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# The Federal Courts and the Federal System by Henry M. Hart, Jr. and Herbert Wechsler

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in the absence of the Warsaw Convention. The Warsaw Convention could not take away from the Lees a constitutional right they did not have. In the opinion of the reviewer the argument of this book is based upon faulty reasoning, and hence fails completely.

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THE FEDERAL COURTS AND THE FEDERAL SYSTEM. By Henry M. Hart, Jr., and Herbert Wechsler. Brooklyn: The Foundation Press, Inc., 1953. Pp. lvii, 1445.

The editors of this fifteen-hundred-page volume state in their preface that the subject of the book is the legal problems resulting from our having dual judiciary systems. These problems are looked at from the viewpoint of the Federal courts. The aim is to identify the areas of Federal and state authority. They further point out that the book deals with the relationship of Federal and state law in everyday affairs as well as with the jurisdiction of the Federal courts.

It is also stated by the editors that the book is expected to be used in a course offered to students "who are grounded both in constitutional law and in conflicts of laws or, at least, are studying those subjects simultaneously." It seems that the course in Federal practice should also be included in the prerequisites. All this seems to bar the use of the book in the smaller law schools because of the limited number of men on the faculties and because of the time necessary for such an advanced course.

The first chapter is introductory matter, not intended for class work but designed to give a background for the course. The second and third chapters deal with "the nature of the Federal judiciary function" and the "Supreme Court's original jurisdiction." The succeeding five chapters contain the gist of the course. They cover "the main alternatives which are open to Congress under the Constitution in the exercise of these powers." Chapters nine to eleven, inclusive, examine criminal prosecutions, civil action by the government, actions against the government, *habeas corpus*, collateral attack on judgments of conviction, exhaustion of other remedies and review of Federal decisions.

The reader would be justified, possibly, in not calling this work a casebook, since the text matter and notes exceed by twenty-five or thirty pages the space given to cases. Almost any one of the notes to the cases might well demand a week of the student's time for working out and answering the questions propounded therein. These notes

remind one of the course given in one of the leading law schools which students used to refer to as the "Case-A-Month Club"; or to the course in another of our larger law schools where the instructor was reported by a student to have given a whole semester to the consideration of a single case. The report stated that by the middle of the semester none of the students knew just what the case stood for and by the end of the semester the instructor admitted that he himself did not know. If, as is sometimes said, the real aim of teaching is to make the student think, it may be possible for the conscientious student, who is anxious to master the art of legal thinking and who does not resort to "canned" notes, to get as much training from this type of treatise as he could get from one of the conventional casebooks. He will at least get much better physical training lugging a tome of this size and weight to and from classes than he would from the smaller volume. After all, a student's time in the law school is limited. Professor Beale once said that in the three years the law school can develop a student to the point where the student can make a noise like a lawyer.

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LEGAL SECRETARY'S COMPLETE HANDBOOK. By Bessie May Miller. New York, Prentice-Hall, Inc., 1953. Pp. xxii, 662, incl. index.

This handbook is an invaluable addition to the desk of a legal secretary, and particularly is this true in the case of beginners. The author has succeeded in her intention of compiling a work which will be a safe guide in matters of attitude, scope and limitation of duties, and above all in the efficient performance of the diverse tasks assigned in her day-to-day work, tasks of a specialized sort not encountered in other secretarial work.

The book has been divided into five parts, under these headings: "Usual Duties in a Law Office," "Preparing Legal Instruments," "Courts and Litigation," "Assisting in Specialized Practice," and "Reference Material." It is in the second part, "Preparing Legal Instruments," in the third, "Courts and Litigation," and in the fifth, "Reference Material," that the usual worker will find the greatest aid. Specific questions are answered specifically and the reader, however exacting, is certain to gain the information (or an avenue to it) which is sought. The subheadings in Part II of "Distinctive Features of Dictation and Typing," "Basic Information about Legal Instruments," and "Specific Instruments; Affidavits; Powers of Attorney; Wills" indicate what a