

of Court, the well-spring of English, and derivatively of American, law; the status of benches, barristers, and students, also of Queen's Counsel and Serjeants-at-Law; criticisms of the "case system" and of the "text-book system" of instruction; the development of law in Westminster Hall, that venerable structure of William Rufus; and, finally, the new Royal Courts of Justice. Then comes an exposition of the excellences of English law, its rule of legal equality, its summary procedure for petty offenses, the high character of the judges, their permanent tenure and ample salaries, and the trial by jury. This is followed by an account of the way in which the common law of England, through the colonists, became the foundation of American law. The excellences of the system were exactly defined, both historically and legally, when Lincoln described ours as a government "of the people, by the people, for the people."

The duties and responsibilities of the legal profession in the United States are, it is argued, vital, for any nation's strength depends primarily upon the just administration of its laws; but in our land most of all is there a dependence of National life upon National justice. The common law, Judge Dillon says, underlies our whole system of jurisprudence; indeed, the superiority of the common over the civil law, as matured by Rome, is constantly emphasized. Our local courts and governments are the exact opposites of the Continental system, and the author declares that the one purpose in virtue of which his book can make claim to any unity of design is to show that, with all its faults, our legal system is better than any other for our people—an estimate not firmly held by the body of law teachers. In other words, this is a protest against *Continentalization* of our law. Then come criticisms. Our American law is open to the three-fold objection of want of certainty, want of publicity, and want of convenience. In proof of the first, the number of judicial reversals is noted; and as a limited remedy for all, limited codification is considered, and the valuable labors of the late David Dudley Field examined. The chapter on the Federal Constitution is a deeply interesting one.

A large portion of the work is taken up with a discussion of the pertinent question: "Is the huge bulk of our case-law remediable?" Throughout the book there is no avoidance of contrasts between England and America. From the land-laws of our mother country, pressing so heavily upon her agricultural classes, we have escaped, as well as from her undue severity of criminal law. On the other hand, the author pleads for a return to the English system of permanent and well-paid judges, and for an annulment of the restrictions which limit our judges in jury trials. By their enactments some of the States forbid a judge to charge upon the facts or to sum up the case on the evidence, and they also compel him to reduce to writing his directions to the jury on points of law. The author ventures an interesting forecast of some changes which international law will witness within the next century. The existing apathy of the public conscience will be aroused, and it will be recognized that an author has, by the highest of all titles (that of creation), a right of property in his own work which treaties and legislation will protect. In view of the increasing intimacy of commercial intercourse among nations, substantial unity in the various departments of mercantile and maritime law will replace present diversity. Finally, Mr. Dillon predicts that the rational practice of settling disputes by arbitration will become general, and that wars, the opprobrium of Christian civilization, will become comparatively infrequent.



A Run Through Russia, by the Rev. William Wilberforce Newton (The Student Publishing Company, Hartford), is the title of only a part of this book, which deals hastily and superficially with the journey from Dresden to St. Petersburg, with the Russian capital, with Moscow and Troitsa. The title is indeed an accurate one. Had Mr. Newton been walking or sauntering through Russia, we should have expected more careful description. The "Run," however, is merely the prelude to the main portion of this volume, which is taken up with the narration of a visit to Count Tolstoi, who at that time was staying with his great friend, Prince Ourouzeff, on the latter's plantation near

Troitsa. It is interesting and has the distinct personal touch. Tolstoi "was dressed in a moujik smock-frock with a waist-band as a girdle. He had on a woolen shirt whose collar was broad and ample. The gray hair of his head was long and silvery, and his iron-gray beard and mustache were silk-like and smooth, covering a tender, delicate, and sensitive mouth." The interview closed as follows:

"Do you believe, then," the writer asked, "in the progressive revelation of God to man?" "Certainly I do," was the reply. "If we occupy our minds with nonsense, God will never reveal himself to us. There will be no room for him in our lives. But if we seek to do his will and live truly, it will not be a difficult thing to find God in our lives. The trouble is that too many of us are occupied with our own nonsense, and God can do nothing with a nature which occupies itself with nonsense." "Is there no hope, then," was the next question, "for the Greek Church?" "None whatever," he replied; "though my dear friend, Prince Ourouzeff, would be shocked at my saying so. There is no hope for the Greek Church. It is a corpse; it is dead, and nothing living can ever come from its tomb." "Ah, you must not think thus of all Christianity," the writer said; "come and visit us in America and we will show you a Church life that is not dead." "You are most kind," was the reply, "and on some accounts I should like to go, but I cannot now go to America: more must come from my life, and I must stay just where I am. Man must not dissipate his life by travel. If his life is to be of any value, he must live it out, and I must live my life out here."

Mr. Newton gives us (besides a chapter full of information on Russian national literature, well describing Lomonosof, Pushkin, Gogol, Turgeneff, and Dostoyevski), his own opinion of Tolstoi as a novelist and writer:

His stories are mosaics, composed of bits of fact and thought—so arranged and shaded into each other as to form pictures strictly after real life as he has observed it. It was needful that his mind should be plentifully supplied with material for these mosaics, and that each should be at instant command when its place in the picture was ready for it. Something of the value of such collected material to the novelist may be learned from Hawthorne's "Note-books." But Hawthorne's material of this kind was carefully noted down, while Tolstoi, although he had his full note-books, had as well a memory still more abundantly stored. Contrary to what this difference would seem to indicate, Hawthorne idealizes almost everything which he touches; Tolstoi almost nothing. In his novels he shows little imagination beyond what is needful to arrange his material in a consecutive and narrative form. It is his clear, vigorous, vivacious style, with the earnest opinions and quick, deep feelings that inspire it, which gives their indefinable charm to his books. We perceive constantly that what we read is not only realistic, but in the mind of the writer absolutely and intensely real.

As a religious prophet Mr. Newton says of Tolstoi: "The man seemed to be one part Quaker like George Fox, one part like a bit of Emerson, and another part a bit of the fanaticism of John Brown." At the bankers' in Moscow the travelers were asked why they went to Troitsa. "We went to see Count Tolstoi," was the answer. "Count Tolstoi?" cried the clerk in an incredulous tone of voice; "well, have you seen the big bell in the Kremlin—the Tsar Kodokol, or King of Bells?" The reply was in the affirmative. "Well, then, if you have seen the big bell of Moscow and Count Tolstoi," replied the clerk, "you have seen the two objects of interest, and the same thing has happened to each of them—they are both cracked." Such was the Russian verdict upon our pious pilgrimage to Troitsa, and there the conversation at the banking-office ceased. The happy thought generally comes too late. When seated in the cars an hour later, the right answer came to this remark. "Yes," should have been the reply, "but in such a God-forsaken, darkened country as Russia one rejoices in the light which comes in even through a crack."

Caligula: Eine Studie über römischen Cäsarenwahnsinn, by L. Quidde (Wilhelm Friedrich, Leipzig; B. Westermann & Co., New York), is by long odds the most successful pamphlet of the day in Germany. It deserves to be noticed and read also in this country, both for its worth as a historical essay and satire and as a proof that the pamphleteers are not all gone; indeed, they are nurtured even in Teutonic and monarchical soil. Caligula, driving from power his trusty Macro, and giving full reign to his own boyish vagaries, is, of course, none other than the ungrateful and impetuous William II. The craving for display, the thirst for felt power, the longing for fame, and the continual assertion of "the divine right" which characterized Caligula's early rule, also (the author intimates) characterize that of the "Reise Kaiser." All statements are verified by abundant references to Tacitus, Suetonius, Dio Cassius, Pliny, and Philo. Cleverly drawn is the picture of the Roman Empire provokingly at peace despite its ruler's longing for military glory, to which some slight vent was given by many reviews and much mock parade. The country was further burdened by Caligula's inordinate desire to have all court events celebrated by extravagant and costly feasts, and to have building enterprises undertaken on a hitherto unheard-of scale, such as the famous bridges across the Roman Forum and across the Bay of Naples. All this gratification of immature self-will, combined with bodily disorders, speedily led to the permanent confirmation of idiosyncrasies which in their turn gave place to insanity. The Emperor even appointed his favorite horse as Consul. No longer did "the divine right" answer; the crazy Caligula now believed himself a

god, and acted accordingly. By their fatuous and undoubting obedience, the people, who were the real sufferers from this travesty, were, after all, the causers of it. One cannot but be at least entertained by the adroitness with which this historical study is fitted into present German grooves, and of course one reads constantly between the lines the question, "Will history repeat itself?" That the circulation of the booklet has not before this been more absolutely prohibited than has been accomplished by tentative confiscations is probably due to a natural disinclination in high quarters to give it such effective advertising.

Mr. Symonds's "History of the Renaissance" is a most valuable work, but its cost and size put it beyond the reach of many readers. The substance of the work has been put into a smaller volume, *A Short History of the Renaissance in Italy*, by Lieutenant-Colonel Alfred Pearson, taken from the work of John Addington Symonds. It appears from Mrs. Symonds's preface that this condensation was undertaken with the consent of Mr. Symonds himself. As a convenient manual of the art and history of Italy, students and tourists will find this book extremely useful. Colonel Pearson's style is easy and his grasp of the material complete. He has only restated Mr. Symonds's opulent narrative in a brief form. The only fault we have to find is in occasional *lacunæ* and in the abruptness of the ending. (Henry Holt & Co., New York.)

An anonymous sketch of the late *Bishop Lightfoot* which originally appeared in the "Quarterly Review" has, at the expressed desire of many in England, been republished in a revised and enlarged form through the Macmillans (New York). The article was evidently written by one who had known Dr. Lightfoot intimately, and consequently it possesses much interest. There is an introduction by Dr. Westcott, Lightfoot's successor in the see of Durham, a portrait of Bishop Lightfoot, and an appendix of his expressed opinions on the Historic Episcopate. When Dr. Lightfoot first published his book, "The Threefold Ministry," years ago, he was violently assailed by Broad, High, and Low Churchmen. Now his position then taken has become the prevailing doctrine in the Anglican Church on both sides the water.

If Mr. W. B. Yeats never wrote anything beyond the book of delightful Irish ghost stories before us, his mark would be made. The stories are curious and instructive to the student of folklore, and the manner in which they are told possesses a singular charm. It is seldom, in this disillusioned world, that one is found so able to put himself into the mood of the believer in ghosts; we might almost say that the author has an entirely original point of view. "Everything exists; everything is true; and the earth is only a little dust under our feet." Reading these tales of fairies and hobgoblins transports one into the realm of the "Midsummer Night's Dream." We stroll through the pages of *The Celtic Twilight, Men and Women, Dhoul's and Fairies* (Macmillan & Co.), and the spell of Merlin is upon us.

Notwithstanding the Pauline definition of faith, which satisfies many, there are attempts to formulate another definition which may have a form apparently more scientific. This sort of attempt is made by the Rev. James Vila Blake in his new book, *The Anchor of the Soul: A Study of the Nature of Faith*. Mr. Blake is always original, but never more so than in this his definition of Faith: "Faith is the spirit's realization of the nature of things—Faith is the soul's baptism into the universe." If this definition be repellent to any one, we advise him to read Mr. Blake's little book, in which the reasonableness of it is made manifest as a form of mystical Christianized stoicism. (Charles H. Kerr & Co., Chicago.)

A little volume of *Aphorisms from the Writings of Herbert Spencer* has been selected and arranged by Julia Raymond Ginnell, and published, with a portrait of the great philosopher, by D. Appleton & Co., of this city. It is a most interesting little book for the devotees of Mr. Spencer, and for any one else alive to the thought of the day. The keynote of the collection is struck by the aphorism which has been chosen for the first motto of the book: "We have to deal with Man as a product of evolution, with Society as a product of evolution, and with Moral Phenomena as products of evolution." The selections are wisely chosen, and are full of suggestiveness.

An English Anthology from Chaucer to Tennyson, by Dr. John Bradshaw (Longmans, Green & Co., New York) is the fourth edition of a good book. It differs from "The Golden Treasury," as it includes not only the songs and lyrics of Spenser, Milton, and the rest, but also extracts from their long poems. Each song or extract is placed in its exact chronological position, or as nearly so as possible. Hence it can readily be seen what

poems appeared in a certain decade or period, and it certainly is pleasant to know the year in which some favorite piece was written or first published.

Literary Notes

—M. Victorien Sardou has been succeeded as President of the Society of French Dramatists by M. Alexandre Dumas.

—Mr. Charles Ashton, a Welsh constable, is the author of a "Bibliography of Welsh Literature," and is known as the "Literary Policeman."

—It is said that Mr. Quiller-Couch is about to publish a volume of critical essays, and that he is writing a new story of Cornwall, to be entitled "Dozmare," after its heroine, a fisher-girl.

—A slab of Italian alabaster, carved with the Florentine lily and the English rose intertwined, will shortly be placed over the grave of Robert Browning in Westminster Abbey. The only inscriptions thereon will be the poet's name and the dates of his birth and death.

—Mr. Thomas Bailey Aldrich has the following suggestive lines in the latest number of the "Chap-Book":

I little read those poets who have made
A noble art a pessimistic trade,
And trained their Pegasus to draw a hearse
Through endless avenues of drooping verse.

—The death of Leconte de Lisle leaves an Academy chair vacant. Here is another chance for M. Zola! Should he succeed, what a *facilis descensus Averno* from Leconte de Lisle's calm, cold Greek classicality to the realism of the gutter as seen in the author of the Rougon-Macquart series!

—It is said that the publication in book form of Mr. Du Maurier's delightful "Trilby" is delayed by the much-offended Mr. Whistler, who threatens the publishers with a lawsuit if they print either the objectionable "Joe Sibley" paragraphs or the still more objectionable portraits of that character.

—A bust of the Rev. Henry Francis Cary, the Dante translator, executed by Mr. Croby, has just been presented to the British Museum by the translator's granddaughter, Mrs. Horman. Mr. Cary's special connection with the Museum arises from his having filled the position of Assistant Keeper of Printed Books from 1826 to 1838. In that capacity he had apartments at Montague House, where Charles Lamb was wont to visit him frequently.

—Franz Bonn, who has just died, was one of the most beloved of Bavarian poets. Instead of estranging him from "the great heart of the people," his legal work for the State in various positions and in various places only seemed to bring him in closer touch with his countrymen. In both the "Fliegende Blätter" and the "Münchener Bilderbogen" his verses were constantly appearing, and many were his popular theater-pieces and libretti. Of his epics, "Jacopone" is the best. The latest collections of his shorter efforts are called "Von mir is's" and "Für Herz und Haus."

—On July 13 the Zschokke monument at Aarau, Switzerland, was dedicated. Aarau was the novelist's first residence. His next was at the exquisite little village of Reichenau in the Grisons, at the juncture of the two branches of the Rhine. Here he kept a boys' school and wrote his "History of the Swiss Cantons." Later he returned to Aarau and the Aargau, and began his career as a novelist, his best-known romances perhaps being "Der Flüchtling im Jura," "Adderich im Moos," and "Der Freihof von Aarau." Yet of all his forty published volumes the most popular and prized will ever be his superbly religious "Stunden der Andacht." Heinrich Zschokke died in 1848. The monument is the work of M. Alfred Lanz, of Paris.

—Professor John Stuart Blackie, of Edinburgh, has just celebrated his eighty-fifth birthday. A correspondent describes him as follows:

I encountered him one day beating eastward against a half gale, his cloud of white hair tossing about his head and flapping up against his big-brimmed soft black hat, his cheeks rosy with the winter wind, and his kind eyes dancing with the delight he takes in his favorite walking exercise. It was hard to believe that he was in his eighty-fifth year. I told him how I had come across a book in which it was said that he loves to play the rôle of a peripatetic philosopher. How he laughed! "Do they say that of me? Ho! ho! ho!" And then he trolled a "Hi-ti-rumpty-tum," snatching an air, as his habit is, from some half-forgotten song, winding up with a mutter of Greek, looking the while as if he were a prophet apostrophizing the gods. "Don't mind the confusion of tongues," he added. "Greek, Latin, Gaelic, English—it's all the same to me. I borrow the phrase that comes readiest for the thought. But the Greek is the great language." He has been in love with Greek for more than sixty years; he taught it during half that time; he knows it as well as he knows English; he reads Greek newspapers, he has the best Greek library in the Kingdom, and I dare say he dreams in Greek. He had been extolling the master tongue and all things Greek with so much zeal that I said: "You talk as if in spirit you were more a Greek than a Scotchman." "Not that"—he half sang the words—"Oh! bonny Scotland for me. A man should stick to the land where God put him."

[For list of Books Received see page 321]