

June 2014

Appellate Practice and Procedure in the Supreme Court of the United States (Book Review)

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Recommended Citation

Delius, John L. (1928) "Appellate Practice and Procedure in the Supreme Court of the United States (Book Review)," *St. John's Law Review*: Vol. 3 : No. 1 , Article 28.

Available at: <https://scholarship.law.stjohns.edu/lawreview/vol3/iss1/28>

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of Contents, a Table of Cases reported and cited, and a topical Index are also contained in this work. Many parts of the Interstate Commerce Act, the Pomerene Act, the Carmack Amendment and the Cummins Amendment are quoted verbatim, and Federal cases added to each. The arrangement of the cases topically throughout the book adds to its value. Voluminous footnotes are appended to the cases. The subject of carriers is treated in scholarly fashion, as was to be expected of its author, who is professor of law in the University of Illinois Law School.

Although there is not any attempt fully to state or develop the common and statutory law of carriers in any particular State, the book itself is the most exhaustive treatment of the subject known to your reviewer.

The time allotted to the subject of carriers in most, if not in all, law schools, doubtless would not permit a study of the entire content of this volume by the law student, although the assignment by the instructor of selected parts of the book would enable the student to share the broad vision of the author.

The volume serves its purpose best as a lawyer's book, and constitutes a real addition to the literature of the subject with which it deals.

DAVID STEWART EDGAR, SR.

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APPELLATE PRACTICE AND PROCEDURE IN THE SUPREME COURT OF THE UNITED STATES. By Reynolds Robertson. New York: Prentice Hall, Inc., 1928, pp. 360.

In corporation law much has been said about the "veil" which surrounds the corporate entity and so with regard to appellate procedure in the United States Supreme Court much may be said in helping to pierce that "veil" of uncertainty and lack of knowledge which encircles such procedure as far as the general practitioner is concerned. Mr. Robertson's recent book, "Appellate Practice and Procedure in the Supreme Court of the United States," should do much to aid attorneys in this intricate and complicated practice, for although much of this procedure is not indispensable in every-day practice, it is well to have at hand a book such as this which comprehensively covers the necessary and proper steps in appealing to the United States Supreme Court.

The author is particularly qualified to write upon this subject. For over six years he has been connected as an assistant, with the Office of the Clerk of the Supreme Court of the United States and is therefore in a position to write with experience and authority regarding the proper methods of procedure and the general requirements of bringing up a case for review in this court.

The comprehensive collection of forms is noteworthy as is the minute outline of the successive steps necessary in a varied number of situations. Publication of the book at this time is of special value in view of the Act of Congress of January 31, 1928 by which important changes were made in securing an appeal to the United States Supreme Court. By substituting a

Notice of Appeal for the former "writ of error" to Federal Courts, the practice in appeals from Federal Courts appears to have been assimilated to appellate practice in state courts. Whether or not this also applies to appeals from state courts is as yet uncertain. This statute is quoted at length in an Appendix together with a collection of opinions upon its probable effect, which includes a discussion between nationally known attorneys and Members of the Senate Judiciary Committee at the Hearings on the bill as first introduced in February, 1922 and at the Hearing before a Sub-Committee of the Senate Judiciary Committee in April, 1926. This discussion should, at a time when the new Act has not been judicially construed, be of value to the members of the Bar of the United States Supreme Court.

The author states in the preface that he hopes this book may be used as a so-called handbook, and it is my opinion that he has accomplished his purpose. He frankly states that the question of the jurisdiction of the United States Supreme Court is not within the scope of his work.

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New York City.

BOOKS RECEIVED

- Bickford, COURT PROCEDURE IN FEDERAL TAX CASES. Prentice-Hall, Inc., 1928, pp. 440.
- Deutsch, HOW TO PROVE A PRIMA FACIE CASE. Prentice-Hall, Inc., 1928, pp. 604.