

## NEWS AND NOTES: PERSONAL AND BIBLIOGRAPHICAL

EDITED BY W. F. DODD

Prof. John B. Phillips of the University of Colorado has been appointed a member of the Colorado State Tax Commission, for a six-year term, and has resigned his university position.

Prof. Edward G. Elliott of Princeton University will be on leave of absence next year, and will probably spend a part of the time in Europe.

Dr. Frank Green Bates, formerly of the University of Kansas and more recently librarian of the Rhode Island Historical Society, has been appointed associate professor in the University of Indiana and will devote his attention more especially to the field of municipal government. Professor Bates will also organize a Bureau of Municipal Research at the Indiana State Library.

Mr. William Franklin Willoughby, now a member of President Taft's Commission on Economy and Efficiency in Government, has been appointed McCormick professor of jurisprudence at Princeton University.

Prof. J. W. Jenks of Cornell University has become professor of government and public administration and director of political studies in the School of Commerce, Accounts and Finance of New York University.

Prof. George Grafton Wilson of Harvard University will be exchange professor in France from that institution for 1912-13.

Dr. John C. Dunning has become assistant professor of political science in Brown University.

Prof. Allen Johnson of Yale University will publish in the fall, through the Houghton, Mifflin Co., a volume of readings in American Constitutional History for the use of college classes.

Dr. R. S. Saby has been promoted to an assistant professor in Cornell University.

Dr. Robert H. Whitten, Librarian-Statistician of the New York Public Service Commission, First District, has been granted a leave of absence to undertake an investigation of public service regulation in Great Britain, in behalf of the Department of Interstate and Municipal Utilities of the National Civic Federation.

Mr. Earl Crecraft has been appointed instructor in politics in the new School of Journalism of Columbia University.

Mr. Dixon R. Fox has been appointed lecturer in politics in Columbia University.

Mr. William Bethke of the University of Minnesota has been appointed instructor in political science at the University of Colorado.

Mr. S. C. McNemar has been advanced from an instructorship to an assistant professorship in international law at George Washington University.

Prof. H. Parker Willis of George Washington University will be on leave of absence next year. Prof. C. W. A. Veditz will be acting dean of the College of the Political Sciences during Professor Willis' absence.

Prof. Paul S. Reinsch concluded his lectures at the University of Leipzig early in July and returned to the United States at the end of the month.

Prof. H. L. McBain, of the University of Wisconsin, published in July of the current year, two volumes, entitled *Readings on City Government*.

Prof. Chester Lloyd-Jones, of the University of Wisconsin, has in process of completion a work on *Statute Law-making in the United States*.

Mr. U. G. Dubach and Mr. R. M. Zillmer, of the University of Wisconsin, have been appointed assistants in political science at the University of Wisconsin for the coming year.

Prof. J. W. Gannaway, of Grinnell College, is a member of the Political Science faculty of the University of Wisconsin for the summer session.

Mr. Charles H. Burr of Philadelphia has been awarded the Henry M. Phillips Prize of \$2,000, offered by the American Philosophical Society for the best essay on "The Treaty Making Power of the United States and the Methods of its Enforcement as Affecting the Police Powers of the States."

Those interested in Philippine local government will welcome the publication of the *Municipal Code and the Provincial Government Act*, compiled and annotated by George A. Malcolm (Manila: Bureau of Printing, 1911. Pp. xiii, 455).

*The Primary Election Laws of California* (Sacramento, 1912, Pp. 159), and the *General Election Laws of the State of Nebraska* (Lincoln, 1911, pp. 208) have been issued by the respective states.

There has been issued for the use of the Committee on Interstate Commerce of the United States Senate a small volume on *Trusts in Foreign Countries* (Washington, 1911, pp. 132), in which have been printed the laws of Australia, Canada and New Zealand, several articles by Dr. Francis Walker, and two consular reports upon the legal status of trusts in Germany.

The Library of Congress has recently published two lists which will be of value to students of political science: *Select List of Reference on the Initiative, Referendum, and Recall* (Washington, Government Printing Office, 1912, pp. 102); *Select List of References on Employers' Liability and Workmen's Compensation* (Washington, Government Printing Office, 1911, pp. 196).

A recent volume published by the World Peace Foundation contains *in extenso* the argument of Senator Root in behalf of the United States before The North Atlantic Coast Fisheries Arbitration Tribunal at The Hague. Dr. James Brown Scott, who was of counsel for the United States in this case, furnishes a scholarly and elaborate history and analysis of the points at issue and the decisions thereupon. The texts of pertinent treaties, statutes, circulars and correspondence are given in an appendix.

*The Proceedings of the Third American Peace Congress*, held in Baltimore, Maryland, May 3-6, 1911, make a substantial volume of 504 pages (Waverly Press, Baltimore, Md.). The papers are edited by Eugene A. Noble, Chairman of the Publications Committee. Mr. Theodore Marburg furnishes a chapter entitled "Philosophy of the Third American Peace Congress," in which the leading ideas in the various addresses are summarized.

*Political Unions* is the title of the Creighton lecture delivered in the University of London, November 8, 1911, by H. A. L. Fisher. (Oxford: Clarendon Press. 1911. Pp. 31).

In the tenth issue of *The Canadian Annual Review of Public Affairs* (Toronto: Annual Review Publishing Co., 1911. Pp. 648) the editor J. Castell Hopkins, covers in a most satisfactory manner the public happenings in the Dominion for the year 1910—those relating to Dominion politics, to Provincial politics, to the economic and social life of the country, and to Canada's relations to the Empire. Among the topics discussed are the Navy Act of 1910, Sir Wilfred Laurier's tour of Canada beyond the Great Lakes, the increased cost of living, the policies and activities of the Canadian Manufacturers' Association, labor organizations, the work and mission of the Canadian Clubs, and the socialist movement in the Dominion. There is an excellent index.

The Report of the Employers' Liability and Workmen's Compensation Commission of the State of Michigan (Lansing, 1911, pp. 152) contains much valuable information concerning industrial accidents and their compensation in Michigan. The commission recommended the enactment of an optional compensation law.

The Massachusetts Commission on Minimum Wage Boards submitted in January a report which constitutes a real contribution to the subject. Careful investigations were made of women's wages, the conditions of their work, and the cost of living. The commission recommended the establishment of a permanent minimum wage commission, with power to establish minimum wages for women and minors in any employment, after an investigation and recommendation by a wage board.

Professor E. R. A. Seligman has edited a revised edition with new material, of the report on the *Social Evil* (Putnam's, 1912) first prepared in 1902 under the direction of the Committee of Fifteen. The original report, with the recommendation of the committee, are reprinted without changes. The new matter includes three chapters (forming Part III) on the development during the decade 1902-1912, dealing with the European movement, the white slave traffic in Europe and America, and two years progress in the United States, with an appendix on the sanitary supervision of prostitution and a somewhat comprehensive bibliography.

The Yale University Press has published in book form an essay on *Alexander Hamilton*, by William S. Culbertson, Ph. D., which won the John A. Porter Prize in 1910.

*Four Aspects of American Development* is a series of four lectures delivered by John Bassett Moore of Columbia University at the Johns Hopkins University, dealing with Federation, Democracy, Imperialism and Expansion.

Volume XXIX, No. 1 (Jan.-Feb.-March, 1912) of the *Revue du Droit Public et de la Science Politique* contains, in French translation, the full text of the Greek constitution as amended last year.

Among recent books of interest to political scientists are: *Government by all the People*, by Delos F. Wilcox (Macmillan); *Concentration and Control; A Solution of the Trust Problem*, by Charles R. Van Hise (Macmillan); *The Supreme Court and the Constitution*, by Charles A. Beard (Macmillan).

Professor Frank A. Updyke, who was a member of the recent New Hampshire Constitutional Convention, has prepared a pamphlet containing *Suggestions for Applying the Short Ballot Principle in New Hampshire* (New Hampshire Short Ballot Organization. Pp. 31). New Hampshire already possesses a comparatively short ballot, but Professor Updyke proposes a reduction of elective officers, both state and local so that the voters may have not more than six offices to fill at any one election.

The Oberlin College Civic Club prepared and distributed, for use in the primary election of May 21, a pamphlet giving the records and

qualifications of *Candidates Seeking Nomination and Election in Lorain County, Ohio*. The statements regarding candidates were prepared in an impartial manner, somewhat after the manner of those issued by the Municipal Voters' League of Chicago, and are said to have had a good deal of influence in the primary election. This is one of the first cases in which college students have undertaken work of this character, and the success at Oberlin College should inspire students in other colleges to undertake similar tasks.

*Die Entwicklung des Wahlrechts in Frankreich seit 1789*, by Dr. Adolf Tecklenburg (Tübingen, J. C. B. Mohr, 1911, pp. xiv, 264) is a systematic history of the electoral franchise in France. The author devotes some attention to the subject before the French Revolution, and gives a full discussion of electoral changes down to the present time. A good deal of attention is given to the movement for proportional representation.

Dr. X. S. Combotheca, the author of *Conception juridique de l'Etat*, which appeared in 1899, has published a new essay in political theory entitled *La conception juridique des regimes etatiques*. (Paris: Larose et Tenin, 1912. Pp. 126.) The work is devoted to a careful analysis of governments of the chief nations of the world with a view to a classification of them according to their fundamental characteristics. A considerable portion of the study is given over to a criticism of the classifications of other writers.

A recent addition to the "Countries and Peoples Series" published by Scribner's Sons is *Japan of the Japanese*, by Joseph H. Longford, formerly English consul at Nagasaki and now Professor of Japanese at Kings College. The description of the social classes and customs and of the language and literature of the country is excellent. Special chapters are devoted to the Press, the Civil and Criminal Law, and to Police and Prison. The government and politics of Japan receive, however, no direct treatment.

Under the title *Le Facteur Économique dans l'Avenement de la Démocratie Moderne en Suisse*, Vol. I. *L'Agriculture a la fin de l'Ancien Régime*, (Geneva: Georg & Co., 1912. 8vo. 235 pp.) William E. Rappard presents the first part of a larger work which shall eventually describe the relations of the modern industrial revolution to the growth

of self government in Switzerland. The economic changes were predominately industrial, but so intimately connected with agriculture that the study begins appropriately with the productions of the soil in the closing period of the old system.

The second edition of Ernest Lemonon's *L'Europe et la politique britannique*, has appeared from the press of Félix Alcan (1912. Pp. 524). In a supplementary chapter of thirty pages the constitutional crisis in England, 1909-1911, is discussed with judgment and lucidity. The first edition of this excellent work was issued in 1909.

The fifth volume of *La vie politique dans les deux mondes*, edited by A. Viallate and M. Caudel, and covering the period from October 1, 1910 to September 30, 1911, has made its appearance from the press of Félix Alcan. Besides chapters dealing individually with the different countries and groups of countries, for the most part by well known authors, André Tardieu furnishes an introductory essay on the international politics of the year. There are also chapters dealing especially with international treaties and conventions, economic interests and the socialistic movement. References, whenever necessary, to earlier volumes of the series increase the value of this admirable survey of the politics of the year.

*The Modern Woman's Rights Movement*, by Dr. Kaethe Schirmacher has been translated from the German by Dr. C. C. Eckhardt of the University of Colorado (New York: The Macmillan Co. 1912. pp. xvi, 280). Dr. Schirmacher takes up each country separately, and gives numerous details regarding the social, economic and political position of women. Perhaps the most serious criticism of the book is that it is too much a compilation of detailed facts, or in some cases of statements not of fact but of what the author supposes to be such. Many of the statements are irrelevant, some are clearly incorrect. The book nowhere gives a clear statement of the advances made in recent times by women in our social and political life. The field is still open for a work which shall satisfactorily treat the subject with which this book deals.

*The Reform of Legal Procedure*, by Moorfield Storey (Yale University Press, pp. vii, 263), is a sane and well-balanced discussion, in non-technical language, of the defects in our present system of legal pro-

cedure. Only when the author refers to Mr. Roosevelt does he lose control of a calm and self-possessed style. The text of the book was first presented in the form of lectures before the Yale University Law School, on the William L. Storrs foundation. Mr. Storey presents nothing that is novel or sensational, but sets forth clearly the need for reform, and his book should be read widely among lawyers. In order to improve our judicial system he suggests among other things a simplified and non-technical procedure, the concentration of greater power in the hands of judges, an appointive judiciary and higher judicial salaries, the reduction of the number of appeals, and prohibition of reversals except for substantial error.

Professor H. Berthélemy and G. Jèze of the University of Paris have prepared an interesting *mémoire* on the power of courts to declare laws unconstitutional, and the essential part of this *mémoire* has been published in the *Revue du Droit Public et de la Science Politique* (vol. xxix, no. 1. Jan.—Feb.—March, 1912). This *mémoire* was presented to the second chamber of the Roumanian Court of Ilfov, and resulted in a declaration by this court that an act of the Roumanian parliament was unconstitutional. Professors Berthélemy and Jèze state the theory of judicial power to declare laws unconstitutional in its baldest form, and their arguments add nothing to those already known in this country, but the rather full discussion of judicial power in other countries is of great value. In spite of numerous errors the *mémoire* is of sufficient importance to deserve translation into English.

Mr. R. W. Seton-Watson has recently added two books to his already numerous contributions upon Austro-Hungarian politics. *Corruption and Reform in Hungary: A Study of Electoral Practice* (London, Constable, 1911, pp.xvi, 197) is in the main a discussion of particular cases of electoral abuses practiced in non-Magyar districts, and does not present a clear account of present electoral methods and of proposed reforms in Hungary. The book is characterized throughout by the author's strong sympathy for the non-Magyar races. *The Southern Slav Question and the Hapsburg Monarchy* (London, Constable, 1911), advocates Serbo-Croatian unity under the Hapsburg sway, with close relations between the Hapsburg monarchy and Servia and Montenegro. The book is written in a partisan tone, but is valuable.



*The Judicial Work of the Comptroller of the Treasury* (Cornell Studies in History and Political Science, vol. III, 1911. pp. xiii, 164) is a useful study in administrative law. After tracing the history of the office of comptroller, the author discusses somewhat fully the comptroller's jurisdiction, and then treats in detail the decisions of the controller with respect to appropriation acts, public revenues, disbursements for services to the government, and interpretation of contracts. In this part of the work it would have been of value to have a fuller statement of the administrative organization of the Treasury Department, and of the respective jurisdictions of the Comptroller of the Treasury and the Court of Claims.

The author devotes three chapters to a comparison of the Comptroller's work with similar functions in France and Germany, and presents the best brief account of the control of treasury operations in these countries. Students of administrative law will welcome the chapter on "American compared with Continental Jurisdiction over claims against the State," where the author compares the administrative jurisdictions of France and Germany. This chapter, however, does not bear a close relation to the rest of the book.

*American Colonial Government, 1696-1765*, by Oliver Morton Dickerson (Cleveland, Arthur H. Clark, 1912. pp. 390), is a study of the British Board of Trade in its relations to the American Colonies. The chapters on "Difficulties of Colonial Administration" and "Treatment of Colonial Legislation" are of especial value to students of political science. The author presents the fullest discussion available of the royal veto of colonial legislation, and makes a real contribution to this important subject. With respect to appeals to the King in Council from the colonial courts, the treatment is not so satisfactory. Perhaps the most serious criticism of this book is that as to its citation of the manuscript records of the Privy Council. For the whole period covered by this book the parts of these records dealing with the colonies were in print before 1912 (*Acts of the Privy Council, Colonial Series*, vols. 1-4, 1613-1766), yet the author gives citations only to the manuscript record. Moreover, the citations of the manuscript are only by volume and page, without the precise date, so that they give practically no aid to a person who desires to run down the author's references in the printed acts of the Privy Council.

Mr. Samuel Robertson Honey has issued a book entitled *The Referendum among the English*, the sub-title of which is "A Manual of 'Sub-

missions to the People' in the American States." (London: Macmillan and Co. pp. xxxv, 114). The main characteristic of the book is its failure to give any adequate account of the referendum in the United States. Tables are printed of the votes upon questions submitted to the people in Massachusetts, New Hampshire, Rhode Island and Connecticut. Some votes on constitutional questions in other states are collected from Thorpe's collection of charters and constitutions. The book is of no value to students in this country and can hardly prove of much use to advocates of the referendum in England or elsewhere. An introduction by J. St. Loe Strachey adds nothing to the value of the book.

Of much greater value is *The Initiative, Referendum and Recall*, edited by Prof. William Bennett Munro (New York, Appleton. 1912. Pp. viii, 365. National Municipal League Series). The editor has collected a number of the most important discussions already in print and in his selection has wisely not confined himself to papers read before the National Municipal League. An introductory chapter by the editor adds to the usefulness of the volume. In a collection of this character one would not expect to find any important new contribution to the subject, but it is to be regretted that room should not have been found for some careful analysis of initiative and referendum provisions in this country. It would be well to call the attention of the reader more definitely to the fact that there are varying types of the initiative and referendum. In the bibliography it should have been worth while to mention C. O. Gardner's article on *The Working of the State Wide Referendum in Illinois* (published in this REVIEW, V, 394), the only careful study of the influence of ballot forms on popular voting. Frederic J. Stimson's *Popular Law Making* is included in the bibliography and is starred as one of the important books, apparently because of its misleading title, for the book contains only incidental reference to, and nothing of value upon, the initiative and referendum.

The agitation in France for the enactment of a "statute of functionaries" regulating the status and guaranteeing certain rights to the employes of the state has recently called out a large number of books, brochures and articles relating to the various aspects of the question. The most pretentious of these contributions is a book of more than 900 pages by Charles Georquin, entitled *Le Statut des Fonctionnaires-L'Avancement, son organisation-ses Garanties* (Librairie Generale de

Droit et de Jurisprudence Paris, 1912). Mr. Georgin discusses at great length the present status of the functionaries in the various branches of administration, methods of appointment and promotion, their rights and duties and the desirability, not to say the imperative necessity of enacting a comprehensive law providing certain guarantees against favoritism in making appointments and promotions, and according to them the right of association. During the past five years practically every ministry has promised such a statute but as yet none has been passed. Mr. Georgin analyzes several of these projects and submits one of his own which he thinks would meet the situation. He has so thoroughly discussed every phase of the question in his voluminous treatise that apparently nothing has been left for others to say. His work is thoroughly scientific and is based on the most extensive research and intimate knowledge of the subject. In addition to abundant citations to the literature on almost every page of his work he adds a bibliography which should prove invaluable to students.

In a work entitled *The Liability of Railroads to Interstate Employees* (Boston: Little, Brown & Co., 1911. Pp. 571) the author, Mr. Philip J. Doherty, discusses in a convenient form the legislation of Congress fixing the liability of railroads for injuries suffered by their employees while engaged in interstate commerce. The various cases in which these statutes have been construed and applied are collated and intelligently discussed. The chapter entitled "When is a Railroad Engaged in Interstate Commerce" is, however, hardly adequate. Thus, to give a single example, on page 76 there is cited a list of cases with the bare assertion that they support the proposition that a shipment transported from a point in one state through a contiguous state to another point in the state of origin is intrastate in character, and another list of cases which, it is declared, negative this proposition, but without any attempt to explain this apparent conflict of authorities. In fact there is not this conflict, at least in the Supreme Court, as readily appears when one examined the cases which are cited (*Hanley Kansas City Ry.*, 187 U. S. 617, and *Cinn. Packet Co. v. Bay*, 200 U. S. 179). Upon the other hand the constitutionality of the acts is discussed at an unnecessary length, a full third of the volume being devoted to this topic, and much ground covered which can hardly be said to be, or to have been seriously debatable even before the decision in *Mondon v. N. Y. N. H. & H. R. R. Co.* was rendered. A chapter

of thirty-three pages is devoted to a review of the Hoxie case in which the doctrines there asserted are severely but justly criticized. In an appendix the texts of the several statutes are given.

The British Imperial Conference of 1911 has given rise to several books. In *The Imperial Conference: A History and a Study*, (London, Longmans, 1911, 2 vols.), Richard Jebb traces the growth of the Imperial Conference from its inception in 1887, when its first meeting was brought about by accidental circumstances rather than by any conscious idea of promoting imperial federation. Originally the Conference was an informal organization, lacking any governmental significance. From this beginning the author traces the development of the Conference until it becomes a definite institution, with stated though infrequent meetings, with the English Prime minister as presiding officer, and its membership limited to those holding cabinet positions. Mr. Jebb's work is much broader in scope than a mere recital of facts connected with the conference, and is in reality a history of the movement toward British federation. The author is a profound believer in British federation, and thinks that Britain must choose between federation and disintegration. The work is permeated with the idea that the only possible basis for a permanent federation is an economic one. It is colored by the author's very evident prejudice against the Liberal party in England, but is a scholarly and valuable addition to the literature of the subject.

*The Imperial Conference of 1911 from Within* (London, Constable, 1912, pp. vii, 175) is by Sir John G. Findlay, a representative of New Zealand at the Conference of 1911. In this little book the author gives an entertaining account of the work of the Conference; the greater part of the book is devoted, however, to a discussion of New Zealand's proposal for the creation of a representative imperial council.

*Étude sur la Responsabilité des Groupements Administratifs* by L. Couzinet (Paris, Rousseau 1911, pp. 306) is the title of a doctor's thesis which deals with the responsibility of the state and its local subdivisions for injuries committed against private individuals. Monsieur Couzinet shows that during ancient and mediaeval times no such responsibility was recognized but that the doctrine of irresponsibility was nearly everywhere abandoned during the Nineteenth Century. In France, and it is mainly with French practice that his study deals, the responsibility of the state, as well as that of the departments and

communes, for damages sustained by individuals on account of the acts of the administration is now admitted, though of course there are exceptions. Thus for acts which are governmental or political in character as contra-distinguished from those which are purely administrative (*actes de gestion*) the responsibility of the state is not recognized and of course this is true of legislative acts and for the most part of judicial errors. The competent tribunal for determining the liability of the state and the amount of the indemnity is the Council of State, the administrative court of common law in France, except in certain cases enumerated in the laws. The whole question is studied from every point of view, the opinions of the commentators reviewed and the decisions of both Council of State and the Court Cassation, analyzed. Incidentally he discusses the subject of administrative jurisdiction, reviews the objections which have been raised against it and presents a statement of the advantages that are claimed for it. Altogether the study is thorough and carefully done.

Among the more useful of the many doctor's theses prepared for the law faculty of Paris is one entitled *De la Responsabilité Civile des Fonctionnaires*, by Monsieur Nesmes-Desmarets (Giard et Briere, Paris, 1910, pp. 350). Speaking of the multiplicity of functionaries in France (there are now nearly a million, or about one for every forty of the inhabitants) he remarks that the individual finds himself in relation with some agent of the state at almost every moment of his life and it is therefore highly important that he should be protected against encroachments upon his rights. Passing over the protection afforded by means of the disciplinary and penal responsibility to which functionaries are subject—neither of which is sufficient—he reviews the systems of civil responsibility which have been provided in the principal countries of Europe and America. In England the civil responsibility of the agents of the state is fully admitted and they are all liable to prosecution before the judicial tribunals for unauthorized acts against individuals even when committed in the performance of public functions. There, he says, public functionaries are not privileged persons and are liable as private citizens for injuries committed. In the United States the rule is practically the same. In Italy all functionaries except prefects, subprefects and syndics are civilly responsible to private individuals for injuries, and since 1865 no previous authorization from the administration has been required to institute a prosecution. In Belgium since 1831 the rule has been substantially the same, if not more liberal. In Switzerland the federal jurisprudence

recognizes the full civil responsibility of all functionaries whenever they violate the constitution or laws. In Austria, however, the civil irresponsibility of functionaries is still the rule. In Holland there is as yet no general law on the subject but various special laws have been enacted providing that functionaries shall be civilly responsible to individuals for certain injurious acts. In France, where the principle of the separation of powers formerly occupied such an important place in the jurisprudence of the country, an authorization of the Council of State was necessary to enable an injured individual to prosecute a functionary. The protection thus afforded was wholly inadequate but the Council of State by a liberal interpretation as to who were functionaries from time to time enlarged the privilege to prosecute. The Charter of 1830 promised a general law on the responsibility of functionaries but the promise was never fulfilled. A similar promise was made under the Republic of 1848 but it too failed of realization. Finally in 1870 the requirement of an authorization to prosecute was abolished and the principle of civil responsibility was established. However, the jurisprudence of the Council of State makes a distinction between injuries committed through the personal fault of the functionary and those committed in the exercise of his public functions (fault of service). For the former faults they are civilly responsible, before the judicial tribunals, to private individuals; for the latter they are still irresponsible though the state according to the existing jurisprudence assumes the responsibility in such cases. Monsieur Nesmes-Desmarets expresses the hope that in time the civil responsibility of judicial magistrates will also be provided for, as they are already responsible for certain judicial errors.

The question of electoral reform, now and for several years past, the leading political issue in France, has been made the subject of two doctoral dissertations: *La Réforme Électorale en France*, by Jules-Louis Chardon (Rousseau, Paris, 1910, pp. 329) and *La Représentation Proportionnelle devant le Parlement Français*, by Gaston Tronqual (Masson, Poitiers, 1910, pp. 162). Both authors pass in review the history of the movement since its inception, both analyze the causes of the dissatisfaction with the present system, that is to say the method of *scrutin uninominal* with majority representation only, and both discuss the reforms that have been suggested. The advantages and disadvantages of the methods of *scrutin d'arrondissement* and *scrutin de liste* are dwelt upon by both writers and the experience of France with both systems is reviewed at length. Monsieur Tronqual has little

to say in favor of the former method and he is a pronounced partisan of the system of *scrutin de liste* with proportional representation. Monsieur Chardon's study is more impartial and he does not feel so sure of all the merits claimed for proportional representation. He points out much more fully than Monsieur Tronqual the dangers of the system and expresses serious doubt as to its efficacy as a remedy for the existing evils. Altogether this study is much the more thorough, valuable and convincing. Both studies however are very interesting and nowhere else can one find the question of electoral reform in France so fully treated in its various aspects. The subject was debated at great length in the Chamber of Deputies in 1909 and the Chamber approved the principle of the *scrutin de liste* with proportional representation by a decided majority only to rescind its action after the Briand government had threatened to raise the question of confidence. At the elections of 1910 the question was the leading issue and the principle was approved by a large majority of the electors. The Poincaré ministry upon its accession at the beginning of the present year declared itself in favor of reform and the question is now being again debated by the Chamber of Deputies. The opinion of the country is clearly pronounced but the issue in the Chambers is doubtful.\*

\*In the preparation of these notes assistance has been received from Professors Blaine F. Moore and J. W. Garner.



## LIST OF DOCTORAL DISSERTATIONS IN POLITICAL SCIENCE

A list of doctoral dissertations in progress in the field of history is annually issued by the Department of Historical Research of the Carnegie Institution, and a similar list for political economy is annually published, the list of dissertations in political economy for 1912 appearing in the *American Economic Review* for June, 1912. In one or the other of these lists may be found most of the dissertations of interest to students of political science, but a number of political science dissertations are included in neither of these lists. The following list, has been compiled partly from responses received from the several universities, and partly from the published lists of historical and economic dissertations. A date where given after the dissertation title indicates the probable date of completion. For the year 1911 a list similar to that given below appeared in the August, 1911, number of this Review. (Vol. V, p. 456.)

### BROWN

*L. B. Shippee, A. B. Brown, 1903; A. M. 1904.* The early Constitutional History of Oregon.

### BRYN MAWR

*Mary P. Clarke, A. B. Kansas, 1904; A. M., 1906.* The Board of Trade, 1696-1783.

*Margaret S. Morriss, A. B. Woman's College of Baltimore, 1904.* Maryland under the Royal Government, 1689-1715.

### CALIFORNIA

*C. J. Du Four, A. B. Wisconsin, 1902.* Diplomatic Relations between the United States and Mexico, 1821-?

### CHICAGO

*F. B. Carver, A. B. Nebraska, 1909.* History and Critical Examination of the Taxation System of Illinois.

*E. F. Colburn, Miami, 1907; A. M. Cincinnati, 1908.* The Republican Party in Ohio, 1854-1865.

*J. F. Ebersole, Ph. B. Chicago, 1907; A. M. Harvard, 1909.* History of the National Banking System, 1864-1874.

*Frederic B. Garver, A. B. Nebraska, 1909.* The Subvention in American State Finance. 1912.

*Charles K. Guild, A. B. Manitoba, 1909.* Trade Relations between Canada and the United States. 1913.



*Cleo Heraon, Ph. B. Chicago, 1903; Ph. M., 1909.* The Secession Movement in Mississippi.

*Howard A. Hubbard, A. B. Ohio Wesleyan University, 1904; A. M., 1906.* The History of the Government Regulation of Railroads in the United States since 1906. 1913.

*H. A. McGill, A. B. Butler, 1902.* The Congressional Caucus.

*T. C. Pease, Ph. B. Chicago, 1907.* John Lilburne and the Levellers.

*J. R. Robertson, A. B. Beloit, 1904.* The Republican Party in Illinois, 1854-1872.

*A. P. Scott, A. B. Princeton, 1904; B. D. Chicago Theological Seminary, 1910.* A Comparative Study of the Criminal Legislation of Massachusetts and Virginia in Colonial Times.

*S. R. Weaver, A. B. McMaster, 1910.* History of the Taxation System of Canada.

*E. J. Woodhouse, A. B. Randolph-Macon, 1903; LL. B. Virginia, 1907.* The Development of the Judicial System in Virginia before 1860.

## COLUMBIA

*Israel Samuel Alderblum, A. B. College of the City of New York, 1908; A. M. Columbia, 1909.* The Valuation of Railways. 1912.

*Thomas A. Beal, A. B. Utah, 1906.* The Valuation of Franchises. 1912.

*F. O. Berge.* Corrupt Practice Acts in the United States.

*Roy G. Blakey, Ph. B. Drake, 1905; A. M. Colorado, 1910.* The Beet Sugar Industry of the United States. 1912.

*O. G. Cartwright, A. B. Yale, 1893; A. M., 1901.* A History of the American Consular System. 1912.

*S. W. Colvin.* The Bi-Cameral System as Exemplified in the New York Legislature.

*Earl Crecraft, A. B. Franklin.* Political Doctrines of James Madison.

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## BOOK REVIEWS

*A History of the American Bar, Colonial and Federal, to 1860.*  
By CHARLES WARREN. (Boston: Little Brown & Co.  
1911. Pp. xii, 586.)

This fascinating book is of encyclopaedic character and of varied interest. The author well calls it "an historical sketch for those who wish to know something about the men who have composed the American Bar of the past, and about the influences which produced the great American Lawyers." He has divided his work into two parts; of which the first, discussing the colonial bar, covers about a third part of the book; while the second, treating of the Federal Bar occupies the remaining pages. Although the book is theoretically brought down to the outbreak of the Civil War, on certain topics Mr. Warren continues his narrative for twenty or thirty years longer and it is much to be desired that he prepare an enlarged edition, which shall carry the whole work nearer the present day. In addition to legal text books and law reports, he has studied with great profit legal biographies and has brought forth treasure from the mines of legal periodicals, and the files of the North American Review. His foot-notes, giving brief chronological data as to the lawyers named in the text, are so helpful that we wish there were more of them.

In the first part of the book, Mr. Warren shows the legal conditions in each of the American Colonies separately, describing the status of the common law, stating the methods of appointment and composition of the courts, and giving an account of the leading lawyers. We learn what were the methods of a lawyer's education and what books he had, what colonial bar associations arose, and often we find illuminating comparisons of dates of events in England and America.

In the second part of the book, the rise and development of American lawbooks are well treated in two important chapters. The author thinks that four great factors have been largely responsible for the great development of the numbers and importance of the American bar during the nineteenth century and gives three chapters to them, written from the historical point of view. These factors in the prog-