

## Book Reviews

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## Book Reviews

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A MAN OF LAW'S TALE, The Reminiscences of the Rt. Hon. Lord Macmillan, P.C., G.C.V.O., LL.D., D.C.L. London. MacMillan & Co., Ltd., 1953. Pp. viii, 379. \$4.50.

All those who have read the collection of papers and addresses by Lord Macmillan entitled "Law and Other Things" published by the Cambridge University Press in 1937, will undoubtedly be eager to read this autobiography. It will be found interesting to both the general reader and to lawyers because Lord Macmillan was not only a great lawyer but a man of letters as well.

The first half of the book deals with Lord Macmillan's early days, his education, his career at the Bar, his term as Lord Advocate of Scotland and his membership on the Privy Council and the House of Lords as a Lord of Appeal in Ordinary. The last half of the book describes Lord Macmillan's public activities, which were by-products of his career at the Bar, and may be called, to use a lawyer's phrase, *res inter alios acta*. They will not be referred to at length in this review.

Hugh Pattison Macmillan, the only son of the Reverend Hugh Macmillan and Jane Pattison, was born at Hillhead, near Glasgow, on February 20, 1873; he died on September 5, 1952, at the age of 79, unfortunately before this book was published.

Lord Macmillan came from a family with intellectual background. His father, Hugh Macmillan, was born at Aberfeldy on September 17, 1833, and attended the Breadalbane Academy, which was one of those notable Highland schools where so many Scotsmen had their love of learning kindled and their ambition stirred. He was a Presbyterian minister and in addition a naturalist and author of many books. The family of his mother, Jane Pattison, was well known in legal and mercantile circles, both in Edinburgh and Glasgow. The Pattisons had a reputation for originality which gave rise to the saying: "There are the wise folk and the daft folk and thae Pattisons."

Lord Macmillan says that he was "an only son among five sisters" like Dolon in Homer's Iliad (X, 317). He was a day scholar at the Collegiate School at Greenock which had been established by Mr. John Graham. He cherished a very warm memory of Mr. Graham who did everything to help and encourage him in his studies. His first attempt at public speaking was when he was chosen to present Mr. Graham

with a gold watch on behalf of his pupils and their parents. The Macmillan household was full of interests and never dull. The father, the Reverend Hugh Macmillan, was constantly occupied with literary and scientific pursuits which he shared with his family. The mother, although more practical than the father, helped and encouraged young Hugh with his lessons and fostered his ambitions. All of the sisters completed their education at Madame Trollet's boarding school at Lausanne and spoke French with fluency. They were also interested in art and music and Lord Macmillan states that he was brought up with the sound of the piano in his ears. The atmosphere of the manse was one of plain living and high thinking and the sacrifices made by the parents to give their children a good education were often referred to by Lord Macmillan in his later days.

When Hugh was eight years old his father was in charge for three months of the Scots Church at Nice, France, and Hugh accompanied his mother and father on this his first trip abroad. He always retained vivid memories of this period where he had an opportunity of learning to speak French and mingling with some fifteen hundred French boys. They all shouted "Jean Bull" at him until he explained that he was not English but Scottish. The ancient amity between France and Scotland was sufficiently strong to secure him immunity from further jibes.

At the age of 15 Hugh went to Edinburgh and was duly enrolled, on payment of a guinea, as a "Civis Universitatis Edinburgensis". To attain his degree he had to attend and pass examinations in Latin, Greek, mathematics, physics, moral philosophy, logic, metaphysics, rhetoric and English literature. Lord Macmillan says that the Scottish Colleges were universities of the people and not of a class and that the love of learning for its own sake as well as the material advantages to which it opens the way was traditional in Scotland. He further states that this was probably due to economic reasons, for Scotland at that time was a poor country and brains and brawn were among its few merchantable assets. Hugh's parents thought that he was too young at the age of 15 to have lodgings of his own so arrangements were made for him to live with a dear old maiden cousin of his mother in her comfortable home for his first two sessions. Later he took up his quarters in his own flat where he remained during the next three sessions. He attended the lectures of many distinguished professors, including among others Professor W. Y. Sellar in Latin and S. H. Butcher in Greek to mention only two. Hugh decided

to stay at Edinburgh for a fifth year to attain an Honors degree in the arts and was undecided between the rival attractions of classics and philosophy. Finally philosophy won the day and in 1893 he was graduated M.A. with first-class honors in philosophy and a scholarship as the most distinguished student of philosophy of his year. This entitled him to have his name inscribed in gold on the walls of the logic classroom in the company of Lord Haldane and other distinguished philosophers.

After completing his arts course at Edinburgh the problem of choosing a profession was only resolved after trial and error and much heartsearching. At first Hugh thought he would follow in his father's footsteps and study for the Church but "K" (Katharine Marshall), who later became Lady Macmillan, was definitely against it. He then dallied with the idea of going to Cambridge and pursuing his philosophical studies but this was soon abandoned as he wanted something more practical and definite. Under the influence of two college friends he decided to go into medicine. He attended a class in botany at the University of Edinburgh and then went with his friends to the Royal Infirmary to witness an operation, only to come away convinced that this was not the life for him. Finally a family friend, Robert Caird, suggested the law as a suitable profession combining the scholarly and the practical which had always appealed. Mr. Caird suggested that a legal training in a Glasgow writer's (solicitor's) office would be the best practical initiation where he could at the same time attend the law classes at Glasgow University. As a result, Hugh, through the good offices of Mr. Caird, was accepted and entered into a three years' indenture of apprenticeship with the firm of Cowan, Fraser and Clapperton, writers. In the articles his masters undertook to instruct him in all parts of their business and profession of procurators of Court and conveyancers in order that he might learn the same "so far as they knew themselves and their said apprentice shall be capable of learning". He also enrolled as a student in the Civil Law Class at Glasgow University and began his daily apprenticeship at the writers' office. In addition he attended lectures at 8:00 A.M. on Scots Law and conveyancing and after a full day's work other law lectures from 5:00 to 6:00 o'clock. The evenings were spent in study. Although Hugh found this life a little strange, from the first he realized that the law was his vocation. In October, 1896, after three years of apprenticeship in the Glasgow writers' office he was granted his discharge which testified that he had properly

and faithfully served his masters during the whole period of his indenture. For a youth whose previous interests had been wholly academic this discipline was excellent and Lord Macmillan says that as a result he always folded a sheet of foolscap paper the right way. On receiving his LL.B. from Glasgow University in 1896 he was awarded the Cunningham scholarship as the most distinguished graduate in conveyancing of the year.

Macmillan returned to Edinburgh in the fall of 1896 to spend the year which the Regulations of the Faculty of Advocates require to intervene between the relinquishment of any other form of employment and admission to the Bar. This "year of idleness" was supposed to purge the intending advocate of any outside associations with trade or business and was intended to be devoted to study. In earlier years it was usually spent in foreign travel, especially to the famous seats of legal learning in the Netherlands. It was Macmillan's good fortune, however, to be given the privilege of spending this off year studying and assisting Charles J. Guthrie, then a leading advocate. An advocate's work in Edinburgh, so far as it was not done in Parliament House, was carried on in his home, and Macmillan was admitted by Guthrie to close association with him in his daily work. It was usual for him to spend the day either in the Advocates' Library reading and making notes on current cases or looking up precedents and sometimes trying his hand at drafting opinions. Guthrie allowed Macmillan to attend consultations at his home and his evenings were usually spent working in his study. At 9:00 o'clock tea was served and he often remained to a late hour. In October, 1896, Macmillan presented his petition to the Lords of Council and Session stating that he was desirous of being admitted to the office of advocate and his willingness to undergo the trials prescribed. Lord Macmillan says that he does not know of any published description of the interesting ritual customary for admission to the Scottish Bar and accordingly he describes the procedure in detail too long to be related here. The total fees paid by Macmillan for entry into the profession amounted to about 350 pounds. He states that the dues now are considerably higher.

Macmillan says that the first years of a beginner at the Bar in Scotland are a severe trial of patience. A strict etiquette forbids him to advertise himself, though not all neglect Dr. Johnson's advice: "I would have him inject a little hint now and then to prevent his being overlooked." His first brief arrived four days after his call, from an uncle,

with two guineas for revising a claim in a Multiplepointing — a Scottish process understood to be somewhat similar to a bill of interpleader. However, other briefs were slow and far between and as he had abundant time on his hands he wrote articles for the *Judicial Review* and Green's Encyclopaedia of Scots Law and leaders and articles for "The Scotsman". He also secured a place on the staff of the *Scots Law Times*. In his second year he was appointed Examiner in Conveyancing in Glasgow University. He contributed Scottish notes to the *English Law Times*, delivered lectures to students for the Bankers Institute and the Chartered Accountants and published a small volume entitled "An Outline of the Law of Joint Stock Companies for the Use of Students."

Every day Macmillan in the morning donned his top hat and white tie and set out uphill from his lodgings to Parliament House, there to wait for the hoped for brief. There was a delightful camaraderie among the advocates young and old alike and their rivalries were happily free from jealousies. In 1900 Macmillan became editor of the *Judicial Review* and held this post till 1907. This editorship carried with it a fee of 60 guineas and with the steady increase in his practice "K" and he decided to defer their marriage no longer so their wedding took place on July 27, 1901. Macmillan's practice at the Scotch Bar gradually increased and included all kinds of cases, the only branches of practice with which he had little to do being jury trials and criminal cases. In 1912 he became a King's Counsel or "took silk".

Macmillan had many cases before what was known as the Parliamentary Bar. It was necessary to resort to Westminster to obtain Parliamentary powers for carrying out Scottish projects for public utility and certain advocates specialized in this type of case. There were many criticisms of this procedure because of the expense involved and for other reasons. Finally the Private Legislation Procedure (Scotland) Act of 1899 was passed which permitted the institution of local inquiries in Scotland to take the place of the proceedings before committees of Parliament at Westminster. The institution of these Parliamentary tribunals in Scotland opened up a new field of work for the Bar. Only a few advocates were familiar with this type of work and Macmillan was happy to collaborate with Constable & Beveridge, two other advocates with experience in this type of work, in writing a book on the subject entitled "A Treatise on Provisional Orders Applicable to Scotland". Subse-

quently they started a series of Private Legislation Reports for Scotland in which were recorded decisions of the commissioners and other matters of interest affecting the work of the Act. Various subjects came before Parliament by way of private bill including such matters as the construction of railways, the building of harbors and bridges, the extension of city boundaries, the development of water power and electricity and so forth. Practice before the Parliamentary Bar, though interesting and lucrative and usually involving matters of great public concern, was not greatly esteemed by advocates whose practice was in the law Courts. Indeed Lord Macmillan says the Parliamentary Bar was once likened by Baron Martin to the endearments of a mistress as compared with the lawful embraces of Westminster Hall and Lincoln's Inn.

After taking silk in 1912 Macmillan found it necessary seriously to consider whether to enter the sphere of politics with the possibility of attaining the highest summits of the profession usually reached by those who have served their party and the State in Parliament or to adhere rigidly to his profession. He finally decided that he must go through the mill and take his chances and when the opportunity arrived in 1913 he became a candidate for Parliament as the Unionist candidate for East Lothian. The outbreak of the war in 1914 brought a truce to electioneering and party politics and Macmillan's candidacy was in abeyance. After a serious operation in 1917 he was warned that he must restrict his activities and thereupon he gave up politics and resigned himself to the lesser possibilities of professional life in Edinburgh. In 1922 Bonar Law invited him to become Solicitor-General for Scotland in the new Government but he declined. However, in 1924 when Ramsay MacDonald came to power the Scottish Bar could offer no socialist law officers so with the consent of his party he became the only non-political Lord Advocate in history in Ramsay MacDonald's first ministry and thus achieved the feat of being at once a member of the Carlton Club and of a Socialist Government. In ordinary circumstances the Lord Advocate belongs to the party in power and is a member of the House of Commons with a seat on the Government Bench. But perhaps the most distinctive feature of the office of Lord Advocate is his power as the public prosecutor since all indictments for serious crime run in his name as His Majesty's Advocate. He also takes a leading part in legislation relating to Scotland. Although debarred from such activities because of his peculiar position he was able

to share in the promotion of two Scottish measures, namely, the Conveyancing (Scotland) Act of 1924 and the Church of Scotland (Property & Endowments) Bill. During his brief tenure as Lord Advocate there were no criminal prosecutions of importance in Scotland. When Ramsay MacDonald received a vote of lack of confidence in Parliament in the autumn of 1924 and Stanley Baldwin became Prime Minister, Lord Macmillan resigned the office. It was during his tenure as Lord Advocate that Macmillan was made the first Honorary Bencher of the Inner Temple. He says that the Grand Nights when the Benchers entertained distinguished guests from the great world, but allowed no speeches, he found especially enjoyable.

In Chapter VI Macmillan describes some of his cases. One of these was a criminal case in which he was retained as a junior and which left a lasting impression on his mind. Macmillan received instructions to defend in the Sheriff Court at Cupar a respectable works foreman charged with a detestable assault on a little girl. When he read the depositions of the witnesses for the prosecution which had been made available to him by the Crown they seemed to leave no loophole and Macmillan feared that the most he would be able to do was to make a statement in mitigation of sentence. But at the trial it soon became clear that the real issue was one of identification. Several witnesses testified confidently to having seen the accused in the neighborhood of the *locus delicti* and spoke of the clothes he was wearing. Two caps of the accused were lying on the Court table and unnoticed Macmillan added a very distinctive black and white cap of his own. The next witness when asked which of the caps on the table the accused was wearing picked out Macmillan's. At the conclusion of the trial it became clear that it was a case of mistaken identity and Macmillan's client was found not guilty. Macmillan states that the lesson for him was never to allow himself to be misled by first impressions and never to despair of a case until it is finally lost. He further states that he has often quoted this experience as a telling answer to the futile question so commonly asked of every advocate: "How can you reconcile it with your conscience to defend a man whom you believe to be guilty?"

Lord Macmillan also refers to the difficult situation which sometimes arises where counsel actually knows of the guilt of his client, for example, by his client's confession, which is discussed fully and most interestingly in his address on the "Ethics of Advocacy" (Law and Other Things,



p. 36). A number of other interesting cases are related in this chapter but space does not permit their discussion here. The most important of all the cases in which Macmillan took part when at the Bar was a special reference to the Judicial Committee of the Privy Council of the location of the boundary between Canada and Newfoundland in the Labrador Peninsula. This matter was argued for fourteen days. The question was not what was a suitable boundary but what was the existing boundary on a sound interpretation of the documents submitted. Macmillan was retained by the Dominion of Canada and Sir John Simon who represented Newfoundland opened the proceeding with a speech lasting over four days. Macmillan took four days in stating the case for Canada and each of the senior counsel were followed by junior counsel. The Judicial Committee reported to his Majesty that in their opinion the contention of Newfoundland was substantially right and his Majesty approved of the report.

In 1895 when Macmillan was a law apprentice in Glasgow, he was asked what his chief ambition was and he answered "To be a Lord of Appeal". This ambition was achieved 35 years later when he was appointed a Lord of Appeal in Ordinary by Prime Minister Ramsay MacDonald in January, 1930, at the age of 56. The office of Lord of Appeal in Ordinary is considered the most attractive judicial office, an appointment to "make a Scotsman's mouth water" as Disraeli said. He thus became a member of two of the highest Courts in England, the House of Lords and the Judicial Committee of the Privy Council. Lord Macmillan's tenure of office as a Lord of Appeal in Ordinary was divided into two periods, first, from his appointment in 1930 to 1939 when he resigned to become Minister of Information, and second, from his reappointment in 1941 to his final resignation in 1947. During these fifteen years he delivered about 152 written judgments in the House of Lords and about 77 judgments, or more technically "advices", in the Privy Council, although he sat in a great many more cases. Thus he delivered a total of 229 written judgments in 15 years, or approximately 15 a year. Lord Macmillan never dictated his judgments. When he had made up his mind on the case he first wrote a rough draft in which he made sure that all the points were included and then a fair copy in which he arranged the argument and undertook to improve the wording.

Several of the cases in which Lord Macmillan participated became *causes celebres*. One was the case of the snail.

in the ginger beer bottle, *Donohue v. Stevenson*, (1932) A. C. 562, where it was held that the manufacturer was under a duty to the public. Lord Macmillan cast the deciding vote in favor of Mrs. Donohue who had innocently drunk the ginger beer.

Lord Macmillan also sat in the criminal case of William Joyce — (“Lord Haw-Haw”), *Joyce v. Director of Public Prosecutions*, (1946) A. C. 347. Joyce was convicted in the Central Criminal Court for high treason. The Court of Criminal Appeal dismissed Joyce’s appeal. However, the case came before the House of Lords where Joyce attended the proceedings in person. It appeared that Joyce was an American and not a British subject and the acts with which he was charged took place outside the British realm but it was proved that he had acquired a British passport which had not expired at the time of the offense charged and this circumstance proved fatal to him and his appeal to the House of Lords was dismissed.

Lord Macmillan took special pleasure in appeals from Canada before the Privy Council because on his several visits to Canada he had become familiar with the Province and had many friends there. He took part in the decision of the Privy Council which held that the Dominion Parliament had the constitutional power to abolish the right of appeal to the King and Council, which step was subsequently taken.

Chapters 9 to 15 of the autobiography deal with what might be called Lord Macmillan’s extra-curricular activities which were many and diverse. His activity in this respect was the subject of a verse in “Punch” as follows:

“Upon Commissions, in the Chair,  
Yon Scot was born to sit,  
Who to a keen judicial flair  
Unites as keen a wit.”

Lord Macmillan was also instrumental in reorganizing the famous library of the Advocates at Edinburgh into the National Library of Scotland. He was also one of the group which brought about the rebuilding of the University of London and was Chairman of the Pilgrim Trust founded by Mr. Harkness. In addition to his numerous activities on commissions and in philanthropic and public matters, Lord Macmillan traveled a great deal. In 1926 he was one of the party of British lawyers who were entertained in Canada and the United States by the Canadian and American Bars

when it became necessary for him to attend many official dinners, many of which were very protracted. On one of these occasions, the guests were being regaled with a long speech packed with ancient legal anecdotes and Lord Darling turned to Macmillan and said: "At home at this time we would be enjoying the walnuts and the wine. Here tonight, I suppose, we must content ourselves with the chestnuts and ginger beer."

Lord Macmillan's style as an author is full of charm and fancy and his taste and discrimination as a man of letters is well illustrated by his choice of apt quotations which precede each chapter of the book. These are gems in themselves.

On the whole this is a most interesting autobiography which will afford the reader many a delightful evening.

ROGER WILLIAMS\*

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LEARNING PARLIAMENTARY PROCEDURE. By Alice Sturgis. New York. McGraw-Hill Book Co., Inc., 1953. Pp. xvi, 358. \$4.00.

It would be a difficult task, indeed, for the student thoroughly to learn a phase of Maryland law if the only source available to him was the Maryland Code.

Yet many students of parliamentary procedure attempt to learn this subject from books essentially designed and organized as a code, or parliamentary authority, for the guidance of business meetings. Alice F. Sturgis, in writing *Learning Parliamentary Procedure*, recognizes the need for a distinctly text book approach to the material contained in her *Standard Code of Parliamentary Procedure* which was published in 1950 primarily as a guide to meetings. This is similar to the principle used by Gen. Henry M. Robert when he wrote *Rules of Order Revised* as a code and *Parliamentary Law* as a text.

For those seeking a general and useful knowledge of parliamentary law, unencumbered with seldom-used details, the book may well serve to fit them to preside credibly and more effectively to conduct themselves as members of business meetings.

In the first and third sections of the book, the author takes up such matters as voting, quorum, how to organize clubs and the duties of officers, and occasionally takes

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\* Of the Baltimore City Bar.

an excursion into the realm of "group dynamics". While these are important subjects, they seem disproportionately treated in view of the fact that the second section on motions, containing the real core of parliamentary law, is allotted somewhat less than a third of the book.

The motions are treated in groups according to their objects, on the theory that it is easier for the student to learn the rules relating to such similar motions as Lay on the Table and Postpone to a Certain Time if they are treated together under the descriptive heading "Motions to Defer Action" (151). Under each motion the author gives its purpose, the form in which it is moved, an explanation of its characteristics, and closes with a summary of the rules governing the motion. Other sub-headings are used where the motion under discussion is more complex, but no motion is allotted more than ten pages and some as few as two.

This is a rather brief and un-detailed treatment of the motions, when it is considered that the author hopes to see her books supplant such as those of General Robert. This desire she clearly indicates in the book, and she stated it at the bi-ennial convention of the National Association of Parliamentarians last October, at Denver, Colorado.

It seems unlikely that her desire in this respect will be realized. The book is not sufficiently detailed to serve those seeking answers to tangled parliamentary problems as well as beginning students of the subject. Mrs. Sturgis treats Amendments (128), the most complex of parliamentary motions, in a little more than ten pages, while Robert in *Parliamentary Law* requires twenty-five pages of smaller type to cover the subject. While Mrs. Sturgis uses only a little more than two pages to explain a Point of Order (112), Robert requires somewhat more than twice as much room. The difference is detail. This does not mean that Mrs. Sturgis' book will not be useful; it merely implies that it will not be useful to as wide an audience.

Mrs. Sturgis' reference to Robert are unfortunate and may generate some ill-will. She says of Robert: "In part he relied upon the peculiar and specialized rules of Congress in the 1870's. In part he invented his own rules and did not base them upon court decisions. The result was a book which emphasized technicalities rather than principles . . ." (18). She endorses the statement that "Robert's book specialized in techniques of obstruction and disagreement. . ." (18).

Lewis Deschler, parliamentarian of the House of Representatives, feels that far from being peculiar "the parlia-

mentary practice of the House is a system of procedure that ranks second to none" and that the House rules "are perhaps the most finely adjusted, scientifically balanced and highly technical rules of any parliamentary body in the world". Robert omitted the specialized portions, and with respect to general parliamentary procedure, the rules of the House have not changed materially since the 1870's, when Robert based his work on them. He invented no new rules but, where the House rules were not adaptable to ordinary societies, he accepted the practice of other bodies; but he always adhered strictly to those principles established after hundreds of years of development.

The fact is that the reader will have to look very carefully to find any material difference between the rules stated by Mrs. Sturgis and those stated by Robert, with the possible exception of those cases where Mrs. Sturgis has created a discrepancy through the omission of a detail, which is not an infrequent occurrence. Often this is necessary in the interest of brevity and clarity. But at other times it results in an over-simplification from which the student will receive only half the rule. For instance, Mrs. Sturgis says an Appeal from the Decision of the Chair is debatable (117), when in fact it is not debatable in at least fifty percent of the cases in which it arises. Appeal is an important motion because, with its partner, a Point of Order (112), it has served as the tool with which the rules of parliamentary procedure have been built.

From time to time Mrs. Sturgis indicates areas in which the general practice may change in the future. Largely, she feels that ordinary clubs will tend, more and more, to adopt the methods of legislative bodies. As an example, the author feels that a simple majority vote on all motions is the coming practice, and there is basis for believing this would be an improvement in some cases.

However, the author does not make it entirely clear that she realizes that these are matters to be determined entirely by the nature and needs of the particular organization. Legislative bodies with marked partisanship, long sessions, and heavy work loads have somewhat different needs than the average club. Then, too, many parliamentarians consider it a blessing that parliamentary procedure recognizes the fact that a simple majority is not always right by requiring a large majority — usually two-thirds — on proposals which would deprive members of their democratic rights.

At another point the author fails to make her intent entirely clear, when she advocates a disregard for all set forms of speech in parliamentary language. She merely wishes to say that there is no magic in set phrases to be used by the mover of a motion or by the chairman in stating and putting the question. She seems to say that such phrases as "It is moved and seconded . . . etc." or "I rise to a point of order" have ritualistic tendencies and should be avoided. Actually she merely advocates using the language which seems most natural to the occasion, and to the person using it within the bounds of brevity and accuracy of meaning.

In fact, she clearly sets out the forms for each motion and parliamentary situation, most of which are standard, brief, and accurate. This is one of the better features of her book. Teachers of parliamentary procedure too often fail to realize that it is a great help to a nervous and preoccupied presiding officer if he knows how to proceed and automatically uses the proper words when a member makes a motion.

Many parliamentarians have been concerned about the un-descriptive names given to several motions. The three most troublesome in this respect are Previous Question, which cuts off debate and amendment; Lay on the Table, which postpones a question to an undetermined future time; and Postpone Indefinitely, which kills a motion. Mrs. Sturgis proposes to give more descriptive names to the first two of these. For the Previous Question she substitutes "Vote Immediately" (145); and for Lay on the Table she advocates "Postpone Temporarily" (153). In both cases she indicates the older name to avoid confusion.

While the need for such changes has been repeatedly urged, it seems doubtful that Mrs. Sturgis' idea will be widely accepted. The term Previous Question did not describe the purpose of the motion when it was first moved in the English House of Commons in 1604, and while succeeding generations have been successful in completely altering its characteristics and purpose in the United States, their efforts have been just as fully unsuccessful in changing its name.

If Mrs. Sturgis' book is not entirely unusual in being highly illustrated, it is certainly unique as a parliamentary text where it emphasizes main points in poetry. The serious illustrations done by Alan Atkins, and the cartoons drawn by Leo Hershfield add materially to understanding the textual material. The verses written by Richard Armour, while providing the reader with lighter moments, also

present important principles in a more easily remembered form. Concerning a rule of debate, Mr. Armour writes:

“Denounce the motion, if you will,  
 In voice that quivers, voice that’s shrill.  
 Protest that it is ill-advised  
 And underdone or oversized.  
 Deplore, with all your heart and soul,  
 Its wisdom, wording, good, and goal.  
 Demand, in mighty burst of breath,  
 The motion’s sure and sudden death.  
 But while you rip it, inch and acre,  
 Don’t mention once the motion’s maker!” (64)

Illustrating Mr. Armour’s view of dictatorial and political practices in some organizations, we have the following:

“As alike as a pig  
 And its brother, the hog,  
 Are the two kinds of rollers—  
 The steam and the log.” (28).

Mrs. Sturgis places heavy emphasis on the use of basic principles in understanding and remembering the individual rules. Though the essential features of this device have been employed by most authors of parliamentary manuals, Mrs. Sturgis’ use of it is more extensive, better organized and more effective. In Chapter 3 (25) she states the eleven underlying principles which she uses, and in the course of the book relates them to each rule as she cites it. Since it was on the basis of these principles that the structure of the rules was built, it is often possible for one with a basic grasp of the subject to deduce the correct rule from them.

It is difficult to assess the value of the court decisions the author cites as authority for some of the rules of procedure. Mrs. Sturgis presents the cases as a novel and important feature of her book. She lists from two to eight cases for twenty-five of the thirty-three chapters in a Bibliography of Legal Decisions at the end of the book (337). They cover a wide range of jurisdictions and include three Maryland decisions.

In *Murdoch v. Strange*, 99 Md. 89, 57 Atl. 628 (1904), the court ruled that blank ballots were not to be counted in determining the total number of votes cast. In *Zeiler v. Central Railway Co.*, 84 Md. 304, 35 Atl. 932 (1896), it was

held that once a motion is postponed indefinitely (killed) it may not be renewed during the same session unless it is so changed as to present substantially a new question. And in *Evans v. Brown*, 134 Md. 519, 107 Atl. 535 (1919), the court decided that to suspend from membership a constituent organization or member, the parent body must act in good faith, inform the offending body of the charge and give it a reasonable time to defend.

These decisions represent precisely the general parliamentary practice, and often authors of parliamentary manuals are quoted and relied upon. While these cases may be of some value to an attorney seeking some higher authority for a phase of parliamentary practice, the author's use of them is apparently based on her belief that they have influenced general parliamentary procedure. Actually the reverse is usually the case; the court decisions have been largely based on the general practice. In the cases where the courts have apparently deviated, one discovers that the decision was based on some special provision of the rules of the organization involved or in the statutes affecting such organizations.

With this view of the book, then — its emphases, its good and bad points, its achievements and its failures — the remaining question and the one which is undoubtedly paramount to the author is: What place is the book best suited to occupy in the host of parliamentary texts currently on the market? The author clearly feels that it should supplant other prominent texts and take its place as the leader in the field.

Large and important parts of the work lack the detail without which the book can not serve those seeking that ingredient. On the other hand, parts of the book are too heavily emphasized to accommodate one merely seeking a knowledge of the essentials of the subject. The result is a text which neither achieves the degree of comprehensiveness found in other books nor adequately fills the existing need for a good beginner's text. A more modest approach would have produced a more useful book.

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