MRS. EDWARD THOMAS
475 TRINITY AVENUE
NEW YORK CITY

March 4,1933

My dear Miss Tarbell:

Mr Thomas found the enclosed in a magazine which he thought you might have missed and suggested that you would be glad to have it.

Yours sincerely,

Margaret Corning Thomas

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eugenics, or medical certificates, these and other words are completely missing from the index. We shall await with great interest the promised volumes on Husband and Wife, Parent and Child, and Incompetents and Dependents.

Miss Drummond's book is less severely technical in aim and method. It is addressed primarily to "wives and husbands, potential wives and husbands, and all collateral kith and kin" who may be interested in the subject of marriage and divorce legislation in the United States. Yet because of its content and organization it is also one lawyer speaking to others and offering a work for their quick reference. It specifically eschews being a manual of divorce procedure, as that is a technical instrument for the professional lawyer. Hence, in the author's own words, the book is designed as "a sort of household ballast." Approximately half of the work is devoted to a historical summary of the evolution of marriage and divorce law in the United States and other countries, to conflict of laws, and to such topics as annulment, grounds for divorce, defenses, trials, costs, fees, property and children. The introductory chapter on "Our Chaotic Divorce Laws" saw the light originally nearly twenty years ago in the *Unpopular Review*, and remains for its biting humor and chastening realism a classic exposition of conflict of the laws in our forty-nine jurisdictions. The same humor pervades all this descriptive material. Sometimes the author is inclined to be waggish and anecdotal; occasionally she waxes sarcastic over sentimental court decisions, e.g., Judge Pope in *McCreary v. Davis*. (Incidentally, this case is cited with two different spellings by the author on the same page!) She is severe in her judgment upon canon law and ecclesiastical administration of marriage and divorce. These "sets of mind" do not, however, in the slightest degree preclude careful citation of cases and their salient points, nor clear, concise summaries of the law of divorce for each of the forty-eight States and the District of Columbia through the sessions of 1931. Not the least valuable portion of the work are the pages given to summaries of the divorce law of Cuba, France, Mexico and Sweden. A glossary and very comprehensive index heighten the value of the text. The story of the Pittsburgh master who submitted his divorce findings to the court in a hundred and twenty-eight lines of doggerel verse (which were accepted as adequate in form and substance) is a revelation of the temper—anything but scientific—which too frequently marks divorce administration in the United States, and is worth the price of the book!

Northwestern University. ARTHUR J. TODD.

The Insolence of Office: The Story of the Seabury Investigations. By W. B. Northrop & J. B. Northrop. 1932. New York: Putnam's Sons. Pp. ix, 306.—This volume presents the first connected story taken from the evidence adduced by the Seabury investigations,—the inquiry by the Appellate Division of the Supreme Court into the Magistrates' Courts; the Governor's examination of the competency of the District Attorney for New York County; and the legislative investigation of the government of the City of New York. The investigations derive their popular name from the fact that in each investigation the guiding and directing force, either as referee, commissioner or counsel, was the Honorable Samuel Seabury, formerly a Judge of the New York Court of Appeals.

The investigations are taken up in chronological order, the first being the inquiry into the Magistrates' Courts, which are the city's inferior criminal courts. Here the most startling and revolting disclosures were in connection with the Women's Court, and the authors, without a departure from the record, tell an almost unbelievable story of fixing, framing and corruption of the grossest sort. The account of the investigation of the other courts is equally amazing, as Magistrates, attorneys, bondsmen, police officers, gangsters and politicians are fitted into a picture of all that the administration of justice should not be. This part of the book, which includes the trials of the offending Magistrates, will be of special interest to lawyers.

The inquiry into the competency of the District Attorney is, properly, given relatively little space but the important disclosures are presented in sufficient detail to show the facts upon which Judge Seabury, as referee, found grounds for censure but not for removal.

The story of the investigation of the government of the City of New York consists of a connected running account of the disclosures which have attracted nation-wide attention. The authors, however, give us much more than a summary of the accounts carried in the press, their story shows without partisan comment and from the official record the gradual development of the evidence, it shows how this evidence was wrenched from reluctant and hostile witnesses, it shows the endless dilatory lawsuits, the fantastic explanations, the petty quibbling, the desperate attempts to conceal evidence, and above all it presents the always engrossing spectacle of a lawyer in battle employing with courage and skill the arts of our profession.

The method of presentation reminds one somewhat of the narrative record on appeal, but without any of the dull repetitions of a literal record; and the volume is interspersed with short literal quotations in the familiar question and answer form to bring out important points or to show lively exchanges between witness and counsel. The lawyerlike presentation can be accounted for by the fact that the authors are members of the New York Bar, one of them having served as Assistant Counsel in the Magistrates' Courts and District Attorney Investigations and as Associate Counsel in the City Investigation.

This volume is decidedly not a piece of sensational writing capitalizing on the temporary misfortunes of a great city, but a cool, deliberate factual account of a series of important investigations which no one interested in municipal government can afford to miss.

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Alfalfa Bill. By Gordon Hines. 1932. Oklahoma City: Oklahoma Press.—This biography of Governor Murray, editor, lawyer, colonist, crusader, politician, and student, is concerned primarily with his political career and is written with a directness and gusto that befits so colorful a personality. It will be of but limited interest outside of Oklahoma, unless one has a keen interest in mid-western politics.

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Owen D. Young. By Ida M. Tarbell. 1932. New York: The Macmillan Company.—A fairly generous portion of Miss Tarbell's biography of Owen D. Young is, happily, devoted to his legal career, an important

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and interesting period of his life which is likely to be overshadowed by his achievements in other fields.

In June of 1894 he was graduated from St. Lawrence University and that fall entered the Law School of Boston University. Though compelled to earn his own way, he completed the three-year course in two years and was graduated *cum laude*. As class orator he spoke on Professional Honor, and the oration, which is quoted in full, shows an acute moral sense and an unusual maturity.

Shortly after graduation he entered the law office of Charles H. Tyler of Boston, a young lawyer with an enormous practice. Despite the demands on the new lawyer's time, he continued for eight years to lecture in the Boston University Law School on Practice and Pleading, and would open his lectures with this now widely quoted aphorism:

"The law will yield up its reason to no man who lacks the patience to study its history."

One of Tyler's many clients was the firm of Stone & Webster, and it was through advising them that his associate became a powerful figure in the field of public utilities. One of his former associates makes this interesting analysis of Owen D. Young, the lawyer:

"Owen Young would get at the root of a complicated case more quickly and more accurately than any other man I have ever known. He was resourceful in argument, leaning always toward compromise; did not get angry. He held that lawyers owed the duty of adjustment to clients. He is a man of absolute integrity, high principles, resourceful, unusual power of analysis and a breadth of view."

In 1913 he took over the law department of the General Electric Company and also became vice president in charge of policy. From that date on the book is concerned with Owen D. Young the industrialist, the international financier, and the educator. The biography is highly interesting in that throughout it all runs the ever-fascinating panorama of the unfolding of a great and noble mind.

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Sir Walter Scott. By John Buchan. 1932. New York: Coward-McCann, Inc.—We all, and rightly so, think of Sir Walter Scott only as a great novelist, but in this, his centenary year, it is interesting to recall that he was also a lawyer, and that the study of the law was one of the main educative influences in his life.

Scott came into contact with the law early in life, and in one form or another retained this association throughout the greater portion of his life. When not yet fifteen he entered upon an apprenticeship in his father's law office. His duties consisted largely of copying endless legal documents and it was then, we are told, he developed the remarkable speed in writing which stood him in such good stead when he was pouring out his immortal novels. But he soon returned to college and was called to the Bar as an advocate. While his practice was never extensive, he was counted a good lawyer, and was made a Curator of the famous Advocates Library. From practice he passed to the Clerkship of Sessions, and later refused a Judgeship he had sought upon learning that a friend with better qualifications desired the post.

His novels, as all know, contain passages that only a lawyer could have penned,[1] and he, no doubt, was speaking for himself when he had Counsellor

1. For example: The Trial of Effie Deans: *The Heart of Mid-Lothian*. The case of Peebles v. Plainstanes: *Redgauntlet*, etc.

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