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THE LEGAL STATUS OF THE TENANT FARMER IN THE SOUTHEAST, by Charles S. Mangum. The University of North Carolina Press, Chapel Hill, 1952. Pp. viii, 478. $7.50.

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The subject which is treated in this book with great thoroughness in its legally relevant aspects is one of the most complicated phenomena in American rural society. The actual relations between landowner and cultivator, which show a wide variety of types in almost any country, are complicated in the southern states through the racial and class differences between the parties involved. In addition, in the southern staple crop economy these relationships involve third parties, usually creditors. To make matters worse, there is no firm terminology in existence—even the courts have used the terms "tenant" and "cropper" indiscriminately. Mangum proposes to follow the example of Alabama and North Carolina and treat *all* relations between landowner and cultivator either as a genuine tenancy or as a wage labor contract. In that case, any cultivator who agrees to share the crop with the landowner would be treated as a tenant. The distinction between cropper and tenant would thus be abolished. However, actual arrangements between a landowner and a cultivator range from the hiring of the latter as a laborer for cash wages to the leasing of a farm to a tenant who will pay rent in cash. In between are the various types of arrangements in which the landowner provides more or less of the operating capital and in which the cultivator is more or less subject to supervision by the landowner and at the same time by division of the crop shares more or less the financial risk of the farm operation. A simplification of the law is not likely to result in a corresponding simplification of these arrangements. Nor would tenant status always be advantageous to present share croppers as it carries with it certain responsibilities which an impecunious cultivator might not be able to bear. Similar skepticism seems justified with regard to the author's recommendation to replace all oral agreements by written leases. While "the need for certainty is one of the cornerstones of the movement for the modernization of the judicial system" (p. 139), it must be realized that in many localities both landowners and tenants are adverse to written contracts; besides, there is evidence that oral agreements are often a symptom of stable social relations between landlord and tenant. This has been shown by Hoffsommer and associates in their comprehensive study of

Land Tenure in the Southwest (p. 385 et seq. and p. 603, Table 95) which was published two years before Mangum's book by the University of North Carolina Press and covers some of the southeastern states. Sociologists however are quite aware of the fact that many problems in tenancy relations arise from the general changes in the structure of social relations in the South and that the trend goes in the direction desired by the author.

Some of the apparent inconsistencies in the practice of the courts seem to have their origin in race or class bias; in reading the cases one often gets the impression that the desire to protect a white cropper against an overbearing landlord may have induced the court to declare him a tenant while in other cases Negro tenants may have been held to be croppers where such decision was advantageous to the landowner. But the author, keeping steadfastly within the boundaries of jurisprudence, reveals almost nothing of the clash of interests that constitutes the background of litigation. Thus, Mangum's work is essentially and intentionally a treatise on the law of tenancy and as such, it impresses this reviewer as a piece of highly competent scholarship.

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THE TIDELANDS OIL CONTROVERSY—A LEGAL AND HISTORICAL ANALYSIS, by Ernest R. Bartley. University of Texas Press, Austin, 1953. Pp. x, 312. $5.00.

A relatively new problem in the field of constitutional and international law, one which was only recently realized by the general American public, is treated with detail and clarity by Mr. Bartley, who is presently a member of the faculty of the University of Florida. Although the littoral states' claims to the tidelands were partially appeased by the Eighty-Third Congress (First Session, Chapter 65, Public Law 31) the material set forth by the author is far from being obsolete.

Starting out with a brief description of the problem, the author then proceeds to show its historical development, beginning with the Roman law. The claims made by England, prior to the Revolutionary War, are dealt with at length, since it is

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