spectively. The material is brief and again the better known cases are given only pass-
ing reference. Section 5 deals with Business and has elaborate subsections which are
mostly bibliographies and citations of cases which are rarely printed in more than the
title. Section 6 deals with the Interstate Commerce Commission although headed
Utilities and has a few references to state commissions. The Ben Avon case⁵ and the
St. Joseph Stock Yards case⁶ are nowhere referred to. A special section, Number 7, is
assigned to The Perishable Agriculture Commodities Act, and the decisions referred
to as PACA decisions presumably by the Department of Agriculture. This is in addition
to the earlier Section 3 on Agriculture. Section 8 on Civil Service closes the chap-
ter.

Chapter 3, probably the most important chapter in the book, gives the impression
of introducing the student to materials at second or even third hand and brings up a
fundamental problem of modern education as to how far principles can be understood
and validly used by persons having only a second or third hand acquaintance with
them. The presence of abstracts of administrative decisions does not compensate to
any degree for the absence of first-hand material to be found in important judicial opin-
ions or in statutes. An appendix at the end contains rules and regulations under the
PACA referred to above.

The rest of the casebook consists of two chapters and appendices. Chapter 4 deals
with officers, their selection, removal, and responsibility. It occupies ninety pages.
Chapter 5 deals with governments’ responsibility, local governments, state govern-
ments, and the government of the United States. The chapter occupies seventy-five
pages. The Appendix contains the introduction and Tables of Classification from
“Working Papers on Administrative Adjudication” by Dr. Blachly of the Brookings
Institution. This material was originally prepared for the use of the committee on the
Judiciary of the Senate of the United States.

This casebook contains more purely administrative material than do the others
available. Yet it does not present a realistic cross-section of administrative activity
because of the lack of adequate space. This reviewer feels that a volume of about
3500 pages would be necessary to achieve such a realistic presentation. The editor’s
comprehensive learning, and his knowledge of the most recent material, give the col-
lection a fresh touch, which is most stimulating to all teachers and students of Adminis-
trative Law.

JAMES F. DAVIDSON⁷

The Constitution Reconsidered. Essays edited by Conyers Read. New York: Co-

This is a collection of twenty-seven papers read at the meeting of the American
Historical Association at Philadelphia in December, 1937, on the occasion of the
sesquicentennial anniversary of the United States Constitution. The papers are
grouped into three parts: (1) The background of political, economic, and social ideas
behind the Constitution; (2) The Constitution and its influence upon American thought; and (3) Repercussions of the Constitution outside of the United States.

⁵ See note 3 supra.
It is difficult to appraise the work of twenty-seven different authors, but it may properly be said that the authors of the eleven papers constituting the first part of this volume maintain the standards of scholarship and impartiality which might properly be expected in a volume sponsored by the American Historical Association. These papers are historical in character, and present an interesting background of the political, social, and economic conditions which affected the framing of the Constitution. Of particular value are the first two papers, that by Professor Charles H. McIlwain on “The Fundamental Law behind the Constitution of the United States,” and that by Professor S. E. Thorne on “The Constitution and the Courts: A Re-examination of the Famous Case of Dr. Bonham.”

The third part of the volume is composed of nine papers which discuss the influence of the Constitution of the United States in other countries. These papers are well done and present in brief space a picture of the Constitution abroad, with emphasis on federalism.

The second part of the volume is composed of six papers classified under the general heading of “The Constitution and Its Influence upon American Thought.” This portion of the volume is neither scholarly nor impartial, and clearly bears out the statement of Professor Read, the editor, that it was no easy matter “to find the scholars competent to participate” in the program. Such scholars were not found. The character of this portion of the volume is typified by the statement of Mr. Max Lerner on page 199: “Scratch a fervent believer in judicial supremacy and like as not you will find someone with a bitterness about democracy.” There is much inaccuracy and attempted cleverness in this portion of the volume, directed toward propaganda rather than toward scholarly discussion. One turns with pleasure from this portion of the present volume to Frankfurter’s little volume on Mr. Justice Holmes, in which the author presents in many respects the same point of view as that here represented but in which the author shows knowledge of his subject and applies that knowledge honestly and fairly. Here we have, in at least several of the papers, a lack of knowledge or a lack of fairness which is not creditable to the American Historical Association. An author is entitled to his view that the framers of the Constitution did a bad job and that judicial construction made it worse, but he is not entitled to misrepresent the historical facts in support of such a view.

What has just been referred to is a defect of commission. Through defects of omission substantially no attention is given in this volume to the most important phase of our constitutional history—the adaptation of the Constitution to new economic conditions, more particularly in the field of interstate commerce.

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WALTER F. DODD*


Whether he be a student with the specialist’s interest in the Indian constitutional problem or not, the reader of even such a scrupulously detached legal tome as the one under review cannot escape a sense of the overwhelming complexity of the federal constitutional scheme into which the Government of India Act,¹ 1935, attempts to mold

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¹ 26 Geo. V. c. 2.