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Book Review

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Book Review

"FEDERAL APPELLATE JURISDICTION and PROCEDURE"

By Elijah N. Zoline. Revised by Alexander Holtzoff. Third Edition. Clark Boardman Co., Ltd., 1928.

Zoline's *Federal Appellate Jurisdiction and Procedure* is essentially practical. It is not a digest of decisions, although it contains sufficient citations from the federal appellate decisions to support its subject matter. It is not a text book such as to be of value only to the student and theorist. It does not purport to be a treatise on the substantive law. It does contain, however, substantive law to bind together its practical features. It is primarily a hand book for the practitioner.

A glance through its table of contents will suffice to show its usefulness to those whose practice takes them into the federal appellate courts. The first chapter is more or less general, dealing with the Fundamentals of Appeal and Error. Chapter II deals with orders, decrees and judgments which are subject to review. This chapter is followed by a chapter dealing with the methods of review and the distinctions and differences between these methods.

The chapter on Trial before the Court and Limitation of Review gives the statutory provision for trial without a jury and the limitation as to the scope of the review of such cases. The chapter on Parties to Appellate Proceedings discusses fully the interest which must be represented by the appellant. This is followed by chapters dealing fully with the jurisdiction of the Supreme Court in appeals from the various federal, state and territorial courts. There is then a similar discussion of the jurisdiction of the Circuit Court of Appeals. Separate chapters deal with appeals to the Circuit Court of Appeals in cases involving bankruptcy, habeas corpus, contempt proceedings, tax appeals, orders of federal trade commission, etc.

Later chapters deal with the fundamental questions as to the time of taking appeals, preliminary steps to be taken, the nature of bills of exceptions and the procedure for filing bills of exception and the record in the proper appellate court.

The final chapter is a chronological treatment of the procedure in the appellate court. It is extremely practical and should be of invaluable aid to those whose experience has not made them familiar with the practice on appeals.

The latest acts of Congress, decisions and rules of court are fully covered, making the subject matter of the work fully up-to-date.

The 80 pages of forms are a delight. These forms are word for word reproductions of forms for papers which must be filed in order to comply with the latest amendments and changes in the law and in the rules of court. The rules of the various federal appellate courts are given in an appendix.

The index is complete and detailed covering some 75 pages.

We feel no hesitation in giving this book our hearty approval.

Robert L. Myers, Jr.