

Cases and Materials on Conflict of Laws (Book Review)

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they should serve as caveats rather than deterrents to the young practitioner who stands on the threshold of the temple of justice.

EDWARD J. O'TOOLE.*

CASES AND MATERIALS ON CONFLICT OF LAWS. By Ernest G. Lorenzen. St. Paul: West Publishing Co., 1937, pp. i, 1138.

Great strides have been made in the teaching of conflict of laws in the last decade. The course is usually a popular one with students, since conflict of laws has some contact with almost all other law courses in the curriculum and so serves as a review of these courses in the best possible manner by an approach from a different point of view. Conflict of laws lends itself to a scholarly emphasis on legal principles.

With the increased interest in conflict of laws has come the publication of a number of casebooks to meet the needs both of teachers and students. Following the publication of the "Restatement of the Law of Conflict of Laws" by the American Law Institute in 1934, and Professor Beale's noteworthy contribution¹ to legal scholarship, three new casebooks have appeared in the space of two years. First came Cheatham, Dowling and Goodrich,² bringing to the subject a fresh viewpoint, the latest cases, and modern pedagogical methods. Then came Harper and Taintor,³ a rather difficult and terrifying volume for undergraduates. Finally, as if in response to so much competition, the publishers must have prevailed upon Professor Lorenzen, a familiar and able scholar in the field, to revise his "Cases and Materials on the Conflict of Laws." The West Publishing Company now offers the teaching community the fourth edition.

Any work of Professor Lorenzen is welcome. This edition includes cases on Domicile, omitted from the third edition. Such omission had left a void that teachers of the subject felt should be filled. A second change in the new edition is the inclusion of provisions of the "Restatement of the Conflict of Laws" in all parts of the book. This is quite helpful to students and, one might add, to courts. The excellent features of the Cheatham, Dowling and Goodrich book, especially the chapter on Sources and Choice of Law, have been met in part in this new edition by an introductory chapter on the history of the conflict of laws and a general survey of the subject plus introductory notes to each chapter and section. As a further inducement to the student and teacher to use the Fourth Edition, there are dissenting opinions, excerpts from law reviews, and statutory provisions, and, finally, a more palatable presentation of the cases, through a rigorous "cut" in the presentations of the facts,

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¹ BEALE, CONFLICT OF LAWS (1935).

² CHEATHAM, DOWLING AND GOODRICH, CASES ON CONFLICT OF LAWS (1936).

³ HARPER AND TAINTOR, CASES ON CONFLICT OF LAWS (1937).

the latter being a feature of Cheatham, Dowling and Goodrich. At that there are 1138 pages for the student to peruse leisurely through the school year. Suggestions for the omission of cases are indicated where the course runs only through one semester, embracing a half year.

This edition, as well as earlier editions of the book, treats the subject of divorce as a phase of family law. To this reviewer the subject of divorce might better be considered as part of the subject of jurisdiction. The advent of the Fourth Edition will make it difficult for teachers to decide on which casebook to use. In any event, it will be part of the teacher's library for reference use.

BENJAMIN HARROW.*

STATE HOUSE vs. PENT HOUSE. By Zechariah Chafee, Jr. Providence: The Book Shop, 1937, pp. x, 165.

The suggestion of contention in the above intriguing title is fully realized as the author describes in words and with pictures the "battle" between the Governor of Rhode Island and the Narragansett Racing Association, Inc., which culminated last fall in the invasion and the closing of the latter's race track by the National Guard. The realities of the case are centered in the clash of two high-powered human beings, one, Mr. Quinn, who happened to be Governor, and the other, Mr. O'Hara, who was the founder, builder and president of the corporation which owned and controlled the race track at Pawtucket, Rhode Island. From September 3 to Armistice Day the burghers of that state and elsewhere were bombarded by radio, and newspapers (one of them O'Hara's), bristling with news of the moves and counter-moves in the battle. The open warfare (mostly verbal) lasted until Armistice Day, ending in the closing of the track by the National Guard, called out by proclamation of the Governor.

While the newspapers were writing up the events, Professor Chafee was gathering and arranging his material for this book.

The pamphlet is divided into six parts. First, an introduction giving a statement of details and events which present the background and the foreground of the controversy; and valuable information as to horse racing, gambling and the laws thereof from 1777, when betting on horse races was made a crime in Rhode Island, to 1934, when horse racing was legalized by legislative enactment. The story of the lives and activities of the contending parties is written in a style that is pleasant to read and made attractive by touches of subtle humor. As one reads on, he realizes the artistry of the author is displayed by his use of the humor touch for a serious purpose. That purpose is disclosed in the clear-cut analysis of the four legal problems involved, which lead up to the issue as to the validity of the use of martial law. At times, one feels that the pamphlet is a brief for Mr. O'Hara, because if the troops were illegally called, the author points out, by numerous citations, that Governor Quinn and every officer and soldier in the National Guard who took part in

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