

THE ANNUAL SURVEY OF AMERICAN LAW¹

The Annual Survey of American Law, which "became current" with the 1945 number, has now established itself and is well known on this side of the Atlantic. It furnishes at the very least an admirable bibliography of books and articles published in the preceding year and for that alone it should commend itself to anyone who has to work on American law. But it is much more than that. It furnishes an analytical account of the progress of the law which cannot be found anywhere else. However, it may be of interest by taking five volumes to see that development in a wider perspective than can be used by the compilers themselves.

Such an undertaking is made easier by the fact that the division of the subject under various heads has remained virtually constant. Occasionally two neighbouring chapters such as those on banking and negotiable instruments have been thrown into one, but such a change is obviously unimportant. It says much for the original planners of the survey that they should have been able to maintain the general arrangement. Occasionally, perhaps, one can see that a change of author has produced a change of attitude towards a subject. This is most noticeable in the chapters on legal history, which at one time seem to have been made a receptacle for reviews of almost every kind of law book which did not fall under any of the other heads and which at the same time might be of interest to the future historian of American law. This surely was stretching the bounds of legal history to an inordinate extent. Later on the scope of the chapter was reduced by Professor Tucker Dean to cover only legal history in its proper sense, though the limits were not set at all narrowly. It is interesting to note that the author of these chapters makes the same complaint as many of us in this country, that there is nothing remotely resembling a History of American Law, though by 1949 he was noting the work of a few enthusiastic experts who were doing valuable work in preparing the ground.

That the survey is not entirely devoted to topics of "practical" interest is also shown by the chapters on jurisprudence, in which Professor Edmond N. Cahn contributes brilliant reviews on the

¹ *The Annual Survey of American Law*, 1945. New York University School of Law, Washington Square East, New York; 1946, lxxxiv and 1875 pp.; 1946: 1947, xciv and 1497 pp.; 1947: 1948, lxxxiv and 1227 pp.; 1948: 1949, lxxvi and 1098 pp.; 1949: 1950, lxxv and 1100 pp.

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