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PRIVILEGES AND IMMUNITIES OF
CITIZENS OF THE UNITED STATES**

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To Mr. Johnson
Albion, N.Y.

PREFACE

To his students in the University of Colorado the author must trace his first incentive to undertake this little investigation. Together they searched but in vain for a work at once recent and intensive on the subject of the Privileges and Immunities of Citizens of the United States. Approval and encouragement from Professors Goodnow and Giddings of Columbia University set the seal on his plan.

It is not his object to make a study of privileges and immunities in the abstract; no more, of the privileges and immunities of citizens and subjects in general; nor yet of those of the citizens of the commonwealths in the American Union. This treatise will deal only with the privileges and immunities of citizens of the *United States*. For it is in connection with these that the greatest confusion and misunderstanding have arisen. To ascertain just what the Supreme Court of the United States has explained these privileges and immunities to be is the object of this dissertation. Neither what might have been nor perhaps what ought to have been, but what *is*.

In the preparation of the chapters which follow, the Reports of the Supreme Court have been gone through volume by volume from Dallas to 225. These constitute the basic material. The decisions of the inferior federal courts have also been examined so far as they have anything to add to the highly productive superior court. Some one hundred or more decisions rendered in the highest state courts were read, but found of little value for this particular study. The author has refrained from criticizing

the views of others and has devoted his whole attention to a study of the sources and fundamental principles.

No attempt has been made to deal exhaustively with the subjects of the first two chapters; for the object of the introductory part is merely to emphasize certain fundamentals of the American government which serve to explain the main points in the later chapters. Tables of cases and a brief list of standard works will be found in the appendix.

For constant inspiration and valuable criticisms and suggestions, the author is much indebted to Professor Frank J. Goodnow, under whose direction the chapters have been written. Also to Professors William A. Schaper and Frank M. Anderson of the University of Minnesota for helpful methods and training in research work. And not least to Professor John B. Moore for reading the manuscript and for suggestions.

A. J. LIEN.

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