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Thomas M. Cooley, *University of Michigan Law School* (https://repository.law.umich.edu/do/search?q=author_iname%3A%22Cooley%22%20author_fname%3A%22Thomas%22&start=0&context=3275985)

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Description

In the Preface to the first edition of this work. the author stated its purpose to be, to furnish to the practitioner and the student of the law such a presentation of elementary constitutional principles as should serve, with the aid of its references to judicial decisions, legal treatises, and historical events, as a convenient guide in the examination of questions respecting the constitutional limitations which rest upon the power of the several State legislatures. In the accomplishment of that purpose, the author further stated that he had faithfully endeavored to give the law as it had been settled by the authorities, rather than to present his own views. At the same time, he did not attempt to deny - what he supposed would be sufficiently apparent- that he had written in full sympathy with all those restraints which the caution of the fathers had imposed upon the exercise of the powers of government, and with faith in the checks and balances of our republican system. and in correct conclusions by the general public sentiment, rather than in reliance upon a judicious, prudent, and just exercise of authority, when confided without restriction to any one man or body of men, whether sitting in legislative capacity or judicial. In this sympathy and faith he had written of jury trials and the other safeguards to personal liberty, of liberty of the press and of vested rights; and he had also endeavored to point ont that there are on all sides definite limitations which circumscribe the legislative authority, independent of the specific restrictions which the people impose by their State constitutions. But while not predisposed to discover in any part of our system the rightful existence of any unlimited power, created by the Constitution, neither, on the other hand, had he designed to advance new doctrines, or to do more than clearly and with reasonable conciseness to state the principles to be deduced from the judicial decisions.

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Disciplines

Civil Rights and Discrimination | Constitutional Law | First Amendment | Legislation | State and Local Government Law

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