

NEWS AND NOTES.

EDITED BY W. F. DODD.

The eighth Annual Meeting of the American Political Science Association will be held in Buffalo, New York, the last week in December of this year. It is probable, however, that the sessions of the last day will be held in Toronto, Ontario. Professors Albert Bushnell Hart of Harvard University, and A. R. Hatton of Western Reserve University have charge of the preparation of the programme of speakers and papers.

The fifth annual meeting of the American Society of International Law was held at Washington, D. C., April 27-29, the chief topic of discussion being the status of resident aliens in international law.

In the February number of this REVIEW reference was made to the fact that Professor R. B. Scott of the University of Wisconsin had resigned to enter upon the practice of law. We may now add that Mr. Scott has become the General Attorney of the Chicago, Burlington & Quincy Railroad Co., and will devote his attention more particularly to commerce matters, both state and interstate.

On January 11, 1911, Professor Otto Gierke, professor of civil and public law at the University of Berlin, celebrated his seventieth birthday, and in commemoration of this event his friends and students published a *Festschrift*, the contributions to which relate principally to private law and legal history.

Governor Simeon E. Baldwin will deliver this year the Dodge lectures on Responsibilities of Citizenship, at Yale University.

Dr. Charles H. McIlwain, now Thomas Brackett Reed professor of history and political science at Bowdoin College, has been elected to an assistant professorship of history at Harvard University.

Mr. Middleton G. Beaman has resigned as law librarian of Congress and of the Supreme Court, and has accepted a position with the Legislation Drafting Association of New York City. Mr. Beaman is succeeded at the Library of Congress by Mr. Edwin M. Borchardt, who has for several years been connected with the law division of the library, and who will devote his efforts more particularly to the development of the foreign law collection of the Library of Congress.

Professor Thomas H. Reed of the University of California has resigned to become the private secretary of Governor Johnson.

Mr. Herman G. James, now a fellow in Columbia University, will conduct a course this summer in the seminar of Professor Karl Lamprecht at the University of Leipzig, taking as his subject the relation of the states to the federal government from the formation of the American Union until the period of the civil war.

On February 16, 1911, Francis Newton Thorpe, Ph.D., LL.D., Professor of Political Science and Constitutional Law of the University of Pittsburgh, on invitation of the Rector and Faculties of the University of Geneva, delivered a lecture in the Aula of the University on "Democracy in America." This lecture marks the establishing of the entente cordiale between the University of Pittsburgh and the University of Geneva. Professor Thorpe and his family are spending the year in Europe.

Augusto Pierantoni, professor of international law at the University of Rome, died recently. Professor Pierantoni was probably the leading Italian scholar in the field of international law.

Leon Aucoc, the distinguished authority on French administrative law, died on December 15, 1910. Aucoc is best known by his *Conférences sur l'administration et le droit administratif*.

Professor Georg Jellinek of the University of Heidelberg died on January 13. Professor Jellinek has for years been one of the most distinguished scholars of the world, and is well known for his *Unrecht und Strafe* (2d ed. 1908), *Gesetz und Verordnung*, (1887), and *Das Recht des Modernen Staates*, vol. I (2d ed., 1905). The latter work, which has been left incomplete by the author's death, is his greatest contri-

bution to the scientific literature of his subject. In Professor Jellinek's death the political science world has sustained a great loss.

The American Philosophical Society has announced that the Henry M. Phillips Prize for the year of 1911 will be awarded for the best essay submitted prior to the first day of January, 1912, upon the subject "The Treaty-Making Power of the United States; The Methods of Its Enforcement as Affecting the Police Powers of the States." The prize will be two thousand dollars. The essay must contain not more than one hundred thousand words and may be written in English, French, German, Dutch, Italian, Spanish or Latin, but, if in any other language than English, the essay must be accompanied by an English translation. The essays are to be sent to the President of the Society at Philadelphia.

Professor Josef Redlich of the University of Vienna will visit America in 1912, and will deliver at the Johns Hopkins University a course of lectures dealing with the political and constitutional problems of Austria-Hungary.

The Albert Shaw lectures on Diplomatic History at the Johns Hopkins University will be given this spring by Dr. C. O. Paullin of Washington, D. C., his topic being "The Diplomatic Activities of the American Navy in the Far East."

The lectures this year upon the James Schouler foundation of the Johns Hopkins University were given by Professor J. B. Moore, his subject being "Four Stages of American Development,—Federalism, Democracy, Imperialism, Expansion."

A lectureship on the history and institutions of the United States has been established at Oxford University, and it is expected that the first series of lectures on this foundation will be given in 1911. The lectureship is to be filled annually by some American scholar, and the lectures will relate to political, institutional, economic, or social history and conditions in the United States. The appointment of the lecturer is entrusted to a board of nine members, including the vice-chancellor of the University, the regius professor of modern history, and the American ambassador to England. This board has appointed an advisory committee composed of Presidents Lowell, Hadley and Butler, Dr. Woodrow Wilson, and Mr. James Bryce.

On March 29 the New York State Library was destroyed by fire. A few thousand books and perhaps one-tenth of the manuscript collection were saved, both much injured by fire and water. The legislative reference section and its incomparable collections, the work of twenty years, were completely destroyed. These included a consolidation on cards of the annual Indexes to legislation from 1891 to 1908 inclusive; the manuscript for 1909 and 1910 was ready for the printer; and the 1911 Index had been started. In taking up the work again it has seemed best to begin with the Index for 1911, with the hope that the years 1909 and 1910 may be completed at some time in the future, and that the consolidated Index may be reconstructed from the printed copies of the Bulletins. Active work on the biennial Review of Legislation and other legislation bulletins will have to be discontinued for the present, but there is no intention of definitely abandoning the series.

The Bulletin of the Virginia State Library for October, 1910, contains a valuable bibliography of the Conventions and Constitutions of Virginia including references to Essays, Letters, and Speeches in the Virginia newspapers. The compiler is Mr. Earl G. Swem, Assistant Librarian.

Mr. Frederick V. Holman, President of the Oregon Bar Association, has reprinted in pamphlet form his address at Portland before that association entitled *Some Instances of Unsatisfactory Results under the Initiative Amendments of the Oregon Constitution* (Portland, 1910, pp. 46.)

The first number of the *Town Planning Review* appeared in April, 1910. This journal is a quarterly, and is issued by the University of Liverpool. The editor is Mr. Stanley D. Adshead, professor of town planning and civic art in the school of architecture at the University of Liverpool.

The American Association for Labor Legislation began in January the publication of the *American Labor Legislation Review*, which will be issued quarterly, and will serve as the organ of the Association. The first number contains the proceedings of the fourth annual meeting of the Association, at St. Louis, December 28 and 29, 1910; a full report of the work of the preceding year; and an important memorial on occupational diseases.

With its February, 1911, number, which completes volume XIX, the *Yale Review* will cease as a journal devoted to economic and political questions, but will continue under new editors as a general review. This action is taken because of the establishment of the *American Economic Review*, which covers practically the field which has heretofore been covered by the *Yale Review*. During the nineteen years of its existence as a scientific review, this journal has maintained a high scientific character, and has occupied a useful and important place in the discussion of historical, economic, and political questions.

The first number of the *American Economic Review* appeared in March. This *Review* will appear quarterly and is the official organ of the American Economic Association; it replaces the *Economic Bulletin*, which was published during the years 1908, 1909, and 1910. Prof. Davis R. Dewey of the Massachusetts Institute of Technology, is the managing editor of the *Review*, and is assisted by a board of editors, of which Prof. J. H. Hollander is chairman. Unlike the *Economic Bulletin*, which it supersedes, the *Review* will contain articles, and the first number sets a high standard for contributions of this character; but if we may judge by the present number, the emphasis of the new journal will be placed upon book reviews, book notes and notes of current interest to the economic world. Of the 219 pages which comprise the first number, 76 are devoted to articles, and the remainder primarily to information of a bibliographical character. The book reviews, notes of books, documents and reports, and of periodical literature are extremely well planned and well arranged. These departments will make the *Review* an invaluable aid to those interested in the current literature dealing with economic questions. It may be well to suggest, however, that the title-page of the *Review* does not furnish an adequate guide to the contents of the section devoted to "Reviews and Titles of New Books." The annual list of doctoral dissertations in political economy appears in this first number of the *Review*.

The Oxford University Press announces that Mr. H. E. Egerton has in preparation a work on "Federations and Unions within the British Empire."

P. S. King and Son of London announce the publication of an English translation of Dr. Hans Wehberg's *Beutierrecht im Land-und*

Seekriege (see this REVIEW, vol. IV, p. 411.) The English version is entitled *Capture in War on Land and Sea*.

History, as it approaches the present time, becomes of increasing interest to the political scientist. The last volume of the Cambridge Modern History, entitled *The Latest Age* (The Macmillan Co. 1910, pp. 1033) is therefore of especial value to students of constitutional law and international relations. Among others there are chapters on the Foreign Relations of the United States during the Civil War, the German Empire, the Reform Movement in Russia, the British Empire in India, the Far East, The Regeneration of Japan, the Russo-Japanese War, the European Colonies, the Modern Law of Nations, and the Prevention of War.

Those interested in labor legislation and constitutional law will find in the November, 1910, number of the *Bulletin of the* (United States) *Bureau of Labor* a valuable article by Mr. Lindley D. Clark on "Labor Laws declared Unconstitutional."

Through Five Administrations (New York, Harper, 1910, pp. 280), is a volume of reminiscences of Colonel William H. Crook, body-guard to President Lincoln and an attaché of the White House for many years. The reminiscences were compiled and edited by Margarita Spalding Gerry. In a book of this character one must not, of course, look for new contributions to political history, but Colonel Crook's reminiscences of presidential life from 1864 to 1885 are interesting, and now and then his statements are important, as in the case where from almost daily personal association with President Johnson he emphatically denies the stories of Johnson's excessive drinking.

Industrial Accidents and Their Compensation, by Gilbert Lewis Campbell, B. S. (Boston, Houghton, Mifflin, 1911, pp. xii, 105), is the seventh and latest issue of the Hart, Schaffner, and Marx Prize Essays. The work purports to be only a general essay. As such, however, it presents in brief compass an excellent general survey of the problem as it presents itself in the United States today, and the efforts which are being made for its solution.

In earlier numbers of this REVIEW reference has been made to the monographs issued by the National Monetary Commission. One

of the most recent of these monographs is that by Professor George E. Barnett on *State Banks and Trust Companies since the passage of the National Bank Act*. (Washington, Government Printing Office, 1911. Pp. 366). Professor Barnett's study, although in large part devoted to the technical aspects of the state banking systems, has chapters on the incorporation and supervision of state banks, and constitutes a valuable addition to the literature dealing with the activities of state governments.

The New York State Library has published a bulletin on *American Ballot Laws 1888-1910*, by Arthur C. Ludington (pp. 220). This deals with the ballot as provided for in general laws applying to regular elections of public officers, excluding ballot requirements in primary election laws and for special elections. Part I gives a brief chronological survey of laws and constitutional amendments for each state and territory for the period from 1888-91 to 1910 inclusive. Part II presents in tabular form the principal changes in the several states. Part III digests the principal features of the ballot laws of each state, on November 8, 1910. Part IV is a bibliography of books, pamphlets, and magazine articles on the ballot laws in this country since 1888.

The Illinois Special Tax Commission has published two important volumes in connection with its report: *Compilation of Tax Laws and Judicial Decisions of the State of Illinois*, by Albert M. Kales and Elmer N. Liessmann (pp. 273); and *A Report on the Taxation and Revenue System of Illinois*, by John A. Fairlie, Chief Clerk of the Commission (pp. xv, 255). Professor Fairlie's report is the result of a study of the laws and the data in the published reports of various state officials. Statistical tables showing assessments, percentages paid, and other information are presented. A brief comparison is also made of methods of taxation in other states and countries, while in the last two chapters state taxation officials and the taxation of corporations in the United States are discussed.

A bulletin has recently been issued by the Wisconsin Legislative Reference Department on *Corrupt Practices at Elections*. (Madison, Wis., pp. 86). This bulletin was prepared by Mr. S. Gale Lowrie, and contains a complete digest of the laws of England, of the United States and of the several states with respect to corrupt practices.

The *Journal of the Society of Comparative Legislation* for November, 1910, (Vol. XI, part 1), contains, among others, valuable articles on the North Atlantic Coast Fisheries Arbitration; the modern conception of civil responsibility; employers, employees, and accidents; nationality and naturalization in Latin America; and on Savigny and Lord Stowell.

Les grands traités politique, by Pierre Albin (Paris, Alcan) is a collection of the principal treaties made since 1815, but the texts included relate mainly to political and territorial readjustments on the European continent. The volume is well indexed, and makes a convenient book of reference.

Les régies municipales, by Émile Bouvier (Paris, Doin), presents a concise description of the municipalization of public services in France and other countries. M. Bouvier is an advocate of "municipal trading," but his theoretical views do not color to any great extent the descriptive part of his work.

Commento allo statuto del Regno (Turin, 1909, 3 vols.) is an extended commentary on the Italian constitution by F. Racioppi and I. Brunelli. The first volume of the original undertaking was by Professor Racioppi and appeared in 1901. Upon Racioppi's death in 1905 Brunelli assumed the task of completing the work, largely from manuscript material left by the author. The three volumes constitute a commentary, article by article, upon the *Statuto*, with numerous and extended digressions into the fields of political philosophy and comparative constitutional law. These digressions break the continuity of the work, and impair its usefulness as a treatise on Italian constitutional law.

A new (fourth) edition has been issued of A. T. Carter's *History of English Legal Institutions* (London: Butterworth, 1910, pp. vi, 304). This book, as users of earlier editions know, does not purport to be a history of English law, but confines itself mainly to an historical account of the English judicial system, thus covering very much the field which is now more exhaustively treated in the first volume of Holdsworth's *History of English Law*. But Carter's book has not been superseded and is still the best brief account of the development of the English courts.

Les Speakers; étude de la fonction présidentielle en Angleterre et aux États-Unis, is a recent doctoral dissertation by Dr. Georges Mer of the University of Dijon (Paris, Larose et Tenin, 1910, pp. 183). M. Mer traces the development of the speakership as an institution, contrasting the impartial position of the speaker in the English system with his position as a political leader in the United States.

Reference was made in an earlier number of this REVIEW to the appearance of the first report of the New York Commission on Employers' Liability. More recently reports have been issued by the Illinois Employers' Liability Commission (pp. 249), by a similar commission in the state of Washington (pp. 48), and by the Wisconsin Special Committee on Industrial Insurance (pp. 98). These reports contain much valuable matter, although the members of the Illinois commission were unfortunately not able to agree upon any definite proposals. The report of the New York commission is the most valuable official document which has yet been issued upon this subject, and challenges comparison with the best reports of English Royal Commissions. In addition to the commissions of Illinois, Wisconsin, Washington and New York, similar bodies have been at work in Massachusetts, Minnesota, Montana, New Jersey, Ohio, and Connecticut, and a federal commission was appointed last year. Representatives of these commissions met in Chicago on November 10-12, 1910, with a committee representing the Commissioners on Uniform State Laws, in an effort to reach an agreement upon a uniform workmen's compensation act, and a preliminary draft of a law was agreed upon by a committee appointed by this conference. The volume of proceedings of this conference on Compensation for Industrial Accidents will be of great value to persons interested in the question. (Boston, published by Amos T. Saunders, Secretary. 1910. pp. 362.) The tenth biennial report of the Bureau of Labor of West Virginia (Charleston, 1910, pp. 297) devotes especial attention to employers' liability, and reprints the laws of the several states dealing with this subject. In this connection attention should also be called to the fact that the twenty-fourth annual report of the United States Bureau of Labor will be devoted to workmen's insurance and compensation systems in Europe, and will present the text of the laws of the several European countries together with accounts of their operation.

Volume IV of the *Zeitschrift für Völkerrecht und Bundesstaatsrecht* (Kern's Verlag, Breslau, 1910) contains more than 800 pages of articles,

notes, judicial decisions, acts of international conferences, chroniques and book reviews. Among the more important contributions may be mentioned the article by Dr. Carl Falck of Berlin relating to the German Imperial law of 1872 concerning the order of Jesuits, two articles by Prof. Meili of Zurich dealing with some questions of private international law; two articles by Prof. Josef Kohler of Berlin on the peace movement and international law, and aerial navigation in international law; an article by Dr. Adolf Arndt on international law and the navigation of the Rhine and Elbe rivers; an article by Prof. Paul Laband entitled *Rechtsgutachten in der Hellfeldsache*; one by Dean Charles Noble Gregory on the Contributions of American judges to international law; and one by Courtney Kenny on the law of the air. There is also an appendix containing an article by Hansemann Fritz dealing with the theory of continuous voyages in respect to blockade and contraband in the light of the act of the London Naval Conference, and one by Arthur Meynen on the constitutional position of the Prussian Minister of War.

The second edition of Black's *Law Dictionary*, which has appeared from the press of the West Publishing Co. (St. Paul, Minn., pp. 1314) though not substantially greater in bulk than the first edition, is, in some important respects, a new work, and is well worthy of being pronounced the best American single volume dictionary of the law. The treatment of each title being in the great majority of cases brief, opportunity is given for the legal definition of a very great number of terms. Two principles of treatment followed by the author are especially to be commended. These are the grouping of all compound descriptive and derivative terms under a single fundamental heading or title, and the statement in the author's language of accurate definitions, supported by reference to authorities, rather than the stringing along of a variety of quoted definitions, differing more or less from one another. The paper and type arrangement are excellent.

Mr. Jerome Internoscia of Montreal, Canada, has prepared a work entitled *New Code of International Law* (The International Code Co., New York, 1910) in 1003 large quarto pages, in which, in parallel columns in English, French and Italian texts, the attempt is made to set out in 5657 paragraphs an entire code of international law. Though the title does not so indicate, the leading rules of private international law are also included. This work is a very great one for a single indi-

vidual to undertake, and scholars cannot but praise the author's industry and zeal. It is not possible in this place to estimate the judgment and learning with which the task has been performed. It may be observed, however, that aside from the inclusion and intermixture of public and private international rules, which is to be regretted, the author has sought to prepare a code of ideal international law along pacifistic lines, as contrasted with a statement of international legal principles as they actually exist at the present time, and has made no attempt to indicate those provisions which may fairly be said to be already established law, and those which are merely desirable, nor has he in any instance quoted an authority for the propositions stated. For these reasons, the work, while it may prove suggestive to future codifiers of international law, cannot be of such direct assistance to them as it might have been had the authorities for each statement been marshalled, and the ideal distinguished from the actual.

In a volume entitled *China and the Far East* (New York: Crowell & Co. xxii, 455) is contained a collection of papers read at a meeting at Clark University for the discussion of Far Eastern affairs. Among the participants are authorities like Mr. Chester Holcomb, Mr. H. B. Morse, and Dr. Asakawa. The collection comprises twenty-two articles reviewing almost every phase of China's social, economic and political life, with a few papers dealing with Japan and Korea. The volume is edited by Professor George J. Blakeslee.

In Professor James Mark Baldwin's new book *The Individual and Society* (Boston: Richard G. Badger, 1911, pp. 211) are briefly summarized and restated in more popular form the author's well known psycho-sociological theories as they are to be found stated in his larger and more erudite treatises. The book is based upon a course of lectures delivered in the National University of Mexico upon the occasion of the inauguration of systematic work at that institution.

Professor Simon N. Patten has contributed a new volume entitled *The Social Basis of Religion* (The Macmillan Co., 1911, pp. 247) to the American Social Progress Series. Dr. Patten declares himself to be an economist on the road to philosophy, and in this new book attempts a constructive defense of religion, identifying religion with the social reaction against degeneration and vice. The work concludes with chapters on the "Social Mission of the Church," and the "Socialization of Religious Thought."

The fisheries of New England have played an important part in the political as well as the economic history of the United States. In 1853 there was published by the Government the Sabine report on the principal fisheries of the American Seas, and in 1880 the voluminous seven volume report on The Fisheries and Fishery Industries of the United States, prepared by G. Brown Goode with the coöperation of the Commissioner of Fisheries and the Superintendent of the Tenth Census. An adequate literary history of this in all its phases by Prof. Raymond McFarland, of Middlebury College has now appeared as a publication of the University of Pennsylvania (*A History of the New England Fisheries*: D. Appleton & Co., Agents, N. Y., 1911, pp. 457). One chapter is devoted to an excellent résumé of the international questions that have arisen in connection with the subject, and in the appendix is given in full the award of the Court of Arbitration at the Hague of September 7, 1910, adjusting the controversies between the United States and Great Britain with reference to the North Atlantic Fisheries. Besides several maps, the work contains an elaborate annotated bibliography.

A French translation of Professor E. R. A. Seligman's *Incidence of Taxation* has appeared from the press of V. Giard & E. Brière (*Théorie de la Repercussion et de l'Incidence de l'Impot*. 1910, pp. 544). The translator is Dr. Louis Suret, and the work is included in the *Bibliothèque Internationale de Science et de Législation Financières*.

In *The Nation as a Business Firm: An Attempt to Cut a Path Through Jungle*, (London; Adam and Charles Black, 1910, pp. xi, 268), Mr. W. H. Malloch, the English economist and essayist, makes another attempt to throw light upon the always-interesting question of the distribution of wealth or rather of income. The purpose of his study, he states, is to correct the wild statements that have been made by certain social reformers regarding the tendency toward the concentration of wealth into fewer hands. His studies lead him to the opposite conclusion. The facts may be as stated by him, but a reading of the work can hardly fail to lead to the conclusion that the author has not proven his case. The book bristles with figures and statistical tables. The impression given is that they were carefully selected and presented with a view to proving a previously-conceived position. Essentially the manner of treatment is controversial and argumentative. In no sense is it a closely-reasoned and judicial study of the

question such as one would like to have from a trained statistician. "Interesting but not convincing" best characterizes the work.

Het stellig Volkenrecht (The Hague, Nijhoff, 1910, 2 vols.) is a comprehensive treatise on international law by Professor J. de Louter of the University of Utrecht. This work is attracting a good deal of attention abroad, and has been spoken of as one of the best of recent treatises. Unfortunately the language in which it is written restricts its usefulness. Professor de Louter rejects absolutely the notion of international servitudes, a notion which it may be remembered formed an important part of the American case in the recent North Atlantic Fisheries arbitration.

The *Records of the Federal Convention of 1787*, edited by Professor Max Farrand, has been issued from the Yale University Press.

Among the new books recently issued or announced for issue this spring are: *The Origin and Growth of the American Constitution*, by Hannis Taylor (Houghton, Mifflin); *Reminiscences of the Geneva Tribunal of Arbitration, 1872*, by Frank W. Hackett (Houghton, Mifflin); *The Income Tax*, by E. R. A. Seligman (Macmillan); *Commission Government in American Cities*, by Ernest S. Bradford (Macmillan); *Republican Traditions in Europe*, by Herbert A. L. Fisher (Putnam); *History of the Organization and Development of the British Post Office*, by J. C. Hemmeon (Houghton, Mifflin); *War or Peace*, by Gen. Hiram M. Chittenden (McClurg); *Legal Doctrine and Social Progress*, by Frank Parsons (Huebsch); *History of Parliamentary Taxation in England*, by S. A. Morgan, (Moffat).