

# Carmody on Practice: Vol. 3 (Book Review)

Charles E. Russell

Follow this and additional works at: <https://scholarship.law.stjohns.edu/lawreview>

---

### Recommended Citation

Russell, Charles E. (1931) "Carmody on Practice: Vol. 3 (Book Review)," *St. John's Law Review*: Vol. 6 : No. 1 , Article 44.  
Available at: <https://scholarship.law.stjohns.edu/lawreview/vol6/iss1/44>

This Book Review is brought to you for free and open access by the Journals at St. John's Law Scholarship Repository. It has been accepted for inclusion in St. John's Law Review by an authorized editor of St. John's Law Scholarship Repository. For more information, please contact [lasalar@stjohns.edu](mailto:lasalar@stjohns.edu).

asked for the salient details of the case. Campbell attempted to cram into two hours what had taken place in the courtroom over a period of days. He particularly stressed the fact that the other side was bent on securing a continuance of the case, while the interests of Webster's client demanded an immediate decision. Campbell cited the fact that the other side had already protracted the cross-examination excessively, occupying six days in the case of one witness. The next day Webster arose to address the court. Campbell was fearful of Webster's lack of familiarity with the case, but as Webster warmed and quickened in his forensic efforts, Campbell listened spellbound. Webster declaimed, "They ask for a continuance! Why, may it please the Court, they have taken at this hearing as much time in the cross-examination of one witness as it took the Almighty to create the Universe." The majestic proportions to which Campbell's six days had grown under the magic of Webster's eloquence was the genius of the man.

Further citation seems unnecessary. The reviewer is tempted instead to suggest a criticism—not for a sin of commission but for one of omission. Two of the greatest jurists America has produced find no place in these pages. The absence of one of these is understandable. Justice Holmes continues in the fullness of life and the dignity of judicial office and hence is not regarded as a fit subject for anecdote. Failure to include the man who laid the cornerstone of the common law in the State of New York is less easy to understand, unless it be that the judgments of Chancellor Kent do not in Pennsylvania carry the conviction that they do in New York. However, to mention this minor criticism is not to deny the worth of the book and surely any one interested in the law who spends the hour or so necessary to read through this little book will feel himself amply repaid in the entertainment and information he will derive therefrom.

JOHN G. KELLY.

Mount Vernon, N. Y.

---

CARMODY ON PRACTICE. Edited by B. G. Bonomi. New York: Clark Boardman Co., 1931, Vol. 3.

Volume 3 of the new edition of Carmody's "Pleading and Practice," recently issued, is one of the most important of this series, inasmuch as it deals with such subjects as joinder of causes, the complaint, the answer and reply, motions related to the pleadings, and objections and amendments thereto. Each of these subjects is fully treated in terms that are readily assimilated; especially are the chapters dealing with the complaint and answer exhaustive in their nature. The recurrent footnotes are plainly and briefly explanatory and the citations limited to leading cases, and simplifying same. This volume is a veritable encyclopedia of pleading on the subjects therein treated, although in language that is easily readable by the student as well as the practicing attorney, and in style that is entertaining rather than pedantic. This volume fully bears out the promise of the earlier ones as to becoming a standard work of pleading and practice.

CHARLES E. RUSSELL.

New York City.