

NEWS AND NOTES

PERSONAL AND BIBLIOGRAPHICAL

J. W. GARNER

The Sixth Annual meeting of the American Political Science Association was held in New York City, December 27-31. The presidential address of Mr. A. Lawrence Lowell was entitled *The Physiology of Politics*, and is published in this issue of the Review. The various sessions were devoted to the discussion of the following subjects: Administrative Law, Ballot Reform, English Constitutional and Political Development with Special Reference to the Centenary of Gladstone, The Valuation of Public Service Corporations, The Relation of the State to Labor, and the Governments of the Far East. These discussions and the papers read, will be published in the sixth annual volume of *Proceedings* of the Association which should appear early in the spring of this year.

The secretary reported a gratifying increase in the membership of the association, the enrollment now exceeding eleven hundred. In order, however, that the Association may be enabled to increase its usefulness and the value of its publications it is necessary that its membership should continue to grow. It is therefore earnestly urged that present members of the Association send to the secretary (W.W. Willoughby, Johns Hopkins University, Baltimore, Md.) the names of persons who are likely to be interested in the work and publications of the Association.

The following were elected officers of the Association for the year 1910. President, Woodrow Wilson, President of Princeton University; First Vice-President, Edmund J. James, President of the University of Illinois; Second Vice-President, Prof. Albert Bushnell Hart, of Harvard University; Third Vice President, Hon. W. F. Willoughby, Washington, D. C.; Secretary and Treasurer, Prof. W. W. Willoughby, Johns Hopkins University. The following were elected members of the Executive Council to replace those whose terms of office expired: Professors F. J. Goodnow, J. H. Latané, J. A. Fairlie, C. E. Merriam, Theodore Woolsey.

The place of meeting for the Seventh Annual Meeting of the Association to be held in December 1910 was not determined, the matter being left in the hands of the Executive Council. Prof. John A. Fairlie of the University of Illinois was appointed Chairman of the Committee on Program for the meeting, with power to select the other members of the committee.

Prof. G. W. Prothero, the well known English historian and former professor in the University of Edinburgh is to deliver a course of lectures at Harvard University this year on the Growth and Government of the British Empire. Professor Prothero is also to deliver a series of lectures at the Johns Hopkins University.

Among the distinguished scholars upon whom the degree of doctor of laws was conferred by Harvard University at the recent inauguration of President A. Lawrence Lowell were Prof. F. J. Goodnow of Columbia and Prof. Otto Gierke of the University of Berlin.

Mr. James Bryce's lectures on good citizenship have been published by Charles Scribners Sons under the title *Hindrances to Good Citizenship*. The author dwells upon the nature of civic responsibility and points out the reasons why the obligations of the citizen are evaded by the average individual.

A useful brochure on *Government Contracts before the Accounting Officers and in the United States Court of Claims*, by Charles F. Carusi, has recently appeared. It describes the requirements and procedure in relation to contracts with and claims against the United States, based on the statutes, on judicial decisions, and on administrative decisions of the attorney-general and the comptroller of the treasury. It is intended mainly for the use of those interested in such contracts and claims; and at the same time gives a brief survey of an important branch of administrative law in this country.

Edmond Kelly, a well known publicist and political writer, died in New York October 4 last in his fifty-eighth year. He was educated at Columbia College and the University of Cambridge but spent most of his active life in Paris where he won distinction at the bar. He lived in the United States, however, at different intervals and was instrumental in establishing the City Club in New York. He took great

interest in various reform movements and during the last two or three years of his life devoted much of his time to advocating the establishment of labor colonies. He was probably best known to Americans by his book on *Government or Human Evolution*, in two volumes. He was also the author of *Evolution and Effort*, a criticism of the doctrine of *laissez faire*; and recently published a little book dealing with the tramp problem, which was reviewed in a recent number of this periodical.

Prof. A. V. Dicey, emeritus professor of English law at Oxford, was elected to a fellowship in All Souls College, November 1, under a clause in the college statutes which enables the wardens and fellows of the college from time to time to elect to a fellowship tenable for seven years, any person who has attained distinction in the service of the crown or in the profession of the law, literature, science or art. In this connection it may be mentioned that recently Professor Dicey wrote a letter to the *London Times* advocating the introduction of the referendum into English politics. "It possesses," he declared, "the immense recommendation of being at once conservative and democratic in the best and truest sense of the word."

Mr. Thomas Erskine Holland, Chichele professor of international law at Oxford, has recently published a little book entitled *War and Neutrality: Letters to the London Times (1881-1909)*." (Longmans, Green and Company.)

Dr. Paul Posener, a distinguished German scholar, is the editor of a new volume entitled *Handwörterbuch der gesamten Rechts-und Staatswissenschaften*, in two large volumes of more than 2400 pages (Erich Weber, Berlin, 1909). It contains, we are told, 40,000 titles and catch words and covers the whole field of jurisprudence and political science. Professor Posener has been assisted by a large body of distinguished collaborators, among whom may be mentioned Professors Arndt, Gareis, Laband and Meyer.

The Macmillan Company announces that a new edition of Bryce's *American Commonwealth* will appear in the spring, and that "the revision will be a complete one, for Mr. Bryce is determined to bring the book fully abreast of recent progress." *The American Commonwealth* has exerted such an influence in this country that the publication of a new edition is an event of great importance both to the public at large and to students of political science.

Dr. John Thom Holdsworth, who for several years was professor of economics and politics at Drexel Institute, Philadelphia, and instructor in the Wharton School, University of Pennsylvania, has been appointed professor of finance and economics at the University of Pittsburgh.

Mr. Russell M. Story of Harvard University is this year in charge of the work on government in Clark College, Worcester, Mass.

The Intercollegiate Civic League was organized in 1906 and is composed "of an association of undergraduate political clubs in thirty colleges and universities; with different constitutions, but all with a common purpose, that is, to interest their members and instruct them in some practical way in the political life of the day." This League held its annual convention at New York and Washington in April, 1909, and the proceedings of this meeting have been printed in pamphlet form (pp. 79). Addresses to the meeting were delivered by Dr. Frederick A. Cleveland, Hon. John C. Spooner, and others.

The *Report of the Chicago Harbor Commission* (Chicago 1909) is an interesting volume of nearly 400 pages dealing with the present conditions and future possibilities of the harbor facilities of Chicago. The volume contains the text of the Report of the Commission, a summary of its recommendations, two papers entitled "What the ports of Europe are Doing," and "Chicago's Commercial Opportunity," by Prof. J. Paul Goode; a paper entitled "Obstacles to Chicago's Water Shipping Development," by Geo. C. Sikes; one entitled "The Volume and Trend of Traffic to and from the Central West" by Geo. G. Tunnell, and some documentary material.

William W. Smithers, Esq., of the Philadelphia bar, the author of various legal works, in collaboration with George D. Thorn, clerk of the Pennsylvania state board of pardons, has recently published an elaborate study of the pardoning power in Pennsylvania, entitled *Executive Clemency in Pennsylvania* (International Publishing Company: Philadelphia, 1909).

A new and revised edition of Wilbur F. Crofts' *Internationalism* has appeared, (The International Reform Bureau, Washington, 1909, pp. 96). It contains a discussion, in successive chapters, of international cooperation through the conclusion of treaties, the purpose of which

is to keep the peace and maintain the balance of power between states; international arbitration and the Hague court; international coöperation in matters of trade and commerce; international cooperation in the interest of the alleviation of suffering, as for example, through the agency of the Red Cross convention; international action against the traffic in alcohol and opium, against the "White Slave" traffic; against the spread of crime in various forms, etc.

Messrs. Houghton, Mifflin and Company announce the publication of a new edition of Taswell-Langmead's *English Constitutional History*; the price of the new edition will be \$3.75 per copy instead of \$6.00 as heretofore charged.

Silver, Burdett and Company have brought out a new edition (the fifth) of Wilson and Tucker's *International Law*. The new edition has been printed from entirely new plates owing to the extensive changes made in the revision. Among the current topics discussed in the new edition are the decisions and results of the two Hague conferences and last year's naval conference at London; the significance of the Pan-American conference; and the effects of recent wars, notably of the Russo-Japanese war, upon military agreements. Of special value is a new section on the influence of the United States on the development of international law. The appendix has been made more valuable, all obsolete material having been superseded by recent treaties and conventions, among which may be noted the Declaration of London of 1909, in full; the Geneva convention of 1906 for the amelioration of the condition of the wounded, and the text of the most important of the Hague conventions of 1907, such as those relating to the international prize court, and to the rights and duties of neutral powers in naval war.

The *Journal of Political Economy* has for some time published in its monthly issues a selected and classified bibliography of current writings on economics. The University of Chicago Press now announces that it will publish an annual cumulative list, containing not only the entries in the monthly lists, but also much new matter. The first annual cumulative list will be issued in March, 1910.

The American Association for Labor Legislation has published a *Review of Labor Legislation of 1909*, prepared by Irene Osgood (Madison, Wis., 1909, pp. 40). The purpose of the review is to furnish a brief

index and digest of the labor legislation in the United States during the past year. The initial number is in the nature of an experiment but if it seems to meet a demand, a similar review will be published annually hereafter.

Joseph Wheless, of the St. Louis bar, has prepared and published in English a compendium of Mexican law, which, we are told, is officially authorized by the department of justice of Mexico (The F. H. Thomas Law Book Company: St. Louis, 1909). It is divided into thirty books of which one contains the full text of the constitution of 1857 with all the amendments translated into English and annotated; another contains the law governing the administrative system; other books contain the Civil Code, the Code of Commerce, the Code of Civil Procedure, the laws relating to railroads, insurance, copyrights, patents, coinage and currency, the judicial system, corporations, etc.

Staats und Verwaltungsrecht des Königreichs Ungarn und seiner Nebenländer. Von Professor Gejza von Ferdinandy, (Bibliothek des öffentlichen Rechts. Hannover: Max Jänecke, 1909, pp. xvi, 318). Until recently few books outside of those in Magyar were available for a study of Hungarian constitutional and administrative organization, but during the past several years books upon Hungarian affairs have appeared in great number in the German, French, and English languages. Many of these recent works have related to ephemeral political questions, and Professor Ferdinandy's treatise is almost the only one available to western students upon the technical features of constitutional and administrative organization in Hungary. Within the limits of a small volume the subject is necessarily treated briefly, but the work is well done, and will be of great value to students who wish to become familiar with the Hungarian governmental organization.

One of the most important of recent books on Hungary is *La Question Sociale et le Socialisme en Hongrie* by Gabriel Louis Jaray (Paris: Felix Alcan, 1909, pp. 423). M. Jaray knows Hungary intimately and has been a frequent contributor to French journals upon subjects relating to that country. The author discusses fully the social and industrial situation of the Hungarian proletariat, and presents a thorough analysis of the social democratic movement. Of particular interest to students of political science is his discussion of the struggle for universal suffrage. Although avowedly a study of social conditions, M. Jaray's work can-

not be neglected by one who would wish to understand the present political situation in Hungary.

Hungary of To-Day, by members of the Hungarian government, etc., edited by Percy Alden (London, Nash, pp. 415), is an interesting collection of articles dealing with different phases of Hungarian political life. The most interesting article is that by Count Albert Apponyi on the Hungarian constitution, which covers more than a hundred pages. Other articles of particular interest to students of political affairs are those on law and justice, taxation reform, industrial labor legislation, the state and agriculture, public education, the state child, and the political position of Croatia. In all of these articles the legal aspect predominates, and one may read the book as a whole without appreciating the fact that there are important social and racial questions pressing for solution in Hungary. The book is valuable as giving a statement of the constitutional organization, and of the legislation in a number of important fields, but presents only one side of the picture. In order to get another view of the situation reference may be had to Seton-Watson's *Racial Problems in Hungary* (London, Constable, 1908), and to M. Jaray's work to which reference is made above.

L'Immigration aux Etats-Unis et les lois federales (Paris, Larose et Tenin, 1908, pp. 216), by Charles Salvy, is a doctoral dissertation in which the author discusses in a popular manner the immigration and naturalization laws of the United States. Some attention is devoted to the methods of enforcing the laws, and there is a rather full discussion of Chinese and Japanese exclusion.

A bulletin on *Industrial Accidents and Workingmen's Compensation* has recently been issued by the Minnesota Bureau of Labor, Industries and Commerce (pp. 58). Great interest has been shown in this subject during the past few years. Much of the material and information upon the subject may be found in Reuben McKittrick's *Accident Insurance for Workingmen* (Wisconsin Comparative Legislation Bulletin, July, 1909, pp. 70). An excellent discussion of the legal principles of employers' liability is found in an article by Prof. Floyd R. Mechen in the *Illinois Law Review* for November, 1909.

Dr. William I. Hull has published in the Swarthmore College *Bulletin* (vol. vii, no. 1), under the title of The New Peace Movement, a series

of addresses delivered by him during 1908 and 1909 (Swarthmore, Pa., 1909, pp. 76). The addresses deal in a popular manner with topics connected with the movements toward disarmament and international arbitration.

The government printing office has recently published *A Report on National Vitality, its Waste and Conservation* (Washington, 1909, pp. ix, 138), prepared by Prof. Irving Fisher for the National Conservation Commission. This report discusses in an interesting manner questions relating to the preservation of health and life.

The Kingdom of Wurttemberg adopted in 1906 a system of proportional representation, which seats in the Landtag are distributed among the several political parties or groups in proportion (roughly) to the number of votes cast by each party or group. This system of proportional representation, the first to be employed in Germany, was tested in elections of December, 1906 and January, 1907. Dr. Jean Fontaine in a monograph on *La Représentation proportionnelle en Wurtemberg*, (Paris, Larose et Tenin, 1909, pp. 219), analyzes the law and discusses its operation in the elections of 1906 and 1907. In his opinion the law has operated very satisfactorily.

La Condition politique de la Croatie-Slavonie dans la monarchie Austro-Hongroise, by G. de Montbel (Toulouse, Lagarde et Sebille, 1909, pp. 314), presents a history of the Croatian situation, and a discussion of the present relations of Croatia with Hungary and with the Austro-Hungarian monarchy. Of particular interest are Dr. Montbel's discussions of recent difficulties between Croatia and Hungary, of the Pan-Servian agitation, and of the annexation of Bosnia and Herzegovina by Austria-Hungary.

Le parlement Russe, Son organization-ses rapports avec l'Empereur (Paris, Arthur Rousseau, 1909, pp. 218), is a doctoral dissertation submitted at the University of Paris by Pierre Chasles. Dr. Chasles' work is based upon a study of Russian sources and upon some observation of the working of parliamentary institutions in Russia; he discusses fully the constitutional movement, and outlines the composition, organization and powers of the *duma* and of the council of the empire. Dr. Chasles concludes that parliamentary institutions are now well-established in Russia, and that the *duma*, although now a "parliament in tutelage," will exercise an increasing influence in Russian affairs.

A Historical Study of Legislation Regarding Public Health in the States of New York and Massachusetts is the title of a very creditable doctor's thesis, by Miss Susan Wade Peabody, prepared under the direction of Prof. Ernst Freund of the University of Chicago, and published as a supplement to the *Journal of Infectious Diseases* (Chicago, 1909, pp. 158). The study is divided for the purpose of treatment into two parts: one dealing mainly with the cause of legislative action and the other with the administration of the laws relating to public health, with particular reference to the agencies and means of enforcement. In an appendix of twenty-two pages the author gives a summary of legislation enacted by the states of Pennsylvania and South Carolina and by the federal government. Other appendices contain a table of cases, a bibliography of the literature, and a list of epidemics with the resulting legislation which followed each outbreak.

P. S. King & Son have published a new and timely work by J. A. Hobson, entitled *The Crisis of Liberalism: New Issues of Democracy* (London, 1909, pp. 280). It is divided into three parts: one dealing with democracy and the referendum; another with liberalism and socialism; and the third with "applied democracy" including a discussion of such subjects as poverty, its causes and cures, charity organization, millionaire endowments, the morality of nations, etc. Mr. Hobson dwells upon the constitutional issues raised by the action of the house of Lords in rejecting the budget, and advocates a reform bill substituting for the veto of the second chamber a popular referendum.

A new edition (the third), of Lewis on *Eminent Domain* (Callaghan and Company, Chicago, 1909), has recently been published. The new edition embraces the decisions of the last ten years which bear upon the subject of expropriation, and deals with a number of new topics, such as inter-urban railroads, the transportation of freight upon street railroads, the vacation and closing of streets and highways; distribution of electricity, regulations and restrictions upon the use of property, etc.

An important and successful experiment with proportional representation was recently made in the municipal elections of Johannesburg and Pretoria, in pursuance of an act of parliament applying especially to those cities. It will be remembered that the draft constitution for the South African Union contained a proportional representation provision which, however, was finally eliminated. The particular form introduced in Johannesburg and Pretoria, was the single transferable vote and it is

reported to have given great satisfaction. In the former city, ten councillors were elected, of whom six were returned by commercial and representative associations, two by the labor party and two by independents.

The municipal elections throughout England were held on the first of November. Outside of London the returns indicate very little change of sentiment in the issues of British municipal politics, the gains on one side being about evenly balanced by the losses on the other. If the results have any significance it is that the progress of municipal socialism has received a check. In London, where the members of the borough councils retire triennially, 1362 seats were filled for which places there were about 3000 candidates, of whom sixty were women.

In the metropolis, the "municipal reformers," the party opposed to an increase of municipal expenditures which swept London three years ago, held their own, and in addition won several notable triumphs, especially in Battersea, John Burn's constituency, where they routed the socialists and progressives and captured all of the twenty-seven seats. The following comparative table for 1906 and 1909, shows the number of seats held by the several parties in London:

	1906	1909
Municipal reformers	959	977
Progressives	272	251
Labor and Socialists	34	41
Independent	97	93

Five of the sixty female candidates were successful. Very little interest in the elections was manifested, scarcely more than 50 per cent of the electors going to the polls.

Two important royal commissions have recently been appointed in England. One of them, under the chairmanship of Lord Gorell, is to inquire into the present state of the law of divorce and its administration; the other, presided over by Lord James Hereford, is to consider and report what, if any, steps should be taken to facilitate the selection of more suitable justices of the peace. In this connection it may be noted that volume vi of the report of the royal commission on canals and waterways has been issued. It contains reports on the waterways of France, Belgium, Germany and Holland. It may also be remarked here that the third and last installment of the final report of the poor law commission has appeared. It deals with the administration of the poor

law in Scotland and like the previous ones on England and Ireland, contains a majority and a minority report. The minority report is signed by four out of the eighteen members, among the former being Mrs. Sidney Webb. The minority report is criticized by the London *Times* as a "Fabian manifesto masquerading as an official document." It proposes that the Scottish poor law be abolished and that the administration of relief for different classes be distributed among various existing or new authorities. Lord George Hamilton, chairman of the commission, answers the "Manifesto" of the minority in an attached memorandum.

An important conference on criminal law and criminology was held at Madison, Wisconsin, November 26 and 27. This conference was in a sense, the first fruits of the national conference on criminal law and criminology held at Chicago last June, and it is expected that other states will follow the example of Wisconsin during the present year. The Wisconsin conference was called to consider some of the questions connected with the increasing delays and miscarriages of justice in judicial procedure, to inquire into the reasons for the widespread lack of confidence in the present methods of administering punitive justice, and to discuss what improvements, if any, may be made in the existing system. About one hundred and twenty delegates, mostly lawyers, judges, heads of penal institutions, alienists, sociologists and university professors of law attended the sessions of the conference. The preliminary work of the conference was distributed among eight committees, to each of which was assigned one of the following topics: The Jury; Trial Procedure; Trial of the Issue of Mental Responsibility; Appeals and Reversals; Judicial Organization; Juvenile Offenders; Probation, Including Parole, Pardon and indeterminate Sentences; and the Causes and Prevention of Crime. A permanent organization was effected and several committees were appointed to investigate certain questions and publish their findings. A second conference will be held next fall at which the reports of these committees will be considered, and definite recommendations will be agreed upon for presentation to the legislature. The declared ambition of the conference is "to make Wisconsin within five years, a model state with respect to the administration of criminal justice."

During the last two weeks in September, two congresses on international maritime law were held at Brussels and Bremen. The congress

at Brussels was convened by the Belgian government and was attended by delegates representing the various maritime powers. The congress at Bremen was called by the International Maritime Committee and was attended by delegates nominated by the various maritime law associations of Europe. Among the questions considered by the Brussels congress were those relating to collisions, assistance to distressed vessels, and privileges and liabilities of ship owners. The majority of the delegates signified their acceptance of the new rules formulated. The congress at Bremen considered the subjects of salvage, the limitation of ship-owners' liabilities, and maritime liens and mortgages. The Brussels congress will re-assemble in April after the various governments concerned shall have taken action on the preliminary agreements. The United States government was represented at the latter congress by Edwin W. Smith, of Pittsburg, United States Circuit Judge Walter C. Noyes of Connecticut, Ex-Governor A. J. Montague of Virginia and Charles C. Burlingham of New York.

An international congress of administrative sciences is to be held at Brussels in July next in connection with the Universal International Exhibition. The deliberations of the congress will be conducted in four sections, dealing with the following topics: Communal Administration, Intermediate Organization between the State and the Local Authorities, Organization of Central Authorities, and Administrative Literature. Anyone may participate in the deliberations of the congress upon payment of a subscription fee of 25 francs, in return for which he will receive a copy of the published proceedings. The delegates appointed by the Secretary of State to represent the government of the United States at the congress are Prof. F. J. Goodnow, of Columbia University, Prof. John A. Fairlie, of the University of Illinois and Dr. Henry D. Geddings of the public health and marine hospital service. Applications for membership and requests for information may be addressed to M. De Vysh, Avenue des Germaines 22, Brussels.

The Nobel peace prize for the year 1909 has been divided between Baron d'Estournelles de Constant of France and August Beernaert of Belgium. Baron de Constant for some years has been one of the leaders of the Interparliamentary Union and has served as its president. At the present time he is widely known as one of the most active and powerful advocates of international arbitration and has done much to promote the peace movement of the world. M. Beernaert though less widely known,

is recognized in Europe as an able and persistent friend of the peace movement. At the present time he is the premier of Belgium, and he presided over the International Maritime Congress held at Brussels last September.

The previous recipients of the Nobel peace prize were Henri Dunant of Switzerland, and Frederic Passy of France, 1901; Elie Ducommun of Switzerland, 1902; Albert Gobat of Switzerland, and William R. Cremer of England, 1903; The Institute of International Law, 1904; Bertha von Suttner of Austria, 1905; Theodore Roosevelt of the United States, 1906; Ernesto T. Moneta of Italy, 1907; and K. F. Anderson of Sweden and M. F. Baier of Denmark, 1908. The prize for 1910 will be awarded December 10, next, and all proposals must be laid before the committee one before the first of February of the same year.

Any one of the following persons is held to be duly qualified: (a) Members and late members of the Nobel committee of the Norwegian parliament, as well as the advisers appointed at the Norwegian Nobel Institute; (b) members of parliament and members of government of the different states, as well as members of the Interparliamentary Union; (c) members of the international arbitration court at the Hague; (d) members of the commission of the permanent international peace bureau; (e) members and associates of the Institute of International Law; (f) university professors of political science and law, of history and of philosophy; and (g) persons who have received the Nobel peace prize.

For particulars, qualified persons are requested to apply to the office of the Nobel committee of the Norwegian parliament, Drammensvei 19, Kristiania.

In the September, 1909, number of the *Revista Universitaria*, a journal published by the University of San Marcos at Lima, Peru, Prof. Juan Bautista de Lavalle had an interesting article on the program of the fourth Pan-American conference, which is to be held at Buenos Ayres in 1910. This article has also been separately issued in pamphlet form. (Lima, Sammarti, pp. 34).

It is always interesting to see ourselves as others see us, and particularly so when we appear well to others. Twelve months of living intimately with the Americans give weight to the criticisms, favorable and otherwise of Mr. Alexander Francis in his book *Americans, an Impression* (Appleton and Company, New York, 1909, pp. 258). He has evidently made a discriminating study of his subject and certainly his

observations are keen and just and furnish food for thought. He thinks that the problem of immigration is a more serious one than Americans realize; but confesses that the force and effect of American life and institutions upon the immigrants is one of the most extraordinary phenomena of history. He devotes several chapters to our educational system, finding many weak points, such as "electives," co-education, the great preponderance of women teachers, the lack of religious teaching, etc. But he also finds much to praise and says that the American universities have elements of strength that the English lack.

Among the chapters of special interest to readers of the REVIEW are: the National Temper, America and England, Social Settlements, Social Discontent, Socialism, Socialism and Democracy, and Social Progress. His discussions are unprejudiced and will be found interesting and instructive.

Mr. George A. Rankin has written a vigorous and interesting work entitled *An American Transportation System*, published in Putnam's Questions of the Day Series. The author discusses the defects of present transportation conditions and the legislative attempts to improve them, and proposes a radical remedy. In forceful language, he points out that our own railroads are lacking in safety and adequacy of facilities, wasteful in their operations, dishonest in their financial methods and a corrupting influence in American life. He criticises existing legislation in regard to safety and facilities as entirely insufficient, the attempt to regulate rates as lacking in a definite policy; and shows the inefficiency of competition in transportation and the difficulty of public control under the existing duality of government authority. His proposed remedy is a constitutional amendment organizing the holders of the bonds, stock, and other securities of railroads and other transportation lines into one transportation corporation, on a valuation of existing securities made under the supervision of the supreme court. This corporation is to operate the whole transportation system subject to control by a special court, in regard to safety, facilities, rates and the issue of stock for additional lines and equipment,—rates to be based on the principle of equal charges for equal distances (but recognizing lower rates per mile for longer than for shorter hauls), and such as to yield 5 per cent on the capital stock. His account of past and present conditions is strongly presented, but at the same time recognizes what the railroads have accomplished. His remedy is a comprehensive one, involving more radical changes in our governmental system than the author seems to

realize; and it will not meet with ready acceptance. But the book is well worth reading and should emphasize the profound importance of the transportation problem.

The meeting of the fourth Pan-American conference is to be held in Buenos Ayres in August next and a tentative program has been prepared as published by a committee of the governing board of the Bureau of American Republics at Washington. Reports are to be presented from each delegation concerning the action of their respective governments upon the resolutions and conventions of the preceding conference; from various committees appointed at the Rio Janeiro conference; from the director of the International Bureau of American Republics; from the international commission of jurists appointed to consider the project for a code of public and private international law, and a report on the progress of the Pan-American railway. Among the proposed topics for consideration and discussion are: Postal Rates and a Parcels Post; Uniformity in Census and Commercial Statistics; Uniformity of Customs Regulations; the Establishment of More Rapid Steamship Communication between the American Republics; Uniformity of Food and Sanitary Regulations; Sanitary Police and Quarantine; the Establishment of a more Uniform Monetary Standard; the Possibilities of International Coöperation for the Conservation of Natural Resources; Closer Coöperation between the Pan-American Scientific Congress and the Pan-American Conference; Patents, Trades-marks and Copyrights; Foreign Immigration; Practice of the Learned Professions; Naturalization; Neutrality in Cases of Civil War; Uniformity of Regulations for Protection against Anarchists; and Future Conferences. Secretary Knox has asked for the immediate appropriation of \$75,000 to meet the expenses of the American delegates who are to be appointed at an early date.

The government of the Argentine Republic has already selected its delegation and has set a very high standard by choosing some of the most distinguished publicists of the country. Among them we note the names of Dr. Antonio Bermejo, chief justice of the federal supreme court; Dr. E. L. Bedau, professor of international law in the National University; Dr. Louis M. Drago, an eminent jurist, well known as the author of the "Drago doctrine," a member of the Hague peace conference and at present one of the arbitrators of the North Atlantic fisheries dispute; Dr. E. S. Zeballos, former Argentine minister of foreign affairs and a writer on international law; Dr. Saenz-Peña, a delegate to the first conference held in Washington in 1889, and the leading candidate for president of

the Argentine Republic; Dr. Rodrigues-Larretta, a distinguished orator, a former minister of foreign affairs and a member of the Hague permanent court of arbitration; and Dr. Montes de Oca, an eminent jurist and at present professor of constitutional law in the National University.

Butterworth and Company of London have just issued a four-volume work on *The Legislation of the Empire*, being a survey of legislative enactments of the British dominions from 1898 to 1907, edited under the direction of the Society of Comparative Legislation, by C. E. A. Bedwell. The English Society of Comparative Legislation has, since 1896, published annually in its journal a review of the legislation enacted within the British Empire. In the four volumes just issued these annual reviews have been consolidated and compiled, so as to present a complete ten-years' survey of all legislation enacted by the British colonies. The volumes should be of great value to all students of comparative legislation.

Two Decades of Comparative Legislation by Dr. Robert H. Whitten, Librarian of the New York Public Service Commission, First District, is the title of a reprint from the *Law Library Journal* of October, 1909. Dr. Whitten dwells upon the value of scientific information as the basis of legislation, but points out that knowledge concerning the laws enacted by other states is not always good. We need, he asserts, to distinguish carefully between the blind imitation of the laws of other states, and comparative legislation, which involves the careful study not only of many laws upon the same subject but of the actual working of those laws and of the results of their operation. The laws of other states should be imitated only after careful investigation of their practical workings. Mr. Whitten suggests that in addition to a legislative reference bureau and a bill drafting agency, there ought to be in every state a bureau of statistics with skilled accountants and statisticians to collect the facts essential to intelligent legislation. He points out the practical value to the legislator to be derived from the study of the legislation and institutions of the leading European countries, though as yet there is so great a dearth of library facilities in America for the study of foreign legislation that the investigator is beset by great difficulties.

Die Staatsverfassungen des Erdballs (Charlottenburg, Fichtner, pp. 1435) is a collection of constitutions edited by Prof. Paul Posener. It is planned to issue annual supplements to this collection containing

new constitutions and constitutional amendments. Constitutions of which the original texts are in English, French, German, or Spanish, are printed in these languages respectively; but in other cases translations are made into German, except for Sweden where the text is printed in Swedish. The collection contains the constitutions of all independent countries, and, in addition, the constitutions of all of the German states, and of the self-governing British colonies. For the United States, the federal constitution is given, together with statements, mostly incorrect, regarding the constitutions in force in the several states. In some cases the texts are preceded by brief historical introductions. There is no subject index, but simply an alphabetical list of countries with an indication of pages at which may be found the several constitutions.

The Commonwealth, a Study of the Federal System of Political Economy, by Alfred P. Hillier (Longmans, Green and Company, 1909, pp. 162), is the title of a little book by an English writer who undertakes to defend the policy of a protective tariff for England. He asserts that the policy of *laissez faire* or free trade "carried out in the midst of a protectionist world has really produced a more unnatural and unsymmetrical state of things in England than any scientific tariff has produced anywhere else." The policy of protection in the United States, he declares, "would appear to be absolutely vindicated beyond any shadow of a doubt—vindicated by a century of the most remarkable and enormous material and economic development that the world ever saw." It is inconceivable, he adds, that any student of American prosperity "whose vision is not obscured by the mists of bygone doctrinaire hypotheses can for one moment hold with Lord Avebury that 'if they had adopted a different course they would have made much more progress.'" And all civilized nations except Great Britain, he concludes, are now convinced of this fact.

American Foreign Policy, by a Diplomatist (Houghton, Mifflin: Boston, 1909, pp.194) is a little book of essays, eight in number, by a practical diplomat of wide experience and evident keenness of insight. The purpose of these studies, he tells us, is to draw attention to the duty of diplomacy to further our foreign policy in different regions of the world, and to the conditions of national security upon which must rest its assertion. Our foreign policy until now, he maintains, has been one of misunderstandings; we are just now beginning to understand that our economic resources are limited; that we shall soon be within sight of

the end of the country's possibility for internal development; that the necessity for providing foreign markets for our surplus products is increasing and that we are at last beginning to realize the importance of a powerful navy to protect our foreign commerce and to insure us against war. We have still to learn that an efficient diplomacy is a necessary adjunct to the navy in the extension of our commerce abroad and in the preservation of peace at home. Hitherto our diplomacy has been overweighted with traditions that have outlived their usefulness and we are now waking up to the importance of a vigorous foreign policy, and of what we may rightfully demand of diplomacy as an instrument of progress. In a chapter on "Relations with Europe" he reviews historically our relations with the principal European powers and advocates a closer intimacy with Great Britain, even to the extent of a treaty of alliance. In an essay on the "Monroe Doctrine" he asserts that we have failed to make use of important opportunities to secure a recognition from European powers of the justice of the American position in regard to the Latin-American Republics. Our influence with the latter states could be increased, he thinks, by raising the rank of our diplomatic representatives to a grade higher than that of their colleagues and by encouraging the South American States to send to us representatives of higher rank. In an essay on the diplomatic service, he dwells upon the need of closer coöperation between that service and the other branches of the government and with the army and the navy. There ought to be a "congressional secretary" to explain details to the foreign relations committees and answer questions; also a press bureau in the state department to serve as the recognized channel of communication between the government and the public in all matters of foreign policy.

Les Commissions Internationales d'Enquête, par Albert Beaucourt (Arras, 1909, pp. 271). Dr. Beaucourt begins his study with a discussion of the precise nature of commissions of inquiry, distinguishing them from the "mixed commissions" which had frequently been established before the Hague conference of 1899. A detailed study follows of the projects proposed and the plan finally adopted for the institution of the commission by the Hague conference of 1899. The successful accomplishment of the purpose of the commission is next illustrated by an examination of the procedure followed and the results obtained by the commission of Paris, which was established in conformity with the declaration of St. Petersburg, November, 1904, to provide for an inquiry into the facts of the Dogger Bank incident. A final chapter exhibits the modifications

of the commission of inquiry, chiefly in point of procedure, adopted by the second Hague conference. On the whole, the monograph is an interesting summary of the development of the commission, but it contains little matter not already accessible to the student.

La Guerre Russo-Japonaise et la Neutralité. Par Louis Bon. (Montpellier, L'Abeille, 1909, pp. 256.) The principles of the inviolability of neutral territory and of the rights and duties of neutrals underwent so severe a strain during the Russo-Japanese war that there still remains room for further discussion than the subject has yet received. Dr. Bon's monograph treats first of the actual hostilities committed in Chinese and Korean territory, and then of the use of that territory as a base of hostile operations on the part of both of the belligerents. The subjects of enlistment, of equipment of ships in neutral territory, and of the furnishing of war material by the neutral to the belligerents, are next examined. The section dealing with the principles governing asylum constitute the most careful part of the work, especially the discussion of the English position as shown in the Declaration of Malta forbidding the use of English ports for coaling purposes by the Russian fleet en route to the scene of the war. In contrast the French position which allowed the Baltic fleet to coal, by means of intermediary colliers, at French colonial ports, is criticised as an act of hostile character.

Professor Oppenheim has published a small volume entitled *International Incidents* (Cambridge: University Press, 1909, pp. xii, 129), containing a collection of incidents suitable for discussion in classes in international law. In the main these incidents are veritable ones of recent occurrence, but some few of them have been invented for the purpose. The selection of material has been excellent and the volume cannot but be of stimulating value both to the teacher and to the students of international law and diplomacy, especially where the conversational method of instruction is followed. Dr. Oppenheim is thus to be thanked for making available to others the material he has collected with such discriminating care for use in his own classes.

Equal Suffrage, by Helen L. Sumner, Ph. D. (Harpers, New York, 1909, pp. xxxvi, 282), is an impartial and very creditable study of the workings of woman suffrage in Colorado during the first twelve years of its existence, 1893-1906. There is no argument and no attempt to make out a case for the equal suffragist. The investigation was made for the Col-

legiate Equal Suffrage League of New York and the results cover two years of actual observation and study of the subject in nine counties of the state including the city of Denver. Miss Sumner has pointed out the evil of woman's suffrage as well as the good, with singular impartiality, though her conclusions are, on the whole in favor of equal suffrage. She finds, for example, that the prostitute class in the larger cities have voted almost solidly though under pressure from the police rather from any desire of their own. She thinks there has been a substantial gain in sentiment among the men of Colorado in favor of woman's suffrage; that a large majority of the women of the state believe their enfranchisement has been beneficial; that it has resulted in a larger independence of voting, as was recently shown in the reelection of Judge Lindsey in Denver; that saloonkeepers and men of notoriously immoral lives are rarely if ever nominated to office, because the women cannot be driven by party loyalty to vote for them; that there is no evidence that equal suffrage has tended to introduce discord in the home or has led to neglect by the women of their domestic duties; that it has secured a larger representation of women on the boards of control of the state institutions, the number being 21 in 1907; that it has secured the enactment of much wise social legislation and has been the means of increasing the intelligence and public spirit of the female population. About one person in four who attends caucuses in Colorado is a woman; women are frequently elected as delegates to county and state conventions; there have been several women members of each legislature, with one or two exceptions, since the equal suffrage law went into effect; forty-seven out of fifty-nine counties have had females superintendents of education; the office of state superintendent of education since 1894 has been held by women and they have made better records than the men who formerly held the office.

Maurice Hauriou, professor of administrative law in the University of Toulouse, who is well known for his *Précis de Droit Administratif* which reached its seventeenth edition in 1907, has recently published a new work entitled *Principes de Droit Public* to meet the need of students, *en license* who are now required to pass an examination in public law.

M. Ernest Lemonon has supplemented his excellent work on the Second Hague Conference by a new book, entitled *La Conférence Navale de Londres* (Pichon et Durand-Auzias, Paris, 1909, pp. 115). The present work deals mainly with the subjects of blockade, contraband,

hostile assistance, destruction of neutral prizes, transfer of ships, convoy and visits of search.

L'Organisation Judiciaire aux Etats-Unis is the title of a study and criticism of the organization and function of the American judiciary, by A. Nerincx, a well know jurist and Professor in the University of Louvain (Paris: Giard et Brière, 1909, pp. xi-427). The study was crowned by the Institute of France and the author was the recipient of a prize offered by the Institute. The article on the law schools and bar of the United States published in a recent number of the *Revue de Droit Public et de la Science Politique*, and to which reference was made in a previous number of this REVIEW, appears as a chapter in the present work.

Felix Alcan of Paris is the publisher of an important work, entitled *L'Europe et la Politique Britannique (1882-1909)* by Ernest Lémonon, whose book on the Second Hague Conference was reviewed in a recent number of this periodical. A review of this work will appear in the next issue of the REVIEW.

CURRENT MUNICIPAL AFFAIRS

WILLIAM BENNETT MUNRO

The joint annual meeting of the National Municipal League and the American Civic Association was held at Cincinnati during the third week of November last. The meetings were well attended and proved in every way successful.

At the meetings of the National Municipal League the presidential address, delivered by Hon. Charles J. Bonaparte of Baltimore, Md., was entitled *The Initiative in the Choice of Elective Municipal Officers*, and dealt with the methods of nominating candidates at city elections. Mr. Bonaparte advocated the selection of candidates at party primaries but urged that, both at the primaries and at the subsequent election, every facility should be given to independent candidates. An interesting paper presented by Mr. Robert Treat Paine, Jr., of Boston dealt with recent improvements in election machinery, particularly with the laws which in four states have permitted or required the taking of party designations off the municipal ballot. In addition to these four states there are cities