

pating conflicts with all the old Macedonian limitations. These were necessarily cruel, but "the conquest of Persia had been forgotten in the conquest of the Earth." On the whole the biography is defensive of Alexander, but it strikes the happy mean between the fulsomeness of earlier histories and the severities of reactionary criticism. The conqueror and destroyer was yet a far-sighted builder. "To Alexander commerce and Hellenism were means, not ends, means indeed far from clearly grasped or understood; but in so far as he did grasp and understand them, his is the glory to all time of having applied on a great scale for whatever end the greatest influences for peace in the world of his day" (p. 192). Fresh and vigorous is the treatment of Alexander's visit to the oracle of Ammon. It was not the inception of a great policy, but was designed to "test a romantic belief which he owed to Homer, and in diverse ways to both his parents" (p. 198). But the founder of the Macedonian Empire did not seriously think of his own divinity. His empire was an achievement of human genius, the genius of one incomparable man. The universal empire which followed his was a "system independent of the life of an individual."

The death of Hephæstion left the great soul of Alexander "in such a solitude as has seldom been the doom even of kings." Alexander did not live long enough to have his grief assuaged, or to resume with the old ardor his plans for universal conquest and order. "Having the greatest powers, he set up the greatest aims consistent with his day, and pursued them greatly. Philip lives hardly outside the world of scholars. The son is still a master to all masters in war, and his type has been chosen by Art for the Hero" (p. 282).

Mr. Hogarth's book is admirably printed, beautifully illustrated, and well indexed. An appendix discusses ably certain chronological questions of Alexander's reign, and the author's familiarity with the technical questions of Alexander's military organization is shown throughout the book.

B. PERRIN.

*Domesday Book and Beyond.* Three Essays in the Early History of England. By FREDERICK WILLIAM MAITLAND, LL.D. (Cambridge: University Press; Boston: Little, Brown and Co. 1897. Pp. xiii, 527.)

THE world of scholars has long since learned to greet a new book from Professor Maitland's pen as marking an epoch in the subject of which it treats, and the work before us only serves to confirm and deepen the impression already made. Although *Domesday Book and Beyond* was planned as a first volume to *The History of English Law*, its publication has been deferred for various reasons. But the delay has not been without its advantages, for it has enabled the author to make use of Mr. Round's discoveries in *Domesday Book* and of Dr. Meitzen's conclusions regarding early Teutonic settlements; and the reader who by this time

has become familiar with the law of the Anglo-Norman period to pass to the more obscure law of Domesday and the Saxon era with his eyes accustomed, as Professor Maitland puts it, to the twilight before going out into the night.

The essays which make up this volume, "Domesday Book," "England before the Conquest" and "The Hide" are in a sense more epochal than anything that Professor Maitland has hitherto published, because they concern a field of study where controversy has hotly raged, where documents are difficult to interpret, as is the case with Domesday Book itself, or are few, obscure and of uncertain value, where ideas are indefinite and fluid, and where preconceived opinions are almost certain to bias the judgment. Professor Maitland has not been content to exploit certain parts of his subject; he has endeavored to interpret every important document beginning with Domesday Book and reaching back to the dooms of Aethelberht and the Burghal Hidage. That he has done this without disturbing at any important point the faith of the reader in the justness of his conclusions is due not only to our confidence in his learning, his unrivalled power of interpretation, and almost unlimited capacity for work, but also to his moderateness and caution in the expressal of any opinion even where the evidence is most conclusive. It is not too much to say that for the first time Domesday as a whole stands revealed, not fully, indeed, for there is still great work to be done, but in its most essential features; that almost for the first time the *terra incognita* of Saxon times has been triangulated and its boundaries ascertained. Not that all Professor Maitland's solutions are final—far from it, some will be called in question, nay, are already under attack, for Mr. Round and Mr. Stevenson have even now entered the lists—but certain is it that each and every one of them will have to be reckoned with by all who study this period in the future. And in the meantime some—and those important ones—will get themselves firmly established, for Professor Maitland is a very convincing writer.

It is manifestly impossible in a short review to give a *résumé* of a work that fairly bristles with important conclusions. There does not seem to be any single underlying purpose running through the essays except that of accurate historical reconstruction, yet I think that the conclusion which will interest and affect the largest number of readers is the denial of a "manorial system" before the twelfth and thirteenth centuries. This sets the manorial current running in the opposite direction from that given to it by Mr. Seebohm in his theory of the village community, and by Professor Ashley in his introduction to Fustel de Coulanges' *Origin of Property in Land*. Professor Maitland rejects without hesitation any proposal to connect the English manor with the Roman villa, to fill the England of Bede's day with Continental lordships, to make the seigniorial element Roman in origin, and to place the mass of the Saxon people in serfdom. He is willing to admit an occasional villa and a few servile villagers, but holds to an unqualified belief in the original freedom of the ceorls. He sees at the beginning of Anglo-Saxon history village com-

munities with open fields, Germanic in origin, peopled by free landowning ceorls and their slaves; he holds to the depression of this free class through the growth of seigniorial power and the increasing weight of the feudal edifice; and he discusses at considerable length the forces that subjected the peasantry to seigniorial justice, substituted the manor for the free village, and transformed the free men of the sixth and seventh centuries into the semi-free of Domesday Book and into the villeins of the thirteenth century.

But if this were all, Professor Maitland might well be classed with those who consider Anglo-Saxon England to have been a land of self-governing communities, a paradise of yeomen. This is not all. The imaginative historian who still links with the term "village community" ideas of personal freedom, communal ownership of land, political representation, town meetings and courts of justice will find little to comfort him in this book. He will find, it is true, free village communities both in Saxon times and the days of William the Conqueror, but he will find them shorn of those attributes that democratic enthusiasm has accredited to them. He will see an agrarian, not a political community, with no village assembly or court, unrecognized by law because possessing no organization of which the state can make use and therefore having no place in the body politic; he will see its freedom to be the freedom of its members toward lords to whom they have commended themselves, a freedom consisting of rights and privileges and exemptions everywhere varying in amount; he will see its communalism to be either individual ownership or at least co-ownership; its right of representation a thing undreamed of, a strange anachronism. Following on in the history he will find a number of free vills in Domesday, but still without political consequence, without a court, apparently without a headman or reeve, occupied by sokemen and *liberi homines*, each the man of a lord, though still subject, it may be, to the jurisdiction of the hundred court, bound together by no other than an agrarian tie. Strangely enough, he will find that it is the subject community of the eleventh, twelfth and thirteenth centuries that is acquiring political dignity, its reeve and four men summoned by the Domesday commissioners to the inquest, itself utilized by the Norman kings as a unit of assessment, burdened by the state with police functions, and by the lord with the obligation to acquit him of doing suit at the hundred and county courts. He will find that so-called "representation" had at first a "real" character, as indeed Professor Maitland had already pointed out in the *History of English Law*, I. 599-600, and was in fact an obligation resting on vills discharged by the lord or his steward or by the reeve and four men, and not a right possessed or exercised by individuals as such.

According to the views here presented it is hard to see how the village community can be said to have possessed any political importance before the thirteenth century. This means that the hundred was the original unit of local government and that the vill was nothing except so far as the law recognized and used it in certain administrative matters.

Such a conclusion is likely to chill the ardor of those who look on the local self-government of the New England town as an institutional retrogression, a kind of revival of a fundamental Anglo-Saxon institution, and to curtail somewhat the description of the village community given in the pages of Green and Freeman.

I have said nothing of some of the most important of Professor Maitland's conclusions ; of his subtle analyses of *sake and soke*, in which he distinguishes between the profits of justice and the holding of courts, carrying seigniorial jurisdiction back to the seventh century but deeming the *halimôt* a novelty even in Domesday Book ; of his definition of the Domesday manor as the house against which *geld* was charged ; of his view of the Norman Conquest as the red line dividing into two parts the legal and economic history of medieval England ; of his theory of the origin of the borough in the "burh" or fortress, a theory contrary to the opinion of many modern economists who place the economic stage before the military. I have said nothing of the heterogeneity of tenure in the boroughs and the vills that play so important a part in Professor Maitland's argument against a manorial "system ;" nothing of his argument for the large hide as the unit of measure, of his laborious calculations based on Domesday statistics, of his criticism of documents and his comments on the opinions of others. But I must leave this all unsaid.

One word in conclusion. No part of this book is more useful and suggestive than that which treats of the ideas of primitive peoples. Professor Maitland shows that men were not thinking much about those things that concern us to-day—freedom, ownership, citizenship, elections, representation, corporations, courts, judicial procedure, and exact measures of land, but that they were concerned with the consequences of personal relationship, rights of occupation, of superiority, of privilege, of justice, rights to receive dues, payments, wites, fines and the like, as well as to be exempt from them. When the student seizes holds of this distinction, and learns that fixed and simple ideas were not characteristic of simple people in early times, and that Anglo-Saxon institutions were not necessarily germinant with all that is best and most important among the ideas of the present age, he will be saved from many erroneous conclusions that have been far too prevalent here in democratic America.

CHARLES M. ANDREWS.

*The Latin Kingdom of Jerusalem, 1099 to 1291 A. D.* By Lieut. Col. C. R. CONDER, LL.D. (London: The Palestine Exploration Fund. 1897. Pp. viii, 443.)

THERE are so few books in English treating of the Crusades that the appearance of a new one on this subject by a writer already well known for his work in other fields will be noted with interest. After writing a number of books dealing with the earliest history of Syria and Palestine, Lieut.-Col. Conder has now turned his attention to the story of the Latin Kingdom of Jerusalem. His object has been, as he himself states in his