$5.95.
- JURISPRUDENCE: READING AND CASES.** By Mark R. MacGuigan, Faculty of Law, University of Toronto. The book is composed of five chapters, each containing a series of cases that courts have decided according to a particular jurisprudential insight, followed by a series of readings that present the same insight from a more abstract and general point of view. Toronto: University of Toronto. 1966. Pp. xx, 666. \$20.00.
- JUSTICES BLACK AND FRANKFURTER: CONFLICT IN THE COURT.** By Wallace Mendelson. Cases before the Supreme Court generally involve conflicts between highly commendable principles—and yet the Justices must choose between the principles. The book explores this task of the jurist by focusing on two men who represent differing traditions in American jurisprudence. Chicago: University of Chicago Press. 1966. (2d ed.) Pp. x, 153. \$5.00.
- THE LABOR-MANAGEMENT ASSEMBLY: A PROPOSAL.** By Leona S. Trotter and Richard G. Trotter. The authors present a new procedure for settling national emergency disputes. Trenton: Rechley Publishers. 1966. Pp. v, 270. (Paperback).

- LAW AND THE BALANCE OF POWER: THE AUTOMOBILE MANUFACTURERS AND THEIR DEALERS.** By Stewart Macaulay, Professor of Law, University of Wisconsin Law School. A description of the automobile dealers' attempts to find a legal remedy for what they consider unfair practices of the manufacturers. New York: The Russell Sage Foundation. 1966. Pp. xix, 224. \$5.00.
- LAWYERS' ETHICS: A SURVEY OF THE NEW YORK CITY BAR.** By Jerome E. Carlin. An analysis of the conditions affecting the capacity of metropolitan lawyers to meet their ethical obligations. New York: Russell Sage Foundation. 1966. Pp. xxvii, 267. \$6.75.
- LEGAL CONSIDERATIONS ON IONIZING RADIATION: RADIONUCLIDES AND RADIATION EMITTING DEVICES.** By Gerald L. Hutton, Assistant to the Director, Division of Safety Standards, U.S. Atomic Energy Commission. Written for the legally trained, nontechnical reader as an aid in identifying legal problems that may be encountered in the use of radioactive materials. Springfield: Charles C. Thomas. 1966. Pp. vii, 93. \$5.50.
- LEGAL ETHICS.** By Raymond L. Wise. Summary statements of what the American Bar Association has said on those things the ethical lawyer can and cannot do. Albany: Matthew Bender & Company. 1966. Pp. xviii, 290.
- MODERN CONSTITUTIONS.** By K. C. Wheare. A comparative, analytical study explaining the nature of constitutions and the part they play in the working of modern government. New York: Oxford University Press. 1966. Pp. 150. \$1.85 (paperback).
- A MODERN VIEW OF THE LAW RELATING TO EMPLOYMENT.** By Robert Bryant. Written in nonlegalistic language for the department head having responsibility for staff management. Long Island City: Pergamon Press. 1965. Pp. ix, 116. \$3.95 (paperback).
- THE NEGRO IN THE AMERICAN REVOLUTION.** By Benjamin Quarles, Professor of History, Morgan State College. The role of the 5,000 Negroes who served in the Revolution is described. Chapel Hill: The University of North Carolina Press. 1961. Pp. xiii, 231. \$1.95 (paperback).
- THE \$100,000 PRACTICE AND HOW TO BUILD IT.** By Robert P. Levoy. How to win friends and influence clients. Englewood Cliffs: Prentice-Hall. 1966. Pp. 142. \$3.95.
- ON INIQUITY: SOME PERSONAL REFLECTIONS ARISING OUT OF THE MOORS MURDER TRIAL.** By Pamela Hansford Johnson. The author seeks to determine what in our society produces wickedness in humans. New York: Charles Scribner's Sons. 1967. Pp. 142. \$3.95.
- THE PREVENTION AND CONTROL OF DELINQUENCY.** By Robert M. MacIver. The distinguished social scientist offers a new approach to the causation of delinquency and advances an inclusive strategy for coping with the

problem. New York: Atherton Press. 1966. Pp. vi, 215. \$2.95 (paperback).

QUESTION OF GUILT. By Michael Valenti. The Sacco-Vanzetti trial reexamined. New York: Paperback Library. 1966. Pp. 224. \$.60 (paperback).

RAPE IN PARADISE. By Theon Wright. The Massie case, in which a rape attempt spawned ritual murder and race riots in Hawaii. New York: Hawthorn Books. 1966. Pp. 316. \$5.95.

THE RESTRAINT OF THE EXERCISE OF ONE'S RIGHTS. By Rev. John C. Calhoun. A doctoral dissertation that considers the subjective rights of members of the Catholic Church, the exercise of those rights, and the restraints placed upon the exercise of those rights by the law of the Church. Washington: The Catholic University of America Press. 1965. Pp. xiii, 145. \$3.00.

RETRIAL: MURDER AND DR. SAM SHEPPARD. By Paul Holmes. A newspaper reporter writes of the second Sheppard trial. New York: Bantam Books. 1966. Pp. 240. \$.75 (paperback).

THE REVISED UNIFORM PRINCIPAL AND INCOME ACT. By E. James Gamble. The emphasis in this work is upon Michigan law, but the book has been designed for use in any state adopting the Act. Ann Arbor: Institute of Continuing Legal Education. 1966. Pp. 348. \$20.00.

THE ROOTS OF FREEDOM: A CONSTITUTIONAL HISTORY OF ENGLAND. By Bernard Schwartz, Professor of Law, New York University. Traces not only the growth of the English constitution, but also its influence on America. New York: Hill and Wang. 1967. Pp. vii, 248. \$5.75.

THE RULE OF LAW AND HUMAN RIGHTS: PRINCIPLES AND DEFINITIONS. A collection of the Reports of the International Commission of Jurists defining the principles of the Rule of Law. Geneva: International Commission of Jurists. 1966. Pp. viii, 83.

SELECTED ANTITRUST CASES: LANDMARK DECISIONS. By Irwin M. Stelzer. A compilation of edited cases. Homewood: Richard D. Irwin. 1966. Pp. x, 316. \$5.25 (paperback).

A SOCIAL HISTORY OF ENGLISH LAW. By Alan Harding, Lecturer in Medieval History, Edinburgh University. English law as a source revealing the moral and social standards of England. Baltimore: Penguin Books. 1966. Pp. 503. \$1.65 (paperback).

THE SOCIOLOGICAL REVIEW MONOGRAPH NO. 9: SOCIOLOGICAL STUDIES IN THE BRITISH PENAL SERVICES. Edited by Paul Halmos. This symposium covers five principal topics: Police; Sentencing; Institutional Treatment of Offenders and Probation; Recidivism; Methodology and Evaluation of Research. Keele: University of Keele. 1965. Pp. 252. \$6.60 (paperback).

- THE STATUTE OF LIMITATIONS IN AMERICAN CONFLICTS OF LAWS. By Alejo DeCervera. The book's four major divisions treat: The Common Law Rule; The Exception of the Substantive Time Limit; The Exception of the Borrowing Statutes; A Proposal. Dobbs Ferry: Oceana Publications. 1966. Pp. viii, 189. \$7.50.
- TRAUMA AND THE AUTOMOBILE. Edited by William Curran and Neil Chayet, Boston University Law-Medicine Institute. Defines the role of Lawyers, Doctors, Engineers, Drivers, and Pedestrians, with a view to reducing the toll of automobile accidents. Cincinnati: W. H. Anderson. 1966. Pp. xviii, 499. \$14.50.
- TREATISE ON JUSTICE. By Edgar Bodenheimer, Professor of law, University of California, Davis. The many facets of Justice are examined. New York: Philosophical Library. 1967. Pp. 314. \$10.00.
- THE TRIAL OF EZRA POUND. By Julien Cornell. A documented account of the treason trial by the defendant's lawyer. New York: The John Day Company. 1966. Pp. 215. \$5.00.
- THE VERDICTS WERE JUST. Edited by Albert Averbach and Charles Price. Eight famous trial lawyers describe their most memorable cases. Rochester: The Lawyer's Co-operative Publishing Co. 1966. Pp. ix, 277.
- YAZOO: LAW AND POLITICS IN THE NEW REPUBLIC — THE CASE OF *Fletcher v. Peck*. By G. Peter Magrath, Associate Professor of Political Science, Brown University. During our nation's early years, a major fraudulent scheme dealing with the Yazoo River lands in Georgia produced a political and constitutional *cause célèbre* that was settled only by a Supreme Court ruling. Providence: Brown University Press. 1966. Pp. ix, 243. \$6.00.

