

*American Legislatures and Legislative Methods.* By PAUL S. REINSCH, Ph.D. (New York: Century Company. 1907. Pp. 330.)

This work by Dr. Reinsch is the seventh number to appear in the eight volume series on the American State, leaving only the one on The Executive still to be issued. These seven volumes are a valuable addition to our literature on American government. They are at the same time an indication of the increased interest in the development of political science in this country. This series is also noteworthy in that it is distinctly a product of American scholarship and the first comprehensive work of its nature undertaken by American political scientists.

Dr. Reinsch's book is one of the most original and readable in the series. It is written in a frank engaging style. Its tone is dignified and wholesome throughout. The book ought to be very suggestive and valuable to all officials and citizens interested in good government, as well as to the students of the subject. It should be placed in every library and school in the land.

The first chapter is not by the author himself and was evidently written as an afterthought. It is a description of congress on its formal side, prepared by Bernard Steiner.

The two following chapters, one on the house of representatives and the other on the senate give us an interesting account of those telling features of organization and practice that constitute the really vital parts of the complex congressional mechanism. Among other things Dr. Reinsch points out that congress is somewhat different from European parliaments from the fact that it does not possess a full complement of legislative powers. In fact it has next to nothing to do with the enactment of those ordinary civil and criminal laws which govern the relations of individuals in everyday life. Its characteristic work is that of organizing and supplying the needs of the administrative departments, the army and navy, looking after the national forests, the public land, our wards—the Indians, and regulating foreign and interstate commerce. The author continues \* \* \* "Congress is therefore constantly dealing with administrative policies, and it is inevitable that there should be a struggle for influence and power between the president and congress, as well as between the two houses. New channels of public authority are being worn at the present time, the direction of which it seems beyond human contrivance to modify. Men are becoming conscious of the implied logic of our institutions, and are beginning to feel that the organic life of government and the struggle of political entities for predomi-

nance cannot be confined within the dry principles of the theory of the balance of powers. As yet it is by no means clear in which direction the center of gravity of our political system is bound to settle."

Chapters iii to vii deal largely with the State legislatures. The committee system, procedure, management of finances, apportionments, and elections are the leading topics. The treatment shows how widely and minutely Dr. Reinsch has made his observations.

The best chapters are the last three, entitled *Perversion of Legislative Action*, *Public Forces Influencing Legislative Action*, and the *Legislative Product*. In these chapters the author breaks some new ground and shows what shape and direction the improvements in legislation must take in the immediate future. He calls attention for the first time in a standard work to the importance of the experiments that have recently been made in organizing a permanent bureau of legislation, whose function it shall be to supply busy members with information and assist them in drafting bills.

Dr. Reinsch throws out an interesting suggestion on p. 90, for doing away with a corrupting lobby. Following the practice of some of the administrative councils of Prussia he points out that an open representation of the interests, like the industrial group, the financial, the commercial, the labor, the transportation, and others like education, etc., might bring our system of representation more in harmony with present day solidarity than does our present system based as it is on locality and counted noses. He adds cautiously that such a plan of representation for a legislative body has nowhere as yet been tried.

Every book has its errors and so has the one before us. A few minor ones were detected. On p. 183 the author states that bills are referred to committees "upon the second reading," which of course is not a correct statement of the rule or the practice. On p. 202 in speaking of gerrymandered districts there is an implication that they follow county lines. In South Carolina and other States mentioned the freak districts are made by cutting county lines indiscriminately. Again on p. 325 in the note at the bottom of the page in the third line "object" should read "objection."

WM A. SCHAPER.

*Regulation of Commerce under the Federal Constitution.* By THOMAS H. CALVERT. (Northport, N. Y.: Edmond Thompson Company. 1907. Pp. xiv, 380.)

The series of studies in constitutional law in which the present volume appears is an attempt on the coöperative plan to supply the need of a general treatment of American constitutional law. Treatises on special phases of this subject are fairly numerous but the student can turn to no work which adequately covers the whole field. With all the disadvantages incident to the coöperative method the effort to fill in the gap in legal literature will be generally welcomed.

The work under consideration covers what are termed the commerce clauses of the Federal Constitution. A reasonably wide interpretation of the title has been taken and we find that the author is concerned not only with article 1 of section 8, commonly known as the interstate commerce clause, but also with sections 9 and 10 of the same article, relating to imports, exports and duties, as far as they incidentally touch upon commerce. He does not take up the statutes which have been enacted under the power over interstate commerce and consequently the extended discussion of the interstate commerce act, usual in treatments of this subject, is omitted.

The book is divided into three parts; the first of which takes up the general powers of congress and the States; the second, the various subjects of regulation, and the third, State taxation as affecting commerce. This arrangement seems to be a thoroughly practical one, although it involves a certain duplication of treatment between parts 1 and 2; such duplication would, however, probably be necessary in almost any arrangement which could be devised. Mr. Calvert has largely been guided by the decisions in his division of the space allotted but seems to have preserved the balance so that the treatment is in this respect fairly satisfactory.

In the first requisite of a law book, the accurate statement of the decision in each case, no fault can be found with the work. One who uses it can be reasonably sure that the point of each case has been grasped and stated, either in the words of the judge or of the author, in an accurate manner.

A fault which this book has in common with all of the works published by the Edward Thompson Company is the failure to give anything but the official citation for each case. This is not so serious in the case of the supreme court citations for practically every law library has the