

and with it luxury, have so greatly increased. The change in the system of travel is enough to account for the diminution of privacy. Parasites have not changed their nature since the time of Persius; and they increase in periods of luxury, as weeds flourish when the soil is enriched. Mr. Russell has unwittingly made his picture too lurid; his colors are stronger than he thinks, or laid on without regard to the effect of contrast.

The most instructive, if not the most entertaining, part of this book is that in which the claims of the English peerage to antiquity are scrutinized, and those of the House of Lords to political equality with the Commons are exploded. If aristocracy means the rule of the best, Mr. Russell says, we may safely affirm that it never existed in any place or at any time. The most virtuous men do not dominate their fellows. If aristocracy means the rule of the best born, then there is little of it in England; and of the special virtues of the English aristocracy, Mr. Russell says: "My firm conviction is that the less said about them, the better." After the battle of Tewkesbury, Disraeli observes, a Norman baron was almost as rare a being in England as a wolf is now.

"When Henry VII. called his first Parliament, there were only twenty-nine temporal peers to be found. . . . Of those twenty-nine, not five remain, and they—as the Howards, for instance—are not Norman nobility. We owe the English peerage to three sources—the spoliation of the Church, the open and flagrant sale of honors by the elder Stuarts, and the borough-mongering of our own times."

Every one knows what sort of people Charles II. made peers; and there were 108 peers created by the Stuarts. There are dukes and earls descended from William III.'s Dutch valets; but what of that if a Howard is a "hog-ward"? William Pitt added no less than 141 names to the peerage, and the process goes steadily on.

"Lord Salisbury conferred a peerage on a political supporter who was said by his detractors to have begun life as a 'bus-conductor, and by his friends to have been largely interested in a carriers' business. But he was understood to have paid ten thousand pounds to the party chest, and his money was as good as another's."

It might be well enough to make peers for life; but the House of Lords has succeeded, without much to countenance them, in establishing the principle that the King's writ, summoning a man to Parliament as a baron, "ennobles the blood." Nevertheless—and Mr. Russell writes as a Liberal—he declares that the House of Lords is, next to the crown, the most popular institution in the country. In this judgment and in those on the monarchy, which we can but mention as valuable, we are content to follow him. It is books like this that explain influences, ignored by the ordinary historian, but without knowledge of which history is unintelligible.

A Grand Duchess: The Life of Anna Amalia, Duchess of Saxe-Weimar-Eisenach, and the Classical Circle of Weimar. By Frances Gerard. E. P. Dutton & Co. 1902. 2 vols., pp. 582. With 42 illustrations and portraits.

In view of the dearth of English works upon Weimar as a whole and apart from

the single life of Goethe, Miss Gerard's attempt is certainly worthy of recognition. How far it has actually succeeded in reproducing the substance and spirit of classic Weimar is another question. Whoever would treat thoroughly such a subject must have two preliminary qualifications; the first is a general knowledge of the political condition of Germany after the Thirty Years' War; the second is a sympathetic familiarity with the tardy growth of modern German art and letters. In neither of these lines can Miss Gerard be said to be truly at home. At more than one point her ignorance of general principles has betrayed her into misconceptions and even into misstatements. For instance, who that knows his German history would contrast "time-honored Göttingen" with "the more mushroom University of Glessen" (p. 153)? What student of German literature would call "Götz" "the product of a somewhat unhealthy sentimentalism" (p. 117)? Why speak of Mme. de Staël (p. 285) as a German? At page 190 we read that the Duchess Louise "had been educated in a school of strict propriety, such as then prevailed all over Germany." Yet (p. 291) we read of "foreign courts, and especially those of Germany, possessing a very low standard of morals." Had our author used the term "ceremony" or "etiquette," she would have spared her readers some *Kopfschmerzen*. To mangle the words of Goethe's "Egmont" (pp. 205-206) is almost lese-majesty. We read (p. 506): "Goethe, at this period of his life, was absorbed in scientific studies, thus leaving unemployed those higher mental gifts which had been given him to use, not to bury." This is exploded conventionalism of the worst sort; it ignores Goethe's expressed declaration of the signal value of scientific study in *his own spiritual growth*. To translate "Die Mitschuldigen" by "The Culprits" (p. 318) is another ancient error.

At times the author's method is perplexing. Thus, her account of the *Tiefurter Journal* (p. 378, *seqq.*) is anything but lucid. The author has a trick of anticipating events, so that we read on page 403 of the patent of nobility conferred on Goethe in 1781, while on page 404 we read of the Swiss trip of 1779. The most provoking feature of the author's manner is her inveterate disposition to indulge in asides and superfluous comments. For example (p. 276), after quoting Merck's letter, in which he thanks Fate for having bestowed upon a poor wretch like him four weeks of golden days, our author adds: "Very nicely put, friend Merck." One must be a De Quincey, to pat one's friends on the back thus. We have not had the leisure nor the patience for adding up the number of times "the deadly parallel" has been drawn between the Weimar dames and the Gorton girl; indeed, we have not always been certain which party was intended to be favored. At any rate, our view of comparisons is that of Mrs. Malaprop.

The book is carelessly put together. The note to page 49 refers us to an Introduction which nowhere appears. A like fate has befallen the portrait of Karl August at the age of eighteen, mentioned on page 172. On the other hand, we have an Appendix on the Grand Ducal Library not announced in the table of contents to volume II. Misprints, both English and German, abound; some of them obscure the meaning—for instance, the inscription on the Goethe house, opposite

page 418. Some of the illustrations seem to us superfluous in a work upon Weimar.

Nevertheless, in spite of its faults, the work offers much reading that is pleasant and profitable. The author knows her Germany of to-day, and has caught enough of the old-time spirit to awaken our sympathy. It is pleasant to wander through old Weimar and Tiefurt, to awaken the echoes of the illustrious dead. It is worth the while to study the growth and fortunes of that truly great Duchess Anna Amalia, her trials and successes, her never-flagging vitality. It is especially valuable to have this study of a great woman by a woman. No man, however learned, could have entered so spontaneously into the spirit of Anna Amalia and her court. If we get the men of those days somewhat in the pettiness of their domestic foibles, that is only inevitable in the tableau. We should not forget that the great Weimar poet himself concluded his *magnum opus* with the observation: "Das Ewigweibliche zieht uns hinan." Thusnelda comes to her own, and Frau von Stein is heavily discounted; with this we are well content.

British Rule and Jurisdiction beyond the Seas.

By the late Sir Henry Jenkyns, K.C.B. With a preface by Sir Courtenay Ilbert, K.C.S.I. Oxford: Clarendon Press; New York: H. Frowde. 1902.

Colonial Government: An Introduction to the Study of Colonial Institutions. By Prof. Paul S. Reinsch. The Macmillan Co. 1902.

To students of questions of public administration the "preface" contributed by Sir Courtenay Ilbert to Sir Henry Jenkyns's treatise will be as significant as the book itself. It is a biographical sketch of a man whom it would scarcely be an exaggeration to call an ideal civil servant. After a distinguished course at Oxford, supplemented by a brief period of practice at the bar, Jenkyns was appointed in 1869 to the post of Assistant Parliamentary Counsel. In 1886, on Lord Thring's retirement, he was promoted to that of Parliamentary Counsel. In February, 1899, he retired, and in December of the same year he died. He helped to draft the legislative measures of British Governments for thirty years, including Forster's Education Act and Ballot Act, the Army Act, Gladstone's Irish Church Act, Irish Land Act, and Home Rule Bills, the Local Government Acts, and Sir William Harcourt's Finance Act. His work was by no means mechanical. When called upon to prepare a bill, he would first make himself a complete master of the subject in all its bearings, would embody the results of his researches in an exhaustive memorandum, would discuss the proposals that had previously been made for the solution of the problem, and would suggest practical conclusions, indicating the arguments for and against each alternative course. There are in existence over sixty volumes of confidential papers containing these memoranda. Sir Henry Jenkyns's criticism was constructive as well as destructive, for he possessed the imagination which could forecast the actual working of any particular scheme. His services were rendered to the ministry of the day irrespective of party. Mr. Bryce describes the author of this volume as the most powerful arguer he ever knew; Mr. Balfour calls him "a most acute critic of

other men's ideas, rich in suggestions of his own, with unrivalled experience and great legal knowledge"; Mr. Morley speaks of him as "a consummate master" of his work, and says that the only man in his experience at all comparable to Jenkyns in the difficult art of rapidly devising the right words for the bare rudiment and intention of a clause or an amendment was Herschell. But the possessor of these rare qualities was unknown, even by name, to the world at large. It was his conviction that a civil servant should keep in the background, and he therefore persistently refused to make any literary use, during his official career, of the vast mass of materials he had collected. The book now published was to have been the first fruits of his leisure. Its completion was arrested by his death, and his MSS. have been revised and supplemented by some of his friends.

The expectations induced by this introduction are not disappointed by a study of this treatise, unpretentious in form, but masterly in execution. The body of the work treats in turn of the various classes of territory under British jurisdiction, the relations between the home Government and colonial Governments, British possessions other than colonies, self-governing colonies, colonies not self-governing, colonial governors, extra-territorial jurisdiction, consular jurisdiction, jurisdiction in British protectorates, and the position of foreign subjects in them. There are eight appendices, mainly consisting of the full text of various important acts, commissions, etc. Every page bears traces of being the work of a lawyer, and in each discussion the author goes into many points of detail, with frequent footnotes; but the style is so clear that the lay reader need never be perplexed or bored. It carries the authority of full and accurate knowledge combined with wise judgment.

The chapters on "Self-governing Colonies" and "Colonial Governors" are of special value for the light they throw upon the processes of political development. Sir Henry Jenkyns lays great stress upon the distinction between representative and responsible government. From this point of view he disagrees with Professor Dicey's opinion that the Constitution of the Dominion of Canada is, in its essential features, modelled on our own, and maintains that, "even if we shut our eyes to the crucial distinction between parliamentary government and presidential government, the points of resemblance between Canada and the United States are not nearly so remarkable as the points of difference." In Canada the Ministers require the support and confidence of a majority of a popularly elected assembly, and are consequently responsible to it. Other differences lead to the conclusion that, "apart from the division of powers which is necessary in every federation, and the fixed proportion of the number of Senators from each province, it is difficult to specify any point of resemblance between the Government of Canada and that of the United States which is not also a point of resemblance between the former and the Government of the United Kingdom." The author thinks it especially necessary to emphasize Ministerial responsibility as a fundamental characteristic of the British self-governing colonies, because it is not to be discovered by an examination of their "instruments of Constitution," and is therefore likely to be

overlooked by students who obtain their data mainly from Acts of Parliament or Orders in Council.

Professor Reinsch's book, as its title suggests, is of a more popular type than Sir Henry Jenkyns's, and covers the sphere of colonial government in general, though naturally the British colonies receive the principal share of attention. It is excellently adapted to its purpose, for it presents with admirable lucidity of style and arrangement a survey of the motives and methods of colonial expansion, an account of the general forms of colonial government, and an outline of administrative organization and legislative methods. While it does not avowedly appeal to specialists, they will do well not to neglect it, for the most familiar principles are freshly stated, with new illustrations from quite recent history, and it contains not a few suggestions that will be read with interest by persons already well acquainted with the literature of the subject. The bibliography appended to each chapter will be of service to all classes of readers. The present book bears closely upon practical politics, for its author, without therein ceasing to be scholarly, keeps present-day problems always in mind, and pays due attention to such modern questions as the commercial relations between mother country and colonies, the influence of capitalistic combinations upon colonial expansion, "spheres of influence," and the British agitation for imperial federation.

The corrections required are comparatively unimportant. The view taken of the position of a British Governor (p. 247) is too optimistic to suit present conditions. In the list of distinguished colonial governors (p. 249) a place should have been found for Sir George Grey, one of the greatest of them all. The statement that "the colonial governments are always consulted before any important step involving their interests is taken" (p. 242) conveys an erroneous impression. If the representations of the Ministries of Cape Colony and Natal in the summer and autumn of 1899 had not been ignored by the High Commissioner and the home Government, the Transvaal war would have been avoided. Lord Grenville (pp. 149 and 382) should be Lord Granville; S. W. Rusden (p. 275) should be G. W. Rusden; and Spriggs (p. 385) should be Sprigg. It is a mistake to say that most of the first-class clerks in the Colonial Office entered the service as second-class clerks (p. 289). In connection with the relation of the Judicial Committee of the Privy Council to questions of Indian law (pp. 350 and 373), it should have been mentioned that this Committee always includes at least one member who has had legal experience in India itself. Lord Hobhouse, for instance, was for five years a legal member of the Governor-General's Council, and Sir Richard Couch sat for nine years on the bench of the High Court, first at Bombay, and later at Calcutta.

The Boer Fight for Freedom. By Michael Davitt. Funk & Wagnalls Co. 1902.

At the outbreak of hostilities in the Transvaal, in October, 1899, Mr. Davitt resigned his seat in the House of Commons and repaired to the seat of war, there to spend the next six months in obtaining from the Boer leaders their representation of

the occasion and conduct of the contest. After May, 1900, his material seems to be drawn from the sources of information which are accessible to the general reader of current newspaper and official discussions, and altogether derives such value as it possesses from the author's reports of conversations upon controverted subjects with the officers of the Boer armies. Mr. Davitt's well-known attitude, as an Irish patriot, towards the British Government should prepare the reader to expect a passionate criticism of the motives, humanity, and modes of fighting of the English, and an equally ardent vindication of the disinterested love of liberty and justice of the Dutch republics. The book is entitled to a place among the collections of fact and belief which have already constituted a voluminous basis for that impartial history which shall some day emerge from the contradictory mass of materials.

The military student will be interested in what is said of the relative numbers of combatants in battle, as well as in the attempt to compare the aggregate forces of the opposing nations. That the Boers, with a handful of troops, constantly thwarted the plans of veteran British generals, and repeatedly captured, from an easily bewildered marching column, prisoners exceeding in number the assailants, has been confessed with chagrin by historians from the English side. In our American civil war, Forrest and Wheeler were masters in the audacious tactics which impressed upon train escorts the belief that a few noisy assailants were an overwhelming host, and the Boer burgher was upon his native heath in the pursuit of armed Englishmen, as he had stalked wild men and beasts over the same ground. Paradoxical as it seems, the strength of the Boers lay in their ignorance of military traditions. New occasions teach new duties in warfare as in peace, and, these farmer folk being without time for drill, and, as compared with the resources of their opponents, poor in arms and the other implements of warfare, it behooved them to adapt themselves to the condition of attack and resistance which every man's own intelligence, long disciplined in much the same emergencies, showed to be most promising. In short, the Boer was called upon to act in precisely the manner in which the Americans at Lexington and Bunker Hill, or Jackson's men at New Orleans, held their own against masses of veteran troops. Hence the Boer was extremely individual in his performance of military duty, now and then to the discomfiture of his own superiors; very mobile and venturesome; and, as officer or private, used common sense to override, if need be, all precedents of military propriety and order.

Mr. Davitt enters into elaborate calculations to show the great disparity of the aggregates of the opposing armies. The British, he says, had above 388,000 men, while the Boers mustered at most 31,500, and of actual fighting men, but 27,500. But he allows that some 5,000 of the Boers died in service, and Lord Kitchener has declared that 17,000 men have laid down their arms since the treaty of peace; and, adding to these the captives already in camps of detention, the more likely figure will seem to be at least 50,000 Boers in arms. To be sure, the entire estimated population of the colonies drawn upon for this army is