

The Law of Libel and Slander in the State of New York (Book Review)

David Stewart Edgar

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BOOK REVIEWS

Editor—CYRIL T. SULLIVAN

THE LAW OF LIBEL AND SLANDER IN THE STATE OF NEW YORK. By Ernest P. Seelman, B.L. Albany: J. B. Lyons Co., 1933, pp. xxx, libel, xix, slander, 784.

This is a great book—comprehensive, practical and original. For thirty years the author has been collecting his material and arranging it to produce the present volume. Many years were given to its actual writing. The author, after his graduation from Dartmouth in 1898 (where he won the coveted Phi Beta Kappa key), began his study of the law of libel and slander in the office of the Honorable Luke D. Stapleton, afterwards a justice of the Supreme Court of the State of New York, and has continued that study ever since. The thoroughness of his research, the completeness of his material and its scholarly, effective arrangement are fully reflected in this book. It is an encyclopedia of the subject. The law of libel and slander in the state of New York is within the covers of this single volume. The practicing lawyer, searching for the authorities applicable to his case, will find them here. Not a single New York decision appears to be missing from its pages. The book cannot fail to be of inestimable assistance both to the bench and bar.

This work is actually two books in one. The treatment of libel is separated from the treatment of slander. There is a separate index, a separate table of contents and a separate table of cases for libel; also a separate index, table of contents and table of cases for slander. Forms of complaint and answer in both libel and slander cases are included, but also separately. Voluminous footnotes are found on almost every page, and verbatim extracts from the opinions of the judges abound.

The author points out the errors and confusion which have crept into the law of his subject, and in Chapter XXX suggests the changes which should be made.

The author's plea for a broader defense of the right of comment, so inseparably connected with human right and progress, deserves consideration. His analysis of the law in its relation to malice and punitive damages should lead to simplification. Throughout the pages one may glimpse the effect that the opinions of the late Supreme Court Judge William J. Gaynor, himself a teacher of the subject and a writer of opinions thereon, had, perhaps, unconsciously upon the author.

Your reviewer found the preface to this volume very interesting. Not only is the author's purpose in writing the book stated, but he has given in a word the history of the development of the law of libel and slander.

DAVID STEWART EDGAR.

St. John's University School of Law.