

## SOME PUBLICATIONS

*The Iowa Band.* New and Revised Edition. By REVEREND EPHRAIM ADAMS, D. D. Boston and Chicago: The Pilgrim Press. Pp. xx, 240.

This little book, as the author states in his preface, is the story of Congregational home missions in Iowa. The story is told in a very simple and effective way. Mr. Adams (who by the way is the father of Henry C. Adams of Michigan) was one of eleven ministers who came to Iowa in 1843 from Andover Theological Seminary to begin missionary work in the newly organized Territory.

The book is somewhat significant as a contribution to early Iowa history. It suggests rather than elucidates the close relation of the mission churches to the social and political development of the Territory and State. One feels somewhat disappointed that this influence is not more fully dealt with, especially with respect to the question of slavery, as the Congregational churches were early known as the "abolition churches." The influence of "The Band" and their associates was of course most strongly felt through their teachings, hence rather difficult to fully estimate, though their attitude was unquestioned.

Two other matters are treated which have a general interest. One of these is the close relation of "The Band" to the cause of education. "If we can each organize a church and together organize a College," the expressed hope of one of the number, gives the keynote of their plans. Perhaps the most gratifying fact about these efforts, which finally founded Iowa College at Grinnell, was the thoroughly non-sectarian *spirit* with which the work was undertaken. The New Presbyterians joined hands with "The Band" to start the educational movement, and remained for some time connected with the College.

It would indeed be interesting to trace the influence of this movement upon the development of our common school system.

Another interesting part of the book is that treating of the effect of intermingling, upon the denominations in the Territory and the influence of western Congregationalism upon its eastern parent. There is no doubt but that this influence has been beneficial in broadening and deepening the spiritual element as opposed to the formal, thus making it more a religion of the heart while not less of the head.

The book would have been improved had it been thoroughly revised instead of having here and there a supplementary chapter inserted. One forgets now and then whether he is standing at the year 1870 or 1901. But on the whole we should be thankful that Mr. Adams was induced to reprint his interesting little volume. It is to be hoped that he may be repaid by seeing similar contributions inspired from other denominations in the State.

HARRY GRANT PLUM

THE STATE UNIVERSITY OF IOWA  
IOWA CITY

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*Stephen Arnold Douglas.* By WILLIAM GARROTT BROWN. Boston and New York: Houghton, Mifflin & Co. (The Riverside Press, Cambridge). 1902. Pp. 141.

Stephen A. Douglas has an especial interest for Iowa since she was one of the seven States admitted to the Union by his good offices while he was chairman of the Senate Committee on Territories.

Mr. W. G. Brown, whose spirited, eulogistic, and readable life of Andrew Jackson was contributed to the *Riverside Biographical Series* two years ago, has just published in the same series a brief life of Senator Douglas, equally spirited, eulogistic, and readable.

The story is vividly told of the poor Vermont boy who leaves the bench of a cabinet-maker to go West, reaches Illinois sick, eager and ambitious, with thirty-seven cents in his pocket. There he wins a debate against a popular leader before he is twenty and becomes for life "The Little Giant," is public prosecutor at twenty-two, member

of the legislature at twenty-three, meeting in that body and beginning his life long duel with that far higher spirit, Abraham Lincoln. At twenty-eight he becomes Secretary of State, and in the same year Judge of the Supreme Court of Illinois, at thirty is in Congress, at thirty-three U. S. Senator, and from that time until his death, at forty-eight, a prominent and influential leader of that august body, a constant candidate for the presidency, and a large factor in national affairs.

With all this success it seems, as we look back, a life of wretched failure; and Mr. Brown's book would be stronger and truer if it showed this somewhat more fully. It was a life apparently with one aim—*self advancement in public office*. The goal was the White House, and it was never attained.

Von Holst's estimates of our public men are not flattering or sympathetic. Some of them are mistaken; but they have the impress of sincerity if not of sympathy. He says of Douglas: "His exterior and manners revealed to a marked and sometimes almost disgusting extent the coarseness and half culture of the growing west." He attributes to him "an adroit tongue, a sharp natural understanding, great presence of mind, a large measure of the shrewdness that borders on cunning." He says he "always presented himself with the entire coarse aplomb of the bold, influential, half educated contestant, who is filled with immeasurable confidence in himself;" that he was "by profession, by nature and inclination a demagogue who desired to satisfy the South without breaking altogether with the North, because this seemed to him the only way for the attainment of the highest goal of his ambition."

On the great controlling issue of the hour, *slavery*, he, a northern man, refused to stand for human liberty, but sought on that radical question a safe middle course. There was none such, and the South deserted him for Breckenridge, and the North for Lincoln. It was his "moral hollowness," as Von Holst styles it, that left him but twelve votes in the electoral college. Something of this appears in Mr. Brown's book; but it is too much glossed over. The rugged

judgments of Dr. Von Holst may help us to a juster, more discriminating, and on the whole more salutary estimate of such a life as that of Stephen A. Douglas.

CHARLES NOBLE GREGORY

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*Die Deutschen von Iowa und deren Errungenschaften. — Eine Geschichte des Staates, dessen deutsche Pioniere und ihrer Nachkommen.* By JOSEPH EIBOECK. Des Moines: Iowa Staats-Anzeiger. 1900. Pp. 799.

This book takes up a phase of the history of Iowa that has been almost entirely neglected. When we consider that nearly one half (43.1 per cent according to the census of 1900) of Iowa's white inhabitants have foreign born parents and that of these the German element is more than three times as numerous as any other, it certainly seems that German influence in the building of the State is a subject that ought to receive attention. From the standpoint of the student, however, the volume before us is little more than a suggestion, being a compilation of a popular character. Yet even in such a book it would be strange if the author, an editor of German newspapers in Iowa for half a century, had not preserved in its eight hundred pages much that will be of value to future investigators.

As the sub-title indicates, the author does not confine himself to telling of the Germans of Iowa and their achievements, but includes matters of general interest in order that Germans may read about them in "unserer lieben und herrlichen Muttersprache." About seventy-five pages are taken up with such matters as a general sketch of the history of Iowa, its geography, geology, governmental organization, educational and charitable institutions, commercial development, etc. Chapter VIII tells of the Germans of Iowa in the Union army. In it (p. 84) we find the interesting statement that "the first company of militia that placed itself at the disposal of President Lincoln in 1861 was from Burlington, Iowa, and was composed

almost wholly of Germans." If not the first in the United States, it was at least among the very first. (See Byers' Iowa in War Times, p. 40, footnote.) The list of officers of German birth in Iowa Regiments during the war shows 1 major, 1 regimental surgeon, 1 adjutant, 2 quartermasters, 1 assistant surgeon, 28 captains, 27 first lieutenants, and 16 second lieutenants. A later chapter on the Spanish-American war brings out the fact that the Germans were almost unanimous in their opposition to its declaration. In the chapter on Iowa's colonies are descriptions of the Clydesdale, Communia, and Liberty colonies, all of Clayton County, the Icaria colonies of Adams County, and the Amana Society of Iowa County. The account of the "Prohibition Pestilence" and Iowa's breweries presents vigorously the German view that the prohibition legislation was not only a blunder economically, but an infraction of the inviolable rights of citizenship.

Then follow chapters on German activity in the church, the schools, the press, in lodges and societies, in poetry and in public life. The names of the seventy-five Germans in Iowa who are ninety years of age or over are reprinted from the census of 1895. A few pages are devoted to the Israelites in Iowa.

About one half the book is devoted to an account of the German settlements, including over two hundred biographical sketches, and many portraits. These biographical sketches are of course eulogistic, but are of real interest and constitute the most valuable part of the work. The volume closes with some reminiscences of Iowa in the forties and fifties, and miscellaneous legal and practical information.

In a work of this sort, naturally, very little use is made of the statistical method, by means of which a much clearer view could be obtained of the distribution, growth, occupations, etc., of the German population. It is to be hoped that some one will take the present work as an inspiration and investigate the subject from the standpoint of the critical instead of the popular historian.

MAX O. LORENZ

THE UNIVERSITY OF WISCONSIN  
MADISON

*The History of the Louisiana Purchase.* By JAMES K. HOSMER.  
New York: D. Appleton & Co. 1902. Pp. xv, 230.

In the preface, the author states, that in writing this volume, he had "in mind, youths on the verge of maturity, and men and women too busy for deep study of the matter." He has produced a book well calculated to please and profit the general reader; it is attractive and generally reliable. It is tastily bound, neatly printed, and well illustrated. The author's style is clear, simple, and engaging. Sparing the "diplomatic details" and the "state-paper minutiae" of a work for the historical scholar, he gives a large place to the picturesque, the dramatic, the personal. While he has made no notable contribution to our knowledge of the subject, he has written a popular work based, evidently, on original sources and on good secondary authorities, indebtedness to Henry Adams being especially apparent. In view of the proposed exposition at St. Louis and of present-day interest in expansion in general and in Louisiana in particular, this history is peculiarly timely.

The story is told in eleven chapters. A cursory consideration of French colonization and of the struggle for French supremacy in America, is followed by accounts of the Spanish possession of Louisiana, Napoleon's dream of colonial empire, and the negotiations prior to the retrocession of 1800; of Napoleon's unsuccessful San Domingo project and the beginning of American negotiation; of Monroe's mission and Napoleon's determination to sell Louisiana; of the First Consul's quarrels with his brothers over this determination; of American negotiations and purchase; of political and constitutional controversies occasioned by the treaty; of American occupation and government of the new territory; and, finally, of leading events in the subsequent history of Louisiana. The appendices contain a memoir of Livingston addressed to Talleyrand, Napoleon's order for the sale of Louisiana, the treaty of purchase by the United States, and the convention concerning payment.

Dr. Hosmer has approached his subject from the French side, to which he thinks "too little attention has been paid heretofore," and,

like Henry Adams, aims to recount "the European as well as the American phases of the story." He seeks to show that the "vast dimensions of the United States are due to an influence from Europe." And, while he pays high tribute to the perseverance, foresight, and skill of Chancellor Livingston as a diplomat, he believes that the sale of Louisiana was a "piece of Napoleon's statesmanship, Jefferson and his negotiators playing only a secondary part."

A few errors and defects have been noted. Doubtless a carefully selected list of the best books on the subject would have added to the general serviceability of a work even of this popular nature. Considering LeClere's position at home, the deathfulness of his mission to San Domingo, and the censure and ingratitude of Napoleon, it is a question whether the former was really "*much cherished* by his great brother-in-law," as Dr. Hosmer assures us (p. 49). It is certainly startling to read that the "Spanish attitude toward the United States was, in fact, most friendly" (p. 35). The statement that "it was not easy for him (Jefferson) to feel that the free navigation of the Mississippi was so very important" (p. 63) clearly is not based on a careful reading of Jefferson's private correspondence. His letters of 1786 and 1787 gave frequent expression to the opinion that "the navigation of the Mississippi we must have."<sup>1</sup>

In this connection it should be pointed out, however, that careless reading of page 63 and misquotation of the sentence last referred to, are responsible for some adverse criticism at the hands of Mr. David Y. Thomas,<sup>2</sup> which is quite gratuitous and unwarrantable. The context shows that the pronoun "him" cannot but refer to Jefferson. For a reviewer to misquote the sentence in the following form: "It was not easy for *Madison* to feel," etc., and then to take Dr. Hosmer to task for a statement thus distorted, is inexcusable.

PAUL S. PEIRCE

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<sup>1</sup>Ford, *Writings of Jefferson*, IV, pp. 189, 262, 333, 363, 392.

<sup>2</sup>*American Historical Review*, October 1902, p. 140.

*The Iowa Historical Record.* Vols. I to XVIII. Iowa City: The State Historical Society of Iowa. 1885-1902. Pp. 3482.

This Quarterly Magazine was published by the State Historical Society of Iowa in revival of the *Annals of Iowa* (suspended in 1874) with the purpose of rescuing from oblivion much valuable history held only in the memory of men of advanced age.

Of the one hundred and forty-five contributors to the pages of the *Record* thirty-five have passed away. The names of T. S. Parvin, Hawkins Taylor, John H. Gear, Senator Harlan, Senator Wilson, Judge Wright, and Governor Kirkwood, will be recognized as authority in statement of early historical data. A most valued contributor, Rev. Dr. Salter, survives and may yet continue important service.

The range of topics has been wide, but may be classified under a few general heads. The first and the most prominent is the historical.

I. HISTORICAL—Subdivisions—(1) *General* from 1799 to date, 100 articles. (2) *Military*—(a) Indian troubles, (b) Civil War, 61 articles embracing 100 letters from the field. (3) Anniversary addresses, 18 articles. (4) Educational and religious, 21 articles. (5) Scientific, 18 articles. (6) Indians, 17 articles. Total, 217 articles.

II. Biographical—(1) Personal history with photogravure or half-tone portraits, 97 articles. (2) Brief obituary notices, 200 articles.

III. Reminiscences of persons and places, 48 articles.

IV. Poetry, 31 articles.

V. Illustrations of historical matter, 26 in number.

VI. Editorials, notes, and book reviews.

Such is a mere skeleton of the body of the work of eighteen years of unpaid devotion to the preservation of material which the student of fifteen years will find full of life. Sketches of the lives of men and women who have been the makers of Iowa; incidents of early struggles and privations which will find no place in more elaborate treatises; the strife with savage occupants of the soil; reminiscences of soldier life as given in familiar letters; incidents in professional



life, drawn from personal experience and from observation; simple habits of pioneer life—these will clothe the skeleton and give it the form which the noble State presents to the onlookers of today. The *Record* lives but under a new name and in enlarged form.

JOSIAH L. PICKARD

MINNEAPOLIS, MINNESOTA

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*The Statute Laws of the Territory of Iowa enacted at the First Session of the Legislative Assembly of said Territory held at Burlington, A. D. 1838-'39. Published by Authority. Dubuque. Russell & Reeves, Printers. 1839. Des Moines: Reprinted by the Historical Department of Iowa. 1900. Pp. 634.*

*Journal of the Council and House of Representatives of the Second Legislative Assembly of the Territory of Iowa. At the Special Session which convened at the City of Burlington, July 13, 1840. Des Moines: Published by the Historical Department of Iowa. 1902. Pp. v, 116.*

The Historical Department of the State of Iowa, through its Curator, Mr. Charles Aldrich, has recently published two volumes which will be highly prized by all who value source work in historical study. The first of these includes the Constitution of the United States, the Ordinance of 1787, and the Organic Act of the Territory of Iowa, as well as the statutes of the First Legislative Assembly of the Territory. The first two documents are well known to all students. The Organic Act of the Territory of Iowa is less accessible to the average reader. It is especially interesting to students of Iowa history and politics because it was a sort of charter granted by Congress, outlining the government of the Territory and designating the limits of powers granted to its officers and legislative body. The remarkable "absolute veto" granted to the Governor in this document was the cause of endless bickerings on the part of the Legislative Assembly, and was later modified by Congress after an unsuccessful appeal to the President of the United States for the removal of Robert Lucas, the first Governor.

The statutes enacted during the first session of the Legislative Assembly reveal the political theories of the day, and, by comparison with later legislation, help us to trace the change of sentiment in Iowa as its citizens learned wisdom by experience.

The second volume is the result of a desire to fill a gap in the printed records of Iowa legislation, inasmuch as, by some inadvertence, the records of this special session of the Legislative Assembly of the Territory had never before been printed. Among the acts passed at this session we find some that would be unconstitutional today; and we find some bills voted down, though the same idea has since become a part of our State Constitution. A bill of divorce-ment was granted by this assembly, though our present Constitution vests this power in the courts alone. We find this assembly repeatedly changing county seats, while today this power lies with the people of the county interested. On page 24 (Journal of the Council) there is recorded an unsuccessful attempt to abolish imprisonment for debt; and in various places we find propositions to grant town lots for church "*and literary*" purposes. Lack of space forbids further details; but we desire to say that the tedious work of editing and publishing these books is only a small portion of the great labor of love which Mr. Charles Aldrich has for years been performing under many discouragements, but with an unconquerable devotion to the cause of the Historical Department of Iowa.

LEONARD WOODS PARISH

IOWA STATE NORMAL SCHOOL  
CEDAR FALLS

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*Rhode Island—Its Making and Its Meaning.* By IRVING BERDINE RICHMAN. With an introduction by James Bryce. New York and London: G. P. Putnam's Sons. 1902. 2 vols. Pp. 560.

Ever since the beginning of historical writing in America the early annals of the four New England colonies have afforded a mine of inexhaustible resources. Not only has the history of New England

been the subject-matter of many of our ablest historical works, but it has also furnished the themes of our most valuable historical essays. In the struggle for supremacy between the northern and southern elements in our history the Old Dominion has constantly yielded ground to the more aggressive and progressive New England States. Among the latter Massachusetts has held and still holds the place of first importance. Much of this importance, paradoxical as it may seem, Massachusetts owes to her New England neighbors.

Nothing in the domain of American historical interpretation has lately been published of greater suggestive value than the two volumes of Irving B. Richman on *Rhode Island, its Making and its Meaning*. The introduction by the Honorable James Bryce fully recognizes this fact. The student of our history must be similarly impressed after a careful perusal of the two volumes. It is impossible, perhaps, to agree with every expression of opinion, it is doubtful whether all of Mr. Richman's statements would receive general endorsement, but of the permanent value of the author's work there can be no question. Mr. Richman points out most clearly that the opening chapter in the history of Rhode Island is to be found in Massachusetts, and that the final interpretation of a certain phase of the history of the larger colony must be sought for in the smaller.

The title of the work is most felicitous. It is simply a fact that the two volumes are an interpretation of the making and meaning of Rhode Island as one of those thirteen English colonies which afterwards contributed their several quotas to the vast complex of our national American life. Most thorough scholarship based upon careful research, a pleasing presentation, ably seconded by a superior piece of work on the part of the publisher, make these two volumes a genuine contribution to our historical literature. Even had Mr. Richman been heretofore unknown, which is certainly not the case, this last production would be sufficient to entitle him to a place among the scientific historical writers of the younger generation in America. The history of Rhode Island during the life time of Roger Williams and two of the fundamental ideas in our American

political development have found a successful expositor in the author of these volumes.

WILLIAM CRAIG WILCOX

THE STATE UNIVERSITY OF IOWA  
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*History of the Constitutions of Iowa.* By BENJAMIN F. SHAMBAUGH,  
PH. D. Des Moines: The Historical Department of Iowa. 1902.  
Pp. vii, 352.

Under the above title the Historical Department of Iowa has lately issued an interesting, instructive, and suggestive volume of 352 pages. The book has been written by Dr. Benjamin F. Shambaugh of the University of Iowa, at the request of Mr. Charles Aldrich, and is worthy of special mention as a step in the important work (hitherto largely neglected) of interpreting, in concise and readable form, American state history as distinguished from American national history.

Dr. Shambaugh opens his subject by directing attention to the fact that Iowa—although created a State within the memory of men still living, and although possessing a considerable literature along the lines of local incident and personal episode—has never been interpreted from the point of view of its larger relations, its relations, that is to say, to the great Union whereof it has at no time been an unimportant member, and whereof to-day it is a member the importance of which is conspicuous and commanding.

In those larger relations spoken of—relations essentially political in their nature—it is the Constitutions of Iowa which are of primary importance, and these, in the book before us, are taken up one after another, beginning with the "Act [passed in 1836] establishing the Territorial Government of Wisconsin" and ending with the instrument (so generally familiar) ratified on August 3, 1857.

But behind and underlying the various Constitutions which successively were in force throughout the Iowa country there was something (a something vitally important to be understood by us, for it is

the key to these Constitutions) and that was "the makers of the Constitutions." "A Constitution," says Dr. Shambaugh, "is a social product. It is the embodiment of popular ideals." Hence, if one is to comprehend the Constitutions of Iowa, he must first comprehend the Iowa pioneer and settler. He must remind himself of such facts as that the founders of the State pitched their abodes alongside streams, near timber, and in groups, thus creating the local community; that they did this without legal warrant, but that (owing to their Anglo Saxon heritage) law sprang up among them as it were *proprio vigore*; and that the kind of law which thus sprang up was naturally the broadest consistent with safety to persons and property. "The broad rich prairies of Iowa and Illinois," remarks our author, "seem to have broadened men's views and fertilized their ideas. Said Stephen A. Douglas: 'I found my mind liberalized and my opinions enlarged when I got out on these broad prairies, with only the heavens to bound my vision, instead of having them circumscribed by the narrow ridges that surrounded the valley [in Vermont] where I was born.'" Indeed, no less than three elements of American Democracy are pointed out by Dr. Shambaugh as emphasized by the Iowa pioneer, and these are: (1) Equality before the Law; (2) Equality in the Law; and (3) Equality in making the Law.

The plan of conducting the study of Constitutions in the light of facts and not merely in the light of the documents themselves—a plan so happily conceived and carried out in works such as Bagehot's "English Constitution," Macy's "English Constitution," Woodrow Wilson's "Congressional Government," and Bryce's "American Commonwealth"—receives illustration anew in Dr. Shambaugh's book, and Iowans may take pride and pleasure in the circumstance.

IRVING B. RICHMAN

MUSCATINE, IOWA

*Supplement to the Code of Iowa.* Published by Authority of the State. [Des Moines]: Bernard Murphy, State Printer. 1902. Pp. xxxviii, 874.

Every one is presumed to know the law—save perhaps the judges of the courts—hence the maxim, *Ignorantia juris non excusat*. The exception is noted because of a remark attributed to a distinguished Iowa lawyer, who in speaking of the nominee of a political party for judicial office declared: “He will make a most excellent judge, for he will not be hampered with any preconceived notions of the law.”

The maxim quoted is based on public policy, or perhaps more properly speaking, on necessity. If this were not the rule courts would be compelled in each and every case to institute a preliminary investigation as to the knowledge the parties had of the law which should govern.

Precognition of the law being conclusively presumed, publicity is quite as important as beneficent legislation. Of some laws we must take notice because of universal tradition and long practice, which supposes previous publication, as is the case with that immense storehouse of unwritten law largely borrowed from England. At one time proclamations and some acts of Parliament were announced by officers, or criers appointed for the purpose. Other acts were read in churches and at public gatherings. Finally they were written or printed and promulgated in the most public and perspicuous manner.

One of the merits of our system of Jurisprudence is the wide publicity given to acts of Congress and of the several state legislatures. We can never be accused of doing as Caligula, who it is said wrote his laws in very small characters and hung them upon high pillars, the more effectually to ensnare his people.

The Constitution does not in express terms require publication, although such an intent may fairly be inferred. Until comparatively recent years it had been the practice to publish nothing but the laws. Annotated codes have come into general use since the writer came to the bar, twenty-four years ago. The Revision of 1860 contains a few annotations, but they have never been regarded as of much value.

Prior to the Code of 1897 excellent annotated codes were prepared by William E. Miller and Emlin McClain (the latter being now one of the judges of our Supreme Court) and printed as private enterprises. Justice McClain also blazed the way for continuations by preparing a supplement to his code, which was published in the year 1884, and which stands as the prototype of the volume we are to consider.

The Code of 1897 is the first ambitious attempt made by the State at publication of a complete annotated code. That attempt has been remarkably successful, and in spite of the short time given for its publication it is singularly free from error or mistake. It has not been a profitable investment from a financial standpoint—the State not having recouped the expense of publication—but it has everywhere been regarded as nearly a perfect annotated code as it is possible to make.

The difficulties in continuing law books and keeping them “up to date” are everywhere recognized; and these difficulties are accentuated when attempt is made to classify and work into a code subsequent acts of a legislative body. To meet these difficulties the legislature which adopted the Code passed an act which reads as follows:

“The Twenty-ninth General Assembly, and each third General Assembly thereafter, shall select, in a manner as provided in section two hereof for the selection of editor, some competent and suitable person, to compile, annotate and superintend the publication of the statutes of a general nature enacted after the adoption of the code.”

Pursuant to that act the Twenty-ninth General Assembly selected a supervising committee composed of Senators Trewin, Whipple, and Porter, and Representatives Payne, Barker, and Hamann. It also elected John R. Carter, Esq., editor. As a result of their joint labors we have the new Supplement which has recently gone into the hands of the profession and the people generally. This supplement not only includes all the laws passed by the General Assemblies after the Code of 1897, but also annotations of all decisions of the Supreme Court announced since that time, and down to the October, 1902, term

of that court, extended tables showing where the various acts of the legislatures may be found in this Supplement, a revised enlarged and much improved index of the Code to which it is a supplement, and of the Supplement itself, all the rules and regulations with reference to the collection of the collateral inheritance tax, and notation of decisions from all the States bearing on the new negotiable instruments law enacted by the last legislature to secure uniformity. This last feature is an invaluable aid to uniformity in construction, which is quite as important as similarity in language. The committee is entitled to great credit for introducing this apparent innovation.

The arrangement generally follows that of the Code. In a few instances there is room for criticism here, but as the matter is largely arbitrary it is perhaps after all a mere question of taste. The practice of citing the code section number and then reciting in brackets ("for earlier annotations see code, &c.") seems to be superfluous. Every one of necessity turns back to these old sections; and few if any give any attention to the page number.

On the whole the work is well done. Some mistakes of citation in the original Code have been corrected, and all of the cases bearing on statutory construction down to the October, 1902, term of our Supreme Court seem to have been cited. The index as it now appears is worthy of special mention, as it is very full and comprehensive.

No argument is needed in justification of this work or of its predecessor the annotated Code. It is quite as important to know how a statute has been construed by the highest court in the State as to have the statute before you; and there is as much reason for the State publishing these annotations as for its publication of the laws themselves.

This Supplement is not only invaluable to the lawyer, but to every layman who has occasion to know the law as well. The price \$2.00 per volume is very reasonable considering the quality of the work and the amount of matter it contains.

Great credit is due Senator Trewin for the full consummation of this plan for which he has worked with untiring devotion and energy.



The editor, Mr. Carter, and in fact all who have had part in the preparation of this Supplement are entitled to a just proportion of these words of praise.

HORACE E. DEEMER

SUPREME COURT CHAMBERS  
DES MOINES

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*The Constitutional History of the United States.* By FRANCIS NEWTON THORPE. Chicago: Callaghan & Co. 3 Vols. Pp. xxi, xix, xvi, 595, 685, 718.

The most valuable estimates of a book are those which come from scholars and readers who live after the author. And so the only just review of the historian's labors is the review of the centuries. At the same time it is not improper for an author's cotemporaries to express an appreciation of his work.

So extensive are the works of history already published by Dr. Thorpe that one can do little more than notice their titles. His two "constitutional histories" are, however, the largest and the most valuable of his writings. *A Constitutional History of the American People*, a work in two volumes, which was published in 1898, illustrates, emphasizes, and proves the value of the constitutional history of the States. The appearance of these volumes was an event which promises to become a landmark in the study of American history. A larger interest in the local or provincial history of the Commonwealths is herein anticipated by Dr. Thorpe. It is fitting that one of the "fathers" of the movement should be found among the contributors to the first number of the IOWA JOURNAL OF HISTORY AND POLITICS.

Dr. Thorpe's work in American history has not, however, been narrowed by the view-point from the States. He has kept the Nation, too, within the range of his vision. And so in his latest three volume *Constitutional History of the United States* he traces the progress of the national elements in our system of government. Thus, in the two works, he has treated the evolution of our system of government completely and with rare poise.

It is believed that Dr. Thorpe's *Constitutional History of the United States* will outlive the interest in its first appearance because: (1) It represents the labors of more than twenty years. (2) It bears ample evidence of careful, critical, exhaustive study. (3) It was written at first hand from the original sources. (4) It does not consist of discussions and opinions of motives, but represents modesty in the presence of great events. (5) It possesses literary merit. It is history made clear, plain, readable, and respectable by a proper use of the English language.

In reading these volumes one is impressed with the fact that Dr. Thorpe is more than a descriptive historian. Like Prof. John W. Burgess, he rises to the level of Political Science in his treatment of our constitutional history. His books are contributions to American Politics in particular and to Political Science in general. He sees the general principles underlying political phenomena; and above all, he has firmly grasped the fundamental truth that the development of the American system of government is essentially the evolution of Democracy.

Dr. Thorpe has searched the records, marshaled the testimony, presented the facts, and described the events. In the volumes under review he has given us a narrative of the origin, evolution, and administration of American government.

BENJ. F. SHAMBAUGH

THE STATE UNIVERSITY OF IOWA  
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*Daniel Boone.* By REUBEN GOLD THWAITES. New York: D. Appleton & Company. 1902. Pp. xv, 257.

The biographical treatment of history has long since justified itself. Full expiation has been made for the numerous sins of John S. C. Abbott. So far has the reaction against the myth-maker gone, that it is sometimes claimed that the present biographical emphasis in historical writing has become a mania. If it is a madness there is at least a method in it. Men, it is true, are not the only factors in the making of history, but they are, after all, the most important ones.

Genuine biography must always be a contribution to scientific history. The past errors of ill-prepared and unauthentic biographers are no more to be charged up against the modern scientific writers of historical biography, than are the sins of Hume, in the treatment of English history, to be remembered against Stubbs. The popular predilection in favor of sensational biography can hardly be more deplorable than an occasional scientific prejudice against sensible biography.

Among the numerous American authors of the present day who are co-operating to redeem biographical writing in our country from any ill-repute which it may have borne in the past is Reuben Gold Thwaites of Wisconsin. There has just come from his pen a brief biographical work which is all that modern criticism demands. In more than one respect Mr. Thwaites' little volume on Daniel Boone is a model of what a brief modern biography should be.

In this volume the general historical setting of Boone's time is never for a moment lost sight of. It is not the sketch of some Robinson Crusoe in an ideal insular isolation. Mr. Thwaites does not represent Boone as a hero to be worshipped, does not even call him a great man, and makes no claim for him as the first or the greatest pioneer in Kentucky. In the author's judgment Boone is simply a man whose interesting life makes a convenient point of view in treating the early history of one of the important sections of the middle west. The book is admirably proportioned, the narrative never lacks interest, while every page gives evidence of the most careful research. A constant distinction is made between ascertained fact and plausible conjecture. The illustrations are excellent and the volume has a good index, a feature which is conspicuously absent in many brief biographical sketches. The absence of any maps to illustrate the journeys of Boone and his friends is the one serious defect in the work. The ease with which such maps could be prepared makes their absence all the more a matter of surprise.

The author is to be congratulated upon his good terminal facilities. When the story is told the book closes. There are no super-numerary chapters at the close as there is no padding in the body of

the work. It is a terse, concise, clear, accurate account of a man and a period which have a permanent and positive historical value.

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*Father Marquette.* By REUBEN GOLD THWAITES. New York: D. Appleton & Co. Pp. xv, 224.

Since the days of Francis Parkman interest in the history of the Middle West has scarcely abated. The rapid accession of interest in the subject manifest in recent years, however, impresses one who has not closely followed its development as being of the nature of a revival rather than a sound and permanent growth. As a matter of fact the West is beginning to recognize that it has a history of its own, apart from that of the New England pioneers whose grandsons finally came to occupy the valleys of the Ohio and the Mississippi and the fertile prairies beyond. One tangible result of thus coming to their full inheritance is that the people of the Middle West have in prospect the Louisiana Purchase Exposition, to be held in the city which, of all cities, is perhaps richest in historic associations of the truly western type.

This biography of Father Marquette is thus timely in its appearance, the more so as it is more than a mere biography. No more central figure could have been chosen about which to group the rugged features which form the background of the history of the Mississippi Valley than the person of Marquette. He, more than any other man of his time, was in touch with all the springs of action which urged the white man past the remotest shores of our inland seas and on to "the Great Water of the West." The author has made good use of this unique position of his hero—for no biographer could treat Marquette as other than a hero—and has given us a picture of his surroundings, both as to place and time, which has not been surpassed. This has been done, too, without the least straining for literary effect. On the contrary, much of the narrative and many of the

descriptions are given in the simple and artless language of Marquette or of his contemporaries, as recorded in the *Jesuit Relations* and other original documents. Yet, despite the faithful freedom with which the quotation marks are used, there is no lack of continuity in the text.

In point of general accuracy the work is, as the name of the author would lead one to expect, quite above suspicion. Few disputed points are touched upon, as for example, the questions as to the location of the Mission of St. Ignace and that of the village of the Mascoutins. Marquette's presence, at any time, upon the site of Chicago is also doubted. While these questions are all dealt with gently, the author's own views are sometimes easily apparent. The statement regarding La Salle's exploration of the Ohio to the falls of Louisville (p. 129), however, might have been made a little less positively; though any discussion of the question would certainly have been irrelative.

The illustrations are good and well selected. Mac Neil's fine bronze reliefs from the Marquette Building (Chicago) are appropriately included. Trentanove's "idealized" statue of Marquette should have no place here—nor in the national capitol for that matter. The reader's natural curiosity as to the grounds upon which the frontispiece is "reputed" to be a portrait of Marquette is quite unsatisfied. Marquette's MS. map would be even more interesting if accompanied by a table identifying, as far as possible, the various localities and other proper names recorded thereon. One would rather see the junction of the Wisconsin with the Mississippi from the point of view occupied by Marquette and Joliet, than from the bluff below McGregor. But these are trivial matters which do not in any way mar the real excellence of the work.

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