

to the demands for "the abandonment of booty-seeking in naval warfare," made by the United States jointly with Prussia as early as 1785, by agreeing to the establishment of international prize courts.

But notwithstanding the fact that the subject is to an unusual degree one of present day interest and the treatment somewhat polemical in character, the work is thoroughly scientific. The author is manifestly a jurist and scholar of excellent training, with a good sense of the value of historic facts as evidence. In a careful review of capture on land, Dr. Wehberg points out that the recent remarkable work of Mr. T. G. Bowles on "Sea Law and Sea Power," is in error in stating that the law of seizure on land is virtually the same as at sea. Private property on land is virtually immune save in cases of need for the maintenance of the invading army; seizure of the property of non-combatants on land for plunder is no longer practical. But this is far from being the case at sea. Indeed just the opposite is true. Private property at sea is not only made the object of attack and seizure in all naval wars, but the recognized right to do so, underlies, according to the author, the whole system of our naval warfare. Naval programs and naval policies are built up on the idea that the private property of the citizens of the enemy is not only subject to seizure as plunder, but the most vulnerable point of the enemy's armor. Dreadnaught after dreadnaught is being added to the navies of Great Britain and Germany for this reason. That this policy is basically wrong, Dr. Wehberg shows in his chapter on "The Reasons Urged for the Retention of the Law of Prizes at Sea" and in his constructive argument in the following chapter, in which he argues that since "free ships make free goods," belligerent trade is thrown to neutrals, and the destruction of the enemy's commerce therefore quite impossible save by blockade. The consistent corollary to the rule of 1856, *free ship, free cargo*, is the entire abolition of the right of prize at sea.

In its suggestiveness with respect to a question so closely allied to the reduction of naval armaments this interesting volume affords a valuable contribution to the literature of the subject. It has a good index, is well documented, and has an up-to-date bibliography.

W. E. L.

BOOKS RECEIVED.

- THE REFORM OF LEGAL PROCEDURE. By Moorfield Storey. New Haven: The Yale University Press. 1911. \$1.35 net.
- LONG'S FEDERAL COURTS (Second Edition). By Joseph D. Long. Charlottesville, Va.: The Michie Company. 1911.
- CHRIST'S CHRISTIANITY. By Albert H. Walker of the New York Bar. New York: The Equity Press. 1911. \$1.00 net.
- STUDENTS' REMINGTON ON BANKRUPTCY. By Harold Remington. Charlottesville, Va.: The Michie Company. 1911.
- THE RECORDS OF THE FEDERAL CONVENTION OF 1787. Edited by Professor Max Farrand of Yale University. New Haven: The Yale University Press. 1911.