

under "The Seat of Government." The chapter on the judiciary is one of the best in the book and the work's chief value lies in its convenient reference to recent decisions. Longer quotations from the opinions of the courts are included than it is usual to find in legal text books. An appendix of about 100 page includes the great English and American constitutional documents and the full text of the interstate commerce act with its amendments up to date.

B. E. STEINER.

*Primary Legislation: A Study of the History and Tendencies of Primary Election Legislation.* By C. EDWARD MERRIAM. Chicago: The University of Chicago Press. 1908. Pp. xi, 308.)

Four chapters of this book are devoted to an historical summary of primary election legislation in the different States and one each to the judicial interpretation of these laws, the regulation of the convention system, the practical workings of the direct primary system, and a summary and conclusion. In the appendix, covering nearly half the book, may be found a brief summary of present primary election laws and a reprint of several laws in full. The New York law is given as the best representative of the legally regulated convention system, the Illinois law as a fair type of the direct primary, and the Florida law as typical of southern legislation, which leaves a great deal to the discretion of the party managers. A part of the Wisconsin law is given to show the combination of the system of nomination by petition only with the optional non-partisan primary.

One of the most important questions legislatures have had to deal with in primary legislation is the test of party allegiance. The most frequent test is that of past support and an intention to support the nominees at the ensuing election. In the southern States it is customary to allow the party managers to determine the qualifications of the voters and they generally apply the above test. However, this system is not altogether satisfactory as it may practically exclude from political activity citizens who believe in men more than in party. It may be that a man's general sympathies are with a certain party and that it has one candidate before the primary whom he would be glad to support, but there is another candidate with fair chances of election whom he considers a vicious man. If the citizen takes part in the primary in the hope of defeating the vicious candidate, he may find himself under obligation to support this man at the general election. To withdraw from the pri-

mary and hold himself independent at the general election is not a satisfactory solution of the problem. A few of the States have attempted to abolish the party test, but their acts have been declared unconstitutional. The Wisconsin law secures absolute secrecy and allows the elector to vote for the candidates of either party, but not for both.

Other subjects dealt with by legislation are the date of the primary, proxies, the apportionment of delegates to conventions, the vote necessary for nomination, the unit rule (forbidding it in North Dakota), assessment of candidates for election expenses, and the convention. Professor Merriam thinks that the experience of Illinois condemns choice by a convention when no candidate receives a majority in the primary. He also thinks that "the public will accept the plurality system before it is reconciled to the complications of the preferential system." Wisconsin provides for the formation of the State platform by a candidates' convention, while several States allow the State central committee to act with the candidates in this work. Texas provides for the submission of questions of party policy to the voters on petition of 10 per cent of the party's voters. Professor Merriam favors the Wisconsin plan and thinks that the lack of a platform in local election a matter of no consequence, if there is no living issue of a local character.

After a careful consideration of the convention system the author reaches the conclusion that it is doomed. The great objection to the primary is that it emphasizes the national party in local elections. The best remedy Professor Merriam has to offer is the reduction of the number of elective offices. The people should choose all officers concerned with the formulation of public policies, but administrative work is not partisan and of the officers concerned in this work the people should choose directly only the chief ones, such as governor and mayor, and should impose upon them the duty of choosing and supervising the administrative officers. Instead of being undemocratic the author thinks that this would be a decided advance in democracy.

DAVID Y. THOMAS.

*The Adoption of the Fourteenth Amendment.* By HORACE EDGAR FLACK, Ph.D. (Baltimore: The Johns Hopkins Press. 1908. Pp. 279.)

The attention of our newspapers and magazines, and also of our public men in general, is now very much occupied by a consideration of the tendency towards centralization in our government, as shown by so-