

"the state can very properly prohibit the killing of one by another at the latter's [*sic*] request." In another part of the book, Mr. Tiedeman is led by his natural rights theory to the absurdity of saying that animals have rights. He can find no other justification for statutes preventing cruelty to animals. Sometimes the natural rights idea brings our author into conflict with the courts, whose heretical decisions he unhesitatingly condemns. For instance, in his section on "Miscegenation" (page 537), he says :

Unless it can be established beyond a reasonable doubt that the intermarriage of white and black may be expected to produce frail and sterile offspring or threatens the general welfare in some other well-defined way, the duty of the courts is to pronounce those laws unconstitutional, because they deprive the parties so disposed to marry of their right of liberty without due process of law. But the prejudice of race has been too strong even in the judicial minds of the country to secure for these laws a scientific consideration, and hence they have repeatedly been held to be constitutional.

Such are the most noticeable faults of the book. In its favor is the fact that the author has attempted to write a treatise, not to make a mere digest. In these days, when compilations make up almost our whole legal literature, an attempt to produce a treatise deserves some recognition, however inadequate and faulty the result. Mr. Tiedeman's idea has been to lay down principles of law derived from cases, citing the cases in sufficient number to make his treatise useful to practising lawyers. The book is thus in general readable and often interesting. It becomes especially interesting when it shows how low our American legislatures have fallen in the eyes of lawyers and of the courts. It seems as if doubt were being cast on the truth of the old political principle that the state legislature is the residuary legatee of all governmental powers, and as if the courts were assuming to control the legislative power in accordance with their ideas of justice, even in the absence of a positive constitutional limitation.

F. J. G.

The Supervisor's Manual: A practical treatise on the law applicable to the duties of supervisors, from the date of their election to the end of their official term, with the decisions of the courts and the necessary forms. By GEORGE C. MOREHOUSE, of the Utica Bar, formerly one of the supervisors of Oneida County. Albany, John D. Parsons, Jr., 1886. — Large 8vo, vi, 580 pp.

As Mr. Morehouse points out in the preface to his *Manual*, one of the marked tendencies of legislation in the state of New York (and, we may add, in most of the United States) is to intrust the control of gov-

ernmental matters more and more to local officers. This process of decentralization began very early in New York. In 1691 the colonial legislature passed an act by which the county officers were no longer to be appointed by the governor, but to be elected by the people of the county. The elected supervisor supplanted the justice of the peace, who, as in England, was appointed by the central government of the state. This was perhaps as important a step as was ever taken in this country in the direction of local government, and has been followed by almost every state in the Union. Florida, I believe, is the only state which allows its governor to appoint its county officers; and it is said that he is there limited by custom in the exercise of his appointing power to the choice of the party caucus in the county. And not only have the local officers become in general elective, but many matters which used to be attended to by the state legislature are now put into the hands of these same local officers. In New York, two laws, one of 1849 and the other of 1875, which together form what may be called the county code, have conferred on boards of supervisors comparatively large powers of legislation and administration. This being the case, our local authorities have grown to be of much greater importance than in former times, and are destined, probably, to become the most important organs in the system of state government. Therefore it is that any book which, like Mr. Morehouse's, contains the whole law on the subject of local government, is of great use; indeed, it is a necessity to every lawyer and to every student of political science, as well as to the officers for whom mainly it is written. The *Supervisor's Manual* does not pretend to be a scientifically arranged treatise for the student, so much as a practical manual for the daily use of the supervisors themselves. Still, it is not badly arranged; and any one who wishes to make a study of New York local government will find it a great help. One peculiarly useful feature of the work is the insertion of the text of the most important laws. Chapter x, for example, consists entirely of legal texts with a digest of the decisions of the courts made in their interpretation. The work is accompanied by an index, occupying eighty pages.

F. J. G.

A Digest of the International Law of the United States, taken from Documents issued by Presidents and Secretaries of State, and from Decisions of Federal Courts and Opinions of Attorneys-General. Edited by FRANCIS WHARTON, LL.D. Three volumes. Washington, Government printing office, 1886.

* Such a work as this, published under a resolution of Congress, is a gratifying indication that our federal legislature is not wholly devoid of