

the advantages of an edition published nearly a quarter of a century ago, and supplements these with new matter which ought to make the third edition the standard work on the Conflict of Laws. A. S. F.

THE LAW OF CRIMES AND CRIMINAL PROCEDURE. By LEWIS HOCHHEIMER, of the Baltimore Bar. Pp. 566. Baltimore: The Baltimore Book Co. 1904.

As the first edition is out of print, this book, as is stated in its preface, is practically a new work. It is not and has not been intended as a voluminous and detailed treatise on criminal law, but as a book, short and concise and at the same time comprehensive, and as such it well fills the position for which it is intended. While the text itself is entirely free from quotations both from cases and from other authors, the citations of important cases, English as well as American, are numerous, and have been brought down to the date of publication of this edition. The subject matter of the book is grouped under four different heads: "General Doctrines," "Procedure," "Special Proceedings," and "Specific Offences," but of the entire 566 pages only 251 are devoted to "General Doctrines" and "Specific Offences," while of the remainder, 201 pages are taken up with "Procedure" and "Special Proceedings." However, the brevity and conciseness of statement, together with but this short space devoted to the principles of criminal law, while making the book of less value as a text-book, greatly increases its usefulness to the practising attorney, and this usefulness is further augmented by the fact that the sections of the book dealing with procedure and special proceedings both include numerous forms and seem to be specially complete and comprehensive. J. K. F.

NOTES ON RECENT LEADING ARTICLES IN LEGAL PERIODICALS.

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The Law of the Constitution in Relation to the Election of President. J. Hampton Dougherty. The first point that is taken up by the author of this article is that of the appointment of electors under the provisions of the Constitution. We are told, "So comprehensive and unfettered is the grant, so omnipotent the power of the legislature, that it may not only itself choose the electors, or confer the privilege of election upon the people, to be exercised in districts, or by a vote upon a general ticket throughout the state at large, but it may even go so far as to give the power of appointment to the judiciary of a state, or to any body or person." "Thus at the threshold of the electoral system arises a question of transcendent moment, which is, has the organic law of the United States, in clothing a state legislature with plenary power to appoint electors, elevated the legislature of the state above and beyond the state Constitution?" The author does not attempt to answer

this question, but leaves it to the consideration of his readers while he goes on to consider the qualifications of electors and the authority in which is vested the power to decide as to those qualifications. Here we find much confusion, and no case has as yet arisen in which it has been found necessary to definitely settle the matter; in the light of this fact the discussion may, perhaps, be considered rather academic than practical. As to the provisions relating to the election of President and Vice-President, there was, early in the life of the Republic, found much to change in the original methods provided by the Constitution, and even at this period of our history there is much which is open to criticism, notably the dangers of a tie vote in the electoral college. The provision for the succession to the office of President is considered inadequate, as it does not provide for the possibility of the death of the President-elect or of both the President and Vice-President-elect, there being, apparently, no machinery by which to fill the vacancies thus occurring. The often-discussed question whether the Vice-President becomes President upon the death or disability of the President, and, if so, at what time the disability may be considered permanent, is discussed, and no solution of the problem is offered. "The Constitution maintains a sphinx-like reserve" when consulted for a solution of the difficulty. By whom the electoral votes shall be counted and the various formalities in regard to the counting are points which are given a very complete treatment, the importance of the subject being illustrated by the events of 1876, which led up to the enactment of the legislation of 1887, which Mr. Dougherty does not consider successful. In fact, the argument is made that "the electoral system is the weakest and most vulnerable feature of the Constitution, and if disaster shall ever overtake the nation, it will come through the maintenance of the electoral system," and that "the time is opportune for the abolition of the useless and dangerous electoral system."

Labor Strikes and Injunctions. P. L. Edwards. There is so much interest to-day in the subject which forms the title of this article that it may be well to call attention to the fact that another in the long series of articles upon the topic has been printed. Apart from the interest which the matter itself presents there seems to be little to differentiate this article from the others of its class which have already appeared. It has the merit, however, of being apparently free from any extreme partisanship, and the usual cases are presented in a logical order and in a manner which brings clearly before the reader the points at issue. Boycotts are treated as well as strikes, and a list of cases given in which they have been declared unlawful, although the list cannot be considered exhaustive. Mr. Edwards says in reference to the topic of which he treats, "This discussion is intended to show to what extent the use of the extraordinary writ of injunction is had in dealing with strikes and labor troubles, and is a practical review of the cases exhibiting the power of the court of equity to restrain and enjoin strikers and organized labor generally from committing tortious acts." It is, perhaps, hardly correct to call the paper "a discussion;" it is rather a plain presentation of the cases from which can be derived a reasonably fair bird's-eye view of the present state of the matters in the courts of law. New cases are constantly coming before the courts for adjustment, however, and in these new cases we find another state of facts, and, in many cases, another judge, who, either from his own environment and circumstances, or because he is of a different mental calibre, is able to give us a judgment from a point of view hitherto not presented to us. For this reason each article of this kind is a sort of report of progress of the position of the courts upon the matter, and is, therefore, of interest, not only to those who follow the law, but to those of the industrial world as well.