

Association, the number of members having increased in two years from approximately four hundred to nearly eight hundred.

An amendment to the constitution was adopted, increasing the number of elected members of the executive council from ten to fifteen, and the term of their office from two to three years, provision being made for the retirement of five members each year.

The officers elected for the year 1909 are as follows: president, A. Lawrence Lowell, of Harvard University; first vice-president, T. S. Woolsey, of Yale University; second vice-president, Paul S. Reinsch, of the University of Wisconsin; third vice-president, Henry Jones Ford, of Princeton University, secretary and treasurer, W. W. Willoughby, of Johns Hopkins University. The elected members of the executive council, including those holding over from last year, are as follows: J. H. Latané, C. E. Merriam, J. W. Jenks, F. J. Goodnow, Isidor Loeb, Stephen Leacock, Albert Shaw, F. N. Judson, Walter L. Fisher, Milo R. Maltbie, W. B. Munro, L. S. Rowe, J. S. Reeves, W. A. Schaper, B. E. Howard.

Socially the meeting was a most enjoyable one. Monday evening a reception to the associations was given at the British embassy by Mr. and Mrs. Bryce. Tuesday noon there was a luncheon at the New Willard Hotel, in Washington; Tuesday evening a reception in the parlors of the Hotel Jefferson, in Richmond; Wednesday afternoon a reception at the Woman's Club of Richmond, and Thursday evening a New Year's Eve celebration at the Westmoreland Club. On Friday there was an excursion to Charlottesville and the University of Virginia.

New York City was chosen as the place for the next annual meeting of the Association, to be held during Christmas week, at which time and place the American Historical and American Economic Associations will also hold their annual meetings.

The fifth volume of *Proceedings* of the Political Science Association, containing the papers read at the meeting just held, will be published as soon as possible and should appear before April

PERSONAL AND BIBLIOGRAPHICAL

J. W. GARNER

Prof. J. H. Beale, Jr. of the Harvard Law School has in preparation a collection of *Cases on Municipal Corporations*.

Mr. Harvey N. Shepard of Boston has been appointed lecturer on Municipal Government in the Boston University Law School.

Mr. Francis W. Hirst, the well-known writer on *English Local Government*, has been spending a month in America and has given some lectures at Harvard and elsewhere.

The New England History Teachers' Association has just issued *Sample Chapters of an Outline for the Study of American Civil Government in Secondary Schools*. Copies may be had from Mr. Wilson H. Butler of New Bedford, Mass., general editor of the *Outline*.

Many readers of the REVIEW will regret to learn of the death of Dr. Guy H. Roberts, instructor in political science in the University of California, which took place at Berkeley, Cal., in December last. Dr. Roberts was formerly instructor in Bowdoin College, Maine.

Prof. Adam Shortt, formerly of Queen's University (Ont.), has been appointed chairman of the new Canadian civil service commission.

Mr. Horace E. Deming of New York, chairman of the executive committee of the National Municipal League, has prepared a work on *The Government of American Cities*, which will be published shortly by Putnam's.

A committee of the National Municipal League has been appointed to consider the advisability and practicability of reviving the periodical known as *Municipal Affairs*, the publication of which was suspended five or six years ago. It is believed that there is now a sufficient constituency for a periodical devoted exclusively to the publication of matter relating to municipal administration.

Prof. Josef Redlich of the University of Vienna, who was to have given courses on European Government in Harvard University during the second half of the present year, has announced his inability to come to America owing to pressure of political duties in the Austrian reichsrath of which he has been elected a member.

Prof. Albert Bushnell Hart of Harvard University is employing his sabbatical leave of absence this year by a trip around the world. He is at present holidaying in Ceylon.

The authorities of the Harvard Law School Library have been for some time engaged in making a collection of American city charters.

Mr. Payson J. Treat of the Leland Stanford Jr. University is giving a course on Colonial Government at Harvard this year.

It is announced that the report of the Boston Finance Commission will be given to the public on February 1, 1909. It will undoubtedly recommend important changes in the present Boston charter.

Mr. J. Wells Farley, secretary of the Boston Finance Commission, is to give, during the second half of the present year, instruction for graduate students at Harvard in the Administration of Municipal Business.

Prof. Amos S. Hershey of the University of Indiana is preparing a college text-book on International Law for the Macmillan Company.

Mr. L. E. Aylsworth of the University of Nebraska has been promoted to the rank of adjunct professor of political science.

Dr. Delos F. Wilcox has been appointed chief of the franchise bureau of the New York City public service commission.

Prof. Munro Smith of Columbia University will be on leave of absence during the second semester of the present year.

Mr. Arthur K. Kuhn, Doctor of Philosophy from Columbia University, member of the New York Bar and translator of Meili's *International Civil and Commercial Law*, will give Prof. J. B. Moore's course on the Conflict of Laws at Columbia during the second semester of the present year.

Prof. Henry Jones Ford of Princeton will deliver the Blumenthal lectures at Columbia next fall. His subject will be the Cost of National Government.

Ernst C. Meyer, B.S., Wisconsin, 1901, has been appointed lecturer in political science in the University of Wisconsin. Mr. Meyer is a brother of Prof. B. H. Meyer, chairman of the Wisconsin railroad commission, and is at present consul for the United States at Chemnitz, Germany. He took his degree of Ph.D. at Leipzig in 1905. He is the

author of *Nominating Systems, Direct Primaries versus Conventions in the United States; Industrial Education in Germany; and Wahlamt und Vorwahl in den Vereingten Staaten von Nord-Amerika*. Dr. Meyer will give courses in Federal and State Administration, Municipal Government, and the Consular Service.

Dr. James D. Barnett, professor of political science in the University of Oklahoma, has resigned to accept a similar chair in the University of Oregon. Mr. Barnett did his graduate course at the University of Wisconsin where he received the doctor's degree, and has filled the chair of political science at Oklahoma since 1905. He is succeeded by Mr. J. H. Sawtell, a graduate of Harvard University.

Prof. John A. Fairlie of the University of Michigan will spend the second semester of the present year in the service of the bureau of corporations at Washington. His courses will be given by Mr. W. L. Bailey of the University of Wisconsin.

Prof. William B. Munro of Harvard University has been elected president of the New England Teachers' Association.

On November first at a special meeting of the Argentine Academy of History, Prof. L. S. Rowe of the University of Pennsylvania was made a member of the Association.

Mr. Jacob Van der Zee, who, as a Rhodes scholar, has just completed the course in history and political science at Oxford, England, has been elected to the position of research assistant in the State Historical Society of Iowa. The Society has lately published a *History of Labor Legislation in Iowa*, by E. H. Downey; also a biography of Augustus C. Dodge, once a United States senator from Iowa and later minister to Spain. The author is Louis Pelzer.

The Chicago harbor commission appointed by Mayor Busse to consider the harbor needs of the city and report upon the possible means of improving the present facilities has prepared an elaborate report which will be printed at an early date. Prof. C. E. Merriam served as secretary of the commission.

Mr. Clarence B. Lester, founder of the legislative reference department in the Indiana State Library, has been appointed to succeed Mr. Frederic

Bramhall as legislative reference librarian (the title has been changed from sociology librarian) of the New York State Library.

President Benjamin Ide Wheeler of the University of California has been chosen by the Columbia faculty of political science as the Roosevelt professor at Berlin for the year 1909–1910; Dr. Albrecht F. K. Penck, professor of geography and director of the geographical institute at Berlin, has been appointed Kaiser Wilhelm professor at Columbia for the year 1908–1909.

The report of the proceedings of the fourteenth annual meeting of the Lake Mohonk Conference on International Arbitration, held at Lake Mohonk, May 20–22 last, has appeared. It makes a volume of 190 pages and is published under the editorship of Mr. H. C. Phillips, the permanent secretary of the conference (Lake Mohonk, N. Y., 1908).

An international congress of administrative science is to be held in Brussels in 1910, to which the Belgian government has invited foreign countries to send their specialists in the field of administration. The work of the congress will be divided into four sections dealing with municipal, provincial and departmental administration and administrative documents. Reports on the best administrative methods of the world will be presented and will be printed in the proceedings of the congress. Information concerning the congress can be obtained of M. De Vuyst, inspecteur principal au ministère de l'agriculture, 22 Avenue des Germains, Brussels.

Under the auspices of the Grand Rapids Public Library there is being given a series of free lectures, by representatives of the various municipal boards and departments showing the work that they do and the money they receive and spend for the city.

Several organizations in Michigan are coöperating in the formulation of a new general law for the incorporation of cities, in pursuance of the new constitution which was ratified in November last by a vote of 240,000 to 130,000 and which went into effect January 1. A committee of delegates to the late constitutional convention, among whom we note the names of two members of the American Political Science Association, Messrs. John A. Fairlie and J. F. Barnett, together with a committee representing the League of Michigan Municipalities, are at work on a bill to be presented to the legislature at the present session.

The *New York State Library Index of Legislation* for 1907, edited by Mr. Frederic D. Bramhall, sociology librarian, is a volume of 600 pages and in quality comes fully up to the standard set by Dr. Whitten, Mr. Bramhall's predecessor. According to the statistics published in the *Index* the legislatures of 41 States were in session during the year preceding October 1, 1907, the number of laws and resolutions adopted aggregating 16,064. The largest output of legislation was in North Carolina where 1572 acts and resolutions were passed during a session of 62 days, or an average of more than 25 per day. Other prolific legislatures were those of Wisconsin which passed 724 measures, Michigan which passed 790, Connecticut which passed 782, Alabama which passed 766, Pennsylvania which passed 741.

Legislative reference bureaus have been established, or enlarged and put on permanent foundations, during the past year in Indiana, Michigan, Nebraska, North Dakota, Rhode Island and South Dakota. In most of these States the bureau is to be a part of the State library. In Nebraska it is a part of the State Historical Society, for the better equipment of which \$25,000 was appropriated. In Indiana \$4000 annually was appropriated, of which \$1500 is to pay the salary of the reference librarian. In Alabama provision was made for enlarging the sphere of the Department of Archives and History, so as to include the work of a legislative reference library.

In his annual report for the year 1907, as treasurer of Porto Rico, Mr. W. F. Willoughby not only has covered the fiscal operations for the year but has given a general account of the administration of the finances of the island since the establishment there of civil government. The volume thus makes an interesting and valuable study in the art of colonial administration. The results shown are in general very satisfactory, and in some cases remarkably so. Thus may be especially mentioned the bringing out of bankruptcy of some sixty-six local governments and placing them upon a firm financial basis, and the establishment of uniform accounting throughout the island.

Judge Taft's lectures in the Yale course on the Responsibilities of Citizenship have appeared in book form (Scribner's) under the title *Four Aspects of Civic Duty*. They are written from the point of view of a university graduate, a federal judge, and one connected with colonial and national administration. Judge Taft deals with the problems of

government in the Philippines, and in domestic affairs presents arguments against the abolition of the institution of private property. He argues for general though not servile allegiance to party for the maintenance of the full power of the judiciary and for reform in the administration of the criminal law. The work does not profess to be one of scholarly research, but is the fruit of a trained mind and wide practical experience in affairs of government.

Students of practical economies will find a need supplied in the excellent account of the present position of the coöperation movement in Europe, *Coöperation at Home and Abroad: A Description and Analysis* by C. R. Fay (London, P. S. King and Son. 1908. Pp. xvi, 403). The author held the Shaw research studentship in the London School of Economics, 1906-1908, and also was assisted by a grant from the Worts fund for the purpose of continental travel. Especially valuable, as not easy to obtain elsewhere, is the appendix on coöperation law in the different countries.

In a work entitled *Six Radical Thinkers* (Longmans, Green and Company, pp. 266) Prof. John MacCunn has subjected to penetrative and appreciative analysis the thought of Bentham, J. S. Mill, Cobden, Carlyle, Mazzini, and T. H. Green. The work is a most valuable one, and constitutes virtually a history of the radical movement in politics and ethics.

The REVIEW is in receipt of a pamphlet by Mr. Robert P. Reeder on *Rate Regulation as Affected by the Distribution of Governmental Powers in the Constitutions*, which is a separate issue of an article appearing in the *University of Pennsylvania Law Review* for November, 1908. Mr. Reeder discusses the question of the delegation of legislative power with reference both to the State and federal governments. He is of the opinion that the grant of rate-making power to the Interstate Commerce Commission "is so broad that the provision cannot be upheld upon any ground which is not flatly inconsistent with the rule that legislative power may not be delegated."

The South African Closer Union Society has recently issued two publications for use in connection with the South African confederation convention: *The Government of South Africa* (Capetown, 1908, 2 vols); and Long, B. K., *The Framework of Union* (Capetown, 1908, pp. viii,

207, cxviii). Mr. Long's work contains a sketch of the development of union in Canada, Australia, and Germany; and the texts of the Constitutions of the United States, Canada, Germany, Switzerland, and Australia.

In a new edition, the third, of General George B. Davis' *Elements of International Law* the results of the work of the second Hague conference have been fully incorporated, the complete texts of the final act being published in the appendix. The new questions of international law raised during the Russo-Japanese War are also reviewed and commented upon (New York: Harpers, 1908, pp. 673).

A second revised and enlarged edition of *The Constitutions and Other Select Documents Illustrative of the History of France, 1789-1907*, by Prof. Frank M. Anderson (Minneapolis: The H. W. Wilson Company, 1908. Pp. xxvii, 693) has appeared. Additional references, and the inclusion of documents upon the separation of church and state, increase the worth of this already very valuable volume.

Captain A. T. Mahan, in a new volume entitled *Naval Administration and Warfare* (Boston: Little Brown and Company, 1908. Pp. xiv, 409) considers, among others, such topics as the Principles of Naval Administration, the Organization of the Navy Department of the United States, the Naval War College, and the Monroe Doctrine. Captain Mahan compares the British and American systems of naval administration and points out what he conceives to be the strong and weak points of each. In each, one man is ultimately responsible, but the American secretary has to deal with subordinates, not associates, while the British first lord has associates to advise him rather than subordinates to direct. There is greater unity of action in the British admiralty than in the United States navy department where eight or nine bureau chiefs act independently each of the other without any coördinating element except the single authority of the secretary. This lack of provision for a more effective coördination within the department is, Captain Mahan thinks, the principal defect of the system, though he considers it superior to the British system in that it secures the "strictest individual responsibility" in the secretary and in his principal subordinates, the bureau chiefs. In later chapters he dwells upon the importance of the educational work of the Naval War College and defends the new interpretation of the Monroe Doctrine as "serviceable" if not essential to the peace and safety of the United States.

The Mystery of the Pinckney Draft, by Charles C. Nott, formerly chief justice of the United States court of claims, is an interesting study of an old controversy in the history of the Constitution of the United States, namely, whether the draft which Pinckney sent to the secretary of state, John Adams, upon request in 1818, was a true copy of the paper which he laid before the Philadelphia Convention in 1787 and which was subsequently lost. The draft which was sent to the department of state has generally been discredited as a false document. Madison declared that the evidence against its authenticity was "irresistible;" Story did not regard it as worth notice; Bancroft asserted that "no part of it was used and no copy of it has been preserved," and Prof. J. F. Jameson has lately pronounced it to be a "mystery." Judge Nott, however, has undertaken in a volume of 335 pages to establish the authenticity of the Pinckney document and hence to show that the Constitution is more largely the work of Pinckney than of any other man. The reasons why the Pinckney plan has been too readily discredited, Judge Nott thinks, are: first, our exceeding deference to Madison's opinion; second, because the draft never came before the convention for discussion since the committee of detail reported a draft of its own; and third, because the importance of the draft as the work of one man has been exaggerated beyond its true value. His conclusions are that the draft in the state department agrees so closely with that reported by the committee of detail, in form, phraseology, structure and arrangement that the one must have followed the other; that in view of circumstances which are fully explained the perpetration of such a fraud by Pinckney was impossible; and finally, that Madison's notes, meager and imperfect as they are, cannot be admitted as conclusive evidence against the claim of Pinckney. (New York: The Century Company, 1908. Pp. 335.)

Mr. Lewis Henry Haney of the University of Iowa has published a *Congressional History of Railways in the United States*. (Vol. I: *Congress and the Railways Down to 1850*. Madison: Democrat Printing Company. 1908. Pp. 273.) There are twenty-three chapters dealing with the Rise of the Railway Question, Congressional Aid to Railways, Isthmian Projects, the Origin and Growth of the Pacific Railway Idea, etc. The work is based on a study of congressional documents and bears evidence of wide and careful research. It is to be hoped that the author will continue his history through the period of development after 1850.

The Control of Public Utilities, by William M. Ivins and Herbert D. Mason is the title of an elaborate digest of and commentary on the law relating to public service companies, arranged in the form of an annotation of the public service commission law of the State of New York. (New York: Baker, Voorhis and Company. Pp. 1229.) The authors have brought together the laws of the several States dealing with the subject of public utilities, along with the judicial decisions, both federal and State, bearing upon the law. The compilation as a whole will be useful not only to the lawyer but to the student of State and municipal government as well. Mr. Ivins dwells upon the passing of the laissez faire doctrine as regards public service corporations and defends the policy of governmental control in the interests of the people. The failure or inefficiency of State control, he points out, has strengthened the movement for national control and converted many State rights advocates into nationalists. Following the line of argument in Mr. Root's address before the Pennsylvania Society of New York, he maintains that changed conditions have largely done away with State lines in economic matters and that the public good can be better subserved by national control than by a multitude of local legislatures with their varying standards of business judgment and moral sense.

The department of economics and sociology of the Carnegie Institution of Washington has in preparation an index of economic material contained in documents published by the States of the United States. The work is under the direct supervision of Adelaide R. Hasse, librarian of the department of public documents in the New York Public Library.

The index is published by States, a single volume to a State. The term economic has been liberally interpreted, including agriculture, banking, charities and corrections, commerce, education, finance, industries, insurance, labor, natural resources, population, public works, railroads, taxation, vital statistics, etc. The arrangement of the contents of each volume is by subject, the material under each subject being entered chronologically. The index is expected to cover the period from the adoption of the federal Constitution to the close of the year 1904.

Henry M. Bacon of the Chicago bar has prepared and published a *Voters' Handbook and Citizens' Manual*, which contains much political information which every citizen must know in order to discharge intelligently his public duties. (Chicago: Callaghan and Company, 1908. Pp. 163.) It gives concise summaries of the election laws, lists of elec-

tive and appointive officers, both federal and State, a digest of the naturalization laws, statistical tables showing the popular electoral vote for president of the United States, etc. It is written in simple language and so arranged that anyone with a common school education can easily understand it.

The Book of the American Municipalities for 1908, published by the League of American Municipalities, 95 Dearborn Street, Chicago, is the third of the annual souvenir publications of the League. The present volume contains a brief review of the League, and a variety of statistical information concerning the population, area, finances and activities of the most important cities of the United States and Canada and of many of the smaller municipalities. It is embellished with portraits of many city officers and is in general more attractive in form than useful as a handbook.

The Proceedings of the twelfth annual convention of the League which was held at Omaha, September 30–October 2, is a most useful publication. Besides the address of the president, Mayor Mahool of Baltimore, and the report of the secretary-treasurer, John MacVicar of Des Moines, the Proceedings contains some fifteen papers, dealing for the most part with municipal accounting and the liquor problem in the cities. Among the more important contributions are the papers on Sewage Disposal, by Prof. A. Marston of Iowa State College, on Uniform Accounts and Reports for Cities, by Dr. Legrand W. Powers, on the Form and Substance of Municipal Reports, by Dr. F. A. Cleveland, Municipal Government by Commission, by Charles A. Huston of Cedar Rapids, and Municipal Home Rule in Michigan, by Prof. John A. Fairlie.

A contribution to American municipal history has been made by Prof. L. M. Larson of the University of Illinois, in his *Financial and Administrative History of Milwaukee*. (University of Wisconsin Bulletin No. 242. Madison, Wisconsin. 1908. Pp. 182). Professor Larson traces the history of Milwaukee from its earliest beginnings through the stage when it was largely a confederation of wards, each possessing in many respects the autonomy and corporate capacity of a municipal corporation; through the period of bankruptcy from 1850 to 1860; through the period of financial readjustment from 1861 to 1870; and through the period of public improvements and large undertakings to the year 1904. Important factors in the political history of the city

have been the presence of a large foreign element in its population and the growth of a socialist party which elected twelve of the forty-six aldermen in 1906 and which now numbers about one-third of the electorate.

George W. Crichfield, who, we are told, has spent many years in the South American republics as a promoter and builder of railroads, has lately published a book in two volumes, entitled *American Supremacy*, being an account of the rise and progress of the Latin American republics and their relations to the United States under the Monroe Doctrine. (New York: Brentano, 1908. 2 vols.) The first seventeen chapters, constituting Part i of the work are mainly historical and deal with the revolutions in the various republics since the achievement of their independence. Part ii is devoted to character sketches of noted Latin American leaders and dictators, the latter of whom are characterized as "bad," "very bad" and "worst." Part iii deals with the dictatorship as a form of government, Part iv with social conditions, Part v with business conditions, Part vi with governmental bad faith and incompetency, Part vii with climatic conditions, diseases, etc. Book II, consisting of twenty-five chapters, deals in general with foreigners in Latin America and relations with foreign governments, including noted arbitration cases. Book III, consisting of eleven chapters, deals with the applications and development of the Monroe Doctrine, which the author considers a "national superstition," a "bar to civilization" and a "menace to our national peace and safety." Book IV treats of the imperialistic movement of the great powers and undertakes to outline a rational policy for the United States.

Prof. A. B. White's *Making of the English Constitution* (New York: Putnam's. 1908. Pp. 410) is a well-written summary of the mediæval period. The author aims to give an accurate, up-to-date discussion of the more important institutional developments to 1485 and has in a measure succeeded. The chief defect of the work seems to be a lack of proper proportions. The first one-third takes the reader to the year 1100; but the information given is often too general to be of much value. To the remaining four centuries ample space is given. The strong point of the work is treatment of the judiciary—at least one-third of the book is devoted to this subject. The executive, on the other hand, is not given the attention which its importance deserves. The story of the rise of parliament occupies more than one hundred pages; while the king's council, perhaps the most important organ of the mediæval state,

is described in thirteen. The prominence thus given to certain parts of the institutional machinery is likely to mislead the student. The book contains a brief but well selected bibliography.

The flood of books relating to the Hague conference continues. One of the latest and most elaborate, in addition to those mentioned in the last number of the REVIEW, is *La Segunda Conferencia de la Paz, reunida en El Haya en 1907*, by Antonio S. de Bustamante y Sirvén, a delegate from Cuba to the second Hague conference and professor of international law in the University of Havana. (Madrid: Suarez, 1908. 2 vols. Pp. xlv, 444 and 392.) The author passes in review the various questions raised in the conference, the propositions, motions and discussions relating to each and the manner of disposal. He also summarizes the work of the first conference and traces the steps which led up to the calling of the second. Such questions as disarmament, the Drago doctrine, the laws of maritime war, the rights of neutrals, arbitration, the international prize court, and many others are considered at length. In summarizing the results of the conference the author records his appreciation of the liberal and progressive spirit which marked the proceedings and expresses the opinion that a substantial advance was made in the direction of a more enlightened system of international law. The work concludes with an appendix containing a Spanish translation of the acts of both conferences, and also of the Geneva convention of 1864 as modified by that of 1906.

Another work, published by the Dutch government, and to be completed in three volumes, is the *Deuxième Conférence Internationale de la Paix, Actes et Documents* (La Haye: Imprimerie, 1907), the first volume of which contains the programs, the list of delegates, the minutes of the plenary sessions, the reports presented to the conference, and the texts of the conventions. The second and third volumes, not yet published, will contain the official minutes of the proceedings of the various commissions, together with the texts of the propositions, projects, etc., presented to the conference.

An English work, entitled *International Problems and the Hague Conference*, by Mr. T. J. Lawrence (London: J. M. Dent and Company, 1908), attempts "to furnish students with an account of the Hague conferences considered not as isolated phenomena but as immensely important points in the revolution of international society" and "to

place before thoughtful people who take an interest in the affairs of the world around them sound information about a series of events of which they have read in a desultory fashion in their newspapers, but as to which their knowledge is, as a rule, both imperfect and confused." The author treats in an admirable fashion, though briefly, some of the important questions before the Hague conferences, particularly those relating to blockade, right of search, the use of submarine mines, contraband, prizes and maritime war in general. It is a little book calculated to stimulate sound thinking and clear up confused notions on various questions relating to the law of maritime warfare.

Dr. James Brown Scott has rendered a useful service to American students by the preparation and publication of *The Texts of the Peace Conferences at the Hague, 1899 and 1907*. (Boston: Ginn and Company, 1908. Pp. xxxiv, 444.) All the acts, recommendations, conventions and declarations of both conferences are printed in parallel columns in French and English, the French text having been compared word for word, we are told, with the official copies in the department of state. Historical notes by the editor are appended to many of the provisions. In addition to the texts of the official acts of the conferences there are copies of the Russian rescript of August 24, 1898, and the circular of January 11, 1899, through which the first conference was called, the official correspondence relating to the calling of the second conference, documents referring to and explanatory of the Hague conventions, such as the declarations of Paris and St. Petersburg, the Geneva conventions, the instructions for the government of the armies of the United States, etc. There is a prefatory note by Secretary Root, an introductory chapter by the editor, and an excellent index-digest of nearly forty pages which will add greatly to the convenience of the work. A French work quite similar in plan and scope has been prepared by Professor Renault of the University of Paris, who was a delegate to both conferences. It is published by A. Rousseau (Paris, 1908. Pp. viii, 214).

The Laws of War on Land, by Prof. T. E. Holland of Oxford (The Clarendon Press, 1908. Pp. 158), is a revision and enlargement of his manual prepared for the British government in 1904 in pursuance of the rules of the Hague convention of 1899, which made it the duty of the signatory powers to prepare instructions for their armed forces on land, in conformity with the regulations agreed upon by the conference. The present revision brings the compilation up to date by including the

several conventions adopted by the second Hague conference relating to the laws and customs of war. It consists of 140 articles selected mainly from the Geneva convention, the declaration of St. Petersburg and the various conventions of the first and second Hague conferences. Each article is annotated and briefly commented upon by the learned author. There is an appendix containing notes, instructions, the text of the Hague conventions concerning the laws of war on land, etc.

The appearance of *Des corporations d'affaires au Massachusetts* by William Rappard (Paris: Giard et Brière. 1908. Pp 278), a Swiss student who spent some time in Massachusetts working under the especial guidance of Professor Bullock of Harvard, will be welcomed by all students of corporate development from the economic standpoint as well as by students of comparative legislation. The monograph is divided into three parts: First, a legislative history of business corporations in Massachusetts from their origin in that State to the present day; second, a study of the actual operation of the law with some comparisons with that of the other States and some of the European countries, viz: Germany, France and Switzerland; and third a critical summary, with general conclusions. The work is accompanied with some statistical tables and a list of the several acts relating to corporations in Massachusetts.

A new edition, the third, of Arthur Girault's *Principes de Colonisation et de la Législation coloniale* has lately been published (Paris: Larose et Tenin, 1908. 3 vols.). The original two volumes have now grown to three, Algeria and Tunis occupying an entire volume.

L'expansion allemande hors d'Europe, by E. Tonnelat (Paris: Colin, 1908. Pp. 278), is a study of German emigration and colonization in countries outside of Europe. The Germans in the United States, and Shantung, and the German colonies in Brazil and South Africa form the principal topics of study. Regarding recent German colonization in Brazil and the apprehensions which have been raised in the United States, the author expresses the opinion that there is no reason to believe that if an independent German state should be founded in that part of the world it would be annexed by the German empire.

Prof. Léon Duguit of the University of Bordeaux, whose work entitled *Droit Constitutionnel* (1907) was noticed in a recent number of the REVIEW, has lately published a small volume under the title *Le droit*

social, le droit individuel et la transformation de l'état. (Paris: Felix Alcan, 1908. Pp. 156.)

Le mariage en droit international privé, by Alexandre Orescu of the Paris Law Faculty (Paris: Librairie Larose, 1908. Pp. 469), is an elaborate study in the conflict of laws and comparative legislation. The study bears evidence of abundant research and painstaking industry. In arrangement and method of treatment the author follows closely the treatise of M. Weiss, certainly a worthy model for investigators in this field.

Guerre et paix internationale, by Eugène d'Eichthal of the French Institute (Paris: Doin, 1908. Pp. 212), is a somewhat philosophical but sane and moderate discussion of the question of the possibility of a permanent international peace. The author maintains that he is a lover of peace but that it is both useless and dangerous to shut our eyes to the real conditions that exist in the world today and to proceed on the theory that war is a thing of the past. He discusses the influences that make for peace within states and among nations and the causes which promote misunderstanding and conflict. He points out that during the eight years which elapsed between the first and second Hague conferences many of the signatory powers increased their military and naval armaments and concludes that in the matter of permanent peace, notwithstanding the progress made, we are still very far from the promised land.

A French treatise on the police power with special reference to the rights of property is M. Julien Laferrière's *Le droit de propriété et le pouvoir de police* (Paris: Giard et Brière, 1908. Pp. 240). The author discusses at length the nature and scope of the police power, which he conceives to be the exercise of public authority over individuals for the prevention of injuries to other individuals; the object of police; the matters which it properly embraces; the nature of the interests which it is designed to restrain, etc. The object of police he declares to be tranquillity, security, and health of society, and may be exercised only for the general interest. The most important right which it affects is the right of property. In this connection the author examines the French laws of 1850 and 1902 relating to the public health, and the police power which they confer in relation to the use of property.

Diritto costituzionale, Dottrina e storia (Terza edizione riveduta; Naples, 1907. Pp. 604), by Giorgio Arcoletto, is the title of an Italian treatise on constitutional law which has attained great popularity in Italy, as shown by the rapidity with which the successive editions have followed one another. In arrangement it is divided into an introductory part dealing with the history and doctrine of constitutionalism; a general part dealing with the fundamental theories of constitutional law, and analyzing the principal constitutions of Europe and America and especially the Italian "statuto;" and a special part treating of representation, the chief of state, the parliament, the administration and the judiciary in turn.

A new contribution to American Constitutional literature by a German scholar is Ernst Kaufmann's *Auswärtige Gewalt und Kolonialgewalt in den Vereinigten Staaten von Amerika: Eine rechtsvergleichende Studie über die Grundlagen des Amerikanischen und deutschen Verfassungsrechts*. It constitutes part i of volume vii of Jellinek and Ausschütz's well known *Staats-und-Völkerrechtliche Abhandlungen*, (Leipzig, 1908, Pp. xiv, 244).

Prof. Fritz Fleiner of the University of Heidelberg has prepared for the use of students a small volume of cases on administrative law under the title *Verrwaltungsrechtsfälle zum akademischen Gebrauch* (Tübingen: J. C. B. Mohr, 1908. Pp. 64). The selection is carefully made from the decisions of the administrative courts in the different states of the German empire.

A new contribution to the rapidly increasing literature dealing with the proposed reform of the criminal law in Germany is Adolf Lenz's *Die Anglo-Amerikanische Reformbewegung im Strafrecht* (Stuttgart: Enke, 1908. Pp. 305), being a study of the influence of the Anglo-American reform movement on the development of the criminal law on the continent.

The second volume of Jellinek, Laband and Piloty's *Jahrbuch des Oeffentlichen Rechts* (Tübingen: J. C. B. Mohr, 1908) departs somewhat from the plan followed in the first volume in placing greater emphasis on summaries of recent legislation. In the present volume the imperial legislation of Germany for the year 1907 is reviewed by Professor Laband, that of Prussia by Dr. Doehow of Heidelberg, and that of the other

important German states by well known authorities in each. Professor Van Calker of Giessen contributes an article on The Development of Hessian Administrative Organization During the Nineteenth Century, and Herr Seelig of Hamburg one on the Hamburg Suffrage and Citizenship Law of 1906. Thirteen articles are also contributed by foreign scholars. Thus Saripolis of Athens summarizes the legislation of Greece for the years 1906 and 1907; Ulbrich of Prague discusses the new suffrage in Austria; Fardis of Paris writes about the Separation of Church and State in France; Schlesinger of Breslau reviews the new constitutional reforms in Russia; Steinbach of Vienna writes about constitutional changes in Hungary; Posada of Madrid considers the political reforms of Spain, etc.

Recently a number of contributions have been made to the literature of political parties in Germany and several collections of party programs have been published. Among the former may be mentioned Chr. Grotewald's *Die Parteien des Deutschen Reichstags*, Band I, *Der Politik des Deutschen Reiches in Einzeldarstellungen* (Leipzig: Wigand, 1908. Pp. 337); O. Stillich, *Die politischen Parteien in Deutschland*, Band I, *Die Konservativen* (Leipzig: Klinkhardt, 1908. Pp. 250); Friedrich Wegener, *Die deutschkonservative Partei und ihre Aufgaben für die Gegenwart* (Berlin: Schwetschke, 1908. Pp. 92); Georg Liebster, *Kirche und Sozialdemokratie* (Giessen: Töpelmann, 1908. Pp. 128); Ernst Horneffer, *Die Kirche und die politischen Parteien, mit Anhang: Program der deutschen Kulturpartei* (Leipzig: Klinkhardt, 1908. Pp. 63); and Leopold Goetze, *Das Zentrum, eine Konfessionelle Partie; Beitrag zur siener Geschichte* (Bonn: Cohen, 1906. Pp. 220). Grotewald's work treats in a rather colorless way the programs and tendencies of the several parties in the reichstag, keeping his own judgment in the background. Stillich's study is more scientific and comprehensive in character. His plan calls for an elaborate work in five volumes, the first of which is devoted entirely to the conservative party whose history and principles he describes and criticises where he thinks criticism is due. "Conservative politics," he says "consists of a combination of stagnation, retrogression and progress." Wegener's booklet, like Stillich's work, deals exclusively with the conservative party: The Elements of Conservatism, Conservatism as a Party, Stahl's System, Bismark's Relation to the Party, Conservatism in the Present, etc. Liebster, a Leipzig clergyman, writes from the point of view of the evangelical church and defends the social democratic thesis that religion is a private

affair. The hostile attitude of the social democracy toward a state supported church is explained and defended. Horneffer in his essay on the Church and the Political Parties maintains that between the German state and the existing "Kultur" a deep chasm exists and that a new kulturpolitik is necessary to rid the state of its dependence upon mediæval culture ideals. The bearer of this kulturpolitik cannot be one of the reactionary parties and even less the social democratic party, but it must be a new party, the German "Kulturpartei." The volume by Goetze is an admirable study of the centrist party with particular reference to its confessional character and ends. Both internally and externally, says the author, this party stands on a religious basis; in its organization and composition, in its methods of action, and in its purposes it is largely a confessional party—not a pure religious organization, but a religious political party which in the state and through the state strives to attain secular ends.

The second volume of Jellinek, Laband and Piloty's new *Öffentliche Recht der Gegenwart* which is to take the place of Marquardsen's well known but now somewhat antiquated *Handbuch* (see POLITICAL SCIENCE REVIEW, February, 1907, p. 323) is devoted to the public law of the kingdom of Württemberg. The original monograph on Württemberg was written for Marquardsen's *Handbuch* in 1884 by Ludwig Gaupp and by him revised in 1895. In 1904 a third edition was prepared by Dr. Karl Göz, Herr Gaupp having died in the meantime. The present work, from which the name of the original author is omitted, is largely a new work by Dr. Göz, the size of the volume having been increased by more than one hundred pages. Since the last edition was prepared important changes in the public law of the kingdom have taken place. In 1906, by a constitutional revision, the organization and administration of the communes and districts were altered in important respects and by a still more recent revision a legislative body constructed on modern principles of representation has been established in the place of the assembly of estates. (Tübingen: J. C. B. Mohr, 1908. Pp. xi, 573.)

Prof. Dr. F. Meili of the University of Zurich whose monograph on *Wireless Telegraphy in Municipal and International Law* (*Die drahtlose Telegraphie im internen Recht und Völkerrecht*) was noted in the May number of the REVIEW (p. 463) has lately published a study dealing with *Airships in Municipal and International Law* (*Das Luftschiff*

im internen Recht und Völkerrecht; Zurich: Fussli, 1908. Pp. 61). Dr. Meili examines the various legal and international questions likely to be raised by the introduction of the airship as an instrument of aërial navigation and shows how important questions of jurisdiction will be settled. The relationship of the airship to the state and its bearings upon the private law, the criminal law and international law are discussed.

The second volume of Ernst von Meier's *Französische Einflüsse auf die Staats-und-Rechtsentwicklung Preussens im XIX Jahrhundert* (Leipzig: Duncker und Humblot, 1908. Pp. xi, 509) continues the author's studies on the influence of France upon the political and legal development of Prussia. The present volume deals with the effect of the French Revolution on the reform legislation of Stein and Hardenberg. The theory of Max Lehman in his biography of Stein that the legislation initiated by Stein was largely an imitation of the legislation of the French Revolution, a view which has been generally accepted, Meier rejects. The ideas of the French legislature had little or no influence, he maintains, on the reform legislation of Stein and his collaborators, but it had its origin rather in the "Zeitbedürfnisse entsprechende Fortbildung der älteren Preussischen Institutionem." Likewise the reform of Hardenberg rested not on the legislation of the French Revolution but was influenced by the Napoleonic-Westphalian legislation. The later reception of French law through the influence of Rhenish jurists and statesmen is to be considered in a third volume.

Vereinheillichung des Arbeiterschutzes durch Staatsverträge, by Franz Dochow (Berlin: Heymann, 1907. Pp. 111) is a study in what may be called administrative law. The author attempts to show what has been accomplished and what may be done to protect labor in the manufacturing industries through international agreement. He reviews the work of the first and second international conferences for the protection of labor held at Berlin in 1890 and at Berne at a later date, the influence which they exerted in securing the abolition of night work by women in the manufacturing industries, the prohibition of the use of white phosphorus in the manufacture of matches, etc.

Ausgleichrecht und Ausgleichspolitik, by Dr. Friedrich Tezner (Vienna: Manz, 1907), is a somewhat polemical discussion by an Austrian publicist of the economic and political relations between Austria and Hungary.

The study was written in 1907 at the time of the threatening crisis over the question of the renewal of the *Ausgleich* and is in the nature of an appeal to the Parliaments of the two monarchies. Count Stephen Tisza's assertion in the Hungarian parliament on November 23, 1903, that there was no Austro-Hungarian *Ausgleich*, but two independent statutes of different dates, one Austrian and the other Hungarian, is made the subject of extended comment and criticism. The point of view of the writer is that of Austria, and he is unable to see in the Hungarian attitude well founded cause for complaint.

Another contribution to the literature of Austrian public law is a study entitled *Die rechtliche Stellung der beiden Häuser des Reichsrates zur Geschäftsordnung*, by Max Kulisch (Tübingen, 1908), a professor in the University of Innsbrück. It is in the main a discussion of the rules of procedure in the Austrian reichsrath, which are now some thirty-five years old and, in the opinion of the author, are somewhat antiquated. The reorganization of the reichsrath in 1907 as a result of the new suffrage law will, it is understood, be followed shortly by the adoption of new rules of procedure.

Recht und Staat, by Adolf Grabowsky (Berlin und Leipzig: Rothschild, 1908. Pp. 95) is an essay in legal and political theory written in reply to the view of Krabb in his *Lehre von der Rechtssouveraineté* (Groningen, 1906), that law stands over the State and that hence there can be no sovereignty of the State. Grabowsky in reply maintains, with obvious truth, we believe, that there is no positive law outside of the state, that the state is the source of every legal principle and that the state embodies the highest legal power in existence.

Three recent monographs dealing with questions of international law and diplomacy are: *Völkerrechtliche Entwicklung Bulgariens seit dem Berliner Vertrag 1878 bis zur Gegenwart*, by Moustapha Nédjmidin (Bonn: Georgi, 1908. Pp. 152); *Le Blocus maritime*, by Nils Soderquist (Stockholm: Nordiska. 1908. Pp. 307); and *De la jurisdiction consulaire en Turquie*, by J. Hadjilouka, a professor in the University of Athens (Athens: Causaulino. 1907. Pp. 165). The first is a doctor's thesis presented to the law faculty of the University of Bonn. The author traces the political progress of Bulgaria since the Congress of Berlin and attempts to establish the proposition that Bulgaria at the time he wrote was a sovereign and independent state. Since 1879 he says it has sent diplomatic agents to

various states, including Turkey itself, who first refused to receive an agent but finally yielded; that Bulgaria has been equally in possession of the right of negotiation and has in fact concluded treaties with various powers including the signatories of the Berlin treaty; that it was represented in the second Hague conference without successful objection on the part of Turkey; that it has exercised the right of making war; and that the obligation to pay a tribute to Turkey has never been fulfilled because the amount was never fixed by the signatory powers. The monograph by Soderquist is likewise a doctors' thesis and was presented to the law faculty of the University of Upsala. It dwells upon the increasing importance of maritime blockade in war, reviews the history of the practice and the changes which it has undergone, distinguishes between hostile and pacific blockade, and expands the law in its present status. An appendix contains a French translation of a number of important Swedish documents illustrating the modern practice. Hadjilouka's study of consular jurisdiction in Turkey is the latest of a number of monographs along this line of which the two most important contributions in recent years have been Dinga's *Étude sur l'extraterritorialité en Turquie* (Athens, 1905) and Hinckley's *Consular Jurisdiction in the Orient* (Washington, 1907). The author traces the historical evolution of the institution in the Orient since the crusades, considers the workings of consular jurisdiction in practice and examines it from the point of view of international law.