

## PERSONAL AND BIBLIOGRAPHICAL

J. W. GARNER.

Prof. H. R. Mussey of the department of sociology of the University of Pennsylvania has accepted a call to a similar chair at Columbia. The place which he vacates at Pennsylvania will be filled by Prof. J. P. Lichtenberger of New York.

Prof. L. S. Rowe of the University of Pennsylvania is spending his summer in Mexico where he is making a study of the federal system of that country.

Mr. Harry E. Smith has been appointed assistant in politics in Cornell University. Dr. Warren B. Catlin will give instruction in both economics and politics.

Prof. George Grafton Wilson, who was one of the American delegates to the International Naval Conference recently held at London, has resumed his duties at Brown University. While abroad he purchased many works for the Wheaton collection on International Law at Brown University, among them some rare editions of Grotius' *De Jure belli ac Pacis*. It may be mentioned in this connection that the Wheaton collection now includes copies of ninety-seven editions of this famous work and lacks but three of the known editions to make the set complete.

Mr. Edward Porritt has been reappointed special lecturer in the department of government and history in Harvard University for the coming academic year. His lectures will deal with English Party History, and Responsible Government in the British Colonies.

Dr. F. W. Coker, instructor in political science in the University of Missouri for the past two years has accepted a position as preceptor with the rank of instructor in history, economics and political science in Princeton University.

Mr. Walter J. Shepard of the University of Wisconsin has been called to an assistant professorship of political science in the Ohio State University. Mr. Shepard received a bachelor's degree from the University of Oregon and also from Harvard, and has completed his residence require-

ments at Harvard for the doctor's degree. He studied two years at Berlin and Heidelberg as a traveling fellow from Harvard. His thesis on *Ministerial Responsibility* will be published at an early date.

Prof. John B. Parkinson, professor of political science in the University of Wisconsin and vice-president of the University, has retired from active service. He has been connected with the University of Wisconsin for forty-six years.

Frédéric de Martens, one of the most distinguished publicists and jurists in Europe, a noted diplomat and a high authority on international law, died suddenly on June 20. He was born in 1845 in the province of Livonia, entered the Russian ministry of foreign affairs in 1868 and became professor of international law in the University of St. Petersburg in 1871, a position which he held until 1907. Since 1882 he had been a permanent member of the council for foreign affairs and had represented the Russian government in many international congresses. He was a delegate to both the Hague peace conferences and was president of the second commission in the first conference. He was a member of the permanent international Hague Court, served as arbitrator in a number of international cases, and was one of the Russian peace commissioners that concluded the treaty of Portsmouth in 1905. He was the author of various treatises on international law and bore honorary degrees from many universities, including Oxford, Cambridge, Edinburgh and Yale. His best known work entitled *Le Droit International des Nations Civilisées* (2 vols, 1884-1888) was translated into the German, French, Spanish, Japanese, Persian and Servian languages. He also edited a collection of treaties between Russia and foreign powers (15 vols., 1874-1909).

Prof. John A. Fairlie has accepted a call to an associate-professorship of public administration in the University of Illinois. He was born in Glasgow, Scotland, received his academic training at Harvard and Columbia, from which latter university he took the doctor's degree in 1898. Since 1900 he has been a member of the faculty of the University of Michigan. Professor Fairlie has served as secretary of the Michigan Political Science Association and of the Michigan League of Municipalities, was a delegate to the convention which framed the present constitution of the state of Michigan, and is now employed as a special agent of the United States Bureau of Corporations in the preparation of a report

on inland waterways. He has been an extensive contributor to the literature of public administration, and is the author of *Centralization of Administration in New York State* (1898); *Municipal Administration* (1901); *National Administration of the United States* (1905); *Local Government in the United States* (1906); and *Essays in Municipal Administration* (1908).

The *Rivista di Diritto Pubblico e della pubblica Amministrazione in Italia* is a monthly journal begun in January, 1909, as a continuation of the *Archivio di Diritto Pubblico*. The *Rivista* is published at Milan by the Società Editrice Libreria, and is edited by Professors L. Luzzatti, V. E. Orlando, A. Salandra, A. Codacci-Pisanelli, C. Calisse, and Drs. S. D'Amelio and C. Corradini. The *Rivista* devotes special attention to judicial decisions in the field of Italian public law.

Judge William L. Penfield, formerly solicitor of the Department of State (1897-1905), died in Washington May 9, in the sixty-third year of his age. Mr. Penfield was a high authority on international law and during his term as solicitor exercised a large influence in shaping the policies of the Department of State. He acted as counsel for the United States in the "Pious Fund" case, for the United States and Venezuela in the Venezuelan arbitration case before the Hague Tribunal in 1903, and for the United States in a number of other important arbitration cases. In 1905 he was special commissioner to Brazil.

It has been announced that the arbitration court which will sit at the Hague in the fisheries dispute between the United States and Great Britain will be composed of Dr. Lammasch, a distinguished Austrian publicist; Señor Drago, of Argentina; Dr. Lohman, of the Netherlands; Sir Charles Fitzpatrick a well-known Canadian jurist, and Judge George Gray, of the United States Circuit Court.

The United States Department of State has established a "school of diplomacy" at Washington for giving instruction to newly appointed secretaries of legations and embassies. New appointees will be required to report at the Department of State before leaving for their posts and will be placed under the instruction of an experienced diplomat, who will endeavor to familiarize them with the more important of their duties. Lectures will also be delivered before the "school" by distinguished economists and jurists.

The first volume of a new and enlarged edition (the 3d) of Conrad's *Handwörterbuch der Staatswissenschaften* has made its appearance. The new edition is to be published in eight volumes of about 6000 pages (Jena: Gustav Fischer, 1909). A new edition also of Bachem's *Staatslexicon* is appearing from Herder's Verlag in Freiburg, i. B. The first volume was published several months ago.

The International Union of Ethical Societies has proposed that there be held in London, in October, 1910, a Universal Races Congress. The object of the congress will be "to discuss the larger racial issues in the light of modern knowledge and the modern conscience, with a view to encouraging a good understanding, friendly feelings, and hearty co-operation among races and nations." Among the specific questions proposed for discussion are several relating to international affairs and constitutional development. Further information regarding the congress may be obtained from Mr. G. Spiller, 63 South Hill Park, Hampstead, London.

The conditions governing the sixth annual competition for the Hart, Schaffner and Marx prizes (amounting to \$1500), for the best essays on certain topics relating to commerce and industry, have been announced. The prizes will be given in three classes consisting of persons who have received their bachelor's degree from an American college since 1896, undergraduates, and persons without academic training. Essays submitted in competition for a prize must be in the hands of Prof. J. Laurence Laughlin, of the University of Chicago, by June 1, 1910. The subjects for the first two classes of competitors are: The Effect of Labor Unions on International Trade, The Best Means of Raising the Wages of the Unskilled, A Comparison Between the Theory and the Actual Practice of Protectionism in the United States, A Scheme for an Ideal Monetary System for the United States, The True Relation of the Central Government to Trusts, How Much of J. S. Mill's Economic System Survives, and A Central Bank as a Factor in a Financial Crisis.

The *Proceedings of the Conference of Governors at the White House, 1908*, called by President Roosevelt to consider ways and means for conserving the natural resources of the country, has been published by the government printing office, and is for sale at the price of seventy-five cents.

Prof. Paul S. Reinsch has published a volume of *Readings on American Federal Government* designed to be used as a source book in connection with the teaching of American government in the colleges and universities (New York: Ginn and Company, 1909, 846 pages). The readings consist of more than one hundred selections carefully chosen from the *Congressional Record* and other public documents, from text books of authority and from periodical literature relating to such matters as the organization and powers of the executive, the senate, the house of representatives, the treaty-making power, the procedure of congress, financial legislation, the executive departments, the army and navy, the foreign service, the civil service, the courts, centralization, national conventions, etc. The selections are arranged under sixteen appropriate headings and there is an index and a table of contents. This volume makes accessible for college students a large amount of valuable source material for collateral reading, and thus furnishes an opportunity for applying to the study of government the case method which has become so effective in the teaching of law.

Mr. John Graham Brooks' *As Others See Us* (New York: The Macmillan Company, 1909, 365 pages) is a review of foreign criticism of American manners and institutions by English, French and German travelers in America and students of American life. Mr. Brooks himself does not refrain from dissecting and analyzing some of the chief faults of Americans, such as their "talent for bragging," their provincialism and other peculiarities. His criticism is for the most part well directed and the effect would be wholesome and beneficial if his book were widely read by Americans, especially by those who think we have nothing to learn from Europe.

Books on the negro problem continue to appear. The latest and in many respects one of the most original, *The Negro Problem; Abraham Lincoln's Solution* is by William P. Pickett, of the New York Bar (New York: Putnams, 1909, 580 pages). Mr. Pickett's proposed solution of the negro problem is "the absolute and unequivocal recognition and declaration of the fact that the negro race is, as a matter of present condition, alien, inferior, and unassimilable, and is therefore not qualified to constitute an element of future American citizenship"; the modification of the Fourteenth Amendment so as to provide that all persons of the negro race born after the year 1925 shall be excluded from the national citizenship; the repeal of the second section of the same amendment as

being inconsistent with a republican form of government; the repeal of all civil rights acts, state and national, and of all other provisions of law designed to confer upon the negro privileges other than those based upon his intrinsic merit and demonstrated service to society; the enactment of laws in all the states prohibiting the intermarriage of the white and negro races; the absolute prohibition of the immigration of persons of negro blood; and finally "a carefully devised and generously assisted plan" to induce the voluntary emigration of negroes to other countries. The author suggests that the United States acquire "one or more tracts of territory suitable for the purposes of colonization and if found necessary or feasible the assumption of a protectorate for that purpose over Hayti and Liberia." He would then have the United States offer liberal bounties to individuals and families to withdraw from this country and establish themselves in the above-mentioned foreign territories. This according to Mr. Pickett was Lincoln's plan for solving the negro problem.

*The History of Cumulative Voting and Minority Representation in Illinois 1870-1908*, by Blaine F. Moore, is the title of a thesis prepared in the department of political science in the University of Illinois and published as one of the University studies (Urbana-Champaign: University press, 1909, 48 pages). The study embodies the results of an inquiry into the actual workings of the cumulative voting system for choosing representatives in the state legislature and a discussion of the merits and demerits of the scheme as they have been brought to light during the forty years that have elapsed since its adoption as a part of the constitution of Illinois. The author shows that in only three instances since 1870 has the system failed to give the principal minority party in each legislative district at least one representative and also, that with only three exceptions, third parties such as the prohibitionists and socialists have always been able to choose from two to five members in each legislature. It sometimes happens, however, that the system breaks down in practice and the minority party in a district succeeds in electing two members and the majority only one. This has happened twenty-four times in or since 1870. The proposals of certain reformers that each party be required by law to nominate three candidates in each district so as to give the voters a wider range of choice is shown by Mr. Moore to be impracticable and if adopted would defeat the principle of minority representation.

The Institut de droit comparé was founded at Brussels in January, 1908, under the presidency of M. Emile Stocquart. The aim of the new

organization is particularly to study the current laws of the various countries and to publish the most important of such laws in French translation. The Institut has begun the publication of a *Revue*, in the first numbers of which much space has been given to federal and state legislation in the United States.

*The Evolution of Seward's Mexican Policy* by Prof. J. M. Callahan is the title of a contribution to the West Virginia University Studies in American History (Morgantown: West Virginia University, 1909, 88 pages). In this study Professor Callahan reviews the causes which led to French intervention in Mexico and traces the history of the diplomatic controversy between the United States and France which culminated in the virtual demand of the United States for the withdrawal of the French troops.

In order to meet the demand in the United States for information regarding Cuba, its population, resources, products, climate, etc., the bureau of the census has prepared and published an attractive hand book entitled *Cuba, Its Population and Resources* (Washington: Government Printing office, 1909, 273 pages). The data contained in the hand book was compiled from the Cuban Census reports of 1899 and 1907 and from a handbook on Cuba prepared by Senor Gonzalo de Quesada and published in 1905 by the International Bureau of the American Republics.

Among recent books relating to Hungary two of the most important are Count Julius Andrassy's *Development of Hungarian Constitutional Liberty* (London: Kegan Paul, 1908, pp. 465); and R. W. Seton-Watson's *Racial Problems in Hungary* (London: Constable, 1908, pp. xxvii, 540). Andrassy's work is purely historical and comes down only to 1619. Seton-Watson is well-known for his writings upon Hungarian political questions under the pseudonym of Scotus Viator; his standpoint is strongly anti-Magyar, and he insists that the only solution of the question is the grant of universal suffrage, which will give the non-Magyars control of Hungarian affairs. A special twentieth century edition of Huszadik's Század's *La Hongrie Contemporaine et le suffrage universel* has lately appeared from the press of Giard et Brière (Paris: 1909, 272 pages).

Henry S. Drinker, of the Philadelphia bar and lecturer in the law department of the University of Pennsylvania has written an elaborate treatise

on the interstate commerce act, in two volumes (Chicago: Callaghan & Co., 1909, about 1200 pages). The work is a combination of textbook and digest. The first volume contains a discussion of all the decisions of the interstate commerce commission and of the courts relating to the interstate commerce acts and the amendments thereto, while the second volume contains a digest of the decisions and the texts of the various acts regulating interstate commerce. The work has been prepared with a view to the special needs of lawyers rather than for the general student of constitutional law, yet it is useful to both.

The Russell Sage Foundation has published an attractive volume entitled *Report on the Desirability of Establishing an Employment Bureau in the City of New York* (New York: Charities Publication Committee, 1909, 238 pages). The body of the report was prepared by Mr. Edward T. Devine acting for the Charity Organization Society of New York. A large part of the volume is taken up with letters from experts whose opinions were sought, extracts from reports and addresses, and suggested plans for the proposed bureaus.

The Boston Book Company has begun the publication of a magazine subject-index, the first volume of which has appeared (275 pages). It is, as the name suggests, a subject index, not an author or title index. It covers the subjects in seventy-nine American and English periodicals, forty-four of which are indexed from their first issues to December 31, 1907. The favor with which the project has been received has led the publishers to start also an annual magazine subject-index, the volume for 1908 having already appeared. It covers the articles in one hundred and twenty American and English periodicals and society publications.

*The Report of the New York State Public Service Commission, First District*, covering the first six months of the work of the commission, ending December 31, 1907, has been published in two volumes (Albany: The J. B. Lyon Company, 1908, 733 and 737 pages). The most important part of the report is that which deals with the rapid transit situation in New York City. In order to extend the existing rapid transit facilities by municipal action the commission recommends the adoption of an amendment to the state constitution exempting from the 10 per cent limitation on municipal debts bonds issued by the city for the construction of new lines, and such an amendment was proposed by the legislature at its last session. It also recommends certain changes in the



rapid transit law so as to give the commission greater power in securing private capital for the extension of present facilities. It suggests the construction of new lines in various parts of the city, to cost half a billion dollars. The report contains a great deal of valuable information, statistical and otherwise, relating to the transportation system of New York, its finances, street railway accidents, etc.

Sir J. G. Bourinot's *Government of Canada* has appeared in a new and revised edition with a chapter by Edward Porritt.

The Library of Congress has recently issued *A List of Books Relating to the Supreme Court of the United States*. (Washington: Government Printing Office 1909, pp. 124.)

A new periodical in the field of administrative law is the *Württembergische Zeitschrift für Rechtspflege und Verwaltung*, edited by Drs. Fr. Haller and Ed. Matter, and published by G. Hess at Stuttgart.

*Die Rechtsprechung des Reichs- und Kammergerichts auf den Gebieten des öffentlichen Rechts*, herausgegeben von B. von Kamptz und Dr. H. Delius (Berlin: Carl Heymann, 1906-07, 2 vols), is a revision of the same authors' *Rechtsprechung des königlich preussischen Oberverwaltungsgerichts* (4 vols. 1896-98.)

One of the most important blue books issued by the British government in recent years is the *Report of the Royal Commission on the Poor Laws and the State of the Unemployed*, a bulky volume of over twelve hundred pages (London: 1909, P. S. King and Son). The commission was appointed in 1905 and was composed of a number of persons well known in the public life of England, economists and administrative experts, including several women. Altogether the commission was remarkable for the ability and learning of its members, and its report is the most comprehensive and thorough of its kind made since 1834. The commission held over two hundred sessions, examined nearly five hundred witnesses and received the written statements of nine hundred other persons, visited some two hundred unions and four hundred institutions, and attended one hundred and sixty meetings of local bodies. It did not confine its investigations to England alone but extended its inquiries to other countries as well and collected a vast amount of data regarding the causes and extent of unemployment, financial depression, labor

conditions, trade, emigration, etc. The investigation revealed what the commission described as a distressing situation. Notwithstanding the enormous sums annually expended by the state for poor relief the country is afflicted with a vast army of paupers and the signs indicate an increase rather than a decrease in the number. The commission expresses the opinion that something is "radically wrong" in the social organization and that the difficulty cannot be remedied by a mere expenditure of public funds, however lavish. Concerning the remedies for existing conditions the commission is divided, the majority recommending certain changes in the existing laws and practices, the minority certain others. The report of the commission together with a summary and explanatory notes, by Helen Bosanquet has been published by Macmillan and Company. The minority report edited by Sydney and Beatrice Webb in two volumes, (604 and 344 pages) has been published by Longmans, Green and Company. Volume 1 is entitled *The Break Up of the Poor Law*; Volume two, *The Public Organization of the Labor Market*."

A series of articles by Prof. Muirhead of Birmingham dealing with the various matters treated by the commission, together with an introduction by Sir Oliver Lodge, has been published by P. S. King and Son under the title *The Principles in Common and at Issue in the Reports of the Poor Law Commission*. These articles attempt to bring out the main features of the results of the investigation, to compare and criticise the proposals of the majority and the minority, and to suggest how what is valuable and practicable in both may be combined in a comprehensive system that will be acceptable to all political parties.

*A History of the Roman-Dutch Law*, by J. W. Wessels (Grahamstown, Cape Colony: The African Book Company, 1908, pp. xv, 791) is a study by a South African jurist of Roman-Dutch law in the English colonies of South Africa. The law of Holland, based on that of Rome, was transplanted to the Cape of Good Hope in the seventeenth century by Dutch immigrants and in time spread to the Transvaal, the Orange Free State and Natal, where it gained such a foothold that it was never displaced by the English law, though the latter now seems to be gaining the ascendancy. The work is divided into two parts, one dealing with the development in general of the Roman-Dutch system, the other with the historical development of the law relating to specific subjects.

*Insurance Against Unemployment* is the title of a book by David F. Schloss, an English writer who has attempted to describe the various

European plans for relieving the distress caused by unemployment, particularly the system of insurance, the benefits from which are supplemented by government subventions. Such methods are employed in Belgium, France, Germany, Italy, Holland, Switzerland, Norway and Denmark and proposals with that end in view have recently been discussed in England. The information contained in the volume under consideration will therefore be timely and instructive. An appendix contains the rules and regulations that have been adopted by a number of European cities governing the granting of aid to persons so insured (London: P. S. King and Son, 1909, pp. 130).

A National Conference on Criminal Law and Criminology was held at Chicago on June 7 and 8 in celebration of the fiftieth anniversary of the founding of the Northwestern University law school. About one hundred and fifty delegates from various parts of the country were in attendance. They consisted mostly of judges, practicing lawyers, criminologists, physicians, sociologists and university professors. One hundred and thirty-three questions covering the whole field of criminal law and criminology were considered in detail by subdivisions of the conference and of these questions, ten of the most important were selected for consideration at a conference to be held next year. Resolutions relating to various questions connected with the penal treatment of offenders, the organization, appointment and training of officials who have to do with the administration of the criminal law, and proposed reforms in our present methods of criminal procedure were adopted by the conference as a whole. The conference decided to form itself into a permanent organization to be known as the American Institute of Criminal Law and Criminology, whose object shall be to further the scientific study of crime, criminal law and procedure, to formulate and promote measures for solving the problems connected therewith and to coördinate the efforts of individuals and of organizations interested in the administration of certain and speedy justice. Prof. John H. Wigmore was elected president of the new organization. The conference also took steps looking toward the translation into English of important treatises on criminal law and criminology in foreign languages, and the establishment of a journal to be devoted to the study of criminal law and procedure. It is somewhat singular that although there are at the present time some twenty-five such periodicals published in foreign languages there is as yet none published in English.

An encouraging feature of the conference was the ready, not to say

enthusiastic coöperation of the judges and members of the bar, who joined with the lay delegates in condemning our existing methods of administering justice as antiquated in many respects, and in recommending the adoption of important reforms, in the interest of a more efficient and speedy administration of justice.

The National Conference on Criminal Law and Criminology served to bring forth two bibliographies of criminal law: *A Systematical List of the Principal Works on Criminal Law and Criminology* (The Hague: Martinus Nijhoff, 1909, pp. 59); and *A Preliminary Bibliography of Modern Criminal Law and Criminology*, by John H. Wigmore (Chicago, 1909: Northwestern University Law School. Gary Library of Law. Bulletin No. 1. Pp. xii, 128). Nijhoff's list is arranged in a systematic manner and is useful for the literature of continental Europe, but does not include American works; Professor Wigmore's bibliography is more complete, but its usefulness is diminished by the fact that it is arranged alphabetically by authors.

The Second National Peace Congress was held at Chicago May 3-5, an elaborate program of speech-making being carried out. About two hundred delegates were present from all sections of the country, representing many organizations, professions, and institutions. Not less than fifty addresses dealing with various aspects of the peace movement were delivered by prominent leaders in all the various walks of life, and representing various foreign countries. These addresses together with the reports made and resolutions adopted are to be printed in a volume and may be obtained by addressing the secretary, Royal L. Melendy, 174 Adams Street, Chicago.

The third annual meeting of the American Society of International Law was held at the New Willard Hotel, Washington, D. C., April 23 and 24. The president of the Society, Senator Elihu Root, delivered the annual address on the subject The Relations Between the Jurisdiction of National Courts and International Arbitration. Arbitration as a Judicial Remedy was discussed by Hon. John W. Foster, Hon. Wayne McVeagh and others. Admirals Sperry and Stockton reviewed the work of the recent International Naval Conference held at London. Other topics discussed by distinguished publicists were The Nature and Definition of Political Offences in International Extradition, The Development of International Law by Judicial Decisions in the United States,

The Constitution and Powers which an International Court of Arbitral Justice Should Possess, and The Equality of Nations. The meeting closed with a banquet at which Attorney-General Wickersham, Dr. Lyman Abbott and Prof. R. S. Woodward were the principal speakers. President Root and the other officers were re-elected for another term.

Preparations are already being made for the Fourth International Conference of the American Republics to be held next year, and a tentative programme has been adopted by a committee appointed for this purpose. In pursuance of a resolution adopted by the Third Conference held at Rio de Janeiro in 1906, the governing board of the International Bureau at Washington was empowered to choose the time and place for the meeting and arrange a program. The board has chosen the city of Buenos Aires as the place but has not yet fixed the exact date of the meeting. In this connection attention may be called to an article in the April *Bulletin* of the International Bureau of the American Republics on the First Pan-American Scientific Congress held at Santiago, Chile last winter, at which eighteen delegates from the United States were present, ten representing the national government, the others the universities of Chicago, Cornell, Harvard, Michigan, Minnesota, Illinois, Northwestern, and Princeton.

The *Bulletin* of the International Bureau of American Republics is publishing a series of articles on municipal organization in the Latin American Republics. The cities treated since the beginning of the present year are Mexico, Santiago de Chile, Lima, Havana and Rio de Janeiro. Students of municipal socialism will be interested in an article entitled "Theaters and Opera Houses, National and Municipal, in Latin America," published in the May number of the *Bulletin* of the present year.

M. Paul Pic's *Traité élémentaire de législation industrielle* has appeared in a new edition (Paris: Rousseau, 1909, 1121 pp.) The present edition is practically a new treatise and is an admirable work of instruction and of reference by a distinguished jurist and economist. It contains a critical analysis of the labor laws of France with the corresponding laws of foreign countries in parallel columns. The author dwells upon the rôle of the state in its relation to labor; discusses the socialistic and individualistic theories; traces the historical evolution of state regulation of labor from ancient times to the end of the nineteenth century; the

administrative regulation of labor; labor bureaus, offices, ministries, etc.; industrial liberty; the right of association; the labor contract, arbitration and conciliation; the struggle between capital and labor and many other topics of a kindred nature. The Académie des Sciences Morales et Politiques has recognized the superior character of this standard work by crowning it with one of its prizes.

In a monograph entitled *Monographies de Droit Public* (Paris: Larose, 1909, 256 pp.) X. S. Combothecra, the author of many standard political writings, has collected and published a number of his studies some of which have heretofore appeared in different reviews. Among them may be noted the following essays: (1) Law; (2) The State, being largely a criticism of the views of Léon Duguit regarding the nature and origin of civil society; (3) The Civil Responsibility of the State; (4) Proportional Representation, with special reference to its application in the canton of Geneva; and (5) The fundamental laws of Russia under the new régime. In regard to the working of proportional representation in Geneva, M. Combothecra takes a pessimistic view. The results have not, he declares, been satisfactory. The minority represented in the legislature constitutes an obstructive element and converts what is intended to be a deliberative body into a debating society. No one of the eight parties represented in the Grand Council enjoys a preponderating influence and responsibility is consequently lacking. The result is general paralysis and legislative impotency.

*Congrégations religieuses*, by Maurice Félix (Paris: Rousseau, 1908, pp. 234) is an historical and legal study of the situation arising from the French laws of July 1, 1901, and July 7, 1904, relating to the status of religious congregations. In the application of these laws numerous difficulties have arisen and it is with certain of these problems that M. Félix deals. For purposes of treatment his study is divided into three parts: (1) the history of religious congregations; (2) the religious congregations and the law of 1901; (3) instruction and the religious congregations.

Emile Vercamer, a councillor before the mixed court of Alexandria, has written a monograph on judicial organization in Egypt under the title *De quelques réformes à introduire dans l'organisation judiciaire et la procédure de tribunaux mixtes égyptiens* (Bruxelles: Bruylant, 1908, 123 pages), in which he discusses certain reforms that the government pro-

poses to introduce in order to render the administration of justice more expeditious and effective. The most important of these proposals is that for a reduction in the number of magistrates in the courts of first instance and of appeal, in both of which the number has been excessive owing to the demand of foreign powers to be represented by judges of their own nationality.

The stream of books on the Hague conferences continues unabated. One of the latest contributions is a French work entitled *Les lois de la guerre et les deux Conférences de la Haye* (1899–1907), by Paul Boidin, an army officer and instructor in the *École Militaire* of Rambouillet (Paris: Pedone, 1909). The work is divided into two parts. In the first part the author considers the motives which animate the advocates and opponents of war, explains how the conduct of war ought to be regulated, considers what ought to be undertaken by such conferences as those held at the Hague, and dwells upon the proper field of the application of the law of war. In part two the author reviews in a general way the origin and work of the two Hague conferences and analyzes and criticises in particular the work of the second, third and fourth commissions.

*Die Staats- und Völkerrechtlichen Ideen von Peter Dubois*, by Heinrich Meyer (Marburg: Ebel, 1908, pp. 119) is an interesting monograph containing a discussion of the political doctrines of a legist who played an important part in the controversy occasioned by the struggle between Philippe of France and Pope Boniface VIII. Dubois, like most of the writers of his time, was a partisan of the monarchical form of government though he was opposed to a universal monarchy. He attributed the origin of the state to occupation and prescription beginning with Adam and Eve, a view quite natural in the middle ages when the feudal system made the exercise of sovereign rights dependent upon possession of the soil. Dubois advocated a curious scheme for the federation of the states of the world through a congress composed of all the heads of states, which was to be charged with regulating all questions touching their common interests. An important purpose of this federation was the maintenance of universal peace and to this end he proposed the establishment of a permanent court of arbitration composed partly of ecclesiastics and partly of lay members, both to be elected by a council convoked by the pope.

A new law lexicon entitled *Handwörterbuch der gesamten Rechts- und Staatswissenschaften* has been brought out in two volumes by Prof. Paul Posener, with the coöperation of a group of distinguished German jurists and professors (Berlin: Erich Weber, 1909, about 2400 pages). The work covers the whole field of jurisprudence and political science, devoting special attention to practical legal science. Many of the articles have been contributed by judges and practicing lawyers.

The *Journal of the Society of Comparative Legislation* for April, 1909 (new series, no. xx), contains, besides the usual notes and reviews of legislation, a number of important articles. Among them may be noted two contributions on The Great Jurists of the World (Vico and Zouche); Some Points in the Law of Blockade, by Lord Justice Kennedy; The Papacy and International Law, by A. P. Higgins, Esq.; Trade Domicile in War, by Professor Westlake; The International Law Association at Pesth, by Thos. Baty, Esq.; Judiciary and Statute Law, by Julius Hirschfeld; and The New Turkish Constitution, by Norman Bentwich, Esq.

Prof. Joseph Kohler, of the University of Berlin, has lately published a treatise on the philosophy of law, entitled *Lehrbuch der Rechtsphilosophie* (Berlin and Leipzig: Rothschild, 1909, pp. 219).

*Untersuchungen über das Wahlprüfungsrecht des deutschen Reichstags*, by Guido Leser (Leipzig: Duncker u. Humblot, 1908, pp. 148), is a new volume in Jellinek and Anshütz's *Staats- und Völkerrechtliche Abhandlungen* and deals with the power of the Reichstag in judging of the election and qualifications of its members. After a short survey of the "Legitimationsprüfung" of the parliaments of France, Italy and the larger German states, the author takes up and considers the meaning of article 26 of the imperial constitution, which declares that "the Reichstag shall examine the legitimation of its own members and decide thereon." The author discusses various hypothetical questions relating to the power of the Reichstag to pass upon the election of its members and lays down the rules and limitations to which it is subject in exercising the *Wahlprüfungsrecht*.

A recent contribution to the literature of German imperial constitutional law is a book by Robert Beutler entitled *Die Reichsbank, Ihre rechtliche Natur und Zweckbestimmung* (Berlin: Rothschild, 1909, pp. 253), being a study of the Imperial Bank as an "öffentlich-rechtliche Stiftung,"



a "Staatsanstalt" of the empire. The author considers the Imperial Bank from the standpoint of its public law relations and its place as a public law institution without regard to its economic and financial aspects.