

## Federal Jurisdiction and Procedure

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## BOOK REVIEWS

**Federal Jurisdiction and Procedure.** Third Edition. By John C. Rose. Albany: Matthew Bender & Company. 1926. pp. xxxiv, 919.

This book marks the author's third effort at stating the fundamental principles governing the jurisdiction and procedure of the Federal Courts. The first edition was published in 1915, the second in 1922, and the present edition not only brings the work down to date but is written in such a manner as to command the interest of the reader. It represents a text that could easily be adapted to the student's classroom and would be equally beneficial to any practitioner who is engaged either mainly or casually in practice before the Federal Courts.

Space will not permit too elaborate a review of this book. Suffice it to say that the author treats the following problems: Jurisdiction of the United States Supreme Court and of the various inferior Federal Courts; controversies over which the jurisdiction of the Federal Courts are either exclusive of, or concurrent with, that of the State courts; cases arising under the Constitution, treaties or laws of the United States; the meaning of, and interpretation given to the term "diversity of citizenship"; venue; removal of cases from State to Federal Courts; ancillary jurisdiction of Federal Courts; procedure when Federal Courts are sitting as courts of law or as courts of equity; application of substantive law and enforcement of arbitration agreements; appellate jurisdiction; and the proper procedure in prosecuting appeals.

The Original Judiciary Act is found in the rear of the book together with the Judicial Code. The latter deals with the organization of District Courts, their original and appellate jurisdiction, removal of causes from the State to United States District Courts, and miscellaneous provisions governing peculiar questions arising before such tribunals. Other codes set forth are those governing the Circuit Court of Appeals, the Court of Claims, the Court of Customs Appeals, the Commerce Court, the Supreme Court, provisions common to more than one court, juries, and various provisions repealed or added by the act of 1925. The Equity Rules as prescribed by the Supreme Court are also set forth.

There is an elaborate table of cases with references to the sections governed by each case; a table of statutes cited in the author's text, and a complete index covering all the subject matter.

From the foregoing, one would wonder how a book containing but 900 pages could properly treat such a large mass of subject matter. The answer lies in the fact that the author appears to be an able writer with the faculty of merging the maximum in importance into a minimum of space. Every principle of law is amply supported by a cited case or cases and each illustration is exemplified with a clearness and accuracy that merits the confidence of the profession. Incidentally, *Federal Jurisdiction and Procedure* should prove excellent collateral reading for the student of Constitutional Law.

JOHN M. O'BRIEN